

# DIGEST OF BILLS

Enacted by The

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## FIFTIETH GENERAL ASSEMBLY

1976 Second Regular Session



COLORADO

LEGISLATIVE DRAFTING OFFICE

30 State Capitol Bldg.  
Denver, Colorado 80203

June, 1976



DIGEST  
OF  
SENATE AND HOUSE BILLS ENACTED  
BY THE  
FIFTIETH GENERAL ASSEMBLY  
OF THE  
STATE OF COLORADO  
(1976 - Second 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.

\* \* \* \* \*

Compiled by the  
Legislative Drafting Office  
30 State Capitol  
Denver

\* \* \* \* \*

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	272	113	1	112
SENATE	<u>143</u>	<u>61</u>	<u>0</u>	<u>61</u>
TOTALS	415	174	1	173



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AGRICULTURE

H.B. 1183 Agriculture - brands - assessment of brands. Creates a 5-year assessment period in which all brands of record are to be assessed in an amount not to exceed \$10 per year or \$50 per assessment period, with the first assessment period to commence on January 1, 1977. Authorizes the state board to require a single payment of all assessments for the entire period, and directs the state board to prorate the assessments for brands recorded after the commencement of any assessment period. Reduces the time limit for the payment of the assessment; provides for a second notice of assessments due; and requires the forfeiture of brands for which the assessment is not paid.

May 7

May 7

APPROPRIATIONS

- S.B. 25 Supplemental appropriation - payment of judgment against state - Gregory Allen Moffet. \$4,360.23 to the attorney general to pay a judgment entered in favor of Gregory Allen Moffet in the district court in and for the county of Jefferson in a civil action authorized by chapter 41, Session Laws of Colorado 1975.

April 26

April 26

- S.B. 28 Supplemental appropriation - office of state auditor. Provides for a supplemental appropriation to the office of state auditor for completion of the audit of nonprofit hospital and health service corporations, and extends the deadline for a coordinated study and audit of such corporations by the legislative council and the legislative audit committee from July 1, 1976 to April 1, 1977.

May 7

May 7

- S.B. 127 Supplemental appropriation - judicial department. Amends the 1975 long bill to increase the total appropriation to the judicial department by \$569,767, and deletes the contingent additional funding of the data processing of the courts administration.

May 20

May 20

- S.B. 128 Supplemental appropriation - department of social services - day care. Amends the 1975 long bill to increase the appropriation for day care by \$808,298, out of the general fund, federal funds, and local funds, which reflects a decrease in average monthly payments for child welfare and in average caseloads for the work incentive program and child welfare, combined with an increase in AFDC caseloads. Requires the development of a plan for fiscal year 1976-77 involving specified income criteria, and increases in employment of AFDC recipients in day care programs.

May 7

May 7

- S.B. 132 Appropriation - office of state planning and budgeting.



\$579,979, from the capital construction fund, for the relocation of state agencies into state-owned office space, to be allocated as follows: Office building "A", \$79,368; state office building, \$4,680; state services building, \$251,302; social services building, \$238,617; 1550 Lincoln building, \$3,250; and capitol annex, \$2,762.

April 20

April 20

- S.B. 133 Supplemental appropriation - department of regulatory agencies. \$122,155, of which \$118,155 is out of the general fund and \$4,000 is out of cash funds, allocated among the following: The executive director of the department of regulatory agencies for contractual services for hearings; the division of banking for personal services, operating expenses, and capital outlay; the Colorado racing commission for new racing days; the state board of accountancy, the state board of examiners of landscape architects, the state board of nursing, and the board of registration for professional sanitarians for examination expenses; the state board of examiners of barbers for travel; the state electrical board for personal services, operating expenses, capital outlay, and contractual services; and the division of securities for personal services. Increases the amount of federal funds available to the civil rights division for hearings by \$19,586.

May 13

May 13

- S.B. 134 Supplemental appropriation - Colorado state patrol. \$51,367, out of the highway users tax fund, to the Colorado state patrol to finance an increase in the cost of gasoline for its fleet operation.

May 3

May 3

- S.B. 135 Supplemental appropriation - Colorado centennial-bicentennial commission fund. \$250,000 to the Colorado centennial-bicentennial commission fund to provide temporary funds to accommodate a cash flow problem. Requires the state treasurer to repay said \$250,000 from said fund in accordance with a specified schedule. Provides that \$65,000 of said fund may be used for marketing staff for the centennial-bicentennial commission.

May 13

May 13

S.B. 136 Supplemental appropriation - department of revenue. \$158,319, of which \$83,261 is from the general fund and \$75,058 is from the highway users tax fund, in the following amounts and for the following purposes: \$84,529 for operating expenses of the data processing section; \$18,790 for department of personnel services for the motor vehicle division; \$30,000 for out-of-state travel of the division of taxation; and \$25,000 for personal services of the port of entry division.

