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DIGEST OF BILLS

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Enacted by The

FIFTY-FIRST GENERAL ASSEMBLY

1977 First Regular Session



COLORADO

LEGISLATIVE DRAFTING OFFICE

30 State Capitol Bldg.
Denver, Colorado 80203

July, 1977

DIGEST
OF
SENATE AND HOUSE BILLS ENACTED
BY THE
FIFTY-FIRST GENERAL ASSEMBLY
OF THE
STATE OF COLORADO
(1977 - First Regular Session)
and
APPROVED OR VETOED BY THE GOVERNOR

* * * * *

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
30 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. Vetoed bills are digested and marked 'VETOED'.

	<u>Introduced</u>	<u>Passed</u>	<u>Vetoed</u>	<u>Passed and Approved</u>
HOUSE	730	309	18	291
SENATE	<u>589</u>	<u>284</u>	<u>13</u>	<u>271</u>
TOTALS	1319	593	31	562

Note: 13 House Bills and 7 Senate Bills became law without Governor's signature, which totals are included in the totals above.

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ADMINISTRATIVE RULE REVIEW

(Section 24-4-103 (8) (d), C.R.S. 1973, enacted in 1976, directs committees of reference, the general assembly, and the committee on legal services to review rules adopted or amended by executive agencies on or after July 1, 1976, to determine whether they are within the agency's delegated power. The statute also authorizes a committee of reference, the committee on legal services, or any member of the general assembly to introduce a bill amending or rescinding an agency rule. Bills of this type are collected in this section of the digest.)

S.B. 169 Department of social services. Recommended by the committee on legal services. Repeals the department of social services rules, sections 3100 to 3104 of volume III of the public welfare staff manual, concerning workload standards for allocation of authorized positions.

Became law without Governor's signature

May 30

May 30

S.B. 170 State board of cosmetology. Introduced as a result of committee on legal services review. Repeals rules 20:12 and 24:1 of the rules and regulations of the state board of cosmetology, concerning student examination time restrictions and suspension of rules in certain board reviews of applications.

June 9

June 9

S.B. 548 State personnel system - affirmative action corrective remedies. Addresses rules of the state personnel board relating to affirmative action corrective remedies within the personnel system. Repeals a supervisory rating which takes into account affirmative action hiring practices. Provides for the repeal of certain rules by January 1, 1980, and limits the applicability of such rules upon the validation of selection devices or upon the elimination of underutilization of protected class members, as defined. Requires written certification by the personnel director that certain conditions have been met before such rules and additional referrals for affirmative action purposes may apply, including the voluntary request for such referrals by the appointing authority. Declares the intent of the general assembly to preserve

merit principles contained in the state constitution and to encourage the implementation of equal employment opportunities and affirmative action corrective remedies and authorizes the personnel board to adopt and implement rules which carry out such intent within certain guidelines. Requires a specific annual report to the general assembly by the personnel director.

June 9

June 9

H.B. 1159 State board of cosmetology. Recommended by the committee on legal services. Repeals rule 22:1 of the state board of cosmetology concerning processing of complaints.

Became law without Governor's signature

April 5

April 5

H.B. 1646 Committee on legal services - legislative drafting office. Requires temporary and emergency rules as well as regular rules and amendments thereto to be submitted to the legislative drafting office in a form and manner to be prescribed by the committee on legal services. Clarifies filing requirements as well as committee and staff responsibilities. Declares that the official certificate of the director of the legislative drafting office as to the fact or date of submission of a rule as shown by his office records, as well as the fact of nonsubmission as shown by the nonexistence of such records, is to be received as competent evidence of the facts contained therein in all civil cases. Staff findings are to be presented to the committee at public meetings held after timely notice to the public and to the affected agency. Declares that the committee on legal services is to be the committee of reference for any bill introduced as a result of its work. Authorizes the committee to appoint subcommittees to assist it in the performance of its rule review functions. Requires the committee to establish a program for review of all existing rules, which program is to be completed within 5 years.

Governor purported to veto on July 15, but failed to meet constitutional filing date - legal effect subject to court determination.

AGRICULTURE

- S.B. 239 Adulterated and artificial bee products. Authorizes the commissioner of agriculture to issue a stop sale, use, or removal order to persons violating certain provisions concerning adulterated and artificial bee products and to confiscate products not complying with such provisions. Provides for enforcement of such stop sale, use, or removal orders and provides penalties for noncompliance.

Provides that the state shall recover reasonable compensation for costs, including state attorney fees, for the prosecution of cases seeking a decree of condemnation when such a decree is entered.

Exempts from regulation any individual having an apiary of less than 25 lives and who is not in the business of selling honey or other bee products.

May 26

July 1

- S.B. 240 Products and marketing - definitions. Redefines "poultry" as including any slaughtered and ready-to-process commercially produced game bird, including quail.

May 27

July 1

- S.B. 242 Noxious weed seed. Changes the definition of prohibited noxious weed seed to include joint goat grass and musk thistle. Changes the definition of restricted noxious weed seed to exclude fanweed and peaweed and to specify that only certain types of wild mustard are included as restricted noxious weed seed.

May 27

July 1

- S.B. 293 Emergency control of range caterpillars - apportionment of costs. Adds range caterpillars to grasshoppers in the category of pests to be controlled in part by state and federal funds upon the declaration of an emergency resulting from such major pest infestation by the governor and provides that certain lessees of state-owned land as well as landowners may participate in the formation and financing of such pest control districts.

Provides for the apportionment of costs of grasshopper or range caterpillar control operations and empowers the commissioner of agriculture to promulgate rules and regulations concerning such operations

June 4

June 4

S.B. 379 Marketing orders. Adds to the duties of the board of control for the administration of marketing orders the duty of cooperating with colleges and universities and other research institutions and groups to find methods of greater utilization of wheat and wheat products; requires the commissioner of agriculture to report to the appropriate committees of reference of the general assembly concerning wheat marketing orders, beginning in 1980; and requires a referendum of producers for an increase in the amount collected from those subject to a marketing order with two-thirds approval, including as a separate question the continuation and approval of the marketing order.

June 2

June 2

H.B. 1043 Brand inspection fund. Authorizes the state board of stock inspection commissioners to maintain an accounts receivable system for the collection of all moneys for the brand inspection fund.

March 26

March 26

H.B. 1048 State board of stock inspection commissioners - reports and revenues. Authorizes the state board of stock inspection commissioners to determine by regulation when hide inspection reports and tax revenues must be filed with the board.

May 18

May 18

H.B. 1104 Beef board fees. Clarifies the law concerning the imposition of beef board fees to show that such a fee is imposed only upon cattle on which a brand inspection fee is imposed. Provides that the beef board fee shall not be collected if there is no change in ownership involved, even though a brand inspection fee is collected.

May 18

May 18

H.B. 1129 Apples - controlled atmosphere storage. Beginning July 1, 1977, requires a license for the operation of a controlled atmosphere storage facility for apples. Directs the commissioner of agriculture to develop rules concerning storage facility regulation, length of storage time, labeling and marketing, and record keeping, among other things. Prohibits the representation of apples as having been exposed to controlled atmosphere storage unless they have been stored in a licensed facility, and authorizes criminal and injunctive actions in the case of violations. Includes reciprocity provisions for apples grown and stored in other states.

May 24

May 24

H.B. 1193 State board of stock inspection commissioners - membership. Specifies that the 5 members of the state board of stock inspection commissioners shall be actively engaged in the production or feeding of cattle or sheep, and requires one to be an operator of a cattle feed lot.

May 26

May 26

H.B. 1249 Deputy commissioner of agriculture. Provides that the commissioner of agriculture may appoint the deputy commissioner of agriculture and that the deputy commissioner shall have and exercise all of the powers, duties, and responsibilities of the commissioner, as provided by law, in the absence of the commissioner and when so instructed by the commissioner.

May 16

May 16

H.B. 1271 Quarantine violations penalties. Provides a penalty of \$500 to \$2,000, or 90 days to one year in the county jail, or both, for any person who willfully violates a quarantine, a quarantine order, or any rule or regulation for the purpose of maintaining a quarantine imposed by the state agricultural commission. Provides that in the case of a second or subsequent offense, a sentence of imprisonment within the minimum and maximum terms shall be mandatory.

May 14

July 1

H.B. 1275 Brand assessments. Provides that all moneys collected by the state board of stock inspection commissioners from brand assessments shall be credited to a special account and that such moneys and interest thereon are available for appropriation by the general assembly for purposes provided by law.

June 29

July 1

H.B. 1313 Administration of standards relating to weights and measures. Authorizes the commissioner of agriculture to promulgate regulations for the establishment of laboratory service fees not to exceed actual costs. Provides for biennial rather than annual inspections of weights and measures. Eliminates the license, sticker, and certificate requirements for tanks, but provides a fee for testing of tanks if requested. Allows the sale of live fish for stocking purposes, unprocessed fish, fowl, or animals acquired by lawful recreational activities to be sold by weight, measure, or count.

May 16

July 1

H.B. 1353 Predatory animal control - license fee. Increases from 20¢ to 60¢ per head of sheep the maximum license fee a board of county commissioners may require from owners or possessors of sheep to defray the expense of the predatory animal control program.

May 16

May 16

H.B. 1432 Range improvement fund. Revises provisions concerning the range improvement fund to conform to federal law changes, and provides that moneys in said fund shall be paid out upon the warrant of the chairman or vice-chairman of the district grazing advisory board after consultation with the district manager.

May 20

July 1

H.B. 1632 Agricultural additives. Amends the "Commercial Fertilizer and Soil Conditioner Act of 1971" to add plant amendments and agricultural liming materials within its regulatory provisions. Imposes additional requirements before a registration will be approved and imposes a \$5 per day penalty for sale or distribution without a

current registration. Makes miscellaneous changes to definition, registration, labeling, inspection, reporting, misbranding, and penalty assessment provisions of the act.

May 26

July 1

APPROPRIATIONS

S.B. 82 Appropriation - department of administration - Colorado claims commission - judgment against state. \$5,144.91 to the Colorado claims commission for payment of a judgment against the department of revenue pursuant to Civil Action No. 76-2875 in Boulder district court.

May 27

May 27

S.B. 148 Health - appropriation - capital construction funds for sewage collection and treatment works. Amends the 1974 long bill to extend the time for which \$17,600,000 in capital construction funds appropriated for specified sewage collection and treatment works shall remain available until May 17, 1979.

June 4

June 4

S.B. 198 Capital construction appropriation - Colorado school of mines. \$338,190 out of the capital construction fund, for redesigning roof deck of the Green graduate center building. The capital construction fund is to be reimbursed out of any amounts recovered by the state by virtue of any action brought to recover damages incurred as a result of improper design and construction of the supporting deck and roof system of the building.

July 1

July 1

S.B. 215 Supplemental appropriation - office of state treasurer. Amends the 1976 long bill to reduce the appropriation to the office of state treasurer for capital outlay from \$7,750 to \$546.

June 4

June 4

S.B. 266 Supplemental appropriation - office of state planning and budgeting. \$344,289 to the office of state planning and budgeting to be expended for the release of obligations and liabilities under leases for the use and benefit of Metropolitan state college.

June 21

June 21

S.B. 343 Appropriation - state department of highways - settlement of claim. \$819.55 to the state department of highways for payment of a sum stipulated to by Dennis L. and Marilyn L. Johnston in settlement of a personal injury claim.

May 26

May 26

S.B. 351 Supplemental appropriation - department of education. \$72,492, of which \$7,300 is for the operating expenses of the library for the blind, \$59,234 is for the education of the handicapped, and \$5,958 is for the operating expenses of the teacher certification unit.

June 1

June 1

S.B. 451 Supplemental appropriation - department of health. Amends the 1976 long bill to increase the appropriation to the department of health by \$1,740,909, of which \$45,559 is from the general fund, \$348,028 is from cash funds, and \$1,347,322 is from federal funds.

June 10

June 10

S.B. 489 Supplemental appropriation - department of natural resources. Amends the 1976 long bill to increase the appropriation to the department of natural resources by \$487,936, of which \$229,643 is from the general fund, \$74,220 is from cash funds, and \$184,073 is from federal funds.

June 10

June 10

S.B. 575 Supplemental appropriation - department of administration. \$607,081 to the department of administration, of which \$569,731 is from the general fund, \$16,284 is from correctional industries cash funds, and \$21,066 is from cash funds received by the state nursing home, to be allocated as specified; and \$235,345 to the department of administration for moving and other expenses relating to state owned or leased space. Amends the 1975 long bill to increase the capital construction appropriation to the department of administration for

repair to the capitol building by \$6,022, and amends the 1976 long bill to decrease the appropriation to the division of accounts and control by \$1,077,177.

Governor purported to veto portion on July 19, but failed to meet constitutional filing date - legal effect subject to court determination.

- S.B. 576 Supplemental appropriation - department of labor and employment. Amends the 1975 long bill, as amended in 1976, to increase the appropriation to the department of labor and employment by \$9,725 and to replace certain separate line items with a lump sum together with reports to the state controller.

June 19

June 19

- S.B. 578 Supplemental appropriation - department of social services. Amends the 1976 long bill to decrease the total appropriation to the department of social services by \$7,364,900, and to add new footnotes. Decreases another 1976 appropriation to the department for specialized social services from \$88,650 to \$58,700, of which \$44,025 shall be from federal funds. Repeals a 1976 appropriation of \$226,257 to the department for adult foster care facilities.

July 7

July 7

- S.B. 579 Supplemental appropriation - department of institutions. Amends the 1976 long bill to increase the total appropriation to the department of institutions by \$998,203, and to adjust the capital construction appropriation to the department for adult corrections and the division of developmental disabilities.

July 7

July 7

- S.B. 580 Supplemental appropriation - department of revenue. Amends the 1975 long bill to decrease the total appropriation to the department of revenue by \$11,989. Amends the 1976 long bill to increase the total appropriation to the department by \$23,696.

Governor purported to veto portion on June 20, but failed to meet constitutional filing date - legal effect subject to court determination.

S.B. 581 Appropriation - long bill. For the expenses of the executive and judicial departments of state government for the fiscal year commencing July 1, 1977, the grand total of the operating budget is \$1,634,468,995 (\$36,866,326 of which is for the judicial department) of which \$932,492,125 is from the general fund, \$316,870,680 is from cash funds, and \$385,106,190 is from federal funds. The total appropriation for capital construction is \$22,987,590 of which \$17,780,532 is from the capital construction fund, \$3,069,907 is from cash funds, and \$2,137,151 is from federal funds. Also amends the capital construction appropriation made in several previous long bills. Amends a higher education footnote to the 1974 long bill relating to the events-conference center at the university of Colorado at Boulder.

PORTIONS VETOED June 20

June 20

S.B. 584 Supplemental appropriation - department of higher education. Amends the 1976 long bill to decrease the appropriation made to the department of higher education by \$478,701, of which \$244,277 is from the general fund and \$234,424 is from cash funds.

June 20

June 20

H.B. 1085 Appropriation - payment of judgment. \$57,000, out of the wildlife cash fund, to the attorney general for the payment of a judgment entered in favor of Gayle Behan, Dennis Behan, and June Behan.

June 19

June 19

H.B. 1151 Supplemental appropriation - judicial department. \$19,092, of which \$16,880 is for the costs of processing cases filed against penitentiary inmates, and \$2,212 allocated to the state public defender for costs incurred in preparing defenses for such inmates.

June 9

June 9

H.B. 1160 Supplemental appropriation - department of natural resources. \$251,200 to the Colorado water conservation board for weather modification, to be allocated as follows: \$77,000 to the San Juan area, of which \$40,000 is from the general fund, \$15,000 is from local

conservancy districts, and \$22,000 is from federal bureau of reclamation funds; \$87,000 to the Climax area, of which \$62,000 is from the general fund and \$25,000 is from the city of Aspen; \$55,000 to the North Front Range area from the general fund; \$2,200 to the Grand Mesa area from the general fund; and \$30,000 for monitoring and evaluation of the weather modification program from the general fund. Provides that unexpended balances shall not revert to the general fund until July 1, 1977, and that the Colorado water conservation board shall report to the general assembly concerning the program.

February 4

February 4

- H.B. 1213 Supplemental appropriation - department of state. Amends the 1976 long bill to increase the appropriation to the department of state by \$62,656 for initiative and referendum expenses and by \$2,500 for county clerk reimbursement. Decreases such appropriation by \$10,308 for contractual services for a bilingual translator and by \$2,222 for travel and subsistence.

April 24

April 24

- H.B. 1217 Supplemental appropriation - department of social services. \$284,419, out of cash funds, to be allocated to the Colorado state veterans nursing home at Florence as follows: \$243,292 for 24.3 FTE for personal services; and \$41,127 for operating expenses.

April 24

April 24

- H.B. 1253 Appropriation - department of regulatory agencies. \$5,137.13 to the department of regulatory agencies for payment to Robert Heron for emergency investigative contract services rendered to the passenger tramway safety board. Provides that moneys appropriated to the department in 1976 and which are encumbered shall revert to the general fund.

June 19

June 19

- H.B. 1319 Supplemental appropriation - department of personnel. Amends the 1976 long bill to decrease the appropriation for tuition reimbursement made to the department of personnel from \$36,180 to \$20,000.

May 24

May 24

H.B. 1392 Supplemental appropriation - department of regulatory agencies. \$76,736 to the department of regulatory agencies, to be allocated among the following: The executive director for personal services and operating expenses; the division of racing events for personal services and operating expenses; the state electrical board for personal services; the real estate commission for personal services; the state board of dental examiners for per diem and expenses; and the division of registrations for per diem, travel, personal services and examination expenses. Amends the 1976 long bill to reflect increases in federal and cash funds for the civil rights division for personal services, operating expenses, and legal services of \$40,694, to reflect increases in the cash funds to the public utilities commission for legal services of \$36,665; and to reflect increases in the federal and cash funds for the commission on the status of women of \$50,992.

May 27

May 27

H.B. 1393 Supplemental appropriation - office of the governor. \$184,145, to the office of the governor, of which \$34,145 shall be for security items and \$150,000 shall be for disaster relief.

May 24

May 24

H.B. 1431 Supplemental appropriation - department of local affairs. \$151,537, of which \$150,553 is out of the general fund and \$984 is from federal funds, to be allocated as follows: (1) To the office of the executive director: \$12,424 for the expenses of the board of assessment appeals, \$4,000 for building rent, and \$984 from federal funds for operating expenses; (2) \$40,264, to the Colorado law enforcement training academy to reimburse local governments; (3) \$7,718, to the division of local government for operating expenses; (4) \$4,110, to the division of planning for operating expenses; (5) \$12,033, to the division of property taxation, \$7,085 of which is for operating expenses and \$4,948 is for travel; (6) \$70,004, to the division of commerce and development for tourism advertising.

May 18

May 18

H.B. 1457 Appropriation - payment of judgment. \$39,363.26 to the attorney general for the payment in full satisfaction of a judgment entered in favor of K.I.P. Corporation acting by and through the state board for community colleges and occupational education.

July 15

July 15

H.B. 1653 Appropriation - Colorado claims commission. \$2,300, out of the state highway fund, to the Colorado claims commission for the settlement of the claim by Lynda Kombleet and Jane Trepagnier for damages from the alleged failure of the state department of highways to properly mark a road detour.

June 19

June 19

H.B. 1710 Supplemental appropriation - judicial department. Amends the 1976 long bill to increase the total appropriation to the judicial department by \$1,274,446, of which \$1,211,608 is from the general fund and \$62,838 is from cash funds.

June 10

June 10

H.B. 1711 Supplemental appropriation - Colorado state patrol. \$143,775, out of the highway users tax fund, to the Colorado state patrol for personal services.

June 9

June 9

H.B. 1714 Supplemental appropriation - department of law. Amends the 1976 long bill to increase the appropriation to the department of law by \$94,002. Amends other 1976 appropriation bills to decrease an appropriation to the department by \$65,894 for state officials compensation, and by \$44,215 for district attorneys' retirement benefits.

June 10

June 10

H.B. 1717 Appropriation - department of administration. \$575,000 to the division of accounts and control, of which \$225,000 shall be for retirement benefits for school and

municipal employees, and \$350,000 shall be for retirement benefits for state employees.

July 1

July 1

H.B. 1720 Appropriation - legislative department. Appropriates \$8,492,136 to the legislative department for its expenses for the fiscal year beginning July 1, 1977, allocated as follows:

House of representatives and senate	\$2,857,746
State auditor	2,227,857
Joint budget committee	335,276
Legislative council	692,291
Research studies	140,000
Legislative drafting office	508,500
Office of revisor of statutes	506,750
Committee on legal services	67,000
Review of rules and regulations (H.B. 1646)	84,635
Commission on uniform state laws	10,500
ADP services for General Assembly and its agencies (as recommended by the Joint Budget Committee)	27,581
Preparation of budget request for the department of health by legislative audit committee	34,000
Remodeling law library and supreme court chambers	610,000
Remodeling supreme court and judicial offices for legislative offices	390,000

June 10

June 10

H.B. 1722 Appropriation - department of natural resources. \$350,000, for allocation to the Colorado water conservation board, for the fiscal year beginning July 1, 1977, of which \$300,000 is for weather modification by winter snowpack augmentation and is subject to receiving 50% of expenditures in matching funds from other sources, and \$50,000 is to evaluate the results of the program. Reports are to be made by March 1 and September 1, 1978 to the general assembly.

June 10

June 10

H.B. 1723 Appropriation - office of the governor. To the office of the governor, for the fiscal year commencing July 1, 1977, \$46,132 for the office of state drought coordinator

and \$103,868 for expenditure as directed by the executive committee of the drought council, which council consists of a 14-member body appointed as specified, having also 5 associate members to be appointed by the governor. The executive committee of said council consists of 7 specified appointees from the drought council. Self repealer takes effect January 31, 1978.

June 10

June 10

CHILDREN AND DOMESTIC MATTERS

S.B. 54 Domestic matters - dissolution of marriage - arrearage in maintenance or support payments. Provides that the sending of a notice of arrearage in payment of maintenance or support by registered or certified mail to the obligor is discretionary rather than mandatory.

May 24

May 24

S.B. 253 Children's code - examination for mental illness - limitation on placement. Limits the time of placement of a child for determination of mental illness or developmental disability to 72 hours, excluding Saturdays, Sundays, and official holidays. Specifies what constitutes a suitable facility for the purpose of examination and states that neither a county jail or a detention facility constitutes a suitable facility.

June 10

June 10

S.B. 344 Domestic matters - dissolution of marriage - issuance of decree. Deletes a provision limiting the court from entering a decree prior to 90 days after service of process, providing instead that a decree shall issue when the court finds that 90 days or more have elapsed since it acquired jurisdiction over the respondent.

June 1

June 1

H.B. 1058 Children's code - adoption reports - waiver of fee. Authorizes the county department of social services to waive the fee for a report and investigation conducted for an adoption proceeding if such fee poses a barrier to the adoption of a child for whom the county department has financial responsibility.

March 16

March 16

H.B. 1138 Children - adoption - fees for reports. Limits fees charged by county departments of social services for reports and investigations in connection with adoption proceedings to \$500 in the case of a first adoption and

\$250 for a second or subsequent adoption.

May 24

May 24

- H.B. 1199 Domestic matters - dissolution of marriage. Requires that a party to a decree of legal separation give proof that a notice has been mailed to the other party at his or her last known address when filing a motion with the court to convert such decree to a decree of dissolution of marriage. Requires such decree of dissolution to be mailed to both parties.

May 26

May 26

- H.B. 1265 Children - paternity proceedings - support orders. Requires the court, in making any order of support in paternity proceedings, to consider the capability of the father and the mother to provide support.

May 26

July 1

- H.B. 1266 Children's code - child abuse. Declares further intent of the general assembly that discussions of public agencies responses to child abuse and neglect reports be public, requires prompt written reports following reports of known or suspected child abuse or neglect and a visit to the place of the alleged abuse or neglect, and establishes procedures for public discussions of child abuse or neglect reports and recommendations as well as provisions for closed sessions.

Provides additional criteria for membership of child protection teams, including appointment and term of service; adds provisions concerning the appointment and duties of a guardian ad litem; provides for possible statewide availability of central registry data; and redefines criteria concerning confidentiality of records.

May 20

May 20

- H.B. 1302 Children's code - juvenile offenders - appropriation. Makes miscellaneous amendments to the "Children's Code" including definition of "repeat juvenile offender" and "violent juvenile offender" and provision for disposition of such juvenile offenders. Makes provision for an adult other than a law enforcement officer taking a child into

custody but requires such adult to notify a law enforcement officer to assume custody of the child. Allows disclosure of records to the victim when the child is found guilty of a delinquent act and when the child has escaped from an institution to which committed. Permits provision of temporary shelter in a child's home under certain conditions. Appropriates \$140,077 and 10.4 FTE to the department of institutions to implement the act.

July 17

July 17

H.B. 1322 Children's code - child abuse. Deletes an incorrect reference in existing law linking sexual assault or molestation to parental discipline.

May 24

May 24

H.B. 1427 Children's code - adoption and foster care - children brought or sent into Colorado. Provides that a child may be available for adoption upon verification by the department of social services or its agent that placement of a child arranged outside Colorado was by an authorized agency and that custody obtained outside Colorado was acquired by proceedings which complied with the law of the other state, which conformed substantially to Colorado law, or which are sanctioned by the federal immigration and naturalization service.

Requires the filing of verification by the department of social services or its agent of consent to adoption, and any notices received or sent under the "Interstate Compact on Placement of Children" or applicable provisions of the "Child Care Act", along with the petition to adopt.

Requires the department of social services to designate child placement agencies licensed in this state or county departments of social services as its agents for the purpose of authorizing placement of out-of-state children for foster care or adoption in Colorado in accordance with department rules.

Prohibits a person from sending or bringing any child to Colorado for foster care or adoption without sending notice to and obtaining the consent of the department of social services or its agent.

May 16

May 16

H.B. 1465 Children's code - detention hearings - waiver of time requirements. Removes the right of a child's attorney, parent, guardian, or adult person with whom he has been residing to waive the requirement that a detention hearing be held within 48 hours after a child is placed in a detention or shelter facility.

May 16

May 16

H.B. 1520 Children's code - protective orders - requirements. Provides that a protective order made applicable to a parent or guardian may specifically require his active participation and may impose specific requirements upon him, subject to contempt of court for failure to comply.

June 2

July 1

H.B. 1563 Children's code - termination of the parent-child legal relationship. Sets forth substantive and procedural provisions concerning the termination of the parent-child legal relationship, including a requirement for a separate hearing on termination, criteria for termination, a review procedure on the child's disposition following termination, effects of the termination decree, and appeal procedures. Makes conforming amendments to other provisions of law concerning the parent-child legal relationship.

June 19

July 1

H.B. 1584 Children's code - "Uniform Parentage Act" - procedures for the determination of paternity and termination of parental rights. Enacts the "Uniform Parentage Act", codifying presumptions concerning paternity, establishing procedures for the bringing of an action to determine the existence of a father and child relationship, and authorizing the use of blood tests and other evidence in such proceedings. Requires substantial pretrial proceedings, including an informal hearing and recommendations for settlement. Provides that the child shall be a party in such actions and establishes procedures to terminate parental rights prior to a proposed adoption.

June 19

July 1

COMMERCIAL TRANSACTIONS

H.B. 1400 Miscellaneous amendments. Generally revises the Colorado "Uniform Commercial Code" to conform to the uniform 1972 version, including provisions governing the sale of minerals and timber to be cut, subordinated obligations, and scope of the article on sales. Includes as a bulk transfer a transfer of a substantial part of the equipment of an enterprise not made in connection with a bulk transfer of inventory.

Substantially changes Colorado provisions concerning secured transactions to improve the rules respecting priority of secured parties, to insure more complete regulation of various security arrangements, and make the Colorado provisions more workable in the commercial realities of secured transactions. Repeals a code provision and a provision in the statute of frauds which conflict with the amended code.

June 5

January 1, 1978

CONSUMER AFFAIRS

- S.B. 32 Prosecution of legal actions. Provides that the attorney general and the district attorneys of the several judicial districts of this state are concurrently responsible for the enforcement of the "Colorado Consumer Protection Act". Changes a provision concerning the receipt of complaints to conform to the new concurrent jurisdiction and to provide for a statewide complaint reporting system.

March 26 July 1

- S.B. 34 Restraint of trade or commerce - prosecution by attorney general. Provides that the attorney general has sole authority to prosecute civil and criminal actions for restraint of trade or commerce violations.

March 4 July 1

- S.B. 159 Residential building energy conservation - insulation standards. Provides minimum uniform statewide insulation standards for energy conservation in the construction and renovation of residential buildings. States that no building permit is to be issued for the construction or renovation of any residential building unless such construction or renovation will conform to the minimum standards. Allows deviations from these standards if the total energy required in a residential building equals or is less than the total energy required if the building is constructed according to the minimum standards. Directs the division of housing to provide training and technical assistance to counties and municipalities in the promulgation of standards.

June 19 July 1

- S.B. 353 Insurance premium financing loans. Amends the "Uniform Consumer Credit Code" to provide for regulation of insurance premium financing loan transactions, including determination of financial responsibility of an applicant proposing to engage in such transactions considering potential liabilities, requirements of notice to the consumer relating to right to cure default, form of an insurance premium loan, and notice of cancellation.

Repeals a provision superseded by the act.

July 1

July 1

H.B. 1656 Miscellaneous amendments. Changes the limitation on loan finance charges to not more than \$15 when the principal is less than \$500 and \$25 when the principal is \$500 or more, and provides that the section relating to cure of default does not apply to consumer credit transactions payable in 4 or fewer installments.

May 26

July 1

CORPORATIONS AND ASSOCIATIONS

S.B. 7 Profit and nonprofit corporations - corporate reports - fees - appropriation. Changes the name of the annual report of profit and nonprofit corporations to the "corporate report" and directs that such report be filed every 2 years rather than annually. Directs the secretary of state to administer the change. Doubles the filing fees of such corporate reports so that there will be no revenue loss. Makes an appropriation of \$17,505 to the secretary of state to implement the act.

June 29

July 1

S.B. 403 Nonprofit corporations - rights of voting members - distribution of assets. Provides that the questions of amendment of the articles of incorporation of nonprofit corporations, of acceptance of statutory provisions other than those under which the corporation was organized, of approval of merger or consolidation, of sale, lease, exchange, or mortgage of corporate assets, and of voluntary dissolution shall be submitted to a vote at a meeting of members entitled to vote thereon whenever one-twentieth of the members entitled to vote thereon so request. Clarifies that the number of votes required for certain actions is of the members present in person or by proxy, and provides that corporate assets in dissolution or liquidation by a court may be distributed to governmental entities and political subdivisions.

May 26

May 26

S.B. 496 Revocation of certificate of authority of foreign corporation. Clarifies provisions concerning revocation of a certificate of authority of a foreign corporation by the secretary of state, providing for notice of revocation to be sent to such corporation's principal office and for remedial action by the corporation within the 60-day period for notice.

May 26

May 26

H.B. 1004 Annual reports. Requires the secretary of state to mail a copy of an annual report form to each domestic and foreign corporation in the state by March 31 of each

year. Provides that no penalty for late filing of annual reports shall be imposed if the forms required to be furnished by the secretary of state are unavailable and such is the reason for late filing.

March 16

March 16

H.B. 1245 Miscellaneous amendments. Makes miscellaneous amendments to the "Colorado Corporation Code" to revise and update statutory language to reflect the evolution of the law resulting from court interpretations and practical experience. Makes various changes relating to incorporation, including permitting one rather than 3 incorporators and lowering the minimum age of incorporators to 18 years, and the adoption and amendment of articles of incorporation; powers of the corporation; shares, including the voting of shares and voting trusts; determination of stated capital and surplus; and powers and duties of corporate officers and directors, including indemnification and conflict of interest.

Sets forth rights of dissenting shareholders in the sale or exchange of assets or in merger or consolidation, amends certain procedures concerning consolidation, merger, and dissolution, and specifies powers and duties of foreign corporations. Repeals outdated and conflicting provisions.

July 15

July 1, 1978

CORRECTIONS

S.B. 441 State board of parole - appropriation. Provides for the appointment by the governor of an additional member to serve on the state board of parole. Appropriates \$32,639 and 1.0 FTE to the state board of parole for implementation of the act.