May 13

May 13

S.B. 137 Supplemental appropriation - department of higher education. Amends the appropriation in the 1975 long bill, as amended by 1976 H.B. 1066.

May 27

May 27

H.B. 1066 Appropriation - amendments to 1975 long bill. Amends the 1975 long bill resulting in total reductions of \$14,566,184. For expenses of the executive and judicial departments of state government in the fiscal year beginning July 1, 1975, the grand totals of the operating budgets reflect a reduction of \$12,117,474, of which the appropriation for the judicial department was reduced by \$282,676. The total appropriation for capital construction was reduced by \$2,198,710. The appropriation to the legislative department for its expenses was reduced by \$250,000. Amounts in four other individual appropriation bills passed in 1975 are also reduced.

February 27

February 27

H.B. 1078 Appropriation - attorney general - Kenneth F. Lee. \$15,000 to the attorney general for payment to Kenneth F. Lee for wrongful imprisonment.

April 23

April 23

H.B. 1250 Supplemental appropriation - department of administration. \$453,806, of which \$294,730 is from the general fund and \$159,076 is from cash funds, to be allocated as follows: \$158,359 to the group health and life insurance fund; \$56,370 to the annuitants' health and life insurance fund; and \$239,077 to the employment

security fund.

April 20

April 20

H.B. 1251 Supplemental appropriation - department of natural resources. \$326,878, of which \$4,750 is out of the general fund to the division of water resources for travel and the printing of snow survey data and \$322,128 is out of the wildlife cash fund to the division of wildlife for purchase of 102 acres near Vail to preserve a deer migration route.

May 4

May 4

H.B. 1252 Supplemental appropriation - office of state planning and budgeting. \$483,311, of which \$469,229 is from the general fund and \$14,082 is from cash funds from overhead reimbursements in the department of military affairs, to cover utility costs of various state institutions of higher education and community colleges, certain state institutions, and the department of military affairs.

April 30

April 30

H.B. 1254 Supplemental appropriation - department of health. Amends the 1975 long bill to increase the appropriation to the department of health by \$295,932, which represents increases in appropriations for medical care and treatment of handicapped children, administrative support and personal services for the department, and water pollution control, and a decrease in appropriations for alcoholism treatment programs.

May 7

May 7

H.B. 1255 Appropriation - university of northern Colorado. \$96,500 to the university of northern Colorado for administration of the north central association of colleges and schools accreditation program.

May 4

May 4

H.B. 1257 Supplemental appropriation - department of labor and employment. Amends the 1975 long bill to increase the

appropriation for personal services in the state compensation insurance division by \$19,411.

April 26

April 26

H.B. 1258 Supplemental appropriation - department of administration. \$7,333 to the division of management services of the department of administration for contracted consulting services; and \$190,000 to the division of automated data processing of the department of administration for the Colorado crime information center, \$129,527 of which shall be from the general fund and \$60,473 from the highway users tax fund.

May 20

May 20

H.B. 1259 Supplemental appropriation - offices of the governor and lieutenant governor. \$40,500 to the office of the governor for studying the feasibility of locating the solar energy research institute in Colorado, and \$2,408 to the office of the lieutenant governor for the state school district budget review board. Amends the 1975 long bill to combine oil shale moneys for Roan Creek and DeBeque Bridge and to transfer \$326,909 of such moneys from Piceance Creek Road to Bonanza Road.

May 4

May 4

H.B. 1260 Supplemental appropriation - department of agriculture. \$104,414, of which \$85,187 shall be out of the general fund and \$19,227 out of federal matching funds, to be allocated as follows: \$37,932 for completion of the meat inspection program; \$43,856 for regular personal services; \$19,626 for overtime in the fruit and vegetable inspection program; and \$3,000 for operating expenses.

April 22

April 22

H.B. 1261 Appropriation - legislative department. Appropriates \$6,886,792 to the legislative department for its expenses for the fiscal year beginning July 1, 1976, allocated as follows:

House of representatives and senate	\$2,429,937
State auditor	2,193,063
Joint budget committee	292,125

Legislative council	670,812
Research studies	273,000
Legislative drafting office	503,609
Office of revisor of statutes	418,206
Committee on legal services	67,000
Commission on interstate cooperation	28,800
Commission on uniform state laws	10,240

May 27

May 27

H.B. 1262 Supplemental appropriation - department of local affairs. \$17,758 to the Colorado bureau of investigation for a special investigation in Las Animas county. Amends the 1975 long bill to increase the total funding of the department of local affairs by \$3,583,685, of which \$8,334 is for personal services in the division of criminal justice, an additional \$3,387,175 is for development of a criminal justice comprehensive design, and an additional \$188,176 is for local matching funds for federal Public Law 93-83. Amends the allocation of funds for the division of local government.

May 10

May 10

H.B. 1264 Supplemental appropriation - department of institutions. \$965,755, to replace vocational rehabilitation federal funds, requiring the approval of the office of state planning and budgeting for expenditure. Amends the 1975 long bill to increase the appropriation to the department of institutions by \$1,455,791, of which \$439,311 is out of the general fund and \$1,068,694 is out of cash funds, accompanied by a \$52,214 decrease in federal funds. Repeals footnote No. 23 of section 2 of the 1975 long appropriation bill which made further funding of the correctional industries program contingent on positive results.

April 26

April 26

H.B. 1266 Appropriation - long bill. For expenses of the executive and judicial departments of state government in the fiscal year commencing July 1, 1976, the grand totals of the operating budget are \$1,516,768,292 (\$32,329,159 of which is for the judicial department) of which \$885,451,126 is from the general fund and \$273,763,611 is from cash funds, with the remaining \$357,553,555 anticipated from federal funds. The total appropriation for capital constructions is \$49,739,948, of which

\$36,398,376 is from the capital construction fund and \$6,584,872 is from cash funds, with the remaining \$6,756,700 anticipated from federal funds. Also amends capital construction appropriations made in the long bills of 1972, 1974, and 1975. The general appropriation act for the legislative branch is found in H.B. 1261.

May 26

May 26

H.B. 1267 Supplemental appropriation - department of social services. Makes numerous changes in the appropriation made to the department of social services in the 1975 long bill, as amended by 1976 H.B. No. 1066, resulting in a new total appropriation of \$303,164,267, of which \$111,777,094 is from the general fund, \$30,981,139 is from cash funds, and \$160,406,034 is federal funds. Also amends the appropriations made in 1975 H.B. Nos. 1340 and 1405 to increase the appropriations made to the department of social services for public assistance and supplemental security income.

May 27

May 27

CHILDREN'S CODE

H.B. 1093 Children's code - cost of reports conducted for adoption proceedings. Provides that any person who is the subject of an investigation and report conducted for an adoption proceeding is to pay, based upon an ability to pay, the cost of such investigation and report. Authorizes the state department of social services to establish rules which provide for charging such fees.

May 20

May 20

## CONSUMER AFFAIRS

H.B. 1087 Consumer affairs - drugs and druggists - substitution of equivalent drugs. Authorizes a pharmacist to substitute a less expensive drug product if the substitute drug is the same generic type as the one prescribed, is therapeutically equivalent, is interchangeable with the prescribed drug, and is permitted to move in interstate commerce. Permits practitioners to indicate that a prescription is to be dispensed as written. Requires that the total difference in cost between the prescribed drug and the substituted drug be passed on to the consumer. Directs a pharmacist who substitutes a drug to inform the purchaser orally and in writing, to label the container with the name of the drug dispensed, and to keep records of the substitution.

April 26

April 26



## CORPORATIONS

S.B. 108 Corporations - duties of secretary of state. Makes miscellaneous amendments to the "Colorado Corporation Code" concerning duties of the secretary of state. Abolishes the franchise tax imposed on domestic corporations and the annual license fee imposed on foreign corporations, but establishes a new fee schedule for the filing of documents and certificates to make up the revenue loss.

Requires foreign corporations when filing an application for a certificate of authority or when amending said certificate to file an additional certificate to the effect that it is in good standing in the jurisdiction of its incorporation. Provides for the revocation of a certificate of authority if a foreign corporation fails to appoint and maintain a registered agent in this state. Simplifies the procedure for changing the registered office or registered agent of a foreign corporation. Requires annual reports to be made at the close of a corporation's fiscal year.

June 5

July 1

## COURTS

S.B. 23 Courts - limitation of actions - medical malpractice.  
The normal time limitation within which a person must bring a case involving medical malpractice is reduced from 6 to 5 years. Such limit remains subject to exceptions for persons under disability such as minority, but minority is now specified to mean under age 18. Extensions of the time limitations in the case of absent debtors is now based on absence from the country, not just the state.