June 19

July 1

S.B. 555 Extension of moratorium on construction of jails - creation of state jail advisory committee. Extends the moratorium on the expansion or construction of jails by 27 months, until July 1, 1979, unless such construction by units of local government is approved by the division of criminal justice and deletes the requirement that the division submit a model plan, with suggested standards, for the construction of jails to the general assembly. Creates a state jail advisory committee in such division to write comments regarding plans submitted and to develop guidelines for the construction and operation of jails.

June 10

June 10

S.B. 563 Parole revocation proceedings - hearing officer - probable cause. Provides for a probable cause hearing in parole revocation proceedings by a hearing officer and that an appeal may be to two or more members of the parole board rather than to a quorum of at least three members. Provides also, that upon the arrest of a parolee he is to be held without bail and taken within 10 working days before a hearing officer, rather than a judge, for a waiver or setting of a probable cause hearing which is then to be within 7 working days and, upon the waiver or finding of probable cause, the final board disposition is to be within 30 working days thereafter, unless for good cause a continuance is granted. Renders testimony given before the parole board in a parole revocation proceeding inadmissible in certain criminal proceedings before a court.

June 19

July 1

S.B. 587 Department of corrections - creation - capital construction - legislative review committee. Creates a new department of corrections to administer all phases of corrections in this state. Transfers all powers, duties, and functions relating to corrections in the department of institutions to the new department. Creates a new division of correctional industries to administer all correctional industries programs on a self-supporting, profit-oriented basis. Appropriates \$93,373 out of general fund moneys to the department of corrections for the implementation of the act and for a corrections planner. Also appropriates \$7,920,892 out of the capital construction fund to the department of corrections for miscellaneous capital construction items at the state penitentiary, the reformatory, and the women's correctional institution. The capital construction appropriation includes \$537,319 which is to be used for the physical planning for construction of a new maximum security facility. Creates a legislative review committee to guide and direct the new department in implementing the act and to provide legislative input into the corrections plan. Appropriates \$20,000 to the legislative council so that the committee may hire a consultant to assist the committee in the performance of its duties.

July 13

August 1

H.B. 1102 Interviews conducted by state parole board. Repeals the provision that automatically repealed the nonapplicability of the "State Administrative Procedure Act" to parole board interviews, thus assuring that the Procedure Act will not apply to such interviews.

March 26

March 26

H.B. 1670 Minimum security facilities. Defines a minimum security facility as one that has at least one physical barrier between offenders and freedom, providing protection of the public from offenders who are lesser security risks, limits the number of minimum security facilities located in any county and, except for correctional facilities in Fremont county, the number of inmates to 100, and provides that no adult convicted of a violent felony or as a sex offender may be placed in a minimum security facility without having been in a more restrictive setting for not less than 6 months.

June 19

June 19

COURTS

S.B. 13 Evidence - testimony of witnesses involving decedents or incompetents. Provides that rebuttal evidence concerning a conversation or transaction with a deceased or incompetent person shall not be barred once any witness has been permitted to testify thereto.

May 24

July 1

S.B. 20 Wills and estates - notice of formal testacy proceeding. Clarifies the provision concerning notice requirements to unknown persons for formal testacy proceedings to provide that notice to all unknown persons must be made only if the petitioner has reasonable cause to believe that unknown persons may claim an interest in the estate.

March 26

March 26

S.B. 27 Military pension - exemption from levy. Makes military pensions (which are wholly or partially exempt from levy under court writs) subject to such levy when the writ issues in execution of a judgment awarding support to a spouse or child of the person against whom the judgment is rendered.

June 9

July 1

S.B. 64 Furniture and equipment. Provides that when a board of county commissioners determines that furniture or equipment of the judicial department has historic value, it shall remain in the county courthouse and revert to the county when no longer used by the judicial department.

May 24

May 24

S.B. 134 Probate, trusts, and fiduciaries. Makes miscellaneous amendments dealing with probate, trust, and fiduciary law, including the following: Broadens the application of some powers and duties to include all fiduciaries; allows 9 months rather than 6 for disclaimers or renunciation of property interests, and the time runs

from the date the disclaimant has notice of the interest; allows use of ordinary first class mail in giving notice, and eliminates need for a return receipt for registered mail; provides that an adopted child remains the child of the natural parents to the extent that inheritance rights have not been divested through relinquishment or adoption proceedings; allows an heir only the larger of two shares he may be entitled to through lines relating him to decedent; broadens exceptions to the 3 year time limitation for commencing probate or appointment proceedings; eliminates need for court approval of compensation to lawyers and others providing services in protective proceedings; in the absence of fraud, the affidavit of an attorney-in-fact that he did not know of his principal's death is made conclusive proof of the nontermination of the power of attorney at the time of doing an act under the power, and the affidavit is entitled to be recorded with the document which it affects.

June 29

July 1

S.B. 150 Damages - limitation of actions - medical malpractice. Reduces the maximum time allowable for bringing medical malpractice actions from 5 down to 3 years from the time the act or omission occurred. An exception to this time limit is made applicable to cases involving deliberate concealment of the act or omission (as well as the existing exception for leaving a foreign body in a patient) the time limit in those cases being 2 years from the time the act or omission was or should have been discovered. Establishes several categories of minors as persons under disability to whom the regular time limits are not applicable, including minors who are under age 6 when injured who may bring action before reaching age 8, and minors under age 18 having no guardian, in which case any "real party in interest" (including a person who could be named a defendant in any action brought on behalf of the minor) may apply to a court for the appointment of a guardian in which case the action must be brought within 2 years of such appointment. Minors not in those categories have 2 years after reaching age 18 to bring actions. Repeals the limitation on actions based on lack of informed consent.

Became law without Governor's signature

June 12

July 1

S.B. 193 Procedures in small claims courts. Allows judges and referees in small claims courts to conduct trials without

being bound by technical rules of evidence except for such rules as may be promulgated by the supreme court specifically for small claims courts.

June 19

June 19

- S.B. 238 Number of county judges increased - appropriation. As of January 1, 1978, the number of county judges is increased from 5 to 6 in El Paso county, from 4 to 5 in Adams county, and from 2 to 3 in Larimer county. As of January 9, 1979, the office of assistant county judge at Estes Park in Larimer county is abolished. Appropriates \$161,970 to the judicial department for such increases.

June 29

July 1

- S.B. 269 Increasing the number of district court judges - appropriation. Increases the number of district court judges in several judicial districts, as follows:

First district increases from 7 to 8 as of October 1, 1977;

Second district increases from 18 to 19 as of October 1, 1977, and to 20 as of January 1, 1978;

Seventeenth district increases from 5 to 6 as of January 1, 1978;

Eighteenth district increases from 6 to 8;

Twentieth district increases from 4 to 5 as of October 1, 1977;

Twenty-first district increases from 2 to 3.

Appropriates \$411,011 to the judicial department for the fiscal year commencing July 1, 1977, to implement the increases.

June 22

July 1

- S.B. 278 Traffic violations bureau. Requires the supreme court to establish, by rule, a traffic violations bureau in each county court to handle traffic offense cases in which a notice or summons to appear has been issued, except for penalty assessment notices. Also requires the court to establish, by rule, which offenses the bureau will

handle, bureau procedures, the amounts of fines, and any offenses requiring appearance before a judge.

Provides that persons making payment to a traffic violations bureau shall pay a docket fee of \$4 for such criminal cases, instead of \$8.

June 3

January 10, 1978

- S.B. 306 Official bonds - indemnification policy to be purchased. Abolishes the requirement that clerks of district courts execute bonds, and instead requires that the judicial department purchase a policy of indemnification conditioned for the faithful and nonnegligent performance of all judges and court personnel in district, water, superior, probate, juvenile, and county courts, except in Denver. Provides that the policy must be issued by a corporate surety approved by the department of administration, and permits the purchase of a separate policy or pro rata premium payments for a blanket policy covering all state employees.

VETOED May 27

- S.B. 307 Professional liability actions - pleading for damages. Provides that in any professional liability action, the pleading for damages shall not state a sum as alleged damages except to allege that damages are in excess of the amount necessary to establish jurisdiction.

May 26

May 26

- S.B. 315 County court referees - traffic violations. Authorizes the appointment of county court referees to hear class 2, class 3, and class 4 traffic offenses and other matters as determined by supreme court rule. Requires all parties to a proceeding to waive their right to proceed before a county judge before a referee may hear a matter, but provides that such referees have all jurisdiction and power of county judges and that their orders and judgments are those of a county court but prohibits referees from presiding in trials by jury. Specifies that appointments will be made by the presiding judge of the county court in class A counties and according to the judicial personnel classification and compensation plan in class B counties, if approved by the chief justice. Requires referees to be attorneys admitted to practice in Colorado.

June 2

January 1, 1978

S.B. 377 Evidence - mortality table. Updates the mortality table used in legal proceedings for a determination of the expectancy of continued life.

June 3

July 1

S.B. 469 Probate code - determining time and place of death in disasters. Authorizes a special proceeding in probate to determine the time and place of death of persons missing or otherwise unidentifiable following a disaster declared by the governor. A petition requesting such a finding may be filed by a relative or creditor of the missing person, or it can be filed by the coroner, sheriff, or district attorney. Such filing may not be less than one year or more than 3 years after the disaster. The facts concerning the disaster are to be set forth, together with the reasons for believing that such person perished in the disaster. If the court or jury hearing the evidence finds that a disaster occurred and that the person named in the petition died in the disaster or can be presumed to have died as a result thereof, the court is to enter an order finding the location and date of the disaster and the time thereof if possible, and that the person died in the disaster. A certified copy of such order is authority for the issuance of a death certificate by the coroner. If the evidence is found insufficient for entry of such an order, the statutory presumption of death after 7 years of unexplained absence is still available.

June 19

July 1

H.B. 1161 Damages for destruction by minors. Increases from \$1,000 to \$1,500 the maximum amount recoverable in actions against parents to recover damages for destruction of property by minors, and adds reasonable attorneys' fees to the recovery.

May 26

July 1

H.B. 1207 County courts - classification of counties - appropriation. Moves La Plata county from class C to class B in classifications relating to county judges. Appropriates \$10,824 to the judicial department to finance the change.

July 7

January 1, 1978

H.B. 1210 Civil actions - when attorney fees and other costs allowable. Authorizes an award of attorney fees and other costs to a defendant who prevails in a civil action brought by a public entity, when the court determines that the action was brought without any reasonable basis or is frivolous. Also authorizes a court, in its complete discretion, to award reasonable attorney fees in civil actions involving money damages, but only on a specific finding by the court that the bringing, maintaining, or defending of the action was frivolous or groundless. Factors the court is to consider include pretrial efforts to ascertain facts, disclosures offered, abuse of procedures, conflicts of evidence, financial condition of the parties, and the like. No such awards are allowable against a party who files a voluntary dismissal as a result of the discovery of facts indicating the nonliability of another party. Fees incurred on appeal may be awarded to one found entitled to such award in the lower court proceedings.

June 29

July 1

H.B. 1332 Contribution among tortfeasors. Enacts the "Uniform Contribution Among Tortfeasors Act", providing a right of contribution among tortfeasors jointly or severally liable for the same injury to person or property or for the same wrongful death even though judgment has not been recovered against any or all of them, but only to the extent of payment of more than a pro rata share. Excludes tortfeasors intentionally, willfully, or wantonly causing or contributing to the injury or death and situations of indemnity. Provides for cases of settlement and subrogation of liability insurers and establishes procedures for enforcement.

June 2

July 1

H.B. 1333 Recognition of judgments - "Uniform Foreign Money-Judgments Recognition Act". Enacts the "Uniform Foreign Money-Judgments Recognition Act", providing for recognition in this state of foreign judgments granting or denying a sum of money that are final and conclusive and enforceable where rendered. Establishes grounds for nonrecognition of judgments, provides that a judgment will not be refused recognition for lack of personal jurisdiction in certain situations, and allows a stay in proceedings in case of appeal.

May 20

July 1

H.B. 1385 Municipal courts. Adds to the causes for removal of a municipal judge nonresidency in the municipality or county if required by the municipality; clarifies a statutory reference concerning qualifications of municipal judges, and allows a municipality to impose residency requirement on a judge; clarifies procedures with respect to criminal or quasi-criminal offenses and excludes certain traffic offenses; permits a municipality to appeal a question of law arising in a municipal court; clarifies procedures for appointment and removal of a municipal judge; and provides for execution of municipal writs and processes.

June 3

June 3

H.B. 1536 Products liability - exemplary damages. Requires that products liability actions be brought within 3 years after the claim for relief arises, except that in the case of a person under 18 years of age, a mental incompetent or imprisonment or absence from the United States, the 3-year period begins when the disability is removed. States general rules for products liability actions, including situations in which a product is presumed defective or not defective and admissibility of evidence.

Requires the insurance commissioner to report to the general assembly on May 1, 1978, and annually thereafter, concerning any changes of rates on product liability insurance made subsequent to June 1, 1977.

June 10

July 1

H.B. 1678 Wills and estates - bond requirements for personal representatives. Rewrites provisions concerning bond requirements for personal representatives to provide that a bond is not required in an informal proceeding, except upon the appointment of a special administrator, when the will requires a bond, or when an interested person demands a bond. Authorizes the court to require a bond in a formal proceeding; except that bond is not required if the will relieves the personal representative of bond, unless bond is requested by an interested person and the court approves it.

Authorizes the dispensing of a bond required by any will in a formal proceeding upon court approval.

Eliminates the bond requirement for any person who, pursuant to statute, deposits cash or collateral with a state agency to secure performance of his duties.

May 14

July 1

CRIMES

S.B. 189 Prostitution. Adds fellatio, cunnilingus, masturbation, and anal intercourse as acts of prostitution punishable as a class 3 misdemeanor.

May 27

May 27

S.B. 360 Criminal trespass definition of premises. Provides a definition for "premises" with respect to second and third degree criminal trespass, including the stream banks and beds of any nonnavigable fresh water streams.

June 10

June 10

S.B. 421 Escape awaiting extradition. Provides that it is a class 5 felony for any person to escape while in custody or confinement awaiting extradition.

May 26

May 26

S.B. 447 Obscenity. Repeals and reenacts provisions of the law dealing with obscenity and related offenses. Defines proscribed conduct, including the buying, receiving, or borrowing of obscene or sadomaschistic material, and penalties therefor, and provides for injunctive relief. Makes all such acts crimes regardless of the age of the viewer. Authorizes the governing board of a municipality to regulate obscene material and performances, as defined in the act.

June 29

July 1

S.B. 494 Insurance and surety bonds - public building contracts. Provides that it is a class 1 petty offense for a public servant to require or direct a bidder on a public building or construction contract to obtain any required surety bond or contract of insurance from a particular insurer, agent, or broker. Applies to contracts entered into on or after July 1, 1977.

May 26

May 26

S.B. 513 Theft. Increases the aggregate dollar amount of things involved in the class 4 felony of committing theft twice or more within 6 months from \$100 to \$200.

May 27

May 27

H.B. 1079 Intimidating a witness. Expands the scope of the crime of intimidating a witness to include the act of intimidation itself rather than just the attempted or threatened action. Includes in said crime the attempt to inflict or the infliction of harm or injury as retribution for testimony or expected testimony.

June 10

July 1

H.B. 1142 Fraud by check. Rewrites provisions concerning fraud by check, defining "check", "drawee", "drawer", "insufficient funds", and "issue", and providing that a person who, with the intent to defraud, issues a check knowing that he has insufficient funds commits fraud by check. Specifies that the offense is a class 2 misdemeanor or a class 4 felony, depending on whether the check was for less than \$200 or for \$200 or more. Makes the opening of a checking account using false identification or an assumed name to issue fraudulent checks a class 2 misdemeanor and the drawing of a check on a nonexistent account or an account closed for 30 or more days a class 4 felony.

June 2

June 2

H.B. 1195 Possession, use, and removal of explosives or incendiary devices. Rewrites provisions concerning offenses relating to explosives and incendiary devices, amplifying the definition of "explosive or incendiary device", exempting certain persons, increasing the penalties for such offenses, and providing for a mandatory minimum sentence of 2 years for conviction of removing, causing to be removed, or carrying away any explosive or incendiary device from a person lawfully in possession thereof.

Became law without Governor's signature

June 4

July 1

H.B. 1325 Trafficking in children. Adds to the "Colorado Criminal Code" a provision making it a class 3 felony to traffic in children and specifies the elements of the offense.

May 18

July 1

H.B. 1543 Public nuisance - transactions for profit in stolen goods. Defines a class 1 public nuisance to include a building used as a place where the crime of theft by receiving occurs. Includes currency and other negotiable instruments in the property which may be confiscated in a building which is a class 1 public nuisance. Declares that theft by receiving is a class 3 felony when the value of the thing involved is \$200 or more and the person committing the crime is engaged in the buying, selling, or other disposition of stolen goods for profit. If the value of the thing involved or the total value of the things involved is \$1,000 or more, the commission of theft by receiving is prima facie evidence that the person is engaged in the business of buying, selling, or otherwise disposing of stolen goods for profit.

June 2

July 1

H.B. 1574 Theft - rental property - motor vehicles - defrauding a secured creditor or debtor - explosive devices in public transportation facilities - concealed weapon. Reclassifies the penalties for the crimes of theft and theft of rental property based upon the value of the thing or property involved. Makes motor vehicle theft a separate crime and eliminates the separate crime of joyriding. Rewrites the laws relating to the crimes of theft by receiving and defrauding a secured creditor or debtor and reclassifies the penalties for said crimes based upon the value of the thing or collateral involved. Makes it a crime to possess in, carry into, or cause to be carried into a facility of public transportation any firearm or explosive or incendiary device. Exempts a peace officer from the provisions of law relating to carrying a concealed weapon.

June 29

July 1

H.B. 1654 Standards of criminal culpability. Adds "with intent" and "willfully" to the definition of "culpable mental state" for purposes of the Colorado criminal code. Makes numerous changes throughout the code to specify the culpable mental state required for the commission of certain crimes.

July 1

July 1

CRIMINAL PROCEDURE

S.B. 186 Grand juries - procedures relating to witnesses - appropriation. Witnesses before a grand jury can be held in contempt for failure to answer questions without just cause, and the witness can be jailed for up to 6 months. He is entitled to a hearing and rehearing, with counsel appointed for him, if necessary. Anyone may request the right to appear before a grand jury and to testify, refusals by the prosecutor to allow this are to be recorded, and court hearings thereon are authorized. Grand jury reports are not to be made public except when required by statute or if a witness requests a release of all or part of the report, in which case such release may be made if the chief judge of the judicial district finds that such release would exonerate the person requesting the release. Appropriates \$35,234 to the judicial department for implementation of the act.

Became law without Governor's signature
June 21 June 21

S.B. 237 Required time for persons serving life sentence. Increases from 10 to 20 years the time a person must serve before his life sentence is commuted by the governor or before he may apply for or receive parole.

Became law without Governor's signature
June 20 July 1

S.B. 436 Special prosecutors - compensation. Requires a judge appointing a special prosecutor to appoint a full-time district attorney, an assistant district attorney, or a deputy district attorney who serves in another judicial district, but, if the chief justice approves, allows the appointment of a disinterested private attorney licensed to practice in Colorado. Provides that a district attorney, assistant district attorney, or deputy district attorney will be paid only his expenses, including travel, and that a private attorney will be paid such expenses plus a fee directed by the judge not to exceed the salary payable to a retired judge sitting in that court or district.

May 24 May 24

H.B. 1246 Commutation of sentence or pardon - considerations. Provides that an application for commutation of sentence or pardon shall be sent to the sentencing judge and the prosecuting attorney, if available, for comment and that such comments shall be considered by the governor in acting on such application.

June 3

June 3

H.B. 1298 Reports of crime. Grants private citizens acting in good faith immunity from any civil liability for reporting to any police officer or law enforcement authority the commission or suspected commission of any crime or for giving other information to aid in the prevention of any crime.

May 18

July 1

H.B. 1403 Reimbursement for preventing crime. Provides state reimbursement of all court costs and reasonable attorney fees incurred in successfully defending any civil action against a person, other than a peace officer, as a result of said person seeking to prevent a crime being committed against any other person. Provides that such reimbursement applies only to actions commenced on or after passage of the act.

June 19

June 19

H.B. 1423 Arrests by peace officers. Deletes the provision stating that an arrest warrant should be obtained when practicable in the case of an arrest made by a peace officer who has probable cause to believe that an offense was committed and that the offense was committed by the person to be arrested.

May 20

May 20

H.B. 1470 Deferred prosecution. Increases from one to 2 years the maximum time for which a court may order prosecution of an offense deferred, and makes supervision of the defendant by the probation department discretionary rather than mandatory during such time.

May 24

May 24

H.B. 1589 Felonies - sentencing. Requires the state court administrator to maintain records of all judicial decisions involving defendants charged with the commission of felonies for each judicial district. Eliminates indeterminate sentencing. Provides for uniform sentences to incarceration for all defendants convicted of felonies. Abolishes the fine as a form of punishment for an individual convicted of a felony. Simplifies and makes uniform the good time provisions for offenders in the custody of the department of institutions. Rewrites the penalty provisions for the conviction of a felony to more accurately reflect the actual time currently being served. Includes a mandatory period of parole (one year) in such sentence. Requires restitution to be a mandatory condition of probation.

Governor purported to veto on July 15, but failed to meet constitutional filing date - legal effect subject to court determination.

DISTRICT ATTORNEYS

S.B. 493. Intergovernmental cooperation and contracts. Allows district attorneys to cooperate or contract with each other to provide any function or service authorized to each, including the sharing of costs, and states that any such contract may provide for the joint exercise of the function or service including the establishment of a separate legal entity to do so. Enables district attorneys to approve the judicial district's participation in intergovernmental relationships concerning criminal prosecution and to enter into contracts on behalf of the judicial district with other district attorneys for cooperation concerning prosecution services, but retains the authority of boards of county commissioners to appropriate funds therefor. Authorizes the division of local government in the department of local affairs to provide technical assistance to district attorneys, including coordinating educational grants.

June 2

July 1

EDUCATION - PUBLIC SCHOOLS

S.B. 30 Public school finance - special contingency reserve fund - appropriation. Authorizes the general assembly to make an annual appropriation to the state public school fund as a special contingency reserve fund. Such fund is to be used for compensatory payments to school districts for property taxes which are not paid due to administrative appeal or litigation resulting from the inclusion of the value of certain property in the county's abstract of assessment. Establishes a procedure for applying for a compensatory payment. Conditions the payment upon reporting annually to the general assembly and the state board of education on the status of the administrative appeal or litigation and taking steps to see that the property was properly included in the abstract of assessment. Requires reimbursement of the amount of the payment to the general fund if the property is determined to be properly included in the abstract of assessment. Provides for abolition of the special contingency reserve fund effective July 1, 1981. Makes an appropriation of \$2,865,901 to the state public school fund for the special contingency reserve fund.

June 19

June 19

S.B. 63 Public school fund. Defines "interest" for purposes relating to the investment of the public school fund moneys to mean interest and the net of all realized gains over realized losses, except those losses restored by appropriation, associated with investment transactions during the fiscal year. Authorizes exchanges or sales of fund investments which result in a loss of principal if such can be offset by a gain within 30 days. Provides that an obligation which does not bear interest, but is issued at a discount, shall be deemed to be interest-bearing, and that any amount paid as a premium for an interest-bearing obligation in excess of the amount realized upon disposition shall be recovered as a return of principal. Requires the treasurer's annual report on the fund to compare market and book values and to report individual and aggregate potential gains and losses of each investment.

Provides that it is the duty of the state auditor to evaluate the investments of the public school fund and report to the legislative audit committee any loss of principal of the fund.

July 15

July 15

S.B. 138 State equalization support program - handicapped children's education - appropriation. Makes numerous amendments to the "Public School Finance Act of 1973" and the "Handicapped Children's Educational Act".

Amends the "Public School Finance Act of 1973" as follows: Declares that several education programs, i.e. transportation, vocational education, small attendance centers, and special education, are to be funded at the full entitlement level; establishes the amount guaranteed for each pupil of attendance entitlement for each mill levied for the general fund of a district in 1978 at \$35.00, and sets the minimum guarantee for 1978 at \$11.35; provides that a district's authorized revenue base for 1978 shall be the 1977 authorized base per pupil of attendance entitlement plus \$120, but that thereafter the authorized revenue base may increase by up to 7%; makes a grant of \$125 for each child from a low-income family in excess of 15% of the attendance entitlement of said district; provides additional aid to school districts with increasing enrollments equal to 40% of the authorized revenue base for each pupil who will increase the district attendance entitlement for the next budget year over the lesser of 3% of the district's attendance entitlement or 350 pupils; provides aid to districts operating a licensed public educational television station on the basis of the number of pupils of attendance entitlement within the coverage of the station or on a matching basis, dollar-for-dollar, not exceeding \$100,000; and provides for a special committee to conduct a study of comprehensive revision of the school finance act.

Amends the "Handicapped Children's Educational Act" as follows: Provides that handicapped children shall be educated in the "least restrictive environment" and defines said term; adds members to the state special education advisory committee; provides that the total number of children in special education programs shall not exceed 11% of the children in Colorado of the ages 5 to 19; requires that the state board of education develop priorities and standards for apportioning handicapped children to administrative units and assure that those children with the most severe handicaps are served; requires that the appropriation for reimbursable costs be based on estimates of the particular costs and not on ratios of FTE students to FTE teachers.

Appropriates \$18,461,493 to fund the school finance act and \$2,423,044 to fund the "Handicapped Children's Educational Act".

June 29

July 1

S.B. 272 Use of state public school moneys. Provides that moneys received pursuant to the "Public School Finance Act of 1973" shall not be expended or otherwise used in the acquisition of land or structures or the construction of structures, except for the construction of additions to existing structures costing \$5,000 or less.

June 19

June 19

S.B. 279 Bonded indebtedness. Rewrites provisions concerning the purposes for which school districts may incur bonded indebtedness.

June 19

June 19

S.B. 338 Capital reserve fund - installment purchase agreements or lease agreements. Authorizes, upon approval by the registered qualified electors, a school district to commit a portion of the capital reserve fund for the payment of installment purchase agreements or lease agreements with option to purchase, which agreements exceed one year but do not exceed 5 years. The procedures for the submission and voting on such a question are to conform generally to those for other school elections. Establishes the frequency of submission of such questions to the electors.

June 10

June 10

S.B. 589 Bilingual and bicultural education - appropriation. Revises the definition of "students with linguistically different skills", who are served by bilingual and bicultural programs, as those whose environment includes both different traditions and the influence of another language and adds a definition of "full-time program" and sets forth some of the characteristics of such program. Declares that bilingual and bicultural programs are transitional in nature, and requires the adoption of rules by the state board of education which include standards for determination of student achievement but which shall not include a statewide testing program. Provides that a child may remain in an existing bilingual-bicultural program through third grade if his parents so choose, but will not be counted in the census after he meets or exceeds the district mean or student expectancy level for English language skill development and the standards to be adopted by the state board of education. Requires a program to be full-time and

sufficient to meet specified objectives.

Appropriates \$2,485,000 to the department of education for transitional bilingual-bicultural education in kindergarten through third grade, \$200,000 of which is for tutorial programs.

June 29

July 1

H.B. 1022 Handicapped children - tuition. Provides that tuition payable by the administrative unit of a handicapped child's residence to the unit of his attendance shall be the cost of educating such child after deduction of federal funds and state reimbursements. Formerly, state equalization funds were also deducted from cost in computing tuition. Provides for state reimbursement of the school district of residence based on the excess of tuition over such district's authorized revenue base per pupil. Authorizes proration of reimbursements for tuition in the event state appropriations are insufficient.

May 14

July 1

H.B. 1024 Handicapped children - state school aid. States that a school district serving handicapped children under a contract with an institution of higher education or a community center board shall not count the resources used in such a program for purposes of state reimbursement under the "Handicapped Children's Educational Act", and deletes the provision that children so served shall not be counted for general state school aid purposes.

May 26

May 26

H.B. 1029 Handicapped children - contracts for services. Requires that contracts of administrative units for supporting services such as case finding and assessment must be submitted to the department of education and approved before the contract qualifies for 80% state reimbursement. Provides that services and contracting agencies must be department-approved.

May 14

May 14

H.B. 1052 Colorado school for the deaf and the blind - transfer.
Transfers the Colorado school for the deaf and the blind from the department of institutions to the department of education. Charges the commissioner of education with the supervision, management, and control of said school.

June 30

July 1

H.B. 1091 Boards of cooperative services - short-term loans.
Authorizes a board of cooperative services, upon approval of member school districts, to negotiate or contract for a short-term loan to be repaid within 6 months or less in an amount not to exceed certain budgetary limitations.

May 7

May 7

H.B. 1130 School finance - valuation for assessment. Provides that the valuation for assessment of property on which property taxes are not paid while its tax-exempt status is being challenged shall be subtracted from the school district's valuation for assessment for purposes of calculating the amount which the district is entitled to receive from the property tax levy. Requires the district to reimburse the state general fund after the collection of such property taxes, plus interest, if the property is finally determined to have been properly included in the district's valuation for assessment.

May 24

May 24

H.B. 1146 Bilingual and bicultural programs. Defines "students with linguistically different skills", who are served by bilingual and bicultural programs, as those whose environment includes both different traditions and the influence of another language, instead of either different traditions or another language. Declares that bilingual and bicultural programs are transitional in nature, and requires the adoption of rules which include standards for determination of student achievement but which shall not include a statewide testing program.

VETOED May 15

H.B. 1205 Policies and procedures for suspension and expulsion of students. Provides that copies of a school district's policies and procedures for suspension and expulsion of

students shall be distributed only once to each student in elementary, middle, junior high, and high school and once to each new student in a school district instead of annually. Requires that any significant change in such policies and procedures be distributed to each student and posted in each public school of the district.

May 16

May 16

- H.B. 1230 School district director vacancies. Provides that a person appointed to fill a vacancy in the office of school director will serve until the next regular school election if the vacancy occurs more than 60, instead of 20, days prior to such election. If such vacancy occurs within said 60-day period, provides that the appointee will serve until the next succeeding regular school election if the unexpired term was for more than 2, instead of 4, years.

May 14

July 1

- H.B. 1264 Sex discrimination prohibited. Adds "sex" to statutory provisions prohibiting discrimination by boards of education in providing certain programs and to the bases of discrimination which the civil rights commission works to minimize through various publications.

June 2

July 1

- H.B. 1342 State support for small attendance centers. Establishes a method for the annual determination of additional state support for small attendance centers based upon the general assembly's annually specified per pupil per mill amount for each bonus pupil for 1977 and thereafter.

May 20

May 20

- H.B. 1409 Career Education Act - appropriation to department of education. States that it is the intent of the general assembly that the career education program not be a categorical state aid program and that all funding is to cease June 30, 1980. Appropriates \$400,000 to the department of education, contingent upon a match of \$400,000 of local funds, for the funding of the "Career Education Act".

July 1

July 1

H.B. 1438 Teacher certification. Amends the definition of "accepted institution" to include those that offer a standard bachelor's degree and are recognized by one of the regional accrediting associations, provides for substitution of work experience for type E certificates, requires an applicant for an initial Colorado certificate to have college credit within five years prior to application, permits foreign study to qualify for purposes of renewal of a certificate, specifies procedures in case of rejection of a professional growth plan, and deletes the requirement that a major portion of a teacher's services are to be in the area in which endorsed by the state board. Repeals provisions in conflict with amendments made.

July 7

July 7

H.B. 1456 Recall petitions. Provides that a recall petition submitted before the 30th day preceding a regular biennial school election shall be acted on at such regular election but a recall petition submitted after the 30th day preceding such election shall be the subject of a special election.

April 24

April 24

H.B. 1487 Extended school year programs. Provides that a school district having implemented an approved extended school year program for 3 years may apply to the state board of education to have such program permanently established as an extended school year program.

May 24

May 24

H.B. 1490 Composition of the state school district budget review board. Provides that the chairman of the state board of education may designate a member of such board to serve in his stead on the state school district budget review board.

May 20

May 20

H.B. 1525 Attendance entitlement for pupils in residential child care facilities. Provides that the school district of residence of a child placed in a residential child care facility outside said district is entitled to attendance entitlement support for such child and that the school district of residence shall pay to the school district of attendance the average per pupil cost, and specifies procedures therefor.

May 26

May 26

H.B. 1534 Teacher dismissal - hearing panel. Provides for replacement of a member of a hearing panel formed to hear an appeal of dismissal by a teacher and, if such a replacement member is chosen, provides that a decision on dismissal shall be made not later than 30 days after the replacement is made.