May 27

May 27

S.B. 52 Courts - county court - small claims court created - appropriation. Establishes for a 3-year period ending October 1, 1979, the small claims court as a division of the county court with concurrent original jurisdiction with the county court and district court in all authorized civil actions in which the debt, damage, tort, injury, or value of the personal property involved does not exceed \$500. Requires that only individuals or personal representatives, and not attorneys or other assignees, may commence or defend an action in the small claims court unless the opposing party also is an attorney. Provides that a referee or a judge may hear and decide claims in the small claims court; that there shall be no trial by jury; that the conduct of the trial is not to be bound by formal rules of procedure or pleading; that, unless expressly waived by the parties prior to trial, an appeal may be had in accordance with county court rules; that the cost of initiating an action is \$8 and of defending an action is \$4; that only 5 claims may be filed by a person in the small claims court in any 12 consecutive months; and that the clerk of the court is required to provide assistance when requested and to publicize the existence, procedures, and meeting times of the small claims court. Requires that counterclaims which exceed the jurisdiction of the small claims court are to be transferred to another court, but authorizes the second court to grant court costs and attorney fees to the plaintiff if the transfer was without merit and requested solely to defeat the jurisdiction of the small claims court. Charges the supreme court with promulgating rules of procedure for the small claims court. Appropriates \$101,356 to the judicial department.

May 27

October 1

S.B. 91 Courts - testimony - exceptions to physician-patient privilege. Provides that it is not a violation of privileged communication between physician and patient to use medical information, data, reports, and records available to medical utilization review committees in a professional review by specified agencies and groups. Creates additional exceptions to the requirement that a physician must have his patient's consent before being examined as to any information acquired in attending that patient, waiving such requirement in cases involving a review of the physician's services by specified agencies and groups. Provides that records produced in such review do not become public records and that the patient's identity shall not be disclosed to persons not directly involved in the medical review process.

May 21

July 1

H.B. 1146 Courts - damages - informed consent - medical procedures. Provides that a physician shall provide sufficient information concerning a proposed diagnostic medical procedure or surgical operation to enable a patient to give informed consent to the proposed procedure. Specifies the elements of proof necessary for recovery in an action based on lack of informed consent and for prima facie evidence of compliance. Provides that compliance with informed consent requirement does not bar an action for negligent performance of the procedure. Requires that actions based on lack of informed consent be brought within 2 years of discovery of the injury, and in no case more than 6 years after performance of the procedure.

April 30

April 30

H.B. 1212 Courts - reports of the supreme court and court of appeals - duties of secretary of state. Specifies that the publisher's costs of mailing reports of the supreme court and court of appeals shall be paid from appropriations to the judicial department. Permits the publisher to retain markup charges, remitting the cost to the state. Provides that unsold copies remain state property and shall be returned to the secretary of state at the end of the publishing contract. States that the secretary of state is the legal custodian of such reports, and that the secretary of state shall sell remaining copies of such reports at cost plus 20% and transmit the proceeds for deposit in the general fund.

April 19

April 19

CRIMES

H.B. 1193 Crimes - harassment - obscenity in communications. Expands the definition of the crime of harassment to include a communication by telephone which is intended to harass or threaten bodily harm or property damage or which makes any comment, request, suggestion, or proposal which is obscene. Defines "obscene" to mean a patently offensive description of ultimate sexual acts or the solicitation to commit ultimate sexual acts. Declares that the crime may be deemed to have been committed at the place where the telephone call was either made or received.

(Became Law Without Governor's Signature) May 21

H.B. 1230 Crimes - theft of copyrighted recorded material. Makes the transfer of recorded copyrighted material a class 5 felony; the trafficking in unlawfully transferred recorded copyrighted sounds a class 3 misdemeanor; and the dealing in recorded copyrighted sounds the packaging of which does not accurately disclose the manufacturer and the performer a class 3 misdemeanor. Does not apply to broadcasters and persons transferring sounds in the home for personal use.

April 16

July 1

H.B. 1272 Crimes - obscenity - public display of obscene materials. Repeals and reenacts the provisions of the criminal code relating to pornography and obscenity. Defines offenses for minors and adults as follows: Live sexual performances as to minors and adults, sadomasochistic material and sadomasochistic performances as to minors and adults, and obscene material and obscene performances as to minors. Exempts the printed or written word except when used for commercial purposes. Provides for statewide standards in the areas of obscenity as to minors, live sexual performances as to minors and adults, sadomasochistic material and performances as to minors and adults, and the public display of obscene materials. Allows municipalities to enact ordinances consistent with the act and to enact ordinances which apply to adults so long as the ordinances are not inconsistent with the act as applied to minors. Clarifies, in specific terms, the zoning power of municipalities and counties with respect to obscenity.

May 27

July 1

## CRIMINAL PROCEDURE

S.B. 109 Criminal procedure - state board of parole - interviews with inmates concerning parole. Provides that interviews with inmates, upon application for parole, conducted by the state board of parole need not comply with the hearing requirements of the "State Administrative Procedure Act".