May 20

May 20

EDUCATION - UNIVERSITIES AND COLLEGES

- S.B. 70 Veterinary medicine hospital at Colorado state university - pledged revenues. Changes the method of determining the amount of revenues which may be pledged for construction and acquisition of facilities or equipment for the veterinary medicine hospital. Such method is to be based upon "accountable" students for which a hospital fee (determined by the state board of agriculture) is collected rather than on "nonresident" students. Defines an "accountable student" as a person not domiciled in Colorado on the date of application for admission to the veterinary program.

February 15 February 15

- S.B. 85 Mesa college - leasing of property. Authorizes the trustees of the state colleges in Colorado to lease grounds under their control to private persons or corporations for the use of Mesa college, subject to conditions of improvement as they may require. Authorizes the trustees to lease back such buildings constructed by private persons or corporations. Provides that such buildings shall become the property of the state at the end of any lease or contract providing for their construction.

April 1 April 1

- S.B. 265 Board name changed. Changes name of the "trustees of the state colleges in Colorado" to "trustees of the state colleges and university consortium in Colorado". Authorizes the revisor of statutes to make the necessary statutory changes and empowers the trustees to implement a resource sharing system between the institutions.

June 4 June 4

- S.B. 277 Colorado school of mines - Colorado energy research institute - advisory council - duties - termination. Requires the Colorado energy research institute to provide data and background material to the executive and legislative branches of government, to administer energy-related programs for students and the public, and to make annual reports to the governor and general

assembly. Recommends that appropriations for the institute be made for a 4-year period and repeals the institute and advisory council, effective July 1, 1982.

June 2

June 2

- S.B. 300 Sale or exchange of lands by the Colorado school of mines. Authorizes the trustees of the Colorado school of mines to sell or exchange and to execute deeds of conveyance for several tracts of land in Jefferson county. Requires the proceeds thereof to be credited to the Colorado school of mines land acquisition fund.

June 2

June 2

- S.B. 311 Benefits for dependents of Colorado national guardsmen. Provides that dependents of persons who died or were permanently disabled while on state active duty or authorized training duty as Colorado national guardsmen shall be permitted to pursue studies at a Colorado state-supported institution of higher education or technical or vocational school free of tuition.

June 20

August 1

- S.B. 398 Grant program - appropriation. Authorizes the Colorado commission on higher education to establish a grant program for in-state undergraduate students having financial need. Directs the commission to determine by guideline, which institutions of higher education are eligible to participate in the grant program. Requires biannual audits of the grant program at participating institutions. Sets forth criteria to be used to determine whether an institution of higher education is pervasively sectarian and thus not eligible to participate in the program. Appropriates \$3,400 to the department of higher education for the grant program.

June 29

July 1

- H.B. 1025 Duties of commission on higher education. Provides that duties delegated to the Colorado commission on higher education concerning the administration of federal programs may apply to all post-high school institutions in the state whether or not supported in whole or in part by state funds.

Requires that contributions accepted by the commission be used for post-secondary education generally, instead of the guarantee loan program.

February 24

February 24

- H.B. 1135 Tuition waivers for veterans. Conforms terminology relating to tuition waivers for veterans to that used for determination of tuition at state institutions of higher education.

June 17

June 17

- H.B. 1320 State board for community colleges and occupational education - state student advisory council. Replaces the advisory committee for community and technical colleges with a state student advisory council composed of student members enrolled for 9 hours or more, with one member from each campus. Requires members to be in-state students for tuition purposes. Provides that vacancies will be filled for the unexpired term by appointment by the student government of the affected campus within 30 days.

May 18

July 1

- H.B. 1362 Postsecondary vocational programs - appropriation. Provides that area vocational schools may be reimbursed up to \$1,175 per student FTE based upon legislative analysis of program and budgetary need. Appropriates \$230,895 to the state board for community colleges and occupational education for implementation of the act, and provides for proration of such amount if not sufficient.

June 29

July 1

- H.B. 1429 Undergraduate fellowship program. Provides for the establishment of an undergraduate fellowship program to permit Colorado resident students to attend institutions of higher education in other states which have agreed to reciprocate in waiving the nonresident differential in tuition. Limits participation to one year for not more than fifty students who are Colorado residents and have completed one year of study at a Colorado institution of higher education. Provides for abolition of the program on July 1, 1980.

June 9

July 1

H.B. 1514 Colorado school of mines. Authorizes the board of trustees of the Colorado school of mines to impose rents and charges for the use of the school's buildings and facilities at a level to return the cost of such buildings and facilities within a reasonable time. Authorizes the state treasurer to issue anticipation warrants in amounts requested by the board of trustees up to \$1,000,000. Appropriates all user charges and rents to the school for obtaining additional research buildings and facilities and for repaying the anticipation warrants.

Authorizes the state and any state agency or political subdivision to purchase such anticipation warrants, with certain limitations; provides that such warrants may be used for security deposits; and declares that such warrants are tax exempt for state and local purposes.

May 16

May 16

H.B. 1572 Colorado commission on higher education. Requires the Colorado commission on higher education to study each budget request from a state-supported institution of higher education in light of state policy and plans and institutional roles and missions and to report to the governor and the joint budget committee its recommendations, including priorities for appropriations; requires the commission to develop a statewide plan for higher education no later than February 1, 1978, and to report annually to the appropriate committees of the general assembly; and subjects the commission to termination on July 1, 1983, unless continued by the general assembly.

June 4

June 4

H.B. 1698 State board of agriculture - quorum - expiration of terms. States that, upon expiration of his term, a member of the state board of agriculture may continue to serve until his successor is elected or appointed and qualified. Declares that a quorum of the board is to be a majority of the voting members of the board rather than of the total members. Vacancies in the office of any member appointed by the governor are to be filled by a majority of the voting members rather than of the total members.

May 26

May 26

ELECTIONS

S.B. 79 Membership of county committees of political parties.
Authorizes county central committees of political parties to provide for additional officers of the committee besides the chairman, vice-chairman, and secretary, and provides that such officers will be included in the membership of the county central committee. U.S. senators and representatives and the district attorney who reside in the county are also added to the county central committee membership. A county commissioner central committee is to include state senators and representatives and the district attorney residing in the district, as well as officers appointed by the committee itself. County central committees are to meet between February 1 and 15 in odd-numbered years, as are state senatorial and representative central committees in districts having portions of a county within their territory. Such committees are no longer to decide on the manner in which the party will fill a vacancy in the office of state senator or representative. Provides for membership in a judicial district central committee having territory in all or part of a county, and likewise as to vacancy committees.

June 10

July 2

S.B. 349 Political party assemblies - delegates. Provides that delegates to county assemblies may also serve as delegates to senatorial and representative district assemblies if so provided by the appropriate district central committee in senatorial and representative districts comprised of all or parts of more than one county, and provides for apportioning of votes by the district central committee.

June 1

July 1

H.B. 1165 Initiative petitions - submission requirements.
Substitutes the directors of the legislative drafting office and the legislative council for the attorney general in the initial review and comment upon the initiative petitions for proposed laws and amendments to the state constitution. Provides that the director of the legislative drafting office, attorney general, and secretary of state constitute a board which is to conduct a public meeting at which said board will fix a fair and

proper title and submission clause for a proposed measure and shall prepare a clear, concise, impartial summary of said measure to include, where necessary, the fiscal impact of a proposed measure on the state and any of its political subdivisions. The summary is to be included in the secretary of state's publication of proposed measures and in the petitions circulated for signatures. Repeals provisions declared unconstitutional in Colorado Project - Common Cause v. Anderson, 177 Colo. 402, 495 P.2d 218 (1972).

June 6

June 6

H.B. 1281 Prosecution of offenses. Provides that the several district attorneys and the attorney general shall prosecute persons violating general laws relating to election offenses and that the secretary of state is charged with the administration and enforcement of such general provisions.

May 24

May 24

H.B. 1337 Political party delegates to party assemblies. Provides a means for party central committees to apportion delegates to party assemblies in state senatorial and representative districts comprised of one or more whole counties and portions of one or more counties or comprised of portions of 2 or more counties.

May 26

July 1

H.B. 1346 Registration of citizens overseas. Provides for the registration of citizens residing outside of the United States whose domicile immediately before leaving the United States was in Colorado, even though they have no place of residence in Colorado and their intent to return may be uncertain, permitting said registered electors to vote for federal officers. Provides that such persons make application for such registration and meet other qualifying conditions and that such persons shall be purged for failure to vote and shall cancel or renew his registration upon return.

May 24

May 24

H.B. 1348 Absentee voting - appropriation. Provides that requests for an application for an absentee voter's ballot for any election may be made orally or in writing and extends from 20 to 30 days prior to an election the time in which an absentee voter in a local election may make such request for an application.

For general, primary, or special elections, provides that an application for an absentee ballot may be made by a member of the applicant's family who is related by blood or marriage. Authorizes deputies of the county clerk and recorder to deliver, notarize, and return absentee ballots in emergency situations. Changes the affidavit form and provides that no fee shall be charged for notarization of an absentee ballot. Rewrites and revises the law relating to challenged absentee ballots.

Appropriates \$2,900 to the department of state for the implementation of the act.

June 19

June 19

H.B. 1561 Party functions - primary elections. Makes miscellaneous amendments to the "Colorado Election Code" with regard to party functions and primary elections, including requiring a person circulating a petition for nomination of a party candidate to have been a member of that party, provisions for filling vacancies in designations or nominations, and procedures regarding the conduct of primary elections.

July 7

July 7

H.B. 1718 Miscellaneous amendments. Makes miscellaneous amendments to statutory provisions concerning elections, including clarification of the definition of "watcher"; authority of the county clerk and recorder; amendment of numerous provisions concerning qualification and registration of electors, judges of election, notice and conduct of elections, and canvass of votes; party assemblies; and election offenses.

Amends the "Campaign Reform Act of 1974" to specify what does not constitute a contribution, revises the definition of expenditure to clarify exclusions, and excludes from the definition of political committee those that do not spend more than 50% of their annual budgets in support or opposition to candidates or issues. Clarifies that the candidate or political committee is to

report, prohibits use of information on required reports for commercial purposes, excludes national party organizations from reporting requirements, permits hearings by the secretary of state, prohibits kickbacks required by public officials, and specifies that an alleged violator has the opportunity to respond.

Repeals outdated or unnecessary provisions.

VETOED June 19

FINANCIAL INSTITUTIONS

S.B. 176 Industrial banks - emergency grant of new charter. Authorizes the state bank commissioner to grant a new charter for an industrial bank for the same location as a closed bank if the new bank assumes full liability for all deposits of the closed bank. Provides that such granting of a new charter may be done without meeting the normal notice, hearing, and other requirements for issuance of charters to industrial banks.

March 4

March 4

S.B. 207 Banks - miscellaneous amendments. Changes from 10 to 30 days the time within which a report shall be sent to the state bank commissioner after request and permits the commissioner to waive the penalty for failure to comply for good cause; revises provisions concerning the public hearing on a new bank charter; provides that certain required notice be by registered or certified mail; deletes the requirement each bank doing business in the community in which a bank proposes to locate be notified, retaining the notice requirement for those banks within three miles of the proposed bank and includes in the required information in the notice the name of each stockholder having 10% or more of the stock; and provides that a charter may be granted contingent upon approval of management.

Adds as criteria for consideration of approval of a change of location the needs and advantages of the proposed as well as the present location; and specifies criteria concerning operation of a detached facility. Raises the limitation on loans to an officer of the bank making the loan from \$5,000 to \$10,000.

June 1

June 1

S.B. 208 Industrial banks - guaranty corporation. Authorizes industrial banks to maintain time deposits as well as demand deposits in other insured banks in this state as part of the cash reserve required for industrial banks. Gives industrial banks additional time in which to file the reports required by the bank commissioner. Directs the guaranty corporation to adopt procedures to implement its authority and authorizes the bank commissioner to adopt rules and regulations (which supersede the

procedures of the guaranty corporation in case of conflict) to carry out the legislative intent. Amends certain provisions relating to maintenance of the fund and requires income accrued by investment to be retained and invested. Requires an annual audit of each member. Audits and reports of the corporation are not public documents unless otherwise provided by law. Authorizes the guaranty corporation to act against financially embarrassed or impaired members to protect the public or the depositors.

June 19

June 19

- S.B. 250 Investment of certain moneys. Authorizes moneys of the workmen's compensation subsequent injury fund to be invested in a savings and loan account insured by the FSLIC or in a bank account insured by the FDIC and removes a limitation requiring federal insurance or guarantee on investments in first mortgages or deeds of trust. Removes a similar limitation on investments of the state compensation insurance fund. Allows domestic insurance companies to invest in savings or building and loan associations even if such moneys are not insured by the FSLIC.

June 9

July 1

- S.B. 333 Securities regulation. Provides that any security issued in connection with an employee's benefit plan is exempt from regulation and deletes a prior requirement of notification to the securities commissioner to effect such exemption.

June 1

July 1

- S.B. 386 Requirements relating to fiduciary property. Revises provisions concerning fiduciary property, including the following: Specifies federal reserve banks and clearing corporations as proper depositories of fiduciary property, provides for nonliability of issuers of securities in the name of nominees, and deletes provisions for the liability of banks and trust companies for the acts and omissions of depositories and nominees; spells out fiduciary duties toward various parties; specifies that the powers granted bank and trust company fiduciaries by the act supersede limitations imposed thereon by a will or trust; and provides that any other fiduciary has the power granted by the act unless the

controlling instrument clearly denies the fiduciary such powers.

June 9

July 1

S.B. 387 Common trust funds - bank and trust companies. Authorizes banks and trust companies qualified to act as fiduciaries to operate common trust funds jointly with other banks and trust companies and others as cofiduciaries, provides that any cofiduciary therein is authorized to consent to investments, and specifies that in determining the propriety of any investment in a common trust fund, the common fund is to be considered as a whole. Provides that securities held in a common trust fund deposited in a clearing corporation or federal reserve bank are deemed to remain in the custody of the bank or trust company. Defines fiduciary.

June 9

June 9

S.B. 468 Electronic funds transfers. Authorizes Colorado banks, beginning January 1, 1978, to engage in banking transactions with their account holders through electronic information processing devices (called "communications facilities") located apart from the bank or detached facility under specified conditions, including the following: (1) The communications facility is available to any Colorado bank; (2) The bank has agreed to meet technical standards and to pay charges, related to services provided, based on the costs of establishing, operating, and maintaining the facility, plus a reasonable return; and (3) Each bank using the facility receives equal prominence in data available to the public, and no advertising suggests exclusive use of the facility by any bank.

Prohibits banks and retailers where communications facilities are located from discriminating in price with the intent of preventing competition in offering banking transactions through communications facilities, after allowing for any differences in cost. Allows a retailer to limit the kinds of electronic banking transactions performed at his location, but requires him to make all authorized transactions available to all banks. Provides that a retailer may use a communications facility to perform his own internal business functions and may limit the number of facilities at a retail location.

Requires banks to provide their account holders with a receipt for each transaction at the time the

communications facility is used. Limits liability for a lost or stolen card or other device issued for use at a facility to \$50 or the amount of money, goods, or services obtained, whichever is less. Directs banks to continue to offer customers the right to use checking accounts, and requires that the use of checking accounts not be made burdensome.

Includes similar provisions authorizing the use of communications facilities by savings and loan associations, industrial banks, and credit unions, but only to the extent of transactions authorized in the applicable law governing such institutions. Permits a bank having control of a communications facility to make its use available to such institutions on a fair and reasonable contractual basis.

Grants regulatory powers to the banking board, and authorizes the imposition of fees set by the board on Colorado banks to offset the costs of administering the act.

May 20

May 20

S.B. 478 "Public Deposit Protection Act of 1975". Provides that revenue bonds and special improvement district bonds of public entities which may be purchased by national banks or state banks whose deposits are insured by the federal deposit insurance corporation are eligible collateral under the "Public Deposit Protection Act of 1975".

June 10

June 10

H.B. 1290 Membership in credit unions. Provides that a central credit union may include members or persons in the field of membership of credit unions in voluntary or involuntary liquidation and small groups unable to organize their own credit union if they have a common bond of employment or association.

Provides that local credit unions may include groups in a well-defined neighborhood, community, or rural district with a population of 25,000 or less or as otherwise authorized by the state bank commissioner. Provides that small groups unable to organize their own district may be eligible for membership in an existing credit union if they have a common bond of employment or association.

May 26

July 1

H.B. 1315 Savings and loan associations. Provides a new definition of "net worth" and "subordinated debt security", thereby expanding the accounts or items which may be included in such terms. Authorizes a permanent stock savings and loan association to issue preferred stock. Authorizes a savings and loan association to loan an amount not exceeding 3% of its assets in a manner not otherwise authorized by statute. Provides that certain provisions and limitations in Colorado law may be overridden by federal law, rule, or regulation.

June 2

July 1

H.B. 1321 Credit unions - management of affairs. Extends the time within which the directors and committees of a credit union must be elected from within 10, to within 20, days after the annual meeting, and provides that a credit committee may be elected or authorization given to the board of directors to appoint such or a credit officer. Extends the time within which the names and addresses of board and committee members and officers must be filed with the state bank commissioner from within 10, to within 20, days after such election or appointment.

Designates the executive officers of a credit union, and authorizes the use of various executive office positions in organizing the management of a credit union.

May 18

July 1

H.B. 1506 Savings and loan associations - charges and distributions. Authorizes savings and loan associations to impose a reasonable charge for the establishment and maintenance of Keogh or individual retirement accounts, effective July 1, 1977.

Increases from \$10 to \$25 the minimum balance below which an association is not required to distribute earnings on share or short-term deposit accounts.

June 4

June 4

H.B. 1578 Trusts - authorized for hospitals and physicians. Authorizes physicians and health care institutions to establish trusts to protect themselves financially from workmen's compensation, malpractice, and similar actions. The trusts are to be operated under articles of trust agreed to by those joining. They are to name a trustee

to manage the operations thereof and to contribute such amounts as are required by the terms of the agreement. They are not personally liable to or on behalf of the trust beyond their agreed contributions. A trust so formed is deemed to meet the requirements of proof of financial responsibility or other certification under the insurance laws.

Became law without Governor's signature

May 27

July 1

H.B. 1685 Public securities - refunding. Enacts the "Public Securities Refunding Act" to provide for refunding of any revenue obligation or general obligation bond and of any other lawful general obligation indebtedness by any public body. Defines terms and specifies the purposes which may be accomplished by such refunding and provides the terms, conditions, and limitations of such refunding. Exempts refunding bonds from taxation except for inheritance, estate, and transfer taxes and secures the status of prior obligations.

June 29

July 1

GENERAL ASSEMBLY

- S.B. 116 Legislative department - state capitol commission created - appropriation - transfer of appropriation. Creates a state capitol commission which is to consist of 6 members of the general assembly, 3 of whom are to be appointed by the speaker of the house and 3 of whom are to be appointed by the president of the senate. Gives the commission total responsibility for the control, management, supervision, maintenance, restoration, redecoration, construction of improvements to, and assignment of space within the state capitol building and surrounding grounds. Directs the commission to prepare short-range and long-range plans for the occupancy of the state capitol and state museum buildings by the legislative and executive departments. Authorizes the commission to contract for services in the performance of its duties. Appropriates \$350,000 to the commission for the administration of the act. Transfers \$719,742 from the department of administration and \$5,000 from the office of state planning and budgeting to the commission.

VETOED June 10

- S.B. 467 Interstate cooperation - transfer to legislative council. Abolishes the Colorado commission on interstate cooperation and transfers its functions to the legislative council.

June 1

July 1

- S.B. 510 Legal counsel. Provides that the committee on legal services may retain legal counsel to represent the general assembly or any committee thereof or any member or agency of the legislative branch. Amends the powers of the attorney general to exclude the duty of being the legal counsel for the legislative department.

June 2

June 2

- S.B. 533 Zero-base budgeting. Charges the joint budget committee, in cooperation with the legislative audit committee, to implement an ongoing procedure for the review of existing state programs on the basis of zero-base budgeting. Provides for a program-by-program phase-in over a

five-year period. Requires state agencies and institutions to prepare and to annually present to the joint budget committee an analysis of such programs on the basis of specified zero-base budgeting criteria as a part of their annual budget requests. Requires the office of state planning and budgeting to provide assistance to state agencies and institutions and to the joint budget committee in the implementation of the zero-base budgeting program.

June 19

June 19

- H.B. 1019 Use of state museum building. Provides that the general assembly shall designate and assign space in the state museum building at 14th and Sherman street and may provide for the furnishing and equipping of such building, as may be necessary for use by the legislative department.

May 20

May 20

- H.B. 1121 Economic impact statements. Provides that state agencies shall provide an economic impact statement on legislative proposals upon request of the president of the senate, speaker of the house of representatives, majority and minority leaders, the chairman of any committee of reference, or the chairman of an interim committee, with the approval of the chairman of the legislative council. Specifies the contents, to be included as designated by the requesting official, of such impact statements.

Governor purported to veto on July 15, but failed to meet constitutional filing date - legal effect subject to court determination.

- H.B. 1248 State auditor - vacancies. Authorizes the legislative audit committee to designate a temporary state auditor, when a vacancy occurs, who shall exercise and perform all of the powers and duties of the state auditor until a replacement is appointed by the general assembly.

Provides that the state auditor, upon the approval of the legislative audit committee, may appoint one to 3 deputy state auditors. In the case of the state auditor's temporary absence or incapacity, enables the committee to designate a deputy to exercise and perform all or part of the state auditor's powers and duties and, unless and until such designation is made by the committee, provides that the state auditor may so designate such deputy.

May 18

May 18

GOVERNMENT - COUNTY

S.B. 260 Public projects. For purposes of county and city public projects, adds to the definition of "public project" improvements and renovations of such projects and adds public education to the purposes of public projects. Limits the inclusion of public education to counties where the county and school district boundaries are coterminous.

June 1

June 1

S.B. 261 County zoning regulations. Authorizes the board of county commissioners to authorize one or more administrative officials of the county to assume certain functions relating to the enforcement of county zoning regulations.

Provides that an appeal to the board of adjustment shall not be allowed for building use violations.

Revises and rewrites the penalty and enforcement provisions for zoning violations to include, among other things, an authorization for the issuance of a summons and complaint to violators of county zoning regulations.

June 9

June 9

S.B. 322 Subdivisions - court-ordered divisions of land. Provides that a "subdivision", to which statutory requirements for county subdivision regulations apply, does not include a court-ordered division of land if the board of county commissioners has been notified of the pending action and given an opportunity to join as a party in interest in order to raise the issue of whether the proceeding is an attempt to evade subdivision regulations.

May 26

May 26

S.B. 334 County budgets. Clarifies existing law to grant exclusive power to determine county budgets to the boards of county commissioners of the respective counties, provides for the applicability of local budgeting procedures to county budgets, and repeals a general limitation provision on county expenditures over the

annual appropriation resolution.

June 9

June 9

- S.B. 340 Clerk and recorder fees. Repeals that section of the law which provides that there shall be paid from the ordinary county revenue fund to the county clerk and recorder for deposit in the county clerk fee fund \$10 per day for services rendered as clerk to the board of county commissioners.

May 26

May 26

- S.B. 361 Fees - county clerks and recorders. Provides that county governments are exempt from county clerks and recorders fees except when such clerks are acting as clerks for the board of county commissioners.

May 26

May 26

- S.B. 378 Fees - sheriffs. Provides that certain fees of county sheriffs shall be actual expenses but not to exceed \$7.50 in some cases and \$10 in others. Defines "actual expenses" as including personnel and processing costs but not mileage, and provides that the limitations shall be fixed by ordinance or resolution.

June 1

July 1

- S.B. 395 Scheduling of county office hours. Deletes the requirement that county offices be kept open at least 8 hours every working day, providing instead that they shall be open for the transaction of county business as designated by resolution of the board of county commissioners.

May 26

July 1

- S.B. 419 Authorizing Larimer county to acquire land - recreation district - appropriation. Authorizes Larimer county to acquire land in the floodplain of the Big Thompson canyon and the north fork, and to establish a county recreation district to make the authorized acquisitions and to manage the park and recreational areas developed

thereafter. The state division of parks and outdoor recreation is to coordinate federal, state, and local contributions in the development of the land acquired so that the state's citizens will be able to use the facilities eventually developed. Appropriates \$862,000 to the division of parks and outdoor recreation for such purposes, contingent on matching federal funds of \$1,415,000 and Larimer county contributing \$253,000. Of the state's share, \$265,000 can be used to match available federal outdoor recreation land and water conservation funds, and the balance to match subsequent federal funds until January 1, 1979, when any unmatched state funds are to revert to the general fund.

June 19

June 19

- S.B. 481 Official records. Adds a proviso to the requirement that all official records of county officers shall be open to inspection, subjecting such requirement to the statutory provisions concerning inspection, copying, and photographing of public records and to any judicially recognized right of privacy.

May 26

May 26

- S.B. 516 Recall of county officers. Deletes the requirement that the signers of a recall petition be registered electors and reduces the number of signers required from 40% to 25% of the entire vote cast at the last preceding election for the office which the official to be recalled occupies.

June 3

June 3

- S.B. 577 Board of county commissioners - services to the aged. Authorizes the board of county commissioners to provide in the county budget for services for the aged, including social, recreational, medical, transportation, and homemaker services among others.

June 19

June 19

- H.B. 1119 Standards for ambulance services. Authorizes the board of county commissioners to adopt rules and regulations for governing the licensing of ambulance service in the county, including standards for service, the issuing of

licenses, and the collection of license fees.

May 26

May 26

- H.B. 1200 Composition of county planning commission. Provides that the membership of a county planning commission, previously set at 5, may be no less than 3 and no more than 9; removes the requirement that members and associate members own real property in the county; and shifts the authority to employ planning experts and staff from the planning commission to the board of county commissioners.

June 4

July 1

- H.B. 1341 Burning of solid wastes. Provides that any site and facility operated for processing, reclaiming, or recycling metallic, glass, or cloth solid wastes shall not be considered a solid wastes disposal site and facility and shall not require a certificate of designation. Authorizes incineration under a certificate of designation without an extreme emergency situation. Authorizes the board of county commissioners in any county with less than 25,000 population to develop regulations permitting noncommercial burning of trash, not to exceed primary and secondary ambient air quality standards.

VETOED May 27

- H.B. 1376 Local improvement districts - payment of assessments. Eliminates the 5% discount given on all payments on an assessment by a local improvement district made within 30 days after the effective date of the assessing resolution.

May 18

July 1

- H.B. 1658 Subdivision regulation. Specifies that "interests" includes only surface interests, not subsurface interests, for the purpose of county regulation of subdivisions. Permits a board of county commissioners to approve a correction plat without complying with submission, review, and referral requirements if the plat is to correct one or more technical errors in an approved plat and the corrected plat is consistent with an

approved preliminary plan. Increases from 24 to 35 the allowable number of days for agency response to a preliminary plan.

May 24

May 24

H.B. 1721 Salaries specified for elected county officers. Increases, in varying amounts, the compensation of all county commissioners, sheriffs, treasurers, assessors, and clerks, to be effective for the next term of each such office. Weld county is omitted from the schedule, having adopted a county home rule charter allowing it to set its county officers' salaries.

July 1

July 1

GOVERNMENT - LOCAL

S.B. 58 Audit law. Relieves any local government with revenues and expenditures of less than \$50,000 (previously, \$20,000) in a fiscal year from the requirement, imposed by the "Colorado Local Government Audit Law", that the local government's financial affairs and transactions be annually audited.

March 16

March 16

S.B. 126 Planning - water conservation board - floodplains. Requires any local government applying for federal or state financial assistance for floodplain studies in designation of matters of state interest in land use planning to give prior notice to the Colorado water conservation board, and prohibits local designation of floodplains until such designation is approved by the board. Directs the board to coordinate and prescribe standards for floodplain studies under the land use law in the interests of uniformity and to minimize duplication of effort.

June 3

June 3

S.B. 309 Solid waste collection. Provides that if a town, city, or city and county begins solid waste collection services and if said local government has authorized a refuse collector to provide such service, and if such service has been provided for 3 or more years, the refuse collector shall be entitled to just compensation for business lost to the municipality unless he has failed to provide adequate refuse collection services to the community.

Provides that whenever a local government acquires the refuse collection service of a private collector, employment consideration may be given to the nonmanagement personnel of the collector.

VETOED June 9

S.B. 432 Energy efficiency construction standards for nonresidential buildings - appropriation. Creates the board for energy-efficient nonresidential building

standards as a section of the office of state planning and budgeting. Requires the board to establish model energy efficiency construction and renovation standards for nonresidential buildings to serve as guidelines for the adoption of no less stringent standards by counties and municipalities, which have building codes, as part of their building codes, and requires the adoption of such standards by counties and municipalities by July 1, 1978. Requires the office of state planning and budgeting to provide assistance to counties and municipalities in the implementation of such standards. Appropriates \$127,954, of which \$118,954 is from federal funds, to the office of state planning and budgeting for implementation of the act. Provides for the repeal of the act January 1, 1980.

July 1

July 1

S.B. 488 Multijurisdictional housing authorities. Authorizes cities and counties to contract with each other to establish multijurisdictional housing authorities to effect the planning, financing, acquisition, construction, reconstruction or repair, maintenance, management, and operation of housing projects for families of low or moderate income. Specifies certain provisions to be in such contracts and certain general and specific powers of a multijurisdictional housing authority, including the issuance of revenue bonds.

July 7

July 7

H.B. 1002 Self-insurance by public entities. Declares that a self-insurance fund established by political subdivision subject to the "Local Government Budget Law of Colorado" shall not be construed to be unexpended funds for budgetary purposes and shall be accumulated and held over for use in subsequent years.

February 16

February 16

H.B. 1081 Conservation trust fund - transfer - sharing and use of moneys - statement. Transfers the administration of the conservation trust fund from the office of the state treasurer to the division of local government in the department of local affairs. Directs said division to determine which counties and municipalities are eligible to share in the available moneys. If a municipality's share is less than \$20, such amount is to be distributed to the county for the benefit of the municipality as

determined by the board of county commissioners. Allows moneys to be used for capital improvements for recreational purposes on public sites. Abolishes the reversion provision for unencumbered moneys. Authorizes the sharing of moneys by governments and other political subdivisions for the acquisition, development, and maintenance of new conservation sites. Requires eligible counties and municipalities to submit an annual statement to the division relating to the amount and use of state moneys in local conservation trust funds.

June 19

June 19

- H.B. 1211 Intergovernmental relationships - water authorities. Authorizes the formation of water authorities by any combination of municipalities, special districts, or other political subdivisions, in the same manner as power authorities were authorized in 1975. Provides that a water authority is a separate governmental entity, separate from those forming it, with the duties and immunities of a public body politic and corporate. Its general powers include those of developing water resources, systems, or facilities in whole or in part for the benefit of the inhabitants of the contracting parties or others, at the discretion of the board of directors, subject to the obligations imposed by the contract creating the water authority. The membership of the governing body and its activities are to be specified by contracts between the various entities creating the new entity.

Became law without Governor's signature

June 21

June 21

- H.B. 1547 Mining operations - reclamation. Provides that mining operations lawfully conducted prior to July 1, 1976, may continue operation until May 1, 1978, if before May 1, 1978, application is made for a permit.

Provides a maximum of \$40 per acre or \$200 total for preparation of a reclamation plan for county operators.

Excludes roads from the acreage affected to determine limited impact operations, and increases the maximum extraction of minerals and overburden from 70,000 to 150,000 tons for such limited impact operations. Rewrites the provisions on filing notices of completion of reclamation. Removes limited impact operations from the full application, hearing, and board consideration

provisions, and provides that the mined land reclamation board shall issue a permit for new mining operations to an operator in violation of the "Colorado Mined Land Reclamation Act" if the board approves a plan of compliance for all affected lands.

VETOED June 20

H.B. 1645 Development revenue bonds. Adds to the authorized functions of development revenue bonds the financing and refinancing of enterprises; adds facilities for private institutions of higher education to the definition of projects; defines "refinance" as the issuance of bonds to liquidate previously incurred obligations; provides for intergovernmental delegation of authority; substantially revises the provisions concerning refunding of obligations; and makes other miscellaneous amendments.