May 27

May 27

H.B. 1111 Criminal procedure - minimum sentences - mandatory sentences for crimes of violence - habitual criminals - corporate penalties - credit for good time - appellate review of sentencing. Provides that a person previously convicted of a felony within the last 5 years shall not be eligible for an indeterminate sentence, and requires that the minimum sentence for such a person be not less than one year for a class 5 felony and not less than 2 years for a class 4 felony.

Requires that any person convicted of a crime of violence, as defined, be sentenced without suspension to at least the minimum term of incarceration for such offense, except that the court may modify the sentence in unusual and extenuating circumstances. Provides that a person convicted of a crime of violence may not receive an indeterminate sentence and, in the case of a class 5 felony or class 4 felony, that the minimum term shall be one and 2 years, respectively.

Amends the habitual criminal statute to provide that any person convicted of a felony for which the maximum penalty exceeds 5 years, who, within 10 years of such offense, has been twice previously convicted of a felony, shall be punished by confinement in the state penitentiary for 25 to 50 years.

Provides that a corporation found guilty of a class 2 or class 3 felony is subject to a fine of \$5,000 to \$50,000.

Provides that a person sentenced to the state reformatory for a term which is not indeterminate is entitled to the same time credits as if he were sentenced to the state penitentiary.

Amends provisions on appellate review of sentences, including a provision denying such review where an

indeterminate term or the minimum term is imposed.

May 10

July 1

H.B. 1237 Criminal procedure - restitution by offenders to victims.  
Provides that a condition for parole may include making restitution to the victim for damage or injury and requiring the offender to pay reasonable costs of supervision of parole. Enables all counties to provide release programs for specified purposes. Provides that wages or salaries of employed county prisoners shall first be used for restitution or reparation to the victim for damage or injury, then for a prisoner's board. Authorizes the department of institutions to establish a program to provide for restitution contributions.

April 22

April 22

DOMESTIC MATTERS

H.B. 1092 Domestic matters - cost of custodial investigations.  
Provides that the cost of a custodial investigation  
ordered by a court is to be based on an ability to pay  
rather than the former maximum fee of \$50.

April 16

April 16

EDUCATION - PUBLIC SCHOOLS

S.B. 143 Education - state equalization support program - appropriation. Establishes the amount guaranteed for each pupil of attendance entitlement for each mill levied for the general fund of a district in 1977 at \$31.92, and sets the minimum guarantee for 1977 at \$10.85. Provides that, for 1977, the excess of the appropriation for the state's share of equalization support shall not revert to the general fund but shall be used to uniformly increase the \$31.92 equalization program support level of all school districts except those districts receiving the minimum guarantee. Appropriates \$4,700,000 which, in conjunction with the anticipated reversion, is to fund the increased support levels.

June 5

June 5

H.B. 1003 Education - public schools - counting kindergarten pupils for aggregate daily attendance. Provides that for the purposes of the "Public School Finance Act of 1973", from July 1, 1976, through June 30, 1978, kindergarten pupils are to be counted for one-half day of attendance, or not more than a total of 90 full days per year regardless of actual attendance, but allows a school district to count as one full day of attendance for the entire year the number of kindergarten pupils attending 4 hours and 15 minutes or more per day if such number does not exceed the 1975 full-day count. Limits such full-day count, on a statewide basis, to 3,500.

April 26

July 1

H.B. 1039 Education - vocational education - state share of program support. Provides a new formula for the computation of the state contribution of the costs of approved vocational education programs in public school districts. Beginning with 70% of the authorized revenue base per pupil of attendance entitlement, which base is computed as provided in the "Public School Finance Act of 1973", deducted from the actual cost to the district of such program, the state pays 80% of the difference to a maximum of \$1,250 and 50% of any amount exceeding said \$1,250.

May 20

July 1



H.B. 1091 Education - community education programs - senior citizen activities. Permits the increased utilization of school facilities for senior citizens' activities, as defined, to include meal programs, volunteer programs, and social, educational, cultural, and recreational purposes. Defines senior citizens to mean a person 60 years of age or older and includes the spouse of a senior citizen.

April 6

April 6

H.B. 1243 Education - special education services for children in community centers. Authorizes community centers for the retarded and seriously handicapped to provide special education services in cooperation with administrative units and school districts, and specifies the procedure for determination of placement in a community center.

April 19

July 1

EDUCATION - UNIVERSITIES AND COLLEGES

S.B. 34 Higher education - Colorado state university - veterinary medicine hospital. Authorizes the state board of agriculture to enter into contracts for the advancement of moneys for the construction and acquisition of facilities and equipment for a veterinary medicine hospital at Colorado state university and to pledge revenues received from payments made to CSU by cooperating states as security for the repayment of moneys advanced therefor. Establishes enrollment limitations for nonresident students, and directs the board to assess such students a fee to help defer instructional and operating costs.

Authorizes the issuance of revenue bonds and anticipation warrants, and declares all such obligations to be free from taxation, except for inheritance, estate, and transfer taxes.

Bars any action questioning the legality of any contract, proceeding, revenue bond, or anticipation warrant after 30 days from the effective date of any official action authorizing such contract, adopting such proceeding, or authorizing the issuance of such warrants or bonds.

May 27

May 27

H.B. 1048 Higher education - exchange of property for Otero junior college. Authorizes the state board for community colleges and occupational education for the Otero junior college to convey a tract of land, as described, in the city of La Junta to the La Junta Development Association, Inc., in exchange for described property owned by said association.

February 23

February 23

H.B. 1084 Higher education - state council on the arts and humanities. Provides that the state council on the arts and humanities may expend federal funds, except that where the federal grant requires matching state funds or a capital outlay or creates a commitment for future state funding, an appropriation by the general assembly is required before expending such federal funds.

May 27

May 27

H.B. 1102 Higher education - leasing of property at Ft. Lewis college. Authorizes the state board of agriculture to provide for the construction, financing, and, ultimately, the acquisition of buildings and equipment at Ft. Lewis college through the leasing of land under its control on the grounds of the college to private persons or corporations. Requires that such leases be granted on the condition that such persons will construct and equip the buildings as the board designates or approves and then rent or sell the buildings to the board. Such leases of land are to be for a term not exceeding 50 years.

Declares that the provisions of the act are not to create a debt of the state, but provides that the leasehold interest is to be exempt from taxation. Authorizes a transfer or sale of the leasehold interest upon the approval of the board. Provides that the management of the buildings and the terms of the rental agreements are to be under the control of the board. Provides that, upon the termination of the lease, the equipment and buildings are to become the property of the state and are to be managed by the board.

April 5

April 5

## ELECTIONS

S.B. 129 Elections - duties of secretary of state. Makes miscellaneous changes in the general election laws primarily relating to registration of voters and election campaign regulations. Requires, rather than permits, at least one branch registration office in all counties, rather than only the larger ones, and requires that all such branches be open throughout the period between the 63rd and 32nd days before a primary, and from the day after the primary until 32 days before the general election. Provisions requiring reports to the secretary of state relating to election campaigns are made more detailed and specific, including the penalty provisions.

May 28

May 28

FINANCIAL INSTITUTIONS

H.B. 1094 Financial institutions - savings and loan associations - improvement loans. Increases the maximum amount of individual real property improvement loans, including mobile home improvement loans, a savings and loan association may make from \$5,000 to \$10,000.

April 19

April 19

H.B. 1265 Financial institutions - detached bank facilities - counties with only one bank. Requires a detached bank facility in counties having only one chartered bank to be in the same county. Provides that the banking board, in considering an application for a charter in a county where only one chartered bank exists and operates a detached facility, shall not consider the existence of such detached facility in granting or denying the charter.

May 5

May 5

GOVERNMENT - COUNTY

S.B. 58 County government - home rule counties - powers. Allows a home rule county to provide permissive functions, services, and facilities and to exercise permissive powers which are authorized by statute applicable to nonhome rule counties, unless prohibited by the county charter or state constitution. Provides that any power, function, service, or facility vested by statute in a particular county officer, agency, or board may be exercised by any other county officer, agency, or board designated in the home rule charter.

March 16

March 16

H.B. 1104 County government - bond issues for airports - special elections authorized. Authorizes each board of county commissioners to submit for approval at a special election called for that purpose the question of incurring indebtedness for airport facilities. Requires such election to be held, so far as is applicable, in the same manner as elections held to approve the issuance of funding bonds in exchange for valid warrants.

February 24

February 24

H.B. 1191 County government - solid waste disposal - certificate of designation - exemption. Provides that the final use for beneficial purposes of sludge which has been processed and certified or designated as meeting all regulations of the department of health and the department of agriculture does not require a certificate of designation for such final use.

April 19

April 19

GOVERNMENT - LOCAL

H.B. 1058 Local government - planning and zoning - group homes for the elderly. Requires counties and municipalities having zoning ordinances to provide for the location of group homes, which may include single-family residences, for the use of not more than 8 persons 60 years of age or older. Prohibits the location of any such home within 750 feet of another group home, unless otherwise provided by the county or municipality. Provides that elderly persons being discharged or transferred from a skilled or intermediate health care facility to a group home must receive 90 days' notice thereof or agree in writing thereto.

April 29

April 29

H.B. 1072 Local government - Colorado housing finance authority - bond limitation. Increases the Colorado housing finance authority's limitation on outstanding bonds to \$200,000,000 from the previous maximum of \$50,000,000.