June 20

June 20

H.B. 1716 Control and licensing of dogs. Provides that counties may enact resolutions for the control and licensing of dogs, including degrees of control required over different dogs at different times and places. Provides penalties for violation of such county resolutions for offenses based on whether or not personal injury was involved. Provides that all fines and fees collected by a county shall be paid to the county.

Authorizes cities and counties to enter into intergovernmental agreements for the control, licensing, impoundment, or disposition of dogs.

Provides that a local government shall not be liable for any accident or disease that may occur to an animal in connection with the administration of any dog control resolution or ordinance.

July 7

July 7

GOVERNMENT - MUNICIPAL

- S.B. 164 Deferred compensation plans for employees. Provides that a municipality may participate in a deferred compensation plan under which an employee agrees to defer all or part of his salary for purchasing fixed or variable annuities from a life insurance company or for investment and that if the municipality provides another pension plan, the amount of salary deferred shall continue to be counted as part of his salary for computation of any other pension contributions or benefits.

May 24

May 24

- S.B. 245 Contributions to firemen's pension funds. The state's maximum contribution to the firemen's pension funds of municipalities and fire protection districts of the state is increased by \$335,000 annually, to a maximum allowable contribution of \$2,335,000. These funds are from taxes levied by the state on insurance premiums collected by foreign insurance companies. The maximum contribution to such pension funds by the firemen is increased from 3 1/2% to 8 3/4% of monthly salary.

July 1

July 1

- S.B. 282 Special improvement districts. Provides for the assessment of costs against a municipality for improvements resulting in special benefits to the municipality. Provides that no costs of improvements shall be assessed against property when reasonable access to the street or alley is denied. Changes publication requirements for public sale of bonds for improvements and permits private sale of such bonds. Authorizes the issuance of interim warrants for work on local improvements and specifies the terms and procedures therefor.

June 4

June 4

- S.B. 327 Regulation of cannabis by home rule cities. Authorizes home rule cities to enact ordinances prohibiting the possession of not more than one ounce of cannabis, but limits the maximum penalty which may be imposed for possession under such ordinance to that which is provided

by state statute.

June 1

June 1

- S.B. 434 Policemen's pension funds. Increases \$450,000 to \$785,000 the annual amount which the state treasurer transfers to the policemen's pension fund. Increases the assessment on salaries of policemen for the fund from 1% to an amount not to exceed 8 3/4% of their salary.

June 29

July 1

- S.B. 558 Amending the charter of the city of Blackhawk. Changes the charter of the city of Blackhawk to permit all residents thereof age 18 or older to vote for city officers; formerly the vote was limited to white male inhabitants over age 21. Adopts by reference the Colorado municipal election code. Authorizes the city's board of alderman (formerly city council) to impose sales and other excise taxes, and adopts by reference various state statutes relating to taxation and eminent domain. Authorizes board of alderman to establish penalties for violation of city ordinances.

June 10

June 10

- S.B. 569 Downtown development authorities. Makes miscellaneous amendments to provisions concerning downtown development authorities, including the following: Changes the definition of "qualified elector" to any resident, landowner, or lessee within the proposed district and provides that any landowner or lessee not a natural person may cast a ballot in election involving the authority if it designates a person to vote for it but no qualified elector may cast more than one vote; requires any ordinance creating a downtown development authority to specify the maximum net effective interest rate of bonds issued by the authority; and provides for the division of tax revenues between the development authority and other governmental units within the boundaries of the authority.

All taxes levied for the development authority are to be approved by the governing body of the municipality and the governing body must submit its plan of development to the planning board of the municipality for recommendations. The governing body must hold a hearing before final approval of the development plan of the

authority. Allows the authority to sublease property. Provides that general taxes as well as revenues may be pledged to pay bonds issued for the authority if approved by the qualified electors. Provides that all actions are barred thirty days from the effective date of any ordinance or resolution authorizing bonds of the authority. Allows additional property to be included in the district subsequent to organization of an authority.

June 19

June 19

H.B. 1132 Volunteer firemen - pensions. Permits payment of a pension of more than \$100 per month to a volunteer fireman if found to be actuarially sound, but imposes a maximum of \$200 per month. Prohibits a volunteer fireman from receiving a pension from a department while in active service of that department. Establishes minimum training requirements for qualification for pension benefits effective January 1, 1978, and changes from 25 to 20 years the services required before eligibility for a leave of absence while retaining pension benefits.

Establishes criteria for payment of pensions for volunteer firemen who have served for 20 years in one department and for those having served in 2 or more departments, including those having earned service prior to the effective date of the act. Sets a \$200 per month limitation on any volunteer fireman's pension; enables the governing body of the municipality or fire protection district to enforce such requirements and limitations; and provides for proration if the pension fund is depleted.

June 2

June 2

H.B. 1284 Municipal waterworks. Exempts municipal waterworks generally from the requirement of an election approving the acquisition or erection of such waterworks, and eliminates prior specific exemptions.

May 16

May 16

H.B. 1300 Nomination petitions - time limitations. Permits the circulation of nomination petitions for municipal officers on the 50th to the 30th day prior to a municipal election instead of the 45th to the 25th day before an election. Requires each nomination petition to be filed with the clerk no later than the 30th day prior to the

day of election.

May 14

July 1

H.B. 1310 Urban renewal authorities. Authorizes the governing body of a municipality to designate itself as the urban renewal authority when originally establishing such and to abolish such an existing authority by ordinance if adequate arrangements have been made for the outstanding indebtedness and other obligations of the authority.

Provides that a transfer of an existing authority to the governing body may be done only by a majority vote at a regular general election.

May 26

May 26

H.B. 1360 Publication of ordinances. Deletes the provision requiring publication of proposed city ordinances in one or 2 newspapers of general circulation published in the city or by posting, providing instead for publication of a newspaper published in the city or, if none, a newspaper having general circulation in the city. Specifies requirements for publication after adoption of such ordinances.

May 20

July 1

H.B. 1406 Policemen's and firemen's pension funds. Provides for the establishment of an alternative policemen's or firemen's pension benefit program or combination pension and insurance benefit program which, if found to be actuarially sound, is exempt from provisions governing other municipal or fire protection district pension funds. Requires approval of at least 65% of all actively employed employees and 65% of all former employees who have earned pension rights or benefits for adoption of the alternative plan.

May 27

May 27

GOVERNMENT - SPECIAL DISTRICTS

S.B. 188 General provisions - elections. Conforms the laws governing metropolitan recreation districts, metropolitan districts, water and sanitation districts, domestic waterworks districts, metropolitan water districts, hospital districts, and fire protection districts to the provisions of the uniform code for special district elections enacted in 1973. Allows special districts to use electronic or other mechanical voting equipment, and provides that the use of any electronic voting system shall be generally in accordance with its use in general, primary, and municipal elections. Sets the compensation of board members of most special districts at \$960 per year, payable at a rate not to exceed \$35 per meeting.

July 15

July 15

S.B. 251 Compensation of metropolitan sewer districts board members. Increases the maximum allowable compensation for board members of metropolitan sewer districts from \$600 to \$960 a year, payable at \$35 per meeting instead of \$20.

May 26

January 1, 1978

H.B. 1118 Compensation of metropolitan district board members. Increases the allowable compensation for board members of metropolitan districts from \$600 to \$960 per annum and from \$25 to \$35 per meeting.

Eliminates the requirement that electors of the district approve the compensation.

March 16

March 16

H.B. 1150 Water and sanitation - publication of audit reports. Requires the board of directors of a water and sanitation district to publish a short form balance sheet and a short form income and expense statement. Also directs the board to publish notice that the financial statement is available for inspection at the district office and the state auditor's office.

May 14

May 14

H.B. 1259 Compensation of members of board - fire protection districts. Authorizes an increase in the maximum compensation allowable to members of the board of directors of a fire protection district from \$600 to \$960 per year, payable at the rate of not more than \$35 per meeting, up from \$25. Eliminates the need for the approval of such payments by the district's electors.

July 7

July 7

H.B. 1408 Water and sanitation - fees. Adds to the powers of the board of a water and sanitation district the power to increase or decrease tap fees; specifies that no tap fee or similar charge is to be considered a fee or charge for the availability of services or facilities; and substantially revises the criteria for determining the rates or similar charges for making specific services or facilities available.

May 26

May 26

GOVERNMENT - STATE

S.B. 6 Review of regulatory agencies for termination, continuation, or reestablishment. Clarifies provisions of the Sunset Law with respect to licenses issued or renewed during an agency's wind-up period by providing that such licenses shall expire at the end of such period and that original and renewal fees shall be prorated accordingly.

Provides that licenses issued or renewed prior to an agency termination which are scheduled to expire after the cessation of activities, shall expire at the end of the wind-up period and that license fees shall be proportionally refunded for the period following the cessation of activities.

Provides that any criminal penalty provided for engaging in any profession or activity without being licensed shall not be enforceable with respect to activities occurring after an agency has ceased its activities.

Provides that when the state constitution imposes any power, duty, or function on an agency or officer and such agency or officer is terminated under the Sunset Law and the general assembly does not designate another agency or officer to exercise such power or duty, the agency or officer shall continue in existence under the principal department until the general assembly shall otherwise designate.

Increases the time in which a performance audit on an agency scheduled for termination shall be completed from 3 to 6 months prior to the scheduled date of termination.

Clarifies other provisions of the Sunset Law with respect to treatment of agencies scheduled to terminate in even-numbered years, claims by, against, or through terminated agencies, and what agencies are deemed to have been continued.

March 26

March 26

S.B. 21 Regulation of lobbyists. Adds definitions of "communication", "covered official", "disclosure statement", "lobbying", "professional lobbyist", and "volunteer lobbyist", and adds compensation and

reimbursement for expenses of persons required to file a statement to the definition of "contribution".

Rewrites provisions concerning criteria for required filing of disclosure statements including identification of persons making \$200 or more contributions annually for lobbying and identification of persons to or for whom expenditures of \$25 or more have been made since the last statement, requires reporting of expenditures only when made specifically for lobbying, provides for the registration of professional lobbyists, adds a provision concerning lobbying by state officials and employees, and continues provisions for the preservation and public inspection of records.

Adds a provision for the inspection of lobbyists' books and records by the secretary of state, and gives the secretary of state power to suspend lobbyist registration, adopt rules and regulations, investigate suspected violations, apply for court-ordered production of evidence, and issue cease and desist orders.

Clarifies applicability to rule-making officials and agencies; provides for injunctive and other court-ordered relief; and repeals provisions in conflict with the amendments made in the bill.

VETOED April 25

- S.B. 26 Departmental sharing of information. Provides that information shall be shared among state departments when possible, that forms, to the extent feasible, be coordinated among state agencies and with federal agencies, and that multiple mailings be eliminated.

May 24

May 24

- S.B. 37 State personnel system - retirement. Provides that the appointing authority may postpone mandatory retirement of an employee who has received an above-standard evaluation for 2 of the prior 3 years, in addition to existing criteria, and provides for employee appeal to the state personnel board.

Became law without Governor's signature

June 3

June 3

S.B. 51 Department of administration - debt collection. Deletes the requirement that the executive director of the department of administration obtain the consent of the legislative audit committee before he may perform certain debt collection procedures.

March 26

March 26

S.B. 66 Deputy director of the department of natural resources. Authorizes the executive director of the department of natural resources to appoint a deputy director. The deputy director is to have and exercise all of the powers, duties, and responsibilities of the executive director as provided by law in the absence of the executive director and when so instructed by the executive director.

March 7

March 7

S.B. 83 Mileage allowance - appropriation. Increases the mileage allowance for state officers and employees from 12¢ to 14¢ per mile and from 12¢ to 18¢ per mile when 4-wheel drive vehicles are necessary. Appropriates \$290,000 to the department of administration for the implementation of the act.

July 5

July 5

S.B. 103 Department of revenue - insufficient fund checks - penalty. Requires the executive director of the department of revenue to assess a \$5 penalty against a person who issues a check in payment of taxes, licenses, or fees collectible by the department which is returned for insufficient funds. Does not apply to checks issued pursuant to the penalty assessment provisions governing traffic offenses.

June 1

July 1

S.B. 115 State personnel system - employee grievances. Directs the state personnel board to utilize rather than employ hearing officers, and deletes the limitation which made such utilization of hearing officers subject to available appropriations. All decisions relating to employee

grievances are to be subject to review by the state personnel board which is to assume jurisdiction over the grievances if it finds that the appointing authority has acted arbitrarily or capriciously. Grants a hearing only for the protest of actions taken which adversely affect an employee's current (rather than past or future) pay, status, or tenure.

Governor purported to veto on July 15, but failed to meet constitutional filing date - legal effect subject to court determination.

- S.B. 125 Health - appointments to various boards and commissions. Changes the composition of the occupational safety and health standards board and the commissions on air pollution and water quality control to allow the state board of health to appoint one member to each of those groups, but such appointees may not be from the department of health.

June 9

June 9

- S.B. 151 State controller - expense voucher procedures. Provides for authorization of expenses by the use of manual or facsimile signature of the head of the department, institutions, or agency or an authorized agent on commitment vouchers submitted to the state treasurer.

May 27

May 27

- S.B. 174 Public employees' retirement association - miscellaneous amendments. Specifies that "members" of the public employees' retirement association (PERA) are employees making current contributions and are not retired persons or persons who have ceased employment. Clarifies the provisions on reinstatement of former members, including the computation of the 1-year service credit requirement. Requires, as a condition of a disability annuity, that an employee apply within 180 days after his last day on the payroll; that he not have received a refund of his salary deductions; that he have at least 6 months' credited service during his last year on the payroll; and that he be permanently disabled on the day employment was terminated. Prohibits the lump-sum payment of benefits to heirs of a member when survivor benefits are payable. Clarifies the provisions governing payment of annuities to a deceased member's children who are between the ages of 18 and 23.

May 24

May 24

S.B. 196 Department of natural resources - state board of land commissioners - appointment. Provides for appointment of members to the state board of land commissioners in conformance with constitutional provisions and, in addition, that no more than 2 members may be from the same major political party and that the third member shall be from the other major political party.

May 26

May 26

S.B. 200 Retirement of school district employees. Reduces from 35 to 30 years of covered public service the time required for retirement at age 55 by school district employees covered by the public employees' retirement association.

June 4

June 4

S.B. 201 Public employees' retirement systems - judges - judicial duties after retirement. Provides for an increase in the retirement annuity for supreme court justices, appellate judges, district judges, and county judges qualified to sit in district court or in county courts of class A or B counties if said justices and judges agree to perform without compensation temporary judicial duties assigned by the chief justice for 60 working days each year for 12 years after retirement. The increased annuity is to continue for 12 years. Allows justices and judges who are currently retired to participate in the program. The expenses of the judges' retirement fund resulting from this program are to be refunded by annual appropriation made by the general assembly to the state treasurer for payment into the judges' retirement fund.

June 10

June 10

S.B. 210 Department of local affairs - state housing board - rules concerning factory-built housing. Authorizes the state housing board to establish uniform construction and maintenance standards for factory-built housing in accordance with part 7 of article 32 of title 24, C.R.S. 1973, and provides for enforcement of said part 7 and the regulations adopted thereunder. (The board's authority had been brought into question by the committee on legal services, acting pursuant to section 24-4-103 (8) (d), C.R.S. 1973.)

May 27

May 27

S.B. 249 Deposits of public moneys - custodians. Makes miscellaneous changes to provisions dealing with deposits of moneys of state and local governments. Authorizes the designation of custodians of public moneys. Authorizes the use of first mortgages on real property and revenue bonds issued by the state or any of its political subdivisions as eligible collateral.

June 10

June 10

S.B. 284 State employees - overtime compensation. Defines the workweek as from 12:01 a.m. Monday until Midnight Sunday, and authorizes overtime for work in excess of 40 hours during the workweek. Requires compensatory time to be taken or paid for in cash within 45 days of the overtime work. Removes the prohibition on temporary, part-time, seasonal, and paid-by-the-hour employees' receiving overtime compensation. Eliminates appeals to the state controller of grievances concerning overtime compensation, but requires the controller to prescribe a procedure for their review with his decision being final as to administrative procedure. States that this statute does not apply to officers and patrolmen of the Colorado state patrol.

May 26

July 1

S.B. 285 Department of administration - creation of division of central services. Creates a division of central services in the department of administration to establish central planning, control, and coordination of service activities and support functions for state government. Prescribes certain functions to be performed for the executive branch in the Denver metropolitan area. Empowers the director of the division to promulgate rules, establish policies concerning official records, require reports, approve plans, and enter into contract for services. Provides that actions by the director and the division are subject to the approval of an appeal to the executive director of the department of administration. Allows the costs of services by the division to be set and charged on a competitive basis and placed in a revolving fund. Requires a specific annual report to the governor and the general assembly by the director. Contains a "Sunset" provision with division termination on July 1, 1983.

June 20

June 20

S.B. 288 Camper trailer safety standards. Eliminates the 32-foot length limitation from the definition of "camper trailer" for purposes of regulating their manufacture, including safety standards.

May 26

May 26

S.B. 304 Department of natural resources - division of wildlife - sale of lands directed. Directs the division of wildlife to sell certain lands in Hinsdale county, known as the Happy Valley lake project or the Hidden Valley and Quiet Valley lake project, at public auction, reserving subsurface mineral, oil, and gas rights and surface water and water rights and specifies the procedure therefor. Provides that the proceeds from such sale be deposited in the wildlife cash fund.

June 2

June 2

S.B. 337 Public employees retirement association - retirement of judges - appropriation. Includes judges in the increase in public employees retirement association retirement benefits increased for other public employees in 1975, and makes judges eligible for a pension after 5 years service in an amount varying from 4% to 40% of a specified monthly salary during service. Appropriates \$22,000 to the controller to cover the cost of the increased benefits for the fiscal year beginning July 1, 1977.

June 19

July 1

S.B. 355 Rule-making by agencies. Gives state agencies conducting hearings regarding rules authority to invoke certain measures to facilitate such hearings, including the issuance of subpoenas and enforcement thereof. Clarifies that certain hearings are adjudicatory in nature.

June 3

June 3

S.B. 356 Hearing officers. Makes conforming amendments to authorize certain state agencies to use hearing officers from the division of hearing officers created last year in the department of administration to conduct hearings or to take evidence, making findings, and report to such agency. Provides that appropriations for such hearing

officers shall be made to the department of administration rather than to the individual state agencies utilizing such officers.

June 10

June 10

- S.B. 365 Department of regulatory agencies - state electrical board - Sunset Law. Amends the Sunset Law to provide that the state electrical board will terminate on July 1, 1978, rather than July 1, 1981.

May 26

May 26

- S.B. 384 Department of revenue - qualifications of deputy director. Deletes the requirement that the deputy director of the department of revenue be a law school graduate, admitted to the Colorado bar, and have 3 years' experience in tax law or tax administration.

May 27

May 27

- S.B. 399 Disaster relief - authorized actions of state officers and agencies - appropriation. Requires the division of disaster emergency services in the department of military affairs to conduct studies of means of reducing or avoiding the effects of disasters, and to work in conjunction with all state agencies in such studies and measures adopted to deal with such occurrences. Authorizes the governor to make rules and regulations on emergency relief services, including such things as the distribution of food and medicine, temporary housing, advancing funds, temporary suspension of laws or regulations to deal with housing emergencies, and debris clearance from public or private lands. When the president of the U.S. has declared an emergency at the request of the governor, the governor may apply for and accept federal funds for use in paying for disaster-related services to individuals and to local governments. Provides for immunity of state employees from liability for ordinary negligence, and contains a criminal penalty for making a false application for financial assistance. Makes appropriations of \$100,000 to the governor's disaster emergency fund for assistance to Larimer county in replacing bridges destroyed in the Big Thompson Canyon flood disaster July 31, 1976, and another \$84,307 to the said governor's fund for distribution of specified amounts to 8 counties in the northeastern part of the state to reimburse them for

extra expenses incurred as a result of a snow and windstorm March 9, 1977.

June 19

June 19

- S.B. 409 Department of regulatory agencies - division of insurance - Sunset Law. Continues the division of insurance until July 1, 1979, pursuant to the provisions of the Sunset Law. Requires the legislative council to appoint a committee to study and review the division of insurance and report its findings to the first regular session of the fifty-second general assembly.

VETOED June 19

- S.B. 410 Sunset Law - collection agency board - transfer to department of law. Transfers the collection agency board from the department of regulatory agencies to the department of law and charges the administrator of the uniform consumer credit code with its administration. Increases the size of the board from 3 to 5 members, providing for 2 consumer representatives on the board. Requires debt collectors to register with the administrator. Establishes procedures for the invalidation or the refusal to validate a registration of any debt collector. Authorizes the administrator to apply to the district courts for an injunction or other appropriate order to restrain prohibited conduct by debt collectors. Requires the administrator to submit a report to the next session of the general assembly concerning his observations relating to the desirability of implementing the recommendations of state auditor and the department of regulatory agencies. Declares that the board shall be terminated July 1, 1983.

June 10

July 1

- S.B. 411 Department of regulatory agencies - Sunset Law - board of examiners of institutions for aged persons. Continues the board of examiners of institutions for aged persons, which was scheduled to terminate on July 1, 1977, until July 1, 1978, pursuant to the provisions of the Sunset Law.

Directs the legislative council to appoint a committee to study and review the board and report its findings to the second regular session of the fifty-first general assembly.

VETOED June 19

S.B. 412 Department of regulatory agencies - Sunset Law - public utilities commission. Continues the public utilities commission for one year under the provisions of the Sunset Law and requires a legislative council study of the commission's regulation of utilities.

VETOED June 19

S.B. 413 Passenger tramway safety board - Sunset Law - extension - amendments. Renews the passenger tramway safety board until July 1, 1983, pursuant to the Sunset Law. Requires at least 2 annual inspections of each passenger tramway, which includes ski lifts and tows, by such board. Changes the composition of the board to include 2 members to represent industry, 2 lay members, and 2 members with knowledge or experience in the industry. Provides prohibitions against serving more than 2 consecutive 4-year terms and acting while under a conflict of interest and authorizes \$35 per diem for board members. Requires a permit by the board before any new construction or major modification of a passenger tramway may be initiated and empowers the board to set fees, subject to a maximum limit, for registration and such permits. Authorizes the board to establish certain technical and safety committees and to inspect passenger tramways, including their design, through qualified personnel, rather than engineers. Allows the board, any member thereof, or the supervisory tramway engineer to order an emergency shutdown for not more than 72 hours. Provides a civil penalty and expands the criminal penalty to include the failure to comply with certain board orders.

June 9

July 1

S.B. 414 Department of regulatory agencies - state board of shorthand reporters - Sunset Law - appropriation. Allows the termination of the state board of shorthand reporters pursuant to the Sunset Law, repeals provisions governing the regulation of shorthand reporters by said board, and provides that the state court administrator shall establish standards to insure proficiency in court reporting in the courts, shall have developed an examination no less difficult than the examination of the national shorthand reporters association, and shall qualify persons successfully completing the examination.

Appropriates \$2,439 to the judicial department for implementation of the act.

June 19

June 19

- S.B. 415 Department of regulatory agencies - division of racing events - Sunset Law. Continues the division of racing events, including the Colorado racing commission which were scheduled to terminate on July 1, 1977, until July 1, 1983, pursuant to the provisions of the Sunset Law.

June 9

July 1

- S.B. 417 Board of examiners of nursing home administrators - Sunset Law. Continues the board of nursing home administrators which was scheduled to terminate on July 1, 1977, until July 1, 1978, pursuant to the provisions of the Sunset Law.

Directs the legislative council to appoint a committee to study and review the board and report its findings to the second regular session of the fifty-first general assembly.

VETOED June 10

- S.B. 418 Department of regulatory agencies - state athletic commission - Sunset Law. Abolishes the state athletic commission, pursuant to the Sunset Law, effective July 1, 1977. Repeals the article regulating boxing and wrestling, but retains the provision prohibiting a person under the age of 18 years from participating as a contestant in a professional boxing, sparring, or wrestling match.

June 9

July 1

- S.B. 428 Works of art in public buildings. Requires each capital construction appropriation for a public construction project to include as a nondeductible item an expenditure allocation of not less than 1% to be used for the acquisition of works of art. Provides that such acquisition be by the jury method by a jury representing the arts, among other groups, and provides a preference for Colorado artists.

July 13

July 1, 1978

S.B. 429 State purchasing agent. Clarifies existing law to allow the state purchasing agent to make use of value analysis or life cycle costing methods in granting purchase contracts on behalf of the state, authorizes said agent to accept other forms of bid guarantees on contracts than surety bonds, and requires said agent to advise all state agencies of goods and services available through correctional industries and, where feasible, to insure that purchases are made by agencies from correctional industries.

Directs the state purchasing agent to make rules regarding bid and contract modifications, ethical standards of conduct for state employees involved in procurement functions, and procedures for resolution of claims and controversies arising out of purchasing contracts, specifies procedures for claims made relating to purchasing contracts, and repeals existing law requiring said agent to measure printing and keep records of such.

June 9

June 9

S.B. 435 Colorado commission on women - appropriation. Changes the name of the former Colorado commission on the status of women to the Colorado commission on women and decreases its maximum membership from 50 to 15. Provides for 3-year terms of board members and for initial appointment of the reconstituted board. Provides that the commission, instead of the governor, shall choose its chairman and vice-chairman and that members shall be reimbursed for necessary travel expenses. Repeals a duty of the commission relating to making recommendations to end discrimination in employment against women and to encourage women to become candidates for public office. Appropriates \$34,614 to the commission for implementation of the act.

July 1

July 1

S.B. 443 Interstate compacts - ratification of the Cumbres and Toltec scenic railroad compact. Repeals the "Railroad Authority Act", under which the state commenced proceedings culminating in the ratification of the Cumbres and Toltec scenic railroad compact entered into in 1974 between Colorado and New Mexico, after having been consented to by the U.S. congress. Each state is to appoint 2 members to a commission which is to be an independent agency to manage the railroad, with each

state to bear its share of expenses out of funds appropriated by the general assembly.

June 10

July 1

- S.B. 482 State employees - group insurance. Requires the state employees' and officials' group health insurance board of administration to continue, as an option, the existing group life and health insurance benefits of any state employee brought into the state personnel system on or after January 1, 1972, until benefits which are equivalent in benefit and economic cost are offered by the board.

June 1

June 1

- S.B. 484 State employees and officials - group health and life insurance - board of administration. Increases the membership of the state employees' and officials' group insurance board of administration by one elected employee member. Prohibits more than 2 elected employees from one department from serving on the board. Redefines annuitant and adds deferred compensation plan. Provides for the annual review of group insurance plans and contracts for actuarial services and requires the consideration of competitive bidding for such plans and contracts by the board at least every 3 years. Authorizes the board to accept a responsible bid for combined group health and life insurance if the bid is as low as the combination of the sum of the lowest separate responsible bids for each category of coverage.

July 15

July 15

- S.B. 544 State treasurer - financial transactions. Authorizes the state treasurer to buy securities using moneys in the public school fund and funds available for investment and resell them to the original seller, or to sell securities owned by such fund or the state treasury and repurchase them from the original buyer, at a stated price together with interest. Empowers the state treasurer to deliver such securities to responsible dealers in accordance with an agreement which provides for payment of compensation and replacement of the securities upon demand. Provides an automatic repeal of such authorizations, except for the buying and reselling of securities to the original seller, on July 1, 1979.

June 1

June 1

S.B. 557 Department of natural resources - division of mines. Changes the office of deputy commissioner of mines to the director of the division of mines, and requires the director to promulgate and enforce rules and regulations concerning the inspection of mines for conditions relating to health and safety. Such rules shall be promulgated under the supervision of the commissioner of mines and in consultation with representatives of mine operators and miners. Specifies that the commissioner of mines shall also be the executive director of the department of natural resources.

July 1

July 1

H.B. 1018 Public meetings - executive sessions by local government boards. Amends the Sunshine Act to include in the term "public meeting" those meetings at which formal action may be taken (instead of "is taken") and, with regard to the giving of advance notice of such meetings, includes meetings at which a majority or quorum of the body is expected to attend (instead of "is in attendance"). Excludes chance meetings and social gatherings at which public business is not the central purpose from the open meetings requirements. Also permits the governing bodies of school districts, municipalities, counties, and special districts to meet in executive session to consider matters relating to contract negotiations.

June 19

June 19

H.B. 1044 Secretary of state. Authorizes the secretary of state to maintain an accounts receivable system for the collection of fees charged for papers officially executed and all other official work done in his office, except as otherwise provided by statute.

June 19

June 19

H.B. 1046 State lands - rights-of-way - filing fee. Provides that rights-of-way granted pursuant to law by the state board of land commissioners across or upon state lands are subject to a \$75 filing fee.

May 26

May 26

H.B. 1049 Sales of public lands - reservation of certain rights.
Requires, instead of only authorizes, the state board of land commissioners to reserve certain mineral and other rights to the state upon the sale of state or school lands.

May 27

May 27

H.B. 1053 Dog license fees - exemption for handicapped persons.
Declares that it is the policy of Colorado that no person who is totally or partially blind or totally or partially deaf and who is the owner of a guide or other dog trained for the purpose of aiding such person shall be required to pay an annual license fee for such dog.

May 16

May 16

H.B. 1055 Conveyance of state lands to the federal government for a solar energy research institute. Authorizes the adjutant general and the governor, assisted by the attorney general, to convey to the federal government, without compensation, certain state real property located in Jefferson county for purposes of a solar energy research institute. Attaches certain conditions to such conveyance concerning construction scheduling, reversion of title for cessation of use for the institute's purposes, and building, fire, safety, health, environmental control, and other state and local codes and requirements.

February 1

February 1

H.B. 1090 State employees - moving and relocation expense.
Rewrites the provisions authorizing state payment of moving and relocation expenses of state employees who are required to change their place of residence because of a change of assignment, a promotion, or any other reason related to the employee's duties. Includes the following changes: Removes the \$1 maximum on insurance coverage per pound of household effects, the \$150 maximum for packing and unpacking, disconnecting and reconnecting appliances, and dismantling and installing antennas, and the graduated pound-mile maximums; eliminates the overall \$450 maximum reimbursement; imposes a 10,000 pound net weight limit for employees with dependents and a 5,000 pound limit for employees without dependents; and increases the maximum payable for renting a trailer or truck from \$150 to \$250.

May 24

July 1

H.B. 1164 Department of revenue - notice procedures. Authorizes the department of revenue to give notice by first class mail directed to the last address of the person being notified on file with the department, instead of by registered or certified mail or personal service, in cases of delinquent chain store licenses, rejected claims for tax refunds, decisions after hearings in tax refund cases, and estimated sales taxes, penalty, and interest due.

May 24

July 1

H.B. 1173 Administrative procedure - rule-making. Declares that administrative agencies should not regulate or restrict personal conduct except in furtherance of the public interest and to benefit free enterprise and that it is the continuing responsibility of agencies to analyze the economic impact of their actions. Requires that rules and regulations submitted for legislative review on or after July 1, 1977, be accompanied by a fiscal statement identifying the persons who will bear the costs of the rule and those who will benefit thereby.

Became law without governor's signature

May 31

May 31

H.B. 1224 Legal notices - publication - rates. Changes the limitations on rates newspapers may charge for legal notices or advertisements required by law or an order of any court of record. Allows certain charges for different type sizes and sets the minimum width for single column of text. Allows parties placing the notice to request the newspaper to minimize space required for publication.

May 26

January 1, 1978

H.B. 1258 Law enforcement training - security officers. Permits security officers employed by state institutions, agencies, and departments to attend the Colorado law enforcement training academy and to receive certification by the advisory board thereto.

May 26

July 1

H.B. 1272 Equal treatment of sexes. Provides that both sexes shall be treated equally by the state or a political subdivision or institution of the state in specified situations relating to prisoners and classification of students for tuition purposes.

June 19

July 1

H.B. 1279 Survivor's benefits - equal treatment of sexes. Changes the various provisions of the law regarding survivor's benefits so that both sexes are treated equally in the payment of benefits.

June 4

July 1

H.B. 1419 Rule-making - procedures to be followed by state agencies. Provides that a rule promulgated by a state agency must be based on the record of the hearing held in connection with promulgation of the rule, prescribes the contents of said record, and requires that the agency provide a written, concise general statement of the basis and purpose of the rule.

June 19

June 19

H.B. 1454 Civil rights - handicapped. Includes discrimination against the handicapped as an actionable act for purposes of the "Colorado Antidiscrimination Act of 1957", the "Colorado Fair Housing Act of 1959", and statutes governing discrimination in public accommodations, discriminatory advertising, and civil rights of the handicapped. Defines "handicap" as a physical impairment which substantially limits one or more of a persons' major life activities, including having a record of such impairment and being regarded as having such an impairment. States that no appropriation is required to carry out the act.

June 2

July 1

H.B. 1458 Colorado housing finance authority. Makes numerous amendments of a technical nature which modify and clarify powers of the authority and which add flexibility to the financing of the authority, including the following: Authorizes the board of directors of the authority to include additional single persons in the definition of "family"; specifies certain factors to be considered in determining whether a family is a low- or moderate-income family including the size of the family, the cost and condition of available housing, the bargaining power of the family in the housing market, and federal standards on eligibility for various programs; provides for the payment of outstanding obligations of the authority in the event it is ever terminated by law; and authorizes the authority to act as a coinsurer with federal agencies on loans for low- or moderate-income families and to waive the federal tax exemption on its obligations when such is a condition to a federal grant or other assistance.

May 14

May 14

H.B. 1466 Colorado housing finance authority. Authorizes the Colorado housing finance authority to make or acquire home improvement loans for housing facilities occupied by low- or moderate-income families. Defines "home improvement loans".

June 19

June 19

H.B. 1503 Sunshine act - open meetings - executive sessions. Authorizes public bodies subject to the provisions of the "Colorado Sunshine Act" to hold executive sessions upon the affirmative vote of 2/3 of the entire membership of the body. Limits the matters which may be considered in such an executive session. Requires the chairman of the body to announce the general topic of the executive session and declares that the minutes of said meeting need only reflect the general subject of the discussion. Expands the scope of the open meetings law to include a rule-making body.

June 10

June 10

H.B. 1508 Sunshine Act - regulation of lobbyists. Substantially the same as Senate Bill No. 21, which was vetoed; except that the language which required reporting of expenditures only when made "specifically for lobbying"

was altered to provide for disclosure of expenditures made "in connection with lobbying", the amount of contributions which trigger reporting requirements was lowered from \$200 to \$100 annually, and itemization of expenditures is required for any covered official to or for whom expenditures of \$50 or more in a 6-month period are made instead of annual expenditures of \$300 or more.

June 19

July 1

H.B. 1537 State council on criminal justice. Removes the chairman of the joint budget committee, the chairman of the legislative audit committee, and the executive director of the office of state planning and budgeting from membership on the state council on criminal justice, and adds the chief justice of the supreme court, a member of the senate appointed by the president of the senate, and a member of the house of representatives appointed by the speaker of the house of representatives as members. Specifies that the 15 members appointed by the governor be representatives of various occupations relating to criminal justice.

Provides that the division of criminal justice is to administer a statistical analysis center for the purpose of collecting and analyzing statewide criminal justice statistics.

June 10

July 1

H.B. 1542 Colorado land use commission - transfer to department of local affairs. Provides for the transfer of the Colorado land use commission, originally a temporary agency in the governor's office, to the department of local affairs. Provides for the repeal, effective July 1, 1979, of the law creating the land use commission and H.B. 1041, adopted in 1974. Limits the time in which the land use commission may submit a request to local government directing the local government's attention to a specific matter of state interest.

VETOED June 19

H.B. 1560 Litter control - appropriations. Enacts the "Colorado Litter Control Act" to be administered by the division of local government. Requires litter receptacles to be placed at numerous specified public places, including private property, as determined by the division.

Requires the division to design and produce a litter bag with a state antilitter symbol. Imposes an annual litter assessment on business, as defined, based on gross proceeds of sales, and provides that revenue therefrom be credited to the litter control fund, along with litter fines and fines collected by the divisions of wildlife and parks and outdoor recreation for damage to state property, and used for the purchase and distribution of litter bags and receptacles, the study and research of litter control, public educational programs concerning the litter problem, and special state litter control projects and programs.

Provides for possible federal preemption as to any business affected by a federal law accomplishing the same purposes of the act, for the repeal of the act on June 30, 1979, and for a report on the litter control program to the general assembly prior to said date.

Increases the fine for littering involving 2 or more items to \$25.

Appropriates \$220,418 to the division of local government and \$90,574 to the department of revenue for implementation of the act, and provides for the reimbursement of the general fund from the litter control fund.

July 1

July 1

H.B. 1570 State lands - disposition of lands owned by the state. Authorizes the office of state planning and budgeting to dispose of certain land within and without the state by sale, lease, or exchange. Authorizes the exchange of land formerly used as the Colorado youth center for similar land owned by the city and county of Denver. Sets forth the terms and conditions to which the sales or exchanges are subject. The proceeds from the sale of lands are to be deposited in the general fund; except that proceeds from the sale of certain lands are to be transmitted to the board of trustees of the Colorado school of mines to be used for school purposes and certain other proceeds are to be credited to the unemployment revenue fund.

June 2

June 2

H.B. 1588 Claims commission abolished. Provides that the Colorado claims commission is not to accept any claims after July 1, 1977, and is to dispose of all claims filed prior to

that date by the end of 1977. The statutory provisions creating the commission and making reference to it are repealed as of January 1, 1978.

May 18

May 18

H.B. 1597 Public records relating to criminal justice. Requires that records of official actions relating to criminal justice activities be made available to the public. These include arrest and official actions taken thereafter, including all court determinations. Provides procedures for requesting such records and limits delays in furnishing such records. The inspection of all other criminal justice records is left to the discretion of the custodian thereof, subject to statutory or court-ordered prohibitions. Special limitations are imposed to permit only a person in interest or a criminal justice agency to have access to a criminal justice record. Denial of access must be accompanied by a statement of the grounds therefor within 72 hours, and court action is available to challenge such denial. Actual costs of furnishing copies is allowable to custodians. Provides for challenges to the accuracy and completeness of records and sets forth procedures for requesting corrections. Persons in interest, as defined, can request a court order that all or parts of criminal justice records be sealed. Provides misdemeanor penalties for willful violations of the provisions enacted. Removes criminal justice records from the definition of public records. Provides for the collection of various records relating to criminal activities by the Colorado bureau of investigation, and requires local law enforcement agencies to cooperate in providing records.

July 6

December 31

H.B. 1623 Administrative rules and regulations - publication. Requires each state agency to maintain a current copy of its rules and regulations, including attorney general opinions, for inspection during regular office hours. Rewrites provisions concerning the code of Colorado regulations, requiring the secretary of state to provide for publication of the code of Colorado regulations and a Colorado register at no cost to the state no later than January 1, 1978. Specifies terms and procedures for such publication and requires all agencies to file with the secretary of state rules in effect as of September 1, 1977. Provides that any rule not so filed shall not continue in effect after January 1, 1978.

June 19

June 19

H.B. 1674 Department of law - powers and duties of the attorney general. Provides that when the attorney general is unable or has failed to provide legal services to a state agency, as determined by the governor or the chief justice of the supreme court for the appropriate branch of government, the agency may employ counsel of its own choosing, and any expense incurred by reason of such employment of counsel shall be charged against the appropriation to the department of law.

May 26

May 26

H.B. 1699 State board of agriculture - power to lease and exchange real property. Permits the state board of agriculture to lease mineral rights to private parties and specifies procedures therefor. Provides that the state board of agriculture may enter into a unit agreement providing for the pooling, unitization, or consolidation of land covered by an oil and gas lease and specifies terms and procedures. Permits the exchange of real property or any interest therein if in the best interests of any organization governed by the state board of agriculture. Confirms leases made prior to the effective date of the act; deletes the limitation on interest rates of anticipation warrants issued by the state board of agriculture; and, for purposes of the state capital construction fund, deletes prior exceptions to the purchase of land in the definition of "capital construction".

June 3

June 3

HEALTH

S.B. 137 Control of smoking - certain public places. Prohibits smoking tobacco or any other plant or weed in specified public places, including elevators, museums, galleries, libraries, public transportation vehicles, and some areas of hospitals and theaters. Requires posting of signs concerning smoking prohibitions or restrictions, and encourages proprietors of businesses to provide separate smoking areas when possible. Applies to offenses committed on or after July 1, 1977, but does not specify any crime or punishment.

July 1

July 1

S.B. 301 Water and wastewater treatment operators - certification. Provides that up to 50% of the experience requirements for certification of certain water and wastewater treatment plant operators may be met by education and deletes a requirement that in order to certify operators from another state, that state must grant reciprocity.

May 26

May 26

S.B. 341 Advisory commission on family medicine - appropriation. Creates a 12-member advisory commission on family medicine to assure high standards of family medicine, to identify areas of the state underserved by family physicians, and, among other things, to report to the general assembly and the governor on its activities and recommendations. Provides for the termination of the commission on July 1, 1979, unless continued by the general assembly. Appropriated \$7,392 to the department of higher education for implementation of the act.

June 29

July 1

S.B. 445 State board of health - county commissioner member. Provides that the first vacancy that occurs on the state board of health after July 1, 1977, shall be filled by the appointment of a county commissioner; requires at least one member of the board to be a county commissioner; provides that upon ceasing to be a county commissioner, such person also ceases to be a member of the board; and prohibits said appointee from voting on

any matters before the board which affect his county significantly differently than other counties.

June 10

July 1

S.B. 454 Emergency medical services - state advisory council - appropriation. Authorizes local governments to organize, own, operate, control, direct, manage, contract for, or furnish ambulance service. Directs the department of health, when requested to do so by local governments, to assist in the planning and implementing of an emergency medical service system, including the subsystems of treatment, transportation, communication, and documentation. Creates a 15-member state advisory council on emergency medical services to be appointed by the governor to advise and make recommendations to the department of health on all matters relating to emergency medical services and the implementation and development of statewide standards and programs. Authorizes the department to establish curricula for training programs for emergency medical technicians and directs the department to issue certificates to those who successfully complete the training. Declares that the duties and functions of emergency medical technicians are to be regulated by the Colorado state board of medical examiners. Requires ambulance operators to be licensed by the board of county commissioners in the county in which it operates. Directs the division of communications in the department of administration to assist local governments with the development of the communications subsystem. Requires the keeping of uniform and standardized records on forms approved and supplied by the advisory council. Broadens the scope of the "Good Samaritan Act" to include all persons who in good faith render emergency care or assistance without compensation at the scene of an emergency or accident. Appropriates \$21,120 out of highway safety act funds to the department of health and \$15,500 out of the general fund for the division of communication in the department of administration for the implementation of the act.

July 1

January 1, 1978

S.B. 462 Administration - enforcement of drinking water standards. Permits the division of administration of the department of health to institute a civil action against any person violating a final enforcement order issued for a willful violation of any minimum general sanitary standard or regulation concerning drinking water, to obtain a civil penalty, a court order, or both.

June 1

June 1

S.B. 465 Drinking water standards. Broadens the department of health's authority to adopt and enforce minimum general sanitary standards and regulations for drinking water to ensure compliance with the federal "Safe Drinking Water Act", including requirements for waterworks, authorization for inspections, and enforcement through issuance of a search warrant.

June 9

June 9

S.B. 473 "Colorado Dental Care Act of 1977" - appropriation. Establishes a pilot program, for the period October 1, 1977 to March 31, 1978, to be administered by the department of health for furnishing necessary dental appliances and services to persons on old age pension. Provides a copayment schedule with a maximum 80% state contribution.

Directs the legislative council to appoint an interim committee to review and evaluate the program.

Appropriates \$465,270 for the implementation of the act.

July 13

July 13

S.B. 514 Treatment of alcoholism and intoxication. Amends existing law to allow minors to apply for voluntary treatment at approved facilities for problems related to the use of alcohol. Changes existing definitions in the law to make it clear that alcoholics may also be treated under the procedures applying to persons intoxicated or incapacitated by alcohol. Provides certain constitutional safeguards for persons detained for being intoxicated or incapacitated by alcohol who are dangerous to the health and safety of themselves or others. Includes, under the procedures of involuntary commitment, treatment of alcoholics dangerous not only to other people but to themselves as well, and amends various notice requirements contained in existing law.

June 10

June 10

H.B. 1106 Informed consent to medical procedure. Repeals statutory provisions concerning informed consent to medical

procedures, and provides that such repeal does not affect previous judicial decisions relating to requirements for informed consent or liability imposed for lack thereof.

May 27

May 27

- H.B. 1234 Air pollution control fees. Increases the fee for the filing of an air contaminant emission notice and for filing an application for an emission permit from \$25 to \$40. Increases the maximum fee for actual costs of processing, administration, and enforcement of emission permits from \$800 to \$15,000 for all permits required for an entire contiguous plant site, and includes the costs of any predictive model utilization.

June 19

June 19

- H.B. 1305 Labelling on unit packages of prophylactics. Removes the requirement that unit packages of prophylactics bear a notation that the product should not be used after 3 years from the date of manufacture, and requires that such unit packages be accompanied by instructions and information, printed in English and Spanish, relating to the proper use and storage of the product and the nature, prevention, and control of venereal disease.

May 14

May 14

- H.B. 1366 Air pollution control - wigwam wood waste burners. Provides that any air pollution control regulation concerning wigwam wood waste burners shall not apply prior to July 1, 1982, to any such burner within 75 air miles of another state if similar regulations of the other state are less stringent than those of Colorado. Provides that such exception does not apply to burners within a 25-mile radius of a city having a population of 50,000 persons.

Became law without Governor's signature

May 21

May 21

- H.B. 1497 Informed consent - electroconvulsive treatments. Defines "informed consent", "patient", "physician", and "sufficient information relating to the proposed electroconvulsive treatment", and requires that any time a physician proposes electroconvulsive treatment he shall

give the patient such sufficient information to enable the patient to give informed consent unless informed consent is not reasonably possible.

May 20

May 20

H.B. 1580 Health facilities - appropriation. Increases the annual license fee for hospitals and other health facilities from \$10 to \$30. Adds new activities which require a certificate of public necessity. Provides that information obtained from a state program reviewing or approving hospital budgets, revenues, or financial requirements shall be considered in the review of an application for a certificate of public necessity and that no department or agency of the state shall withhold moneys appropriated by the general assembly for health care services because it concludes that duplication of health care facilities or services exists.

Provides for the appointment of a special study committee to study and recommend changes in the "Colorado Certificate of Public Necessity Act" to the governor and general assembly by December 15, 1977. Repeals the provision that required an application for a certificate of public necessity to be issued if it can be shown to provide health care at a significantly lower cost.

Appropriates \$27,148 to the department of health for implementation of certain provisions of the act.

June 29

July 1

H.B. 1582 Department of regulatory agencies - Colorado hospital commission - appropriation. Establishes the Colorado hospital commission to provide regulation and review of hospital charges, provides for appointment of members and organization, and specifies powers and duties. Provides for a health care policy advisory board to assist the commission and provides for an annual assessment on hospitals for the expenses of the commission. Sets forth the criteria to be used by the commission in determining charges for hospitals, including approval of revenue indicators and financial requirements and review of hospital budget and capital planning. Provides for termination of the commission on July 1, 1980 unless renewed by the general assembly. Appropriates \$220,724, out of cash funds, to the department of regulatory agencies for implementation of the act.

July 1

July 1

H.B. 1595 Vital statistics and reports. Provides that a child's surname on an official vital statistics report or certificate may be changed upon affidavit of the parent that the change is being made to conform such child's surname to the parent's surname.

May 20

May 20

H.B. 1612 Standards for flour. Requires the department of health to promulgate rules and regulations which establish standards for the production, manufacture, distribution, and sale of flour, white flour, wheat flour, and plain flour, and that such rules provide for appropriate labelling. Allows the distribution and sale in Colorado of such flour produced or manufactured in another state if it has been produced and manufactured under standards similar to those of the department.

May 16

July 1

H.B. 1680 Alcohol and drug abuse programs - participation of minors. Adds to the criteria under which the division of alcohol and drug abuse shall give priority to certain programs those programs which include services to children and juveniles as well as adults.

June 19

June 19

H.B. 1703 Colorado health facilities authority - creation. Creates the Colorado health facilities authority as an independent body politic and corporate and a political subdivision of the state, not a state agency nor subject to administrative direction by the state. Provides for membership and organization of the governing body of the authority.

Sets out the general powers of the authority, including the power to acquire, construct, operate, and lease, but only as lessee or lessor, any facility; to borrow money and issue bonds, notes, bond anticipation notes, or other obligations for any of its corporate purposes and to fund and refund such obligations; and to do all things necessary to carry out its assigned purposes. Provides for acquisition of property and specifies terms and conditions for issuance of notes and obligations and funding and refunding of any obligations of the authority.

Requires that before the authority undertakes any facility authorized, the board must find that the facility will enable or assist a health institution and that the facility has been reviewed and approved by the appropriate agencies. States that any obligation of the authority is not an obligation of the state or any other political subdivision of the state and exempts revenues and properties of the authority from taxation and its securities from regulation. Specifies rights of investors and requires an annual report to the governor and the general assembly.

June 20

July 1

HIGHWAYS AND ROADS

- S.B. 40 Highway users tax fund expenditure reports. Provides that state notices to local government for the delinquent reporting of highway users tax fund expenditure reports may be made by certified mail rather than registered mail.

Shortens the grace period within which such reports must be filed from 90 to 60 days.

Changes the date by which a local government must file with the division of highways a map indicating changes in mileage, location, or surface classification of any road in its road system within the last calendar year.

March 4

July 1

- S.B. 42 Informational sites. Authorizes the divisions of highways to erect, administer, and maintain informational sites at highway rest areas for the display of advertising and information of interest to the travelling public, provided the fees for annual permits for placques at said sites are sufficient to pay the costs of erecting, administering, and maintaining the sites.

March 26

July 1

- S.B. 62 Highway users tax fund - municipal allocation. Clarifies that after the payments required by law are made from the highway users tax fund, the remaining 9% is to be paid to municipalities.

May 26

May 26

- S.B. 408 Transportation services for the elderly and handicapped - appropriation. Authorizes the state department of highways to administer certain federal laws relating to the "Urban Mass Transportation Act of 1964" and designed for state operations and participation in technical studies and grant programs in making available appropriate highway transportation services for the elderly and the handicapped. Specifically excludes studies in areas for which there are designated

metropolitan planning organizations. Provides for consultation, coordination, and the promulgation of rules by the department. Authorizes political subdivisions to enter into contract with and make grants to designated private nonprofit entities. Appropriates \$115,000 to the state department of highways for the implementation of the act, with \$23,000 from the highway users tax fund and \$92,000 from federal funds.

July 1

July 1

H.B. 1380 Maintenance and expense of state patrolmen - appropriation. Increases the maximum allowance for the maintenance and expense of a state patrolman from \$50 to \$100 per month, and appropriates \$325,200, of which \$318,600 is from the highway users tax fund and \$6,600 is out of the general fund, for such allowances.

June 10

July 1

H.B. 1430 Roadside advertising - advertising devices prohibited - exceptions. Exempts nonconforming tourist-related advertising devices which were lawfully in existence on May 5, 1976, in defined areas and approved by the secretary of transportation pursuant to 23 USC 131 (o) from the provisions of the "Outdoor Advertising Act". The exception does not include advertising devices located along the interstate system if the exception of such devices would nullify the Colorado federal highway bonus agreement. Creates a procedure through which an exception for removal of tourist-related advertising devices may be established.

June 19

June 19

H.B. 1480 State highway commission - meetings. Requires the state highway commission to meet not less than 8 instead of 4 times a year. Provides that the executive director of the state department of highways, rather than the chief engineer, may call a special meeting of the commission. Provides that each member of the commission shall receive \$35 per day for each meeting attended in addition to expenses.

May 14

May 14

H.B. 1523 Records of auto camps and hotels. Eliminates the need for licensing auto camps and hotels, while keeping the requirement that they keep records of all automobiles using their premises reserved exclusively for patrons on forms approved by the state patrol.

May 20

May 20

INSTITUTIONS

- S.B. 317 Short-term treatment of mentally ill. Provides that the filing of the notice of certification for short-term treatment of the mentally ill shall be filed with the court within 48 hours, instead of 24 hours, of certification.
- June 19 June 19
- H.B. 1133 Employment of medical personnel. Provides that medical personnel employed by the department of institutions who are licensed by other states and who possess other qualifications are not subject to Colorado licensing requirements with respect to services rendered to patients or inmates at state institutions whose medical director is licensed to practice medicine in Colorado. Formerly, the institutions at which the exemption was effective were those whose superintendent was a diplomat of an American board certifying medical specialists.
- May 26 May 26
- H.B. 1139 Mental illness - restoration of rights. Deletes the provision which excluded persons for whom a petition for the appointment of a guardian or conservator had been filed before July 1, 1976, from the restoration to legal capacity and competency of all other persons who were adjudicated mentally ill prior to July 1, 1975. Such provision recently was found to be unconstitutional as a denial of equal protection of the laws.
- May 20 May 20
- H.B. 1473 Care and treatment of mentally ill. Makes miscellaneous revisions to provisions concerning the care and treatment of the mentally ill, including the following: Redefines "gravely disabled"; repeals the definition of "hospital" and adds a definition for "facility"; requires that voluntary hospital patients for mental health services be afforded the same rights as other hospital patients; requires a notice to be given to persons confined involuntarily for a 72-hour evaluation if they are asked to sign in voluntarily. Such notice states the persons freedom from force or pressure as to such signing in and

their right to a hearing.

Provides that either of two conditions triggers invocation of emergency procedure. Removes the provision requiring notice to be given to a person that a petition has been filed for a 72-hour evaluation of him; provides that uncooperative persons for which court-ordered evaluations are ordered shall be taken into custody by peace officers and for notice of such action, and provides that the court will appoint an attorney for such respondent without cost if he cannot afford one upon proof of indigency.

Clarifies in the law that the court does not pay appointed counsel for persons who are able to afford an attorney, and provides that if such persons fail to pay such appointed attorney, the attorney may, after application, notice, and hearing, obtain a judgment for his fees; removes the dollar limitation that the judicial department could pay for legal representation of eligible mentally ill persons; requires that the advisory board for service standards and regulations have at least 9 rather than 7 members and have one representative from a leading professional association of psychiatrists in Colorado and one representative from the Colorado bar association.

June 3

July 1

INSURANCE

S.B. 22 Termination of policies - notice. Requires 45 days' advance notice to the insured, mailed 1st class, of cancellation, refusal to renew, or decreased coverage in policies of general comprehensive liability, errors and omissions, excess liability, police professional liability, or false arrest insurance. Requires the same 45-day notice of cancellation or refusal to renew a policy of products liability insurance. Does not require notice in case of nonpayment of premium, failure to pay any required premium deposit, or policies in effect for less than 60 days.

June 2

July 1

S.B. 61 License application by foreign insurance company - investigation fee. Imposes an investigation fee of \$250 for the investigating and processing of an application for authorization and a license as a foreign insurance company to do business in Colorado.

March 7

March 7

S.B. 71 Life insurance - capacity to contract. Repeals the law authorizing persons between the ages of 18 and 21 to contract for insurance or annuities on his own life and to give acquittances for insurance or annuity payments, thereby eliminating any distinction between persons in said age group and others who have reached the age of majority (18).

March 26

March 26

S.B. 222 Fraternal benefit certificates. Provides that a member of a fraternal benefit society is entitled to make an absolute assignment of his certificate of insurance.

May 26

July 1

S.B. 437 Regulation of life insurance. Rewrites and revises provisions for the regulation of life insurance, including, among others, provisions relating to

compulsory policy provisions, adjusted premiums, the rate of interest for calculating cash surrender values and paid-up nonforfeiture benefits, minimum standards for valuation of policies, and the calculation of reserves, and includes new standard nonforfeiture provisions for individual deferred annuities.

June 9

July 1

- S.B. 457 Exchange of insurance securities. Requires any domestic insurance company and any acquiring corporation adopting a plan for the exchange of stock for stock, securities, or cash to submit to the commissioner of insurance, in addition to the items presently required, audited financial information as to the earnings and financial condition of the acquiring corporation for the previous 5 years, and, in certain cases, similar unaudited information as of a date not earlier than 90 days before the filing of the statement. Adds further criteria for the commissioner's approval of such a plan, including assurance that competition will be maintained, that any plans to liquidate, consolidate, or merge the acquired company are disclosed and are in the public interest, and that the persons controlling the company are competent and experienced.

June 3

June 3

- S.B. 472 Licensing of insurance agents, brokers, and representatives. Repeals and reenacts the law relating to the licensing of insurance agents, brokers, and representatives, and creates new types of licenses for limited insurance representatives and surplus lines insurance brokers. Exempts employees of agents, brokers, and representatives from licensing requirements if they receive a regular salary and their compensation is not varied by the incidental taking of insurance applications. Establishes the general requirements for licensing and sets forth license fees. Provides for investigations of license applicants and temporary licensing of agents and brokers.

June 19

January 1, 1978

- S.B. 552 Group policies of nonprofit hospitals and health service corporations. Authorizes nonprofit hospitals and health service corporations to contract with any state bank in a community of this state with a population of 10,000 or

less to provide group hospital and medical benefits for the depositors of the bank if the premiums are paid by the bank from authorized deductions according to applicable law.

June 17

June 17

H.B. 1003 Formation of insurance pools by public entities. Provides for the formation of insurance pools by public entities and that such pools do not constitute an insurance company nor are they subject to general insurance regulation. Requires review of the proposal for such a pool by the commissioner of insurance, filing of an annual report by such pool, and an annual insurance examination of such pool.

March 16

March 16

H.B. 1016 Taxes on premiums collected by insurance companies - exemptions. The state tax on the premiums collected by insurance companies does not apply to annuity considerations collected or contracted for after December 31, 1976, and does not apply to such premiums on endowment policies or annuity contracts purchased as an individual retirement annuity on which contributions made by or on behalf of an individual are deductible in determining his Colorado adjusted gross income.

June 21

June 21

H.B. 1107 Motor vehicles - discriminatory standards. Prohibits an insurer from cancelling, failing to renew, or increasing the premium on personal motor vehicles solely because of traffic violations resulting in assessment of less than 7 points arising from use of a commercial motor vehicle in the course of employment. Specifies that the prohibition does not extend to the commercial vehicle.

June 2

July 1

H.B. 1232 Group life insurance - coverage for credit union members. Increases from \$2,000 to \$7,500 the maximum amount of insurance that may be written on any one member of a credit union under a policy of group life insurance.

May 14

July 1

H.B. 1312 Company insolvencies. Requires the domiciliary receiver for an insurer domiciled in Colorado to apply to the court, within 120 days of a final determination of insolvency, for approval of a proposal to disburse marshalled assets of such insurer to the Colorado insurance guaranty association and any entity or person performing a similar function in a reciprocal state. Requires that such proposal include provisions for reserve amounts for administrative expenses and priority claims, subsequently marshalled assets, allocations to guaranty associations, security provisions for the return of disbursed assets if required to pay prior claims, and reporting to the receiver of disbursements. Requires notice of the application to be sent to associations in and to the commissioner of insurance of each of the states.

Establishes priorities for distribution of general assets of an insurer for which a receiver is appointed in Colorado.

May 14

July 1

H.B. 1357 Colorado insurance guaranty association. Allows claims asserted against a person insured under a policy issued by an insurer which has become insolvent for amounts due as subrogation recoveries to be filed directly with the receiver or the insolvent insurer, but no such claim may be asserted in any legal action against the insured of such insolvent insurer.

Narrows the scope of the insurance guaranty association act to exclude sickness and accident insurance. Declares that a "covered claim" does not include any claim filed with the guaranty fund after the final date set by the court for the filing of claims against the liquidator or receiver of an insolvent insurer. Expenses of the association or a similar organization in handling claims are to be accorded the same priority as the liquidator's expenses. Rewrites the law relating to the prevention of insolvency and specifies the duties of the commissioner of insurance and the board of directors of the association with regard to the prevention of insolvencies.

Prohibits advertising which uses the existence of the insurance guaranty association for the purpose of sales, solicitation, or inducement to purchase any form of insurance covered by the insurance guaranty association act. This prohibition does not apply to the Colorado insurance guaranty association or to any other entity which does not sell or solicit insurance.

May 27

May 27

H.B. 1441 Mutual benefit associations. Provides that certain statutory limitations on policies, contracts, and certificates of mutual insurance apply only to mutual benefit associations.

VETOED May 20

H.B. 1445 Group life insurance eligibility requirements. Deletes various eligibility requirements for group life insurance policies, primarily with respect to the number of persons required for coverage. Increases the maximum coverage available to credit union members for \$2,000 to \$7,500, and increases the maximum coverage available to employees from twice annual salary to three times the salary (or \$21,000, if that is greater). The limits are not applicable if there are permanent life insurance benefits available as part of the plan.

June 2

July 1

H.B. 1627 Nonprofit hospital and health service corporations - prospective reimbursement. Deletes nursing homes from provisions concerning prospective reimbursement and pilot programs for prospective reimbursement and extends pilot programs for prospective reimbursement through July 1, 1978. Repeals an outdated provision requiring the commissioner of insurance to report on the pilot programs.

June 2

June 2

LABOR AND INDUSTRY

S.B. 153 Minimum wage - women and minors. Amends provisions concerning minimum wages to remove sex-based distinctions between men and women workers, and makes certain changes concerning minors for minimum wage purposes.

June 19

July 1

S.B. 433 Occupational health and safety - penalties. Provides that the penalty for a second conviction for a willful violation of the "Colorado Occupational Safety and Health Act" which results in the death of any employee shall be double the fine and double the imprisonment for a first conviction, instead of just double the fine.

May 24

July 1

S.B. 518 Director of division of labor - inspection of oil wells. Adds the inspection of oil wells to the duties of the director of the division of labor.

June 1

June 1

S.B. 527 Inspection of mines. Removes the duty of safety inspection of mines and mine workings from the division of labor. Provides that operations or properties inspected by the bureau of mines of the state of Colorado are exempt from the laws regulating electrical inspections.

June 9

June 9

H.B. 1014 Safety inspections - small agricultural employers. Directs the occupational safety and health standards board to exempt small agricultural employers from the provisions requiring safety inspections as a part of investigating labor conditions, the exemption to be at such time and under such conditions as those employers are exempted from the federal act on the same subject. Standards set for agriculture by the standards board are to be no more stringent than comparable federal standards.

June 19

June 19

H.B. 1072 Unemployment compensation. Provides that employment includes services performed by an individual in the employ of his son or daughter.

Became law without Governor's signature

May 16

July 1

H.B. 1083 Displaced homemakers - multipurpose service centers - appropriation. Directs the executive director of the department of labor and employment to establish multipurpose service centers at which displaced homemakers may receive counseling and training so that they may obtain jobs. Specifies the types of services to be provided at such centers. Sets forth items for the executive director to consider in the establishment of any service center. Requires evaluations to be made of the centers and the results thereof to be submitted to the general assembly. Authorizes the executive director to apply for grants to help fund the centers. Appropriates \$20,000 to the department of labor and employment for the implementation and administration of the act. The act is to be repealed July 1, 1979.

July 1

July 1

H.B. 1127 Advisory council to the division of employment and training. Adds 2 members of the general assembly to the advisory council and provides for their appointment, terms, and reimbursement. Provides that the other members shall be appointed by the governor and specifies considerations for such appointments.

March 26

July 1

H.B. 1194 Labor - public employees - membership in a labor organization. Prohibits any public employer from requiring, as a condition of employment, any person to become or remain a member of a labor organization or to pay any dues or other charges thereto, and declares that any agreement, understanding, or practice which violates the prohibition is unlawful and void. Makes provisions for an employee's revocable written authorization for an employer to deduct dues or other charges on behalf of a labor organization from the employee's wages. Empowers district attorneys to investigate complaints of violations and to seek injunctive relief.

VETOED May 19

H.B. 1252 Labor - public works projects - employment of residents. Deletes the 1-year residence requirement for preference in employment on public works projects, and states that persons who are Colorado residents at the time of employment are to be accorded the preference. Provides for a similar preference for county residents with respect to county highway projects. Requires that employment be without discrimination as to sex or age except where sex or age is a bona fide occupational qualification.

May 26

May 26

H.B. 1262 Labor - unemployment compensation - pregnancy. Provides that workers who are separated, voluntarily or involuntarily, from employment due to pregnancy are to be governed by the provisions on full awards in cases of temporary separation for health reasons. Repeals the law on special awards for separations due to pregnancy.

May 24

July 1

H.B. 1278 Workmen's compensation - definition of employee. Includes members of volunteer police departments, volunteer police reserves, and volunteer police teams or groups in the definition of "employee" under the "Workmen's Compensation Act of Colorado" at the option of applicable governing body.