April 6

April 6

H.B. 1139 Local government - limitation on local government property tax revenues. Specifies that the limitation on statutory tax levies for local governments is applicable to nonhome rule cities and towns, and to home rule counties unless equally or more restrictive provisions are included in the county home rule charter, and increases such limitation from 5% to 7%.

Bars the division of local government from granting an increased levy based on increased valuation for assessment from reappraisals, and requires exclusion of increased valuation for assessment from annexation or inclusion or from construction for the preceding year in computing the 7% limit. Authorizes a direct election on the increased levy in lieu of submission to the division of local government.

Includes in the exemption from the certification date counties, cities, towns, and special districts holding an election for increased property tax levy, and requires the assessor to notify the taxing entity and the division of local government by September 15 of the total valuation for assessment for the present and for the preceding year and the amount attributable to new

construction for the preceding year.

Requires the assessor to notify the municipal clerk or secretary of the special district no later than September 15 of the total valuation for assessment within the entity's territorial limits, and requires the certification of the levy to the board of county commissioners no later than November 15 unless there is an election for an increased property tax levy, in which case such certification shall be no later than December 15. Applies to budgets adopted in 1976 for the 1977 budget year and thereafter.

May 27

July 1



GOVERNMENT - MUNICIPAL

S.B. 61 Municipal government - intergovernmental contracts. Adds to the existing power of Colorado cities and towns to contract for the establishment of a power authority the power to contract for such purpose with cities and towns of an adjoining state that own an electric system and are located not more than 15 miles from the state line. Provides that such authorities may contract with such municipalities in adjoining states. Provides that the separate governmental entity so formed shall be a validly created and existing political subdivision of the state even if one of the contracting municipalities withdraws, so long as the contract establishing the entity is not rescinded.

May 7

May 7

H.B. 1152 Municipal government - downtown development authorities. Authorizes municipalities to establish downtown development authorities to combat deterioration of property values in the central business district and establishes the procedure therefor. Provides for a board of between 5 and 11 members; specifies the powers and duties of the board, including planning and development of projects, acquisition, improvement, leasing, and disposition of property, and investing funds and borrowing money; authorizes the issuance of revenue bonds and specifies terms and procedures therefor; and provides for levying of an ad valorem tax not exceeding 5 mills on all real and personal property in the downtown development district.

April 26

April 26

H.B. 1210 Municipal government - urban renewal authority - issuance of bonds. Expands the authorization for the issuance of bonds by urban renewal authorities so as to allow their issuance at par, below par, or above par at either public or private sale.

April 3

April 3

H.B. 1236 Municipal government - transfer of federal land for public purposes. Empowers a municipality to accept the

transfer of federal land for public purposes and to sell such land, within or contiguous to the municipality, in a manner which prevents speculation and assures that benefits accrue to the municipality.

April 6

April 6

GOVERNMENT - SPECIAL DISTRICTS

S.B. 35 Special districts - refunding of general obligation bonds - maturity. Changes the maximum time limitation on maturity of refunding bonds from 15 to 30 years, and provides that such bonds may mature at one time or from time to time.

April 26

April 26

S.B. 44 Special districts - indebtedness - bankruptcy. Permits insolvent water districts, sanitation districts, water and sanitation districts, and metropolitan districts which have water or sewer powers or both to provide for payment of obligations by means of a plan of composition or adjustment of the indebtedness under the federal bankruptcy law. Provides for repeal of the act on July 1, 1979.

May 21

May 21

GOVERNMENT - STATE

S.B. 57 State government - functions of the deputy director of revenue. Authorizes the deputy director of revenue to act for and on behalf of the executive director of the department of revenue in all department of revenue matters whenever the executive director specifically authorizes such.

May 13

July 1

S.B. 76 State government - administrative procedures - hearing officers division - rule-making procedure. Creates a division of hearing officers in the department of administration, which division is to be composed of attorneys transferred to the division (who were employed as hearing officers by other state agencies) and attorneys appointed by the executive director, who is designated as the head of the division. Subject to appropriations, the division is to be reimbursed by the various state agencies for the services of its hearing officers.

Makes miscellaneous amendments to the "Administrative Procedure Act" relating to transcripts, filing requirements, and rule-making procedures.

Declares that rules or amendments to rules which conflict with state law are void. Requires all rules and amendments thereto to be submitted to the appropriate committee of reference of the general assembly (or the committee on legal services if the general assembly is not in session) for its opinion as to whether the rule is within the agency's delegated power and authority. Any rule not so submitted is void, but rules of agency organization or general statements of policy are exempt from the submission requirement. States that a bill may be introduced to amend or rescind a rule, but that the rejection of such a bill does not constitute legislative approval of the rule in question.