May 20

July 1

H.B. 1361 Labor and employment - workmen's compensation - liability of agricultural lessors and employers. Allows agricultural corporations to reject the provisions of workmen's compensation for coverage of officers of the corporation after July 1, 1977. Provides that any contractor who contracts with a landowner or lessee of a farm or ranching operation shall be liable to pay workmen's compensation and, under workmen's compensation, the landowner or lessee of a farming or ranching operation is liable only to the extent not covered by the contractor but allows the landowner or lessee to elect not to provide workmen's compensation, subjecting him to general liability. An agricultural employer is entitled to recover the cost of workmen's compensation insurance from contractors, subcontractors, or custom operators by withholding up to 2% of the contract price or other money due. Exempts lessors and sublessors leasing real

property for agricultural purposes from the provisions of workmen's compensation.

June 19

June 19

H.B. 1381 Unemployment insurance - award of benefits. Abolishes special awards of unemployment benefits. Increases the period during which an individual who receives a reduced award determination of benefits based upon a separation from his most recent employment is disqualified from receiving unemployment benefits. Rewrites the determination of benefits for unemployed individuals separated from their employment next preceding their most recent employment. Declares that the period of disqualification for reduced awards based on gross misconduct is to be a flat 26 weeks, and that the period of disqualification for persons who refuse to accept suitable work to be a flat 20 weeks. Provides that benefit payments are to be charged against the experience rating accounts of the base period employers in inverse chronological order, and that benefits normally chargeable to an immediate prior employer are to be charged to the fund when an employee quits to accept a better job.

Governor purported to veto on July 15, but failed to meet constitutional filing date - legal effect subject to court determination.

H.B. 1399 Workmen's compensation. Provides that persons receiving training in a work or job training program under the sponsorship of a joint apprenticeship and training committee shall be deemed employees of such committee while engaged in such program for purposes of benefits payable under workmen's compensation.

May 20

May 20

H.B. 1481 Labor and employment - workmen's compensation - employer entitlement. Excludes from the definition of "employee" for purposes of workmen's compensation a person employed by a passenger tramway operator who is not performing prescribed duties. Changes the employer reimbursement to provide for such reimbursement when the employer continues to pay a sum in excess of the total disability benefits without charging the employee with earned vacation or sick leave rather than when the employer continues to pay full wages. Amends provisions concerning the payment of reimbursement and assignment of payment of a sum in excess of the total disability

benefits, and provides that direct payment to the employee resumes when the employer pays a sum equal to or less than the total disability benefits or when the employer has charged the employee with earned vacation or sick leave.

Became law without Governor's signature

May 31

July 1

- H.B. 1559 Field labor contractors - certificate of registration required. Redefines field labor contractor, and specifies that the term does not include a laborer who arranges employment for other members of his family, nor full time operations engaged in year-round production and marketing of crops. Requires persons wishing to act as field labor contractors to first obtain a certificate of registration from the division of labor by giving such information as required, designating the director thereof his agent for purposes of service of process, and showing evidence of workmen's compensation coverage. His certificate can be canceled for misrepresentations to the director or to employers or employees, or for breach of contract. He is to give migratory laborers whom he recruits adequate information as to the area, crops, living conditions, wage rate, his compensation, and strike situations. Provides civil penalties against the contractors of up to \$250, and criminal penalties of up to \$500 and 60 days in county jail.

June 19

June 19

- H.B. 1586 Inspections under the "Colorado Occupational Safety and Health Act". Provides that unless the federal "Occupational Safety and Health Act" or rules thereunder provide otherwise, before any inspection may be made by the division of labor under the "Colorado Occupational Safety and Health Act", the division shall give reasonable advance notice or obtain a warrant except in an area of construction or excavation or an area in which an injury or death has occurred within 90 days.

VETOED May 20

H.B. 1591 Apprenticeship and training. Reduces from 4,000 hours or 2 years to 2,000 hours or one year the amount of time required to be written into an apprenticeship agreement between an apprentice and his employer for the employment, participation, and instruction in an approved program.

May 16

May 16

H.B. 1614 Employment security - coverage - political subdivisions. In general, makes miscellaneous changes in the "Colorado Employment Security Act" to conform to changes made in federal law, with most of the changes being made to defined terms. Establishes the contribution rate for political subdivisions or their instrumentalities which have elected to become contributing employers. Makes miscellaneous amendments concerning political subdivisions and their employees. Creates a local government advisory council to assist the division of employment and training in the extension of the provisions of the "Colorado Employment Security Act" to local governments. Requires moneys accruing to the unemployment revenue fund to be maintained in a separate account by the state treasurer.

July 7

July 7

H.B. 1618 Unemployment insurance. Changes the penalty charged against employers for failure to furnish contribution reports from \$5 per day to \$5 per month.

Substitutes a new contribution rate schedule and maximum rate for employers with a negative excess.

Provides, in addition to other penalties, that a person receiving benefits fraudulently may be denied benefits for a 4-week penalty period for each week of undeserved benefits received. Provides for an initial appeal of certain penalties to a hearing officer, with further appeal as otherwise provided by law.

June 29

July 1

H.B. 1684 Approval and ratification of all-union agreements - appropriation. Defines the term "all-union agreement" to include all contract provisions for any type of union security or compelling allegiance to a labor organization; requires that an all-union agreement be approved by a majority of all employees eligible to vote

or three-quarters of the employees who actually voted, whichever is greater; provides that certain recognized or certified collective bargaining units are exempt from the requirement that a secret ballot election on the question of whether a unit should be established is a condition precedent to the conduct of a secret ballot election in such unit on the question of initial approval or ratification of an all-union agreement; provides for ratification and certification of ratification of existing contracts containing all-union agreements subject, under certain circumstances, to the right of twenty percent of the employees covered by said agreement to require the director of the division of labor in the department of labor and employment to hold an election on the question of ratification of said agreement. Said director shall declare any all-union agreement terminated if a petition for revocation of said agreement is filed by an employer or twenty percent of the employees and a specified number of votes is not cast favoring said all-union agreement and shall provide for the confidentiality of petitions. Disclosure of signers of a petition or voting in an election, except under specified circumstances, is forbidden. Makes special provision for all-union agreements in the building and construction industry. Provides that certain actions arising under the "Labor Peace Act" must be commenced within a reduced period of time. Appropriates \$182,425 to the department of labor and employment for allocation to the division of labor for implementation of the act.

June 29

June 29

LIQUOR

S.B. 92 Arts license - extended hours. Provides that an arts licensee may obtain an extended hours license.

May 24

May 24

S.B. 131 Fermented malt beverages and alcoholic beverages - credit sales. Prohibits the state licensing authority from making any rule regulating credit sales of any fermented malt beverage or any alcoholic beverage.

May 27

May 27

H.B. 1056 Application to state licensing authority - restrictions. Deletes a requirement that the state licensing authority not consider an application by or on behalf of the same person within 2 years of a prior denial to conform state licensing authority criteria to that of local licensing authorities, and adds the types of licenses created in 1976 to those so limited.

March 16

March 16

H.B. 1068 Purchase of alcoholic beverages from retail package store by certain licensees. Provides that tavern and arts licensees may purchase not more than \$100 worth of alcoholic beverages from a package retailer during a calendar year.

March 16

March 16

H.B. 1080 Fermented malt beverages and alcoholic liquors - excise tax returns. Conforms the date of filing beer and liquor excise tax returns to the date on which payment of the tax is made, the 20th day of each month.

May 24

May 24

H.B. 1176 Liability for excise tax. Increases from one quart to one gallon or 4 liters the amount of alcoholic liquor

that one arriving on an international flight at an airport in this state may bring into this state from a foreign country without liability for the Colorado excise tax.

June 10

June 10

- H.B. 1243 Limited winery license. Creates a new "limited winery" license for the manufacture of not more than 100,000 gallons of wine using not less than 75% Colorado grown fruit. Specifies the limits of such license, the fees therefor, and the tax on the wine produced and includes the new license in the applicable provisions of the "Colorado Liquor Code". Provides for repeal of the new category of license effective January 1, 1983.

June 2

July 1

- H.B. 1367 Distance of liquor outlets from educational facilities - exemption. Provides that the restrictions on the location of liquor outlets from educational institutions does not apply to any licensed premises located or to be located on land owned by a municipality, to an existing licensed premises on land owned by the state, or to a liquor license in effect and actively doing business before a principal campus of an educational institution was constructed.

June 4

June 4

MOTOR VEHICLES

- S.B. 38 Use of highways by pedestrians. Pedestrians are required to stay off the roadway when walking along highways or facing traffic and as near the roadway's outside edge as possible when there is no sidewalk or road shoulder, except when hitchhiking. Allows the driver or passenger of a disabled vehicle to hitchhike without any restriction as to where he stands. Requires pedestrians to yield to emergency vehicles by leaving the roadway.

June 19

June 19

- S.B. 43 Identification cards - fee. Increases the fee for the issuance of an identification card or duplicate card to a person without a driver's license from \$2.00 to \$3.50. For persons 60 years of age or older, no fee is to be charged.

March 7

July 1

- S.B. 44 Mandatory revocation of license - new offenses. Requires the department of revenue to forthwith revoke the license of any driver convicted of vehicular assault or criminally negligent homicide while driving a motor vehicle.

April 1

April 1

- S.B. 48 Drivers' records as evidence in court. Provides that properly certified copies of certain drivers' records, including drivers' histories, are to be admissible in all courts of record as prima facie proof of the information they contain.

Provides that the official seal of the department of revenue used for such certification may be a rubber stamp which produces a facsimile of the department seal.

June 1

June 1

- S.B. 49 Drivers' licenses - fees for restoration. Increases the fee for restoration of a driver's license from \$13 to

\$20.

May 27

July 1

- S.B. 56 Drivers' licenses - implied consent - penalties. Provides that the period of revocation of a driver's license on the ground of refusal to submit to a blood alcohol test shall be 3 months for the 1st revocation and 12 months for any 2nd or subsequent revocation or denial during any 5-year period. Requires any person whose license is revoked on such ground to file and maintain proof of financial responsibility before a new license is issued. Prohibits the issuance of a license to anyone whose license would be subject to suspension or revocation for motor vehicle offenses involving alcohol. Requires a person whose license has been suspended, cancelled, or revoked pursuant to the implied consent law to pay the restoration fee.

June 1

June 1

- S.B. 69 Motorized bicycles - regulation and registration - appropriation. Distinguishes motorized bicycles from other vehicles and provides for the regulation and registration of such motorized bicycles. Prohibits local authorities from establishing any requirements for the registration and licensing of motorized bicycles. Appropriates \$10,102 to the department of revenue for the implementation of the act.

June 9

July 1

- S.B. 111 Motorcycles and motor-driven cycles - helmets. Abolishes the requirement that operators of motorcycles or motor-driven cycles and their passengers wear protective helmets. Retains the requirement of goggles or eyeglasses with lenses made of safety glass or plastic.

Became law without Governor's signature

May 20

May 20

- S.B. 194 Disabled veterans - exemption from certain fees and taxes. Provides that the exemption from certain vehicle registration fees and from specific ownership taxes is for veterans who incurred their disabilities prior to May 7, 1975, and who receive federal compensation for a 50%

or more permanent disability. Authorizes the specific ownership tax exemption as to a Class C motor vehicle only if it weighs less than 5,500 pounds.

June 1

June 1

S.B. 231 Emissions inspection of certain vehicles - appropriation. Requires the state air pollution control commission to recommend motor vehicle emission standards for vehicle exhaust gases to the general assembly by January 1, 1979, which body is to adopt or amend them by July 1, 1979. Requirements for emission inspection stations and inspectors are provided for (fleet owners may conduct their own stations) and, beginning January 1, 1980, 1977 and later models registered in 9 front range counties extending from Larimer and Weld to El Paso are to be subject to the emission inspection provisions. Inspections are to be once annually with vehicles to be assigned months. New vehicles will be given certificates automatically without inspection for the first period of up to 12 months. Starting January 1, 1980 (or later by regulation) all 1977 and later models in counties other than the 9 specified may be required to get an exemption certificate, and such certificates are to be displayed on the vehicle. Emission inspection stations are to issue certificates of emission denial, with reasons attached, for vehicles not meeting the standards, and to keep records thereon. A 10-day period for any necessary repairs to meet the emission standards and the time may be extended. Emission inspection certificates are to be sold to inspection stations for 20¢ apiece, and the stations can charge up to \$5.20 per inspection. Misdemeanor penalties are provided for displaying an invalid certificate or for not having a valid certificate. Rewrites the provisions specifying studies by the departments of health and revenue concerning the control of motor vehicle exhaust emissions, and training programs for inspectors are authorized, with an appropriation from the vehicle emission cash fund of \$133,400 to the department of health and \$24,000 to the department of revenue.

June 30

July 1

S.B. 320 Registration fees. Clarifies that the county clerk and recorder or the manager of revenue retains \$.30 per registration of a motor vehicle, and includes validation tabs and stickers as authorized evidence of registration for purposes of determining the sum to be retained.

May 26

May 26

S.B. 321 Specific ownership tax - fee for receipt. Provides a fee of \$2 for a receipt evidencing payment of the specific ownership tax on Class A personal property for each item of such property. Provides that the fee shall be deposited in the highway users tax fund and includes the fee as a source of revenue for said fund.

June 9

June 9

S.B. 339 Traffic offenses - penalty assessments. Provides that receipt of payment by mail by the department of revenue prior to the forwarding of penalty assessment notices constitutes payment when due, deletes the requirement of payment within 10 days after issuance of the written notice of violation, and provides that the time specified in the notice shall be at least 20 days after the arrest rather than 5 days.

June 1

June 1

S.B. 367 Motor vehicle repairs - requirements for garages. Requires consent of customer before any motor vehicle repairs, as defined, are performed, and requires a written estimate of cost and time of completion before any repairs are to be performed unless the customer waives the estimate by signing a form, or unless the total repair bill is \$50 or less. Oral consent is allowed in certain cases, and written records thereof must be kept. The maximum charges allowable over the estimate is the lesser of 10% of the estimate or \$10, and payment of that amount entitles the customer to his car and the repair garage has no lien for any excess. However, if the payment is by a check or instrument which is not honored when presented the garage is entitled to repossess the car and the mechanic's lien is reinstated. Prior consent of a customer is required for the use of used parts, and the customer is entitled to his old parts on request. Invoices are required showing all parts and labor, and by whom performed, unless the job is done for an overall, advertised price. The article does not apply to repairs to cars over 25 years old or collector's items. Provides criminal penalties for willful violation, and authorizes a customer to recover attorney fees in a civil action, with a \$50 minimum award, after the customer has made demand and waited at least 10 days before filing suit. The statute of limitations is one year.

June 20

January 1, 1978

S.B. 503 Penalties for misdemeanor traffic offenses. Allows failure to appear in court to be treated as a traffic conviction against a defendant who fails to appear on a charge of driving under the influence when the defendant has been issued a summons and notice to appear. Amends the schedule of fines for specified misdemeanors involving traffic offenses. Permits placement in a state-approved alcoholism treatment facility of a person after the person has been arrested and charged with driving under the influence and such charges have been placed on the records.

June 29

July 1

S.B. 519 Periodic registration. Authorizes the department of revenue to register certain vehicles periodically at 12-month intervals instead of on a calendar-year basis, and conforms procedural requirements to such change.

June 1

January 1, 1978

H.B. 1039 Signal equipment - special purpose vehicles. Makes miscellaneous amendments to the motor vehicle statutes relating to audible and visual signal equipment on authorized service vehicles and others, including the following: Broadens definition of emergency vehicle and defines authorized service vehicle; makes more specific the requirements for audible and visual warning equipment on emergency vehicles; specifies the use of warning lights on service vehicles, which vehicles are to be designated by rule of the state department of highways according to the services they perform; provides for the use of warning lights in colors other than red depending on the services performed; changes lighting requirements for snowplow and snow removal equipment from blue to yellow; and requires pedestrians to yield to emergency vehicles.

May 26

July 1

H.B. 1040 Suspension of drivers' licenses - hearings. Extends the period of time within which a hearing is held by the department of revenue to determine whether a driver's license should be suspended from 10 days to 20 days after the date of notice. Authorizes a 60-day, instead of a 30-day, extension in the time for holding such a hearing, and provides for a hearing on suspension or revocation

within 60 days, instead of 30 days, after application therefor following failure to appear.

April 1

April 1

- H.B. 1041 Accident reports. Increases from \$100 to \$250 the amount of damages resulting from a motor vehicle accident which requires an accident report to be filed with the executive director of the department of revenue.

February 16

February 16

- H.B. 1123 Drivers' licenses renewals - when examined. Provides that applicants for renewal of drivers' licenses who have not received more than 2 moving violations totaling not more than 7 points during the period of the expiring license need not be reexamined other than tests of eyesight or other examinations which the applicant's physical limitations indicate desirable.

April 7

July 1

- H.B. 1255 Driver's licenses - point system schedule. Adds to the offenses for which points are assessed against a driver's license upon conviction failure to yield the right-of-way to pedestrians in certain situations and failure to exercise due care for a pedestrian and specifies the points to be assessed therefor.

June 2

July 1

- H.B. 1365 Titles - second and junior mortgages - notation. Provides that the holder of a second or junior mortgage on a motor vehicle which as a Colorado certificate of title can file such mortgage for public record and have its existence noted on the vehicle's certificate of title. Sets forth the mechanics of having such notation made.

May 20

July 1

- H.B. 1404 Requirements for equipment - driver's view. Requires exterior mirrors on each side of trucks, noncommercial, and recreational vehicles having no rear or rear side windows or when such windows are treated or covered so as to obstruct the view or make such windows opaque and

nontransparent. Prohibits windshields and side front windows from being treated or covered so as to present a metallic or mirrored appearance when viewed from the outside or makes such windows opaque and nontransparent or obstructs the driver's view, excepting certificates or papers required by law to be displayed. Prohibits on any passenger car any window treated or covered so as to present a metallic or mirrored appearance from the outside or any rear or side rear window which is opaque and nontransparent or which blocks the driver's view, excepting certificates or papers that do not obstruct the driver's view. Provides that any vehicle meeting standards of federal law or regulation is not illegal.

VETOED May 26

NATURAL RESOURCES

S.B. 35 Mineral resources - royalties from federal mineral leases - appropriation. Changes the purposes for which federal mineral leasing moneys may be used to conform to federal changes; provides that all moneys derived from federal mineral leases shall be deposited in the mineral leasing fund, to be used for public purposes with priority given to those areas socially or economically impacted by energy development and mineral production; specifies the distribution of the moneys from the fund, including creation of an energy impact assistance advisory committee; and excludes moneys derived from oil shale leases. Appropriates \$7,705,000 to the Colorado water conservation board for specified projects.

June 19

June 19

S.B. 65 Wildlife - threatened species. Adds threatened species to the "Nongame and Endangered Species Conservation Act", provides for designation of threatened species, and establishes offenses and penalties for certain violations of the act.

May 26

May 26

S.B. 67 Penalties for violating wildlife and parks and outdoor recreation laws. Extends from 5 to 15 days after receipt of a penalty assessment notice the time in which a fine is to be paid.

Provides that violators subject to penalty assessments shall be fined according to a statutory schedule whether the violator acknowledges his guilt according to the penalty assessment procedures or is found guilty by a court.

Abolishes the \$500 fine for willful destruction of wildlife and makes other miscellaneous amendments.

June 1

June 1

S.B. 113 Oil and gas - pooling orders - nonconsenting owners. Requires the oil and gas conservation commission, as part of any pooling order for oil field drilling units, to

provide for the reimbursement to consenting owners within such units the nonconsenting owner's share of specified costs and expenses out of the nonconsenting owner's share of the production and provides criteria for determination of such costs. Exempts nonconsenting landowners who have not leased their lands within the drilling unit from such reimbursements.

Authorizes the commission to set and subsequently vary the amount of the charge which is made against oil and gas produced to pay for the expenses of the commission, but sets a maximum of one mill on the dollar. Provides that moneys remaining in the oil and gas conservation fund at the end of any fiscal year will revert to the general fund.

June 1

June 1

- S.B. 270 Division of parks and outdoor recreation - administrative costs - federal funding. Permits moneys deposited in the "federal aid projects income fund" to be used for administrative purposes, and provides that any administrative costs assessed by the division to a political subdivision for local projects shall be actual administrative costs not to exceed 5% of federal aid funds distributed to such subdivision.

May 27

May 27

- S.B. 305 Snowmobile registration - use of fees - appropriation. Changes registration period for snowmobiles from calendar year to October 1 - September 30. Annual special permits for nonresidents from a state or country not requiring registration are available for \$15, in addition to \$5 special permits good for 10 days. Creates the snowmobile recreation fund, and eliminates fees for snowmobile training programs. Requires division of parks and outdoor recreation, subject to appropriation therefor, to contract for clearing snow from snowmobile parking areas and roads. Appropriates \$79,900 out of the snowmobile recreation fund to the said division to implement the laws concerning snowmobiles.

June 19

July 1

- S.B. 332 Oil and gas - casing of abandoned boreholes. Specifies criteria for the placement of a solid cement plug in gas and oil boreholes which are abandoned.

June 1

June 1

S.B. 446 Oil and gas conservation commission - notice of hearings.
Requires that in addition to personal notice being given, any required notice shall be published at least 10 days prior to the hearing in a newspaper in Denver and in the county where the land affected is located.

May 24

May 24

S.B. 480 "Colorado Natural Areas Act" - appropriation.
Establishes a program for the identification, evaluation, and protection of natural features and phenomena through a statewide system of designated natural areas. Provides that the department of natural resources inventory natural areas and establish criteria for the evaluation of inventoried areas for inclusion in a system of designated natural areas. Creates the Colorado natural areas council to advise the department on the administration of the program and to approve the designation of natural areas by the department. Provides for the termination of the council on July 1, 1984 unless renewed. Appropriates \$38,024 to the department of natural resources, of which amount \$18,487 shall be from federal funds, for the implementation of the act.

July 1

July 1

S.B. 498 Rules of mined land reclamation board. Provides that rules and regulations adopted by the mined land reclamation board shall be subject to the rule-making procedures of the "State Administrative Procedure Act".

July 7

July 1, 1978

S.B. 526 Ramah state recreation area. Authorizes the division of parks and outdoor recreation and the division of wildlife to dispose of the Ramah state recreation area, and provides that the proceeds from any such sale be credited to the parks cash fund and the wildlife cash fund, with reimbursement to the federal government to the extent federal funds are involved.

VETOED June 9

H.B. 1005 Miramonte and Highline lake state recreation areas - administration. Transfers the administration of Miramonte and Highline lake state recreation areas from the division of parks and outdoor recreation to the division of wildlife.

May 16

July 1

H.B. 1027 License agents. Requires a license agent for the division of wildlife or the division of parks and outdoor recreation to be a sole proprietor, partnership, or corporation having a permanent business location in Colorado.

Provides that the wildlife commission and the board of parks and outdoor recreation, respectively, may authorize certain employees to sell licenses, permits, stamps, passes, cards, and certificates at office locations.

May 24

May 24

H.B. 1030 Parks and outdoor recreation - fees - senior resident parks identification card. Effective January 1, 1978, increases the fee for an annual parks pass from \$5 to \$10. Increases the fee for a one-day parks pass from \$1 to \$2, and increases the fee for a boat number certificate from \$3.50 to \$5. Authorizes a person who is a resident of the state and 64 years of age or older to obtain a senior resident parks identification card which will allow him to obtain an annual parks pass without charge. He may also obtain a one-day parks pass without charge.

June 19

July 1

H.B. 1377 Mineral resources - mined land reclamation - surety requirements. Prohibits any governmental unit other than the board from requiring surety for mining operations. Requires the amount of the surety to be based upon the cost of reclaiming lands disturbed and the extent of the disturbance at any one time; the board to consider if the surety of an operator must be guaranteed by a corporate surety and provides that the surety cannot be cancelled without 60 days' notice prior to the anniversary date of the bond; and the board to inspect reclaimed land within 60 days after a written notice of completion of reclamation and to notify the operator of failures to

comply with the reclamation plan within the 60-day period. If the board does not notify the operator within the 60-day period, the reclamation is deemed satisfactory and the surety is to be released within 15 days. When the board finds the reclamation satisfactory, the surety shall be released within 15 days. If an operator fails to satisfactorily perform reclamation, a corporate surety may elect to reclaim the land or forfeit the bond penalty.

June 2

June 2

- H.B. 1407 Weather modification - governmental immunity. Amends the provision relating to immunity from liability for the weather modification operations of public agencies to expressly include the state and other public entities. Forbids the construction of the weather modification statute to provide any broader waiver of immunity than is provided by the "Colorado Governmental Immunity Act".

May 20

May 20

- H.B. 1420 Mineral resources - mines - mine electricians - certificate of competency. Revises and categorizes the requirements for a certificate of competency as a mine electrician. Exempts applicants qualified as mine electricians in other states or by the U.S. secretary of the interior from examinations testing their qualifications for certification, but such applicants, at their option, are to complete a state-approved certification course or pass such examinations as may be prescribed by the board of examiners. Requires all certified coal mine electricians to attend an approved electrical retraining class annually in order to retain such certification.

May 26

May 26

- H.B. 1435 Wildlife - mountain lions. Deletes the deduction of \$100 for any 30-day period from claims of state liability for damage caused by bear and mountain lion, and decreases the hunting license fee for mountain lion from \$25 to \$20 for a resident and from \$200 to \$150 for a nonresident.

May 24

January 1, 1978

H.B. 1479 Wildlife management. Makes miscellaneous amendments to the law relating to wildlife management. Authorizes the members of the wildlife commission to be paid a \$35 per diem amount. Increases the amount appropriated to the wildlife stores revolving fund from \$250,000 to \$400,000. Makes various changes in the way claims are settled. Creates several new classes of licenses, increases the minimum values of wildlife which has been unlawfully held, taken, killed, or injured, and amends enforcement and penalty provisions. Transfers the administration of the Highline state recreation area and the Miramonte state recreation area from the division of parks and outdoor recreation to the division of wildlife.

July 15

January 1, 1978

H.B. 1491 Duty on oil and gas well lessees. Requires the oil and gas commission to obtain reasonable security from lessees of land for oil and gas well drilling if the surface owner was not a party to the lease to protect such owner from unreasonable crop losses or land damage by the lessee. Also requires the commission to obtain reasonable security for the restoration of such leased land.

May 26

July 1

H.B. 1555 State forest service - mountain pine beetle control - appropriation. Authorizes the state board of agriculture, acting as the state forest service, to enter into agreements with the division of corrections to have people under the control of the division hired to work on non-federal lands in controlling the infestation of forest land by mountain pine beetles. The program may include harvesting of timber to produce lumber, improving timber stands, new plantings, sawmill operations, and similar operations. Appropriates \$102,000 to the state forest service for capital outlay through the fiscal year ending June 30, 1978. The section authorizing the program is repealed as of July 1, 1982.

June 19

June 19

PROFESSIONS AND OCCUPATIONS

- S.B. 55 Electrical inspections of state construction projects. Provides that for only the fiscal year beginning July 1, 1977, the office of state planning and budgeting shall perform electrical inspections on state construction projects and that the state electrical board may make spot inspections to determine if state electrical standards are being met. Requires the office of state planning and budgeting and the state electrical board to separately report to the general assembly concerning such inspections as to the operation and effectiveness of electrical inspections made by the office of state planning and budgeting.

Increases electrical inspection fees based on valuation of work and for mobile home parks.

June 19

July 1

- S.B. 103 Narcotic drugs - sale by pharmacist. Authorizes a pharmacist to sell and dispense any narcotic drug in schedule II of 21 CFR 1308.12 upon the oral prescription of a physician in an emergency situation. Requires the physician to put the prescription in writing and mail or deliver it to the pharmacist within 72 hours. Imposes a felony penalty for violations.

Requires the department of health to adopt rules concerning such oral prescriptions which are in compliance with federal requirements.

May 27

May 27

- S.B. 122 Reinstatement of real estate licenses. Provides that real estate licensees who fail to renew such license by its expiration date (December 31) can apply for renewal after its expiration date by paying the three-year renewal fee plus a reinstatement fee of \$50, plus \$15 for each month or fraction he has delayed, and no reinstatement is permitted after June 30 of the year after the license expired. The reinstatement fee may be waived by the real estate commission for hardship.

June 9

June 9

S.B. 233 Professional review proceedings. States that the general assembly finds that proper supervision of licensed professions requires fair and progressive disciplinary proceedings that provide full professional and technical disclosure as well as due process of law. Specifies who may authorize a professional review committee to act in reviewing act of a licensee and provides immunity from suit for persons participating in professional review proceedings in specified circumstances. Covers the following licensed professions: Child health associates; chiropodists; chiropractors; dentists; nurses; nursing home administrators; optometrists; physical therapists; pyschiatric technicians; and psychologists. Makes clarifying amendments to provisions governing professional review committees for physicians.

June 2

July 1

S.B. 312 Regulation of the practice of certified public accountants. Makes miscellaneous changes in the law regulating the practice of public accounting, including the following: Increases membership of the state board of accountancy from 3 to 5, one of whom is to be a non-accountant; alters educational and experience requirements for granting certificate as certified public accountant, including reciprocity provisions; increases frequency of accounting examinations from one to 2 times annually; prohibits the practice of public accounting, without the required annual permit, and prohibits any person not having such permit from expressing an opinion of the financial condition of any other person or organization or concerning the accuracy of any financial information contained in any financial statement.

June 4

July 1

S.B. 350 Psychologists - definitions - increased board membership - examinations. Redefines "practice of psychology" and adds definitions of "psychotherapy" and "psychological principles, methods, and procedures". Increases the size of the state board of psychologist examiners from 5 to 9 members, including 2 lay members. Revises the examination requirements, refers to the prescribed examination rather than a written and oral examination, and provides for reexaminations on the parts of the examination the applicant failed.

June 10

July 1

S.B. 372 Real estate brokers and salesmen. Excludes regularly salaried employees, acting for owners as onsite managers of apartment buildings or condominium units, and brokers, licensed in other states and sharing in a cooperative transaction with a Colorado broker, from state licensing requirements for real estate brokers and salesmen. Revises continuing educational requirements for the renewal of licenses to provide credit for actual practice as a broker or salesman. Empowers the real estate commission to censure licensees; requires the maintenance, for 7 years, and production of documents by licensees for commission inspection; and expands the grounds for disciplinary proceedings. In addition to findings of fact, provides that hearing officers shall give conclusions of law and an initial decision and establishes a 30-day limit for the commission's decision. Strikes certain limitations on the payment of claims from the real estate recovery fund.

June 9

June 9

S.B. 427 Securities - professional licensing - miscellaneous amendments. Broadens the definition of "salesman" by abolishing the exceptions for one who represents an issuer in certain exempt transactions. Allows the securities commissioner to censure or fine licensees who violate certain statutes and to require the licensee or applicant to pay the costs of disciplinary administrative proceedings concerning a license. Deletes prior provisions to conform the law to standard procedures relating to licensing and revenue functions. Provides that licensing and renewal fees of issuer-dealers will not be applied to registration fees. Raises the minimum filing fee for a registration statement from \$25 to \$100, and increases the fee for a confirmation, opinion, or ruling on an exempt security or transaction from \$50 to \$100.

May 26

July 1

S.B. 459 Discipline of physicians. Completely rewrites the procedures for the imposition of discipline on physicians, providing for initiation of investigation upon complaint, formal charges, specific procedures for hearings, final action, and procedures regarding appeals. Conforms provisions concerning reconsideration to the revised procedures.

June 29

July 1

S.B. 508

Regulation of race meets by the Colorado racing commission. Members of the Colorado racing commission cannot hold any pecuniary interest in a Colorado racetrack, nor may they bet on any race in the state. All money collected by the commission is to be deposited by the state treasurer in the general fund, except for deposits authorized to special funds. Owners and lessees of racing animals are to first get a license to allow the animal to race. The maximum fee for any license relating to a racetrack is increased from \$10 to \$20. New provisions cover the manner in which hearings concerning license applications, suspensions, and revocations are handled by the racing commission directly or by hearing officers under the administrative code and the authority of a board of stewards to act on those or other matters under the commission's rules and regulations.

Requires greater financial disclosures by applicants for licenses to hold race meets, and the costs of investigation are to be paid by such applicants up to \$1,000 maximum, increased from \$15. A prior conviction of any felony bars an applicant from a license. All proposed disposals of assets, including voting stock, by a holder of a meet license must be reported to the commission 30 days prior to the disposal. The existence of an undisclosed principal is grounds for action against a licensee.

Raises maximum number of licensed horse race meets from 3 to 4 annually at any track. Reduces minimum age for betting to 18, and rewrites provisions setting forth the grounds on which the commission is authorized to exclude persons from racetracks.

July 1

July 1

S.B. 534

Collection agencies - exclusions. Adds sales finance companies with respect to purchased accounts and any company with respect to commercial accounts receivable financing to those excluded from the definition of "collection agency" and "engaging in the collection business" for the purposes of regulation.

May 27

May 27

S.B. 556

Regulation of barbers and cosmetologists. Provides for the licensing and regulation of barbers and cosmetologists by a single regulatory board in the division of registration in the department of regulatory agencies. The 5-member board appointed by the governor

is to include 2 licensed barbers, 2 licensed cosmetologists, and one person who is not employed and has no financial interest in the practice of barbering or cosmetology. Sets forth the powers and duties of the board and authorizes the board to employ an administrator to assist it in the performance of its duties. Directs the board to hold licensing examinations at least 4 times a year. Authorizes the board, with the approval of the executive director of the department, to establish such fees as are necessary to produce sufficient revenue for the ensuing fiscal year. Creates procedures for the discipline of licensees and sets forth the grounds for the denial, revocation, or suspension of a license. Provides for the termination of the board on July 1, 1981.

June 29

July 1

- II.B. 1057 State board of veterinary medicine - inactive licenses.
Allows persons licensed to practice veterinary medicine, upon the giving of written notice to the state board of veterinary medicine, to acquire an inactive license status and be exempt from the continuing education requirements of active licensees. Provides that a person on inactive status may resume the practice of veterinary medicine by filing an application therefor, paying the registration renewal fee, and meeting continuing education requirements. Provides that a person on inactive status who engages in the practice of veterinary medicine may have his license suspended or revoked.

March 16

March 16

- II.B. 1065 Anatomical gifts - eye enucleations by morticians.
Authorizes persons licensed by the board of mortuary science to perform eye enucleations pursuant to the "Uniform Anatomical Gift Act" if they have successfully completed a course therefor and received a certificate from the department of ophthalmology of the university of Colorado school of medicine or if they have completed a similar course elsewhere and have been certified by the board pursuant to standards of said school of medicine. Provides that such enucleations must be without charge, after certification of death by a physician and compliance with the uniform act.

April 7

January 1, 1978

H.B. 1100 Bingo and raffles law. Redefines "lawful purpose" to mean the lawful purposes of organization permitted to conduct games of chance, as provided in the state constitution. Includes any association, successor, or combination of association and successor of any eligible organization in the list of persons who are eligible for a license to conduct games of chance. Prohibits the conduct of a game of chance by any person, firm, or organization unless a license has been issued therefor. Deletes the limitation that a licensee may retain no more than 25% of the net proceeds of any game of chance.

March 16

March 16

H.B. 1101 Requirement of citizenship. Deletes the requirement of citizenship for licensure of pharmacists and druggists, physicians, nursing home administrators, optometrists, psychiatric technicians, beer licensees, morticians, shorthand reporters, veterinarians, accountants, child health associates, practical nurses, psychologists, and liquor licensees.

March 16

March 16

H.B. 1115 Racing - animals other than horses - appropriation. Increases the maximum duration of race meets for animals other than horses from 30 to 35 race days. Authorizes the Colorado racing commission to grant a license to any racetrack in Arapahoe county for a special partial race meet in 1977 not to exceed 20 days.

Appropriates \$18,888 to the Colorado racing commission for the implementation of the act.

April 7

July 1

H.B. 1125 State board of cosmetology - composition. Changes the requirement of membership from each congressional district to a requirement that no more than 3 members shall be from the Denver metropolitan area and at least one member shall be from west of the continental divide. Continues terms of existing members, providing for implementation of the requirements upon the expiration of present terms.

April 7

April 7

H.B. 1198 Persons issuing exchange. Requires an applicant for a license to issue exchange to provide information concerning the date and place of incorporation, locations, and such data, financial statements, and pertinent information as the state bank commissioner may require.

Increases the bond requirement for the first sales outlet issuing exchange from \$25,000 to \$250,000 and increases the bond requirement for each additional sales outlet from \$5,000 to \$10,000, not to exceed \$1,000,000 total instead of \$250,000, and requires the same bond coverage for renewals after July 1, 1977.

Increases the initial and annual license fee from \$50 to \$100 for 1 to 3 outlets, from \$100 to \$200 for 4 to 10 outlets, and from \$200 to \$500 for over 10 outlets.

Requires licensees to file annual audited financial statements with the state bank commissioner; to give notice of new sales outlets; to give notice of legal actions brought against them; and to give notice of any unpaid money orders.

May 26

May 26

H.B. 1201 Mobile home dealers and salesmen - recovery fund. Abolishes the requirement that licensed mobile home dealers and salesmen must file a corporate surety bond with the Colorado mobile home licensing board, and provides for a mobile home recovery fund in lieu thereof, to be composed of initial fees paid by license applicants, civil fines, and assessments made by the board on licensees when the balance in the fund is low. Allows any person who has obtained a final judgment against a licensee on the grounds of failure to honor warranties or guaranties, fraud, willful misrepresentation, or violation of the mobile home dealers licensing law or other consumer protection laws to apply to the court for an order directing payment out of the recovery fund of the amount remaining unpaid upon the judgment. Sets a \$25,000 maximum on payments from the recovery fund with respect to any dealer. Authorizes revocation or suspension of a dealer's or salesman's license if the board is required to make payment from the fund on his behalf, and prohibits relicensure until the fund is reimbursed with interest.

May 16

May 16

H.B. 1223 Butchers - bond requirements. Provides that butchers and slaughterers of livestock who are registered under the federal "Packers and Stockyards Act, 1921" and have executed a bond thereunder are not required to execute a surety bond under state law if the bond covers payment of all state brand and sanitary inspection fees. Provides that the bond required under state law shall be for the use and benefit of any person or the state who may suffer loss or damage from violations of law or regulations governing butchers.

May 16

May 16

H.B. 1244 Physical therapy - board membership - education requirements. Adds 2 lay members, who shall not be engaged in the provision of health care services, to the state board of physical therapy. Authorizes payment of \$35 per diem compensation to board members. Deletes the requirement that license applicants present a number of college or university credits. Repeals the statutory specification of courses and credits which were required for an accredited physical therapy education program, and requires that the personnel and facilities of such a program conform with the standards of official accrediting agencies as determined by the United States office of education. Requires foreign-trained license applicants to meet equivalent educational standards and to display competence in English.

May 24

May 24

H.B. 1335 Practice of architecture - regulation. Alters the definition of "practice of architecture" to include the observation of construction and the administration of construction contracts. Increases the number of members on the Colorado state board of examiners of architects from 5 to 6 and requires that 2 such members be persons not engaged in the practice of architecture. Authorizes the board to adopt rules which provide for the discipline of licensed architects. Declares the records of the board to be public records. Rewrites much of the procedure for applying for, taking, and administering the examination for licensure. Sets forth the criteria for reciprocity. Alters some of the grounds for the revocation or suspension of a license. Directs that all suspension, revocation, and disciplinary proceedings are to be conducted pursuant to the "State Administrative Procedure Act".

June 10

July 1

H.B. 1368 Residential wiremen. Specifies the three classes of electricians, including residential wiremen, in provisions for examination and licensing of electricians.

Provides that the license examination for electricians and wiremen are to be conducted and graded by the department of regulatory agencies, and that 30 days prior to an examination, the department shall examine the proposed questions and may modify or delete any questions therefrom.

June 2

June 2

H.B. 1370 Electrical permits - validity period. Provides that all electrical inspection permits issued by the state electrical board are valid for 12 months, but allows an extension of the validity period under extenuating circumstances. Provides for the issuance of a permit to be valid longer than a year, but not exceeding 3 years, if a showing is made at the time of application that the electrical work is substantial and is likely to take longer than 12 months.

May 18

May 18

H.B. 1371 Electrical inspections. Requires all electrical installations in public schools to be inspected by a state electrical inspector. Requires local governments which intend to commence or cease performing electrical inspections to do such only as of July 1 of any year and to give written notice of such intent to the state electrical board on or before October 1 of the preceding calendar year. Requires reimbursement to the board for inspections it makes if the required notice is not given. Prohibits any local government from imposing any fee or charge related to electrical inspections or permits other than the statutory fees.

June 2

July 1

H.B. 1372 Electrical inspectors. Authorizes the state electrical board to employ persons who have passed either the journeyman or master electrical written examination as state electrical inspectors. Gives state electrical inspectors the right of entry for the additional purpose of determining compliance with the provisions of state law. States that the regulatory statutes for electricians shall not be construed to limit any

electrical inspector from qualifying as an inspector in other construction specialties.

May 26

May 26

- H.B. 1373 Electrical apprentices and trainees. Removes the requirement that all electrical apprentices and trainees participate in statutory apprenticeship and training programs. Effective May 20, requires that a licensed electrician or residential wireman supervise no more than one apprentice or trainee at the job site. Requires electrical contractors to give notice, within 30 days, to the state electrical board of the employment and the termination of employment of any apprentice or trainee. Requires electrical apprentices and trainees working at the trade to register with the state electrical board within 60 days of actual employment, and requires an initial and annual \$2 fee for such registration.

May 20

July 1

- H.B. 1421 Licensing of physicians trained at foreign medical schools - appropriation. Creates a program, referred to as the "fifth pathway", as an alternative method of qualifying for licensure as a physician for persons having completed medical school elsewhere than in the U.S. or Canada. Requirements for admission to the fifth pathway program include the following: The applicant must have been a Colorado resident prior to entry into the foreign medical school, and maintained such residency while a medical student, including the one year of supervised clinical training for which he is applying; completion of undergraduate work in an accredited U.S. college or university; the medical school from which the applicant graduated must be recognized by the world health organization; and the applicant must have completed all requirements for a degree other than internship of social services programs.

Additional requirements for licensure as a physician include completion of an academic year of supervised clinical training, completion of the required postgraduate hospital training, and passage of the licensure examination.

The university of Colorado medical school is to participate in the fifth pathway program and may enroll therein up to 10% of the number of medical doctor degrees granted by it in the previous year, but limited to the funds specifically appropriated to pay such students for

residency services which they are to render. Tuition charges are the same as for other 4th year residency students, except that one-half the tuition can be reduced by 1/2 based upon the applicant's signed agreement to practice medicine for 2 years (after being licensed) in nonmetropolitan areas of the state. Tuition is recoverable upon breach of the agreement. Appropriates \$130,000 to the school of medicine to be utilized for 10 students in the fifth pathway program. \$19,600 of the appropriation is from cash funds.

June 29

July 1

H.B. 1422 Dental practice - dental hygienists. Eliminates dental hygienist from definition of dental auxiliary and includes dental hygienists in necessary sections throughout licensing scheme. Expands membership of the state board of dental examiners from 5 to 7, including a dental hygienist and a member from the public at large. Extends powers and duties of board with respect to disciplinary proceedings and licensing. Provides for license renewals biannually. Adds abandonment of patient by failure to refer patient to another dentist when reasonably necessary as unprofessional conduct. Requires board secretary to mail roster of licensees to board members and makes roster available to persons who pay fee covering cost of duplication. Repeals sections authorizing district court review of board action and clarifies provision allowing review of board action in court of appeals.

June 3

July 1

H.B. 1516 Horse racing - use of receipts. Increases from 16% to 17% the amount of gross receipts a licensee for horse racing may take from pari-mutuel wagering, and requires the licensee to use 1% of such gross receipts for a supplementary purse fund pursuant to his agreement with organizations representing the horsemen. Requires that such agreement and a declaration of the percentage of the licensee's share due horsemen be filed with the licensee's license application.

May 10

May 10

H.B. 1526 Medical practice - nurse-midwives. Exempts nurse-midwives certified by the American college of nurse-midwives who perform services under the supervision of a physician from required licensure to practice medicine, and excepts services of nurse-midwives from the definition of the practice of medicine.

May 23

May 23

H.B. 1558 Massage parlors - licensing by local governments. Requires all massage parlors to hold a validly issued local license before operating in this state. Establishes procedures for the issuance, suspension, and revocation of licenses to operate a massage parlor. Sets forth those persons who are prohibited from becoming licensees. Establishes license fees which are to be paid to the local licensing authority. Requires anyone who works in or upon a massage parlor to obtain and carry a valid identity card. Prohibits the sale, giving, or procuring of any massage service to anyone under the age of 18 without a physician's prescription, and prohibits the employment of anyone under the age of 18 in a massage parlor.

Authorizes the electors of the local political subdivision to exclude all massage parlors from the boundaries of the political subdivision. Authorizes the placement of such local option question on the ballot of any special or general election upon petition signed by not less than 15% of the registered electors of the political subdivision. Limits the frequency that such question may be submitted to the people. Allows local governments to provide for more stringent standards for the licensing of massage parlors.

June 9

July 1

H.B. 1592 Regulatory agencies - fees. Increases the fee for a collection agency solicitor's certificate from \$3 to \$10, the fees for registration and renewal of registration for pharmacists and assistant pharmacists, and the fees for electrical inspections. Provides that an electrical inspection and fee shall not be required of a mobile home park or any mobile home or other movable structure because of relocation within a park if a prior inspection has been made, unless construction or repair of the electrical system has been performed, or if a proper and valid inspection sticker is present, and wiring has not been altered, and the occupant of the mobile home or movable structure calls the state electrical board with

the information on such sticker.

States that the passenger tramway safety board may inspect the design of passenger tramways and removes the requirement that inspectors be engineers.

June 29

July 1

H.B. 1596 Racing - sweepstakes races. Rewrites the law approved by the people at the 1976 general election with the major change being that the department of regulatory agencies is to be charged with the administration of the law rather than the Colorado racing commission. Authorizes the executive director of the department to appoint a director of sweepstakes. Limits the price at which sweepstakes tickets may be sold. Directs the department to promulgate rules and regulations for the holding and conducting of sweepstakes races. Limits the amount of money that may be paid to licensed tracks for their expenses and purses awarded.

July 15

July 15

H.B. 1687 Practical nurses - professional nurses - regulation. Rewrites and conforms much of the law relating to licensure, the discipline of licensees, disciplinary proceedings, and enforcement for both practical nurses and professional nurses. Provides for the mental or physical examination of nurses when the appropriate regulatory board has reasonable cause to believe that a licensee is unable to practice with reasonable skill and safety. Consent to such examination is deemed given by practicing as a nurse or by applying for the renewal of a license therefor.

July 7

January 1, 1978

PROPERTY

S.B. 95 Real property - titles and interests - trusts and joint ventures. Provides that trusts and joint ventures may acquire, convey, encumber, lease, and otherwise deal with property in the name of the entity upon filing the prescribed affidavit with the county clerk and recorder of the county where the interest in property is located. Requires the affidavit to include the name of the entity and the names and addresses of all the trustees or joint venturers. In the case of a trust, allows any trustee to deal with the interest in property unless the affidavit provides otherwise. In the case of a joint venture, requires each joint venturer named in the affidavit to execute an instrument.

June 1

June 1

S.B. 135 Real property - homesteads. Provides that a recital in any recorded conveyance or encumbrance of real property of one's marital status or that the property is or is not occupied as a home by the owner or his family is prima facie evidence of the facts stated therein. Allows the conveyance or encumbrance of property homesteaded solely by the owning spouse free and clear of all homestead rights unless a declaration of homestead is recorded, in which case the signature of both spouses is required.

May 27

May 27

S.B. 256 Surety on public works projects. Permits surety other than a bond, when approved by the contracting board, on public projects costing more than \$10,000, and provides that a certified or cashier's check or a bank money order made payable to the state treasurer or the treasurer or other officer designated by the governing body of the contracting local government may be accepted in lieu of a bond from contractors working on public projects of the state where such bond or surety is required.

June 3

June 3

S.B. 362 Real property - time share ownership of condominium units. Defines and categorizes time share estates in condominium units, and recognizes each such estate as a

separate interest in real property. Specifies the treatment of time share estates for purposes of property taxation and other assessments, partition suits, and other matters.

June 9

July 1

S.B. 375 Public trustee - sales of real property under foreclosure or execution and levy. Provides that a public trustee must have a court order authorizing a foreclosure sale of property in every case, to be gotten by the holder of the indebtedness secured thereby. If a foreclosure sale so authorized brings in an amount in excess of the expenses of sale and other amounts due, and if there are no junior lienors and the owner does not claim the excess, the county treasurer is to hold such excess in escrow for 5 years, subject to valid claims meantime, without interest, and if not claimed in the 5 years it goes to the county general fund. If the excess is over \$100 in any foreclosure, notice of these provisions are to be published, with the costs thereof coming out of the excess funds. The various notices required from a public trustee or other official are also to go to the owners of the property being foreclosed as their interests appear by instrument recorded after the deed of trust or other basis for foreclosure and before the filing of an election to foreclose. Such notice must be given at least 21 days before the scheduled sale date.

June 20

July 1

H.B. 1050 Real property - release of deeds of trust. Authorizes public trustees to release a deed of trust in cases where the original cancelled note cannot be produced upon acceptance of a certified copy of a resolution passed by a federally chartered or state chartered credit union operating in Colorado, or of an affidavit of any federal agency or federally created corporation, indemnifying the public trustee from all damages resulting from such release.

Provides that the public trustee may reject any resolution or affidavit if he determines that indemnification is not sufficient.

March 16

March 16

H.B. 1556 Tenants and landlords - mobile homes - nonpayment of rent. A landlord's notice to a mobile home tenant concerning termination of tenancy for failure to pay rent must be a written notice to either pay the rent or remove the unit from the mobile home premises within a deadline not less than 5 days after the notice has been served or posted.

July 7

July 7

H.B. 1566 Liens on personal property. Makes miscellaneous amendments including: Gives agister caring for animals a lien against the sale proceeds of such animals when sold by another; allows person entitled to the lien the option of declaring a default if any installment payment is overdue, or to wait until the due date of the final installment to do so; requires that summons served on defendant specify in more detail the effect of defendant's failure to respond to the summons; specifies expenses which lienholder may deduct from the proceeds of sale of property; authorizes early sale of property on court order when the property is in serious danger of deterioration, subject to great expense, or under similar emergency circumstances.

May 18

May 18

H.B. 1620 Real property - release of deeds of trust. Authorizes a public trustee to release a deed of trust in cases where the original cancelled note cannot be produced upon the receipt of a certified copy of a resolution of the board of directors of a mortgagee approved by the federal housing administration.

Increases from \$3 to \$5 the fee charged by a public trustee for executing a release of a deed of trust.

May 20

July 1

PUBLIC UTILITIES

H.B. 1008 Review of electric power rates. Requires the public utilities commission to conduct a continuing review of specified criteria affecting electric power consumption and rates, formulate criteria for evaluating such rates, apply such criteria upon completion, and report to the legislative council. Provides for repeal effective July 1, 1979.

February 24 July 1

H.B. 1196 Disposition of funds received from motor vehicle carriers. Provides that certain fees collected by the public utilities commission from motor vehicle carriers, contract carriers, commercial carriers, and towing carriers shall be transmitted to the state treasurer for credit to the highway users tax fund instead of the public utilities commission motor carrier fund.

June 5 July 1

H.B. 1505 Decisions of the PUC relating to safety appliances or devices. Provides that orders issued by the public utilities commission for the installation of automatic or other safety appliance signals or devices at railroad crossings shall not be stayed upon an application for rehearing, reargument, or reconsideration, but shall be processed and handled to completion when such application deals solely with the matter of allocation of the costs thereof among the railroad company and the state and the political subdivisions.

May 20 May 20

SOCIAL SERVICES

S.B. 2 Colorado commission on the aging - composition. Increases the membership on the Colorado commission on the aging from 11 to 13, with 2 legislator members, and provides for their appointment.

May 26

July 1

S.B. 155 Subsidization of adoption. Provides that payments in subsidization of adoption shall not extend beyond the child's twenty-first birthday, instead of his eighteenth birthday. Allows the department of social services to waive the fees for adoption investigations and reports if such fees pose a barrier to the adoption.

June 19

June 19

S.B. 157 Support of abandoned children. Provides for the establishment of a parent locator service in lieu of a central registry, requires recovered support payments to be deposited in the county social services rather than the county general fund, and provides that the costs of recovery of payments shall be billed to the county department of social services.

May 24

July 1

S.B. 158 Old age pension - required publication. Repeals the provision requiring publication of the names of old age pension recipients.

May 27

May 27

S.B. 160 Adult foster care - appropriation. Redefines "adult foster care". Excludes individuals who are developmentally disabled or who are receiving or eligible to receive services in programs administered by the department of institutions from the definition. Appropriates \$286,416, of which \$229,133 is from the general fund and \$57,283 is from county funds, to the department of social services to provide for an average caseload of 214 persons at an average monthly rate not to

exceed \$117.

July 1

July 1

- S.B. 310 Child care centers - licensing. Includes certification by the county department in limitations on licensure and certification, permits the department to establish rules and regulations governing certain family care homes and child care centers, increases fees for licenses, and provides that licenses shall be for 2 years instead of one. Permits inspections to determine compliance with the statute and to insure that the health, safety, and welfare of the children is protected.

June 1

June 1

- S.B. 318 Practices in the nursing home industry. Provides that it is unlawful for a person to spend or otherwise use a patient's personal needs funds for any purpose other than the personal needs of the patient. Provides a penalty for such violations, that a nursing home administrator convicted of such may have his license revoked or be otherwise disciplined, and that the license of a nursing care facility or intermediate care facility may be suspended or revoked for violation of such provision by a licensee.

June 19

June 19

- S.B. 354 Priority and licensure for blind persons in the operation of vending facilities on state property. Requires that qualified blind persons, licensed by the state department of social services be given priority for operating vending facilities on state property. Provides that the department must determine whether a satisfactory site for the operation of a vending facility is included in any state building constructed, acquired, altered, or renovated. Charges the department with the responsibility for the operation of a vending facility program by rule and regulation in accordance with applicable federal guidelines, and for the collection and accounting for income from vending machines on state property.

June 1

July 1

S.B. 422 Statewide adoption resource registry. Requires the state department of social services to establish a statewide adoption resource registry as a means of recruiting adoptive families for children legally freed for adoption by providing authorized or licensed child placement agencies with descriptions which include the age, sex, photograph, social profile, and physical profile of children waiting for adoption in this state. Provides for the referral of such children to the resource registry and authorizes the state board of social services to promulgate regulations for the implementation of such registry. Provides that expenditures by a county department, for such a child not referred to the registry as required are not subject to state reimbursement.

June 10

July 1

H.B. 1124 Public assistance - services from county of residence. Provides that a public assistance recipient who becomes a resident of another county in Colorado is entitled to receive all forms of public assistance that are provided in the county to which he transfers.

April 25

April 25

H.B. 1144 Medical assistance - categorically needy - appropriation. Redefines the term "categorically needy". Adds new definitions for "third party", "liable" or "liability", "reasonable cost of services", and "recovery" or "amount recovered". Includes family planning as an additional basic service for the categorically needy. Directs the state board of social services to adopt rules and regulations to determine and pay a reasonable share of the amount by which the reasonable cost exceeds the actual cost of nursing home facilities, but places a limit on the amount that may be paid. Authorizes the state to implement prospective reimbursement rates. Declares that the state department of social services has an enforceable right against a third party for the amount of medical assistance, if such medical assistance is furnished to an applicant or recipient for which a third party is liable. Specifies the rights and duties of the department with respect to such action. Alters the penalty for obtaining medical assistance benefits to which one is not entitled. Appropriates \$1,521,834 to the department of social services for the implementation of the act.

June 29

July 1

H.B. 1145 Public assistance - SSI - miscellaneous. Clarifies that certain statutes apply only to those not receiving federal financial benefits under Title XVI of the "Social Security Act" (concerning supplemental security income). Declares that a recipient of public assistance is not eligible for further assistance if, during the time he is receiving assistance, he makes a transfer of property without consideration for the purpose of rendering himself eligible. Provides that a person may be eligible for state programs of aid to the needy disabled or aid to the blind if he qualifies for social security disability insurance benefits under Title II of the federal "Social Security Act".

May 26

May 26

H.B. 1162 Appeals by public assistance recipients. Allows the department of social services to dispense with a hearing when the action complained of is a grant adjustment for classes of recipients, a reduction or deletion of a medical benefit, or a reduction or deletion of a benefit under the subsidization of adoption program and when such adjustment, reduction, or deletion is required by or as the result of state or federal law.

May 16

May 16

H.B. 1485 Work requirements - recipients of aid to dependent children - appropriation. Provides that persons who receive aid to dependent children, who are required by federal law to register and accept employment or training provided pursuant to a work incentive program called "WIN", and who refuse to do so without good cause will not receive such aid, although protective payments for the children may be made. Acceptance of a work assignment is made a condition of eligibility to receive such aid, unless good cause exists in the form of age, disability, or the like or other training or employment programs are available. These eligibility requirements are to be implemented unless there is an express written directive from the federal government that they contravene federal law. Recipients of aid not having good cause to refuse work are to be referred by the department of social services to the department of labor and employment, which is to attempt to place them in jobs, and records are to be kept concerning the cooperation of recipients therein. The department of social services is to seek to place other recipients, who cannot actively seek employment, in partial employment such as public employment for shorter than normal

periods, for which the recipients are to receive no compensation except reimbursement of expenses. Appropriates \$1,060,711 to the department of social services from state and federal funds, allocated as specified.

July 1

July 1

H.B. 1539 Determinations of eligibility for public assistance - additional requirements - appropriation. Requires county departments of social services and the district attorney for the county to exchange monthly reports relating to investigations, prosecutions, and recoveries involving fraudulent activities by applicants or recipients for public assistance. Authorizes counties to issue identification cards to all recipients of assistance except food stamps, and requires some employees of county departments to receive a minimum of 8 hours of training in fraud detection annually.

Requires a county department receiving an application for public assistance other than food stamps to make an independent verification of the facts stated on the application, by checking employment, unemployment, school records, vital statistics, and motor vehicle records and to report discrepancies, which are to be investigated promptly. Requires the department of revenue to furnish counties information necessary for administering public assistance, and gives the county part of the state's share of funds recovered. Deductions from future public assistance are to be made for excess assistance received through fraud to the extent allowed by federal regulations.

Puts all provisions making fraudulent acts crimes into one section under the general provisions and repeals comparable provisions dealing with the various types of assistance.

Appropriates \$351,715 to the department of social services from federal, state, and county funds, as specified, to carry out the various provisions of the act, as specified. Requires a report from the department to the general assembly by March 31, 1979 as to the results of the act, and provides the act is repealed on January 1, 1980.

July 15

January 1, 1978

H.B. 1569 Social services code - county share of assistance payments and social service activities - social services levy. Limits a county's activities relating to public assistance to a proportion of costs fixed by the state-county ratio. Prohibits a county from expending county funds in an amount to exceed its 20% share of actual costs for assistance payments and social service activities, including the administrative costs of each. Requires the state board of social services to reduce county income maintenance or social service programs when the appropriation for the state's share, together with federal funds, is not sufficient to advance to the counties the full 80% share of the costs. Rewrites the law relating to the county social services levy with the overall effect of reducing the maximum mill levy which may be imposed.

June 19

July 1

H.B. 1700 Eligibility for public assistance and welfare. Provides that any special payment by the federal government in the form of a one-time only credit against or refund of federal income taxes shall not be considered income for purposes of determining eligibility for public assistance and welfare, unless so required by federal law, and makes such provision applicable to taxable years beginning on or after January 1, 1976.

May 26

May 26

STATUTES

S.B. 94 Supplements to C.R.S. 1973 - enactment. Enacts the 1976 supplement, a compilation of the laws enacted in 1974, 1975, and 1976, certified by the committee on legal services, as the positive statutory law of Colorado, with the same legal force and effect as, and as a part of, C.R.S. 1973, thereby reenacting all the laws of a general and permanent nature enacted by the general assembly in the 1974, 1975, and 1976 sessions. Such reenactments become effective upon filing with the secretary of state.

May 27

May 27

S.B. 491 Statute revision - racing. Revisor's bill clarifying a provision that only proceeds derived from unclaimed pari-mutuel tickets from horse race meets go to the horse breeders award and supplemental purse fund. Provides that appointments to the award and supplemental purses advisory committee shall be made by the Colorado racing commission.

June 9

June 9

S.B. 495 Revisor's bill. Requires the revisor of statutes to annually prepare and submit one or more bills amending or repealing statutes to improve their clarity and certainty. Eliminates a provision which applied to the original preparation of C.R.S. 1973 only.

June 1

June 1

S.B. 497 Statute revision - labor and industry - statutory references. Corrects certain statutory references which erroneously included provisions concerning employer's liability in the "Workmen's Compensation Act of Colorado".

June 1

June 1

S.B. 500 Statute revision - motor vehicle dealer's or wholesaler's license. Repeals a provision concerning grounds for denial, suspension, or revocation of a motor vehicle

dealer's, wholesaler's, or used motor vehicle dealer's license declared unconstitutionally vague by the court of appeals.

June 1

June 1

- S.B. 511 Statute revision - taxation - proceeds of insurance. Deletes an obsolete statutory reference concerning the charging of debts against the proceeds of insurance, and repeals an obsolete provision concerning the taxation of such proceeds.

May 26

May 26

- S.B. 512 Statute revision - criminal code - theft of sound recordings. Makes a grammatical correction in the description of the crime of unlawful transfer for sale of sound recordings.

May 26

May 26

- S.B. 522 Revisions to conform, correct, and clarify. Amends or repeals various statutory provisions which are obsolete, inconsistent, or in conflict with other law, clarifies the language and more accurately reflects the legislative intent of the laws, and conforms the laws to amendments to the constitution and to Colorado supreme court decisions.

June 29

June 29

- H.B. 1675 Statute revision - repeal of obsolete or otherwise unnecessary provisions of law. Repeals provisions of law concerning assignments in general, salaries of employees in mining, determination of what constitutes a better job for purposes of unemployment compensation, the requirement that the insurance commissioner furnish a copy of the insurance laws to all companies doing business in this state, the book account evidence rule, the Western regional mental health center, the requirement that the division of housing report annually to the governor and the general assembly, removal of certain property on mining claims, weed control, the branding of turkeys, the excise tax and other controls on the sale of oleomargarine, required approval of electric fences, race meets at fairs, and soil erosion.

May 26

May 26

H.B. 1708 Statute revision - statutory revision committee.
Establishes a statutory revision committee comprised of four legislative members, the revisor of statutes, and four nonlegislative members, provides for the appointment of the members, and specifies the duties of the committee, including recommendation of necessary reforms in the laws, consideration of proposals and suggestions for revisions or enactments, and regular reporting to the general assembly and the committee on legal services.

June 1

June 1

TAXATION

- S.B. 72 Sales and use tax - exemption. Includes used trucks, trailers, and truck bodies as well as new ones in the exemption provided by law for such vehicles which are to be used exclusively out-of-state or in interstate commerce. Also includes new or used truck-tractors in the exemption. Broadens the exemption by allowing vehicles to be delivered by licensed Colorado dealers in addition to manufacturers.

Became law without Governor's signature
April 3 July 1

- S.B. 77 Gift tax returns - sworn statement not required. Authorizes the filing of a gift tax return without the need of a sworn statement, but requires a signed declaration, under penalty of perjury in the second degree, that the return is true and correct as to every material matter.

March 27 July 1

- S.B. 78 Inheritance tax statements - sworn statement not required. Authorizes the filing of an inheritance tax property statement without the need of a sworn statement, but requires a signed declaration, under penalty of perjury in the second degree, that the property statement is true and correct as to every material matter.

March 26 July 1

- S.B. 97 Income tax - certificates of nonresidence. Repeals the statutes which allowed nonresidents who desired to establish a temporary residence in Colorado to obtain a certificate of nonresidence from the department of revenue, thereby exempting themselves from gift, inheritance or succession, and income taxes except as such taxes applied to Colorado income or Colorado property.

May 24 July 1

S.B. 99 Procedure and administration - dissolution of partnerships. Includes partnerships in the statutory provisions governing the collection of income, gross ton-mile, passenger-mile, motor and special fuel, cigarette, sales, and use taxes from corporations in the process of dissolution. Imposes a penalty of the total amount of the tax not collected on all officers of a corporation and members of a partnership who willfully fail to pay such taxes.

June 1 July 1

S.B. 100 Inheritance and gift taxes - administration. In general provides that the enforcement and collection procedures for inheritance and gift taxes be compatible with the administration of other taxes collected by the department of revenue. Authorizes the executive director of the department of revenue to consent to a transfer of a safe deposit box without an inventory being taken. Alters the definition of "notice of assessment". Changes the "report of assessment" to the "report of appraisement and assessment of inheritance tax" and defines the new term and adds a definition of "receipt for inheritance tax". Declares that as to corporations or institutions the securities or assets of such entities include shares in, or registered bonds of, or other interests in the corporation or institution. Rewrites the procedure for the assessment and payment of the inheritance tax. Authorizes the executive director to waive the penalty for failing to make and file a return if such failure was due to reasonable cause and not willful neglect. Repeals a provision concerning objection to gift tax assessment.

June 20 July 1

S.B. 101 Income tax - withholding tax reports. Provides that an employer withholding less than \$600 (rather than \$300) of withholding tax each quarter shall file a quarterly return and remittance.

June 4 July 1

S.B. 102 Motor fuel tax - collection - penalties. Establishes a penalty of \$10 or 10% of the tax due, whichever is greater, for failure to file a statement or pay the tax when due in addition to other penalties.

June 1 July 1

S.B. 129 Income tax - part year residents. Eliminates a part-year resident's option of computing Colorado income tax by applying to the tax of a full year resident a fraction based on the number of months the taxpayer was a Colorado resident and requires a part-year resident to file a Colorado return.

May 27

January 1, 1978

S.B. 130 Sales tax - exemption - application for refund. Corrects a statutory reference relating to applications for refunds or credits when the sales tax has been paid on the sale of commodities that are exempt from the tax.

May 26

May 26

S.B. 132 Special fuel tax - diesel-powered passenger vehicles. Imposes an additional annual registration fee for diesel-powered private passenger vehicles as follows: \$30 if the vehicle weighs 4,000 pounds or less, \$40 if it weighs more than 4,000 but less than 6,500 pounds, and \$60 if it weighs 6,500 pounds or more. Exempts special fuel used for the operation of such diesel-powered vehicles from the 7¢ per gallon special fuel tax, and repeals the provision concerning temporary special fuel permits to purchase diesel fuel. States the intent of the general assembly that no appropriation shall be required to carry out the act.

June 1

January 1, 1978

S.B. 139 Income tax - declaration and payment of estimated taxes. Increases the amount of the minimum estimated income tax which must be declared and paid quarterly to \$200 net for any tax year, for both resident and nonresident individuals. Deletes provisions relating to filing of a state estimated tax declaration if a federal declaration is required after the start of the taxable year.

June 19

January 1, 1978

S.B. 140 Administration and enforcement. Specifies certain offenses as grounds for discharge of an officer or employee of the department of revenue and imposes a penalty for such offenses upon conviction. Imposes a penalty, in addition to any other penalty provided by

law, for persons committing fraud in matters concerning the department of revenue.

June 4

July 1

- S.B. 144 Procedure and administration - charges imposed on oil and natural gas. Provides that collection and other administrative procedures used for other specified taxes are also to be applicable to the charge imposed on oil and gas produced, saved, and sold or transported from the field where produced in this state. Declares that charges on oil or gas not paid when due are to bear penalty interest at the rate of 0.5% in addition to the normal rate of 6% per annum.

June 4

January 1, 1978

- S.B. 147 Administration and procedure. Adds new definitions for "department", "executive director", and "person", to the existing definition for "taxpayer" to clarify various portions of the procedural and administrative statutes for the specific taxes administered by the department of revenue.

June 19

June 19

- S.B. 161 Sales tax - transfer of assets of business organizations. Exempts from the definition of "sale" or "sale and purchase" for purposes of the sales tax the division of partnership assets among the partners; the formation of a corporation or a partnership and the transfer of assets thereto in exchange for stock or a partnership interest; the transfer of assets in the formation or dissolution of a professional corporation; the dissolution of a corporation and the distribution of assets to shareholders; the transfer of a parent corporation's assets to a subsidiary, and vice versa; the transfer of a partnership interest; the transfer in a reorganization which qualifies under the federal tax law; and the repossession of personal property by a chattel mortgage holder or foreclosure by a lienholder.

June 3

June 3

S.B. 213 Sales tax - procedures for county and municipal tax. Requires the executive director of the department of revenue to furnish the governing body of each municipality and county a monthly listing of all sales tax returns filed by retailers therein, and directs the governing body to notify the executive director within 90 days of any retailers omitted from the list. Also requires the executive director to report monthly, identifying licensed vendors within the municipality or county and, where a memorandum of understanding concerning the control of confidential data has been executed, including the amount of tax from each vendor. Imposes a criminal penalty on any local official or employee who discloses confidential information, and requires that he be dismissed from office. Restricts the use of confidential information in court proceedings.

May 26

May 26

S.B. 214 Mobile homes subject to ad valorem taxation - appropriation. Replaces the existing specific ownership taxation of mobile homes with an ad valorem tax based on valuations for assessment set by county assessors and mill levies of local taxing jurisdictions. Actual values of mobile homes are to be determined by the assessor in the same manner as are actual values of conventional homes; except that the maximum value of a mobile home cannot exceed 75% of its retail delivered price when new reduced by an exemption for furnishings and for depreciation. Requires the property tax administrator to establish schedules for furnishings and for depreciation. Establishes the assessed value of a mobile home at the same level as for a conventional home, currently set at 30% of actual value.

Provides for the treatment of mobile homes as personal property for tax sale purposes, but provides for a 3-year redemption period for mobile home owners similar to the owners of conventional homes.

Requires the owner of a mobile home to pay all ad valorem taxes and to acquire a state permit prior to the removal of such a mobile home from a county.

Maintains existing title requirements for mobile homes in order to allow enforcement of the sales and use tax, but repeals provisions concerning the registration of such vehicles.

Makes an appropriation of \$868,310 to counties and other local governments to provide revenues that otherwise would be totally lost during 1978 because of

the delayed payment provisions of the property tax law. Specifies that such counties and local governments are to receive in two payments the amount of specific ownership tax receipts on mobile homes they received during 1977.

June 29

January 1, 1978

- S.B. 292 Valuation for assessment. Provides that major renovation or rehabilitation improvements completed after January 1, 1978, on existing commercial buildings or structures which are part of a development or redevelopment project area and funded by public funds, or eligible for such funds, shall not be included in the valuation for assessment of improvements for the first 5 years after completion. Provides that such reduced valuation shall not apply if the building or structure changes ownership other than by descent or inheritance or if tax increment financing is being utilized.

June 19

June 19

- S.B. 390 Local sales tax - exemption of construction and building materials. Provides that construction and building materials on which a use tax has been collected by a town, city, or county shall be exempt from the sales tax imposed by such local government if the materials are delivered by a retailer or his agent to a site within the limits of the local government.

June 4

July 1

- S.B. 505 State property tax administrator. Requires the state property tax administrator to prepare and design a basic form for all assessors to use in the assessment of real property which will set forth in detail information to be inserted pertaining to all factors to be considered in appraising property.

June 9

June 9

- S.B. 571 Gasoline and special fuel. Exempts all sales of special fuel used for the operation of farm vehicles when they are being used as such from sales tax. Rewrites the use tax exemption for motor fuel and extends such exemption to special fuel used for farm vehicles when they are being used as such.

July 1

July 1

S.B. 573 General property tax - taxpayer appeals. Authorizes direct petitions for appeal before the county board of equalization for valuations for assessment for 1975 and 1976 property taxes paid in 1976 and 1977, and provides relief for petitions granted by adjustments to the 1977 tax bill that is to be paid in 1978. Allows for appeals from the board, and repeals said provisions on January 1, 1978.

Provides, on a permanent basis, for the appointment of an independent referee to conduct hearings for such direct petitions and other petitions on behalf of the county board of equalization.

June 1

June 1

S.B. 574 Sales tax - exemption on property leased for limited time. Allows the department of revenue to permit the lessor of personal property leased for not more than 3 years to acquire such property free of sales or use tax, in exchange for his agreement to collect sales tax from the lessee on all lease payments.

July 15

July 15

H.B. 1007 Inheritance and successions - exemption. Provides an exemption from the inheritance and succession tax for insurance proceeds on the life of a decedent, annuity contracts owned by him, and payments from pension or profit-sharing plans if such proceeds or payments are made in annual or more frequent installments over the life of the surviving beneficiary and such beneficiary has no right to commute such proceeds or payments into a lump sum.

May 14

May 14

H.B. 1070 Sales tax exemptions - sales of insulin. Exempts all sales of insulin in all forms dispensed pursuant to the direction of a licensed physician from the sales tax.

April 7

January 1, 1978

H.B. 1071 Exemption from tax liens - certain leased property.
Permits the filing of a memorandum of lease with the department of revenue with a fee of \$2.50 (as an alternative to recording the lease with the county recorder) to show that property used by an employer or retailer is leased, and not subject to the tax liens available to the state to assure collection of income tax withheld or sales and use taxes collected by retailers or others. This exemption from lien also applies to leased motor vehicles properly registered in this state in the name of the lessor, but a lien does apply to any interest, credit, or the like received by the lessee in the property by virtue of the lease.

June 19

June 19

H.B. 1076 Imposition of a severance tax upon the extraction of certain minerals and mineral fuels in this state.
Effective January 1, 1978, provides for a state severance tax to be levied upon the extraction of certain minerals and mineral fuels in this state as follows:

For metallic minerals, imposes such a tax at a rate of 2.25% of all gross income in excess of \$11,000,000. Authorizes a credit against such tax for property taxes of up to 50% of the severance tax liability.

For molybdenum ore, imposes such a tax at a rate of 15 cents per ton of molybdenum ore.

For oil and gas, imposes such a tax upon gross income at varying percentages as follows:

under \$25,000	2%
\$25,000 and under \$100,000	3%
\$100,000 and under \$300,000	4%
\$300,000 and over	5%

Authorizes a credit against such tax for 87 1/2% of property taxes on oil and gas leaseholds and royalties and interests therein.

For coal, imposes such a tax at a rate of 60 cents per ton of coal produced from surface mining operations and at a rate of 30 cents per ton of coal produced from underground mining operations. Exempts from such taxes the first 8,000 tons of coal produced each quarter. Authorizes a credit against such taxes for the mining of lignite coal of 50% of the severance tax liability. Provides for an adjustment to the rate of tax based upon fluctuations in the index of wholesale prices for all commodities as prepared by the bureau of labor statistics

of the United States department of labor.

For oil shale, imposes such a tax on commercial oil shale facilities 90 days after the facility reaches a daily average of 50% of its design capacity at a rate of 1% of gross proceeds for the first year, 2% for the second, 3% for the third, and 4% for the fourth and each succeeding year. Exempts from such a tax the first 15,000 tons per day of oil shale or 10,000 barrels per day of shale oil, whichever is greater. Authorizes a 25% credit against such tax for shale oil produced from underground in situ methods.

Creates a local government severance tax fund in the department of local affairs to provide impact assistance to local governments. Provides that varying percentages of severance tax revenues from metallic minerals, molybdenum ore, coal, and oil shale are to be credited to the fund. A portion of the moneys in such fund are to be distributed to municipalities and counties where the workers of the mine or related facility reside and the remaining moneys are to be distributed by the executive director of the department of local affairs to those political subdivisions socially or economically impacted by the development of minerals or mineral fuels. Creates an energy impact assistance advisory committee to advise the executive director in the making of such distributions.

Creates a severance tax trust fund in the office of the state treasurer. Provides that varying percentages of severance tax revenues from metallic minerals, molybdenum ore, coal, and oil shale are to be credited to the fund. The fund is to be perpetual and held in trust as a replacement for depleted natural resources.

Repeals the existing oil and gas producer's tax.

Became law without Governor's signature

May 27

January 1, 1978

H.B. 1082 Income tax - graduated food sales tax credit or refund.
For the taxable year 1977 only, the food sales tax credit against the state income tax is put on a graduated basis, computed by dividing the number of food sales tax credit exemptions shown on the tax return into the total Colorado adjusted gross income reported on the return, the result being referred to as the average adjusted gross income. If that average is \$3000 or less, the food sales tax credit rate is \$16 per food sales tax exemption shown on the return; if between \$3000 and \$4000, the food sales tax credit rate is \$11 per exemption, and if it is

over \$4000, the credit remains at the \$7 per exemption available under prior law. The graduated credit or refund is in lieu of any other such credit or refund.

July 15

July 15

H.B. 1092 Inheritance tax - exemptions and rates of tax. Increases the value of assets received by a spouse from the decedent which is exempt from the state inheritance tax from \$30,000 to \$75,000, in the case of a minor child of the decedent under age 18 rather than 16 from \$15,000 to \$37,500, and for other persons in class A (lineal descendants, etc.) from \$10,000 to \$25,000. Increases the rate of the inheritance tax by 1% at each point at which the tax goes up on a graduated scale. The rates vary from 3% on amounts received (in excess of exemptions) by close relatives to 20% in the case of unrelated persons. Applies in the case of persons dying on and after January 1, 1978. Provides for reimbursement of deficiencies to the old age pension fund caused by such change.

July 7

January 1, 1978

H.B. 1168 Filing and remitting procedures. Provides that reports, claims, tax returns, statements, remittances, or other documents required to be filed with or paid to the state or any political subdivision thereof relating to taxes shall be deemed filed with and received by the public officer or agency to which addressed on the date shown by the cancellation mark or, if established by competent evidence as provided, on the date mailed. Provides for the filing of such documents on the next business day if the date for filing falls upon a legal holiday or weekend.

Amends the definition of "employee" for withholding tax purposes to exclude individuals not residents or domiciled in Colorado who perform services in any phase of motion picture or television production or television commercials for less than 120 days a year.

June 29

July 1

H.B. 1187 Sales tax - exempts nonresident purchasers of motor vehicles. Exempts purchases of motor vehicles by nonresidents for use outside the state from the state sales tax, until June 30, 1979, when the exemption

provision is repealed. Calls for the director of the department of revenue to attempt to negotiate agreements with adjacent states concerning the collection of sales taxes on motor vehicles, and report thereon to the fifty-second general assembly.

Became law without Governor's signature

July 23

July 23

- H.B. 1189 Inheritance tax - valuation of agricultural land. Authorizes the same method of valuing agricultural land which is used for property tax purposes in computing the amount of inheritance taxes due when the estate of a decedent is composed partially of agricultural land. This method of valuation involves consideration of the earning or productive capacity of such lands during a reasonable period of time, capitalized at a rate of 11 1/2%. Improvements on such land are to be valued in the regular manner. Provides for reimbursement of deficiencies to the old age pension fund caused by the change in valuation.

June 29

July 1

- H.B. 1192 Sales and use tax - schedules for computation. Authorizes the executive director of the department of revenue to approve schedules or systems for computing the 3% state sales and use taxes, and eliminates the statutory table which governed the tax on fractional parts of each dollar for sales or storage or acquisition charges or costs.

May 18

July 1

- H.B. 1197 Real property tax credit against income tax. Increases the maximum credit or refund allowed for property taxes paid from \$400 to \$410 and raises the maximum allowable income limits for single and married persons to be eligible for such credit or refund. Repeals the net worth limitation that persons had to meet to be eligible for the credit or refund.

July 7

July 7

- H.B. 1239 Transactions not classed as sales for sales tax purposes. Adds to the transactions specified in 1977 Senate Bill No. 161 as not coming within the definition of "sale" or

"sale and purchase" under the state sales tax provisions the transfer of assets to an existing corporation as a contribution to capital. Also provides that the department of revenue rules and regulations made under the provisions of the sale tax statutes must be promulgated and finally adopted in the month of January only.

VETOED June 19

H.B. 1242 Orders of the state board of equalization - when effective. In the case of orders by the state board of equalization to county assessors to make changes increasing or decreasing the valuation for assessment of any class or subclass of property in the county, the assessor is to make such changes in the abstract of assessment for the next taxable year, unless the valuation of the class or subclass is lower than that of the previous year for reasons other than reductions caused by appeals and abatements, in which case the changes ordered are to be made for the current taxable year.

Became law without Governor's signature

July 23

July 23

H.B. 1251 Property tax - duties concerning assessment - time changes. Changes from September 15 to October 1 the time within which county assessors are to certify to counties, municipalities, and special districts their total valuation for assessment and to notify each taxing district and the division of local government of the total valuation for assessment within each district and how it compares with the preceding year. Gives the state board of equalization until the third Monday in September rather than the fourth Monday to complete its review of county abstracts of assessment.

VETOED June 19

H.B. 1260 Income tax - consolidated returns by affiliated group corporations. Allows an affiliated group of corporations, as defined by federal law, to elect to make a consolidated income tax return in lieu of separate returns, in accordance with rules of the executive director of the department of revenue. Requires all corporations which have been members of the group during the taxable year to be included, and makes the election irrevocable for 4 years unless approved by the executive director.

May 18

May 18

H.B. 1297 Use tax exemptions. Restates the use tax exemption for motor fuel and special fuel used for the operation of farm vehicles, and deletes the use tax exemption for alcoholic beverages.

May 26

January 1, 1978

H.B. 1324 General property tax - receipt. Provides that a person desiring a receipt for payment of general property taxes must request such receipt. Provides that a state bank is not required to retain a tax receipt for real estate which is the subject of a loan and that the mortgagee or beneficiary of a deed of trust need not retain a tax receipt for property which is the subject of the mortgage or deed of trust.

June 2

June 2

H.B. 1356 General property taxes - penalties for delinquent payment. Provides new deadlines for the payment of general property taxes, and specifies the computation of penalty interest for delinquent payment with respect to taxes for which the local treasurer did not mail a tax statement until after January 31.

Repeals the new provisions effective March 1, 1978.

April 7

April 7

H.B. 1390 Income tax - check-off for nongame wildlife. Provides for a check-off box on state income tax returns to indicate that a certain amount of a taxpayer's refund be designated for the preservation of threatened species of nongame wildlife, which amount is to be appropriated to the division of wildlife of the department of natural resources. Provides for repeal of the check-off system January 1, 1984.

June 3

January 1, 1978

H.B. 1402 Income tax - corporations - allocation of income.
Authorizes a deduction from federal taxable income of any amount treated as a section 78 dividend under section 78 of the internal revenue code. Prohibits a corporation from carrying back a net operating loss to any year in which a different method of allocating or apportioning income was used to determine the income tax liability of such corporation. Allows a corporation to carry forward a net operating loss to a year in which it uses a different method of allocating or apportioning income than it used in the period in which the loss occurred upon the approval of the executive director of the department of revenue.

May 26

May 26

H.B. 1452 Real and personal property - assessment practices and appeals - appropriation. Makes numerous changes in the property tax laws which affect valuation of property and the duties of various local government officials and state agencies relating to property taxes.

The act makes the following changes affecting original assessment and assessors: Adds a seventh factor, "appraisal value for loan purposes", to the existing "six factors"; prescribes certain applications of "functional use" and "earning and productive capacity"; provides that, excluding material change in physical condition, zoning, or use, the 1977 valuation for assessment of any real property shall not exceed 140% of the average valuation for assessment for said property for 1974, 1975, and 1976, and the valuation for assessment for 1978 shall not exceed 125% of the 1977 valuation for assessment, that the taxpayer may appeal a 1977 over-valuation to the assessor or may seek abatement or refund, and, in relation to 1976 valuation for assessment, provides a legislative presumption in favor of the taxpayer under certain circumstances; defines "open space-residential land" and prescribes the method of determining the actual value of different portions of such land; establishes a framework within which assessors will use the level of value and manual and associated data for a prescribed year for determining annual valuation for assessment for all real or personal property, with specified exceptions, for four years, will concurrently reappraise property in the county based on an updated level of value, manual, and associated data, and will uniformly convert to the updated level of value, manual, and associated data at the end of the four-year period; places limitations and conditions on an assessor's use of sales prices of comparable properties; broadens a taxpayer's right to protest to the assessor;

and specifies that a tax statement may include additional information. The act also extends a board of county commissioners authority to allow an assessor's expenses and gives such allowance the presumption of validity.

The act makes the following changes affecting the property tax administrator: Provides that he is to review and approve or disapprove an application for abatement and refund, but his disapproval may be appealed to the board of assessment appeals (BAA); requires him to conduct, according to statutory specifications, a periodic study of all counties to determine whether valuation for assessment has been determined pursuant to law; requires that his rules and regulations and his manuals, appraisal procedures, and instructions shall be subject to legislative review by the committee on legal services and the general assembly; and makes consistent changes in the laws governing the administrator's actions relating to reappraisals ordered by the BAA and review of abstracts for assessment.

The act amends the laws relating to the BAA as follows: Provides that members appointed thereto and vacancy appointments are subject to the consent of the senate; allows the BAA to hear abatement or refund appeals, whether or not the subject taxes have been paid; and allows appeal from a BAA decision by the respondent when the BAA finds that the decision is a matter of statewide concern.

Laws relating to the state board of equalization (state board) are amended as follows: Defines the state board's scope of review; delays the effect of state board orders until the following taxable year; in relation to proceedings before the state board, prescribes the property tax administrator's burden of proof and procedures to be followed, and makes directives relating to and places limitations on, the use of statistical samples; parallel amendments are made which tie in with the 4-year framework for valuation according to a specified level of value and manual and associated data.

Provides that neither the property tax administrator nor the state board shall elicit financial information concerning a commercial or industrial property, except rental property or property of public utilities.

Effective January 1, 1979, consideration of market value in the ordinary course of trade and comparison with properties of a known or recognized value by assessors, county boards of equalization, the property tax administrator, the BAA, and the state board is subject to the limitation that a property shall not be assigned a

value in excess of 85% of the average sales price of comparable properties within the same class or subclass.

Appropriates \$170,413 to the division of property taxation to implement the act.

Became law without Governor's signature

June 20

June 20

H.B. 1498 Income tax - limitations on assessment of deficiencies. Provides that, in cases in which the taxpayer has been audited by the state for the year for which a state tax return is in question, and an agreement has been reached thereon, no additional assessment can be made for that year other than deficiencies based on adjustments made in the taxpayer's federal return by federal authorities.

May 18

July 1

H.B. 1499 Income tax - assessment of deficiencies limitations. Provides that, no additional assessment can be made for a tax year other than deficiencies based on adjustments made in the taxpayer's federal return by federal authorities if the taxpayer has been subject to a state audit for that year and has agreed to settle by payment of amounts shown due by the audit in cases in which the normal time limitations for assessing deficiencies in state income taxes have been tolled or otherwise extended.

May 26

July 1

H.B. 1500 Valuation of utilities - railroads. Provides that in determining the valuation for assessment of railroads, the administrator may consider factors in addition to total mileage of track in this state in proportion to total mileage of track of the railroad if such would more fairly determine allocated value.

VETOED June 3

H.B. 1501 Property taxes - proportional valuation of exempt property. Provides that when real property otherwise tax exempt is partially used for business conducted for profit, the property tax administrator is authorized to determine what portion of the property is so used on the

annual assessment date and to prorate the value of the nonexempt portion, based on the relative square footage areas. Further provides that tax exempt real property furnished by a government agency to a contractor is to be taxed to the contractor unless it is necessary to the considerations of the negotiated contract and the contractor maintains permanent written records substantiating the terms of the contract.

VETOED June 19

H.B. 1502 Limited sales tax exemption for common carriers by rail. Provides a sales tax exemption to common carriers by rail operating in interstate or foreign commerce of all sales of construction and building materials for maintenance of their railroad tracks, but provides that the actual use of such materials shall be subject to state and local use taxes.

Became law without Governor's signature
June 20 July 1

H.B. 1519 Income tax deduction for alternative energy devices. Creates a deduction from a taxpayer's Colorado adjusted gross income for purposes of the state income tax equal to the cost of causing the installation, construction, reconstruction, remodeling, or acquisition of an alternative energy device in any building owned by said taxpayer. Applies to devices placed into service on or after January 1, 1977.

June 19 June 19

H.B. 1524 Penalties for failure to pay state taxes on time. Increases penalties for taxpayers against whom the department of revenue has to issue 6 or more distraint warrants to enforce collection, the new penalty being the greater of \$50 or 30% of all delinquent taxes plus penalties and interest due thereon, keeping the penalty for from 3 to 5 distraint warrants.

May 24 July 1

H.B. 1535 Sales and use tax - exemptions. Exempts from sales and use taxes transfers, without consideration, of property to be used out of state in selling products normally sold

at wholesale by the transferor, sales of property for 90 days or less of testing and the like, if the ultimate use of the property in manufacturing or similar type of activity occurs outside the state, and the sale of special fuels for the operation of farm vehicles on farms.

Governor purported to veto on July 15, but failed to meet constitutional filing date - legal effect subject to court determination.

H.B. 1622 Motor fuel tax - exemptions. Exempts any amount of motor fuel which a person brings into Colorado in an ordinary passenger car fuel tank from the motor fuel tax. Formerly, only 20 gallons were so exempt.

May 14

July 1

H.B. 1655 Income tax - adjusted gross income of a resident individual. Allows the portion of any gain received during the taxable year from a qualified sale to be deducted from federal adjusted gross income in the determination of Colorado adjusted gross income. Defines "qualified sale" to mean a good faith sale of real or personal property to a buyer who initiates the transaction to purchase real or personal property of the seller and who had or could have obtained the power to condemn such property, if the transaction was not between persons defined in section 267 (b) of the internal revenue code. Applies to all taxable years commencing on or after January 1, 1978.

June 3

July 1

H.B. 1709 Income tax exemption for student loan discharges. Provides that any discharge of a loan to a student pursuant to a provision of a student loan program providing for such discharge for services rendered by the student is exempt from resident individual income taxation. Applies to taxable years beginning January 1, 1977.

July 7

July 7

H.B. 1726 Property tax relief to homeowners. Provides property tax relief to owners of owner-occupied residential housing for property taxes paid in 1977. To be eligible for the program, a taxpayer must own and occupy residential

property in the state, live in it on January 1, 1977, and reside in it at least six months during 1977. The relief is equal to 10% of property taxes actually paid in 1977, with a minimum benefit of \$25 or the amount of taxes paid, whichever is less. The relief is in the form of a credit or refund against state individual income taxes, and should be claimed on state income tax returns for the taxable year 1977 filed in 1978. Excludes persons who are claimed as exemptions (dependents) on the income tax return of another person.

Provides that the program of relief is in addition to the existing state property tax relief program for the elderly and disabled; except that total relief under the two programs cannot exceed property taxes actually paid.

Increases the state's share of the cigarette tax by 5¢ a pack for a one year period to partially fund the program.

Creates a limitation on state expenditures for fiscal years 1978-79 through 1982-83 which provides that state spending may not increase during that 5-year period by more than 7% over the previous year's level. An additional limit is that 4% of revenues each year are to be retained by the state for emergency reasons in the general fund surplus. All remaining funds are to be utilized to provide property tax relief in the state for those years.

July 1

July 1

WATER AND IRRIGATION

S.B. 4 Proceedings relating to plans for augmentation. Makes various changes relating to the effect of plans for augmentation on existing water rights. Requires any decision of a water judge approving a plan for augmentation to include a condition that the plan be subject to reconsideration for such period as necessary to preclude or remedy any injury, which period shall be specified in the judge's decision, but may be extended based on a finding that nonoccurrence of injury has not been conclusively established. This does not prevent the decision from being final for purposes of appeal. Specifies what the court is to consider with respect to terms and conditions to be imposed on a plan for augmentation to prevent injury to senior rights, including the sufficiency of the plan to provide water in the amount and at the time and place necessary to allow senior right diversions to continue. Decrees approving such plans are to include a requirement that the state engineer curtail such out-of-priority diversions when they cause depletions which are not so replaced as to prevent injury to vested rights. Provides that the state engineer is to see that diversions under plans for augmentation are so curtailed. Existing provisions of law providing for plans for augmentation are repealed, but remain applicable to temporary plans for augmentation filed with the state engineer before the repeal is effective, except that the state engineer's findings are to have no prima facie effect when a plan approved by the state engineer goes to hearing before the water judge.

June 19

June 19

S.B. 29 Duties of Colorado water conservation board. Provides that it is the duty of the Colorado water conservation board to investigate and assist in formulating a response to actions and proposed actions of the federal government and other states which have an effect on the use or development of Colorado's water resources.

March 26

March 26

S.B. 36 Colorado water conservation board construction fund. Provides that there shall be a fiscal year-end reversion from the board's construction fund to the state general fund only if the construction fund has a cash balance in

excess of \$10,000,000.

March 4

March 4

- S.B. 166 Use of water developed by conservancy district or subdistrict. Requires that water developed by a water conservancy district or a subdistrict thereof be used within the boundaries of either the principal district or the subdistrict or both.

June 9

June 9

- S.B. 287 Permit to construct well - extension. Authorizes the state engineer to extend the time for the holder of a permit to construct a well outside a designated ground water basin on satisfactory proof that such well had been completed and put to beneficial use within the permit period even though proof of such use was not filed before the permit expired through excusable neglect, inadvertence, or mistake. Requires the state engineer to notify the holder of the permit of the need for proof of beneficial use and to publish notice calling for objections to such extension, with a hearing to follow if objections are filed. The state engineer is then to decide whether or not the permit should remain in force and effect. In the case of federally authorized water projects, the state engineer may extend such permits indefinitely for good cause.

June 19

July 1

- S.B. 389 Ground water commission - conditional permits. Adds to the criteria considered by the ground water commission in granting a conditional permit the existing uses of water outside the state, when applicable, and requires all criteria to be applied uniformly without regard to the location of a proposed use near the state boundary.

VETOED May 27

- S.B. 438 Irrigation districts. Permits a corporation doing business in this state that owns land within an irrigation district and has paid taxes on said land to authorize an agent who satisfies the statutory residence and age requirements to vote for the corporation in irrigation district elections and to serve as a director

of the district. Increases the compensation of judges of election from \$10 to \$20 per day and the per diem of directors from \$10 to \$25 and clarifies that directors are to be reimbursed for actual and necessary expenses. Changes the hour of opening of the polls in irrigation district elections from 8 a.m. to 9 a.m. and the hour of closing from 6 p.m. to 7 p.m.

May 24

May 24

S.B. 453 Colorado water conservation board - minimum stream flow rights. Limits minimum stream flow rights obtained by the Colorado water conservation board to water native to the stream on which the right is located and provides that rights obtained after June 10, 1977, do not entitle the holder to contest a change of water right except a statement of opposition or protest concerning abandonment or opposition to change of a water right from one division to another.

VETOED June 19

S.B. 582 Approval of plans for reservoirs by the state engineer. Requires the state engineer, in considering whether to approve plans for the construction of water storage reservoirs, to include in the criteria the probability of record precipitation occurring once every 500 years.

Governor purported to veto on July 15, but failed to meet constitutional filing date - legal effect subject to court determination.

H.B. 1417 Water conservation districts. Authorizes the Colorado river water conservation district, the southwestern water conservation district, and the Rio Grande water conservation district to individually issue in their names, and subdistricts thereof to issue in their respective names, revenue bonds payable only out of rental proceeds, charges, and other income; provides for elections to authorize the incurrence of debt; states supplemental powers pertaining to revenue bonds, including service charges; and provides cooperative powers and other powers relating thereto.

Repeals duplicative provisions concerning the Rio Grande water conservation district.

June 9

June 9

H.B. 1576 Irrigation districts - bonds. Adds to the purposes for which bonds may be issued the entering into a contract with the United States or any agency thereof or with water right owners for district lands and specifies procedures relating to the issuance of bonds for such purposes. Deletes detailed requirements concerning interest rates, permitting the board of directors to determine the interest rate as well as the bond denominations. Increases the maximum time limit for maturation of bonds from 20 to 30 years, and provides that a majority of those voting at an election determine the question of issuance.

June 2

June 2

H.B. 1719 Diversion of water for use outside the state - when permitted. Allows the diversion of water from an interstate stream system in this state for use outside the state only if Colorado receives credit for the delivery of such water under an interstate compact or otherwise. Provides that such restriction is applicable to water used to transport another substance as a suspended solid, but is not applicable to products in which water has been put to beneficial use as a part of their production in this state.

July 15

July 15

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