May 24

May 24

S.B. 95 State government - relocation assistance - replacement housing. Authorizes state agencies conducting federally assisted projects which will result in the displacement of persons to provide replacement housing by using funds

authorized for the project, upon recommendation or approval of the division of housing, if the project cannot proceed because comparable replacement housing is not available and cannot otherwise be made available.

April 30

April 30

- S.B. 107 State government - public employees' retirement association - district attorneys - appropriation. Provides that district attorneys shall become members of the public employees' retirement association automatically unless specifically rejected. Excludes all other personnel in the district attorney's office, and provides that a district attorney who has exempted himself may enroll in a qualified county retirement plan. Allows up to 5 years' service as a district attorney prior to January 11, 1977, to be counted toward retirement for superannuation. Specifies an 80% state - 20% county contribution for either plan and, for association members, requires a 7 3/4% deduction from the district attorney's monthly pay and a state contribution of 10.64% of such amount. Provides that moneys or benefits received from membership do not constitute an increase in emoluments. Repeals provisions for a county retirement plan for district attorneys and personnel in counties of 300,000 or more. Appropriates \$117,154 to the department of law, up to \$27,154 of which shall be for payment of benefits from January 11, 1977, to June 30, 1977, and up to \$90,000 of which shall be for payment of prior services to either the public employees' retirement association or a qualified county retirement plan.

May 7

January 11, 1977

- S.B. 111 State government - duties of the secretary of state. Makes miscellaneous changes in the law relating to the duties of the secretary of state. In most cases the transfer of duties and functions from the secretary of state is to the agency charged with the administration of a particular area of state law, many going to the division of local government.

Transfers the custody of the property of the state from the secretary of state to the division of state archives and public records in the department of administration.

Authorizes the collection of an additional fee for the filing of certain forms pursuant to the "Uniform

Commercial Code".

Requires the payment of a fee of \$50 and additional fees for meals, mileage, and lodging to cover the expenses of the secretary of state or any of his deputies or employees when summoned to appear by subpoena.

May 13

July 1

H.B. 1040 State government - endowment care cemeteries. Transfers the administration of the law regulating endowment care cemeteries to the commissioner of insurance, and abolishes the state cemetery board.

April 3

April 3

H.B. 1050 State government - department of regulatory agencies - hearing officers. Authorizes the executive director of the department of regulatory agencies to require any board in the division of registrations to use a hearing officer in lieu of a hearing by such board.

February 20

February 20

H.B. 1056 State government - department of regulatory agencies - disposition of complaints - appropriation. Charges the executive director of the department of regulatory agencies with the responsibility of receipt and monitoring the disposition of complaints within the division of registrations. Sets forth procedures for handling complaints including the use of a simple standardized complaint form which is to be referred to the executive director. Provides that the executive director may assign a complaint to the director of registrations, to the appropriate board or agency, or may assign it specially for investigation, or he may take such other action as he deems necessary. Appropriates \$10,798 to the department of regulatory agencies for implementation of the act.

May 7

May 7

H.B. 1088 State government - regulatory agencies - termination, continuation, or reestablishment. Sets forth a schedule of dates for the termination, continuation, or reestablishment of all divisions, boards, and agencies

within the department of regulatory agencies. Provides that the life of any such agency may be continued or reestablished by the general assembly for periods not exceeding 6 years. Provides that any newly created agency's life shall not exceed 6 years and that such agencies are subject to the provisions of the act.

Requires the legislative audit committee to have a performance audit performed and completed 3 months prior to the termination date for each agency and to hold a public hearing for review of such audit. Requires a committee of reference in each house of the general assembly to hold a public hearing, prior to the termination, continuation, or reestablishment of any agency, in which testimony is received from the public, the executive director of the department of regulatory agencies, and the agency involved. Provides that, in such hearing, the agency has the burden of demonstrating a public need for its continued existence and the extent to which a change in the administrative structure may increase the efficiency of the agency. Specifies certain considerations to be made by such committees of reference, including the processing of public complaints, the use of public participation by an agency in making its rules and decisions, and recommendations for statutory changes made by the agency to benefit the public and more effectively implement its mandates.

Provides for rescheduling terminations if the governor does not designate agency terminations as a subject for legislation in an even-numbered year and for a winding-up period of one year after termination for all agencies.

April 22

July 1

H.B. 1107 State government - division of housing - acquisition of housing. Adds to the duties of the division of housing the encouragement of private enterprise and public and private agencies engaged in the acquisition of adequate housing by provision of acquisition grants, to be matched by nonstate funds, for the demonstration of ways to make adequate housing available to low-income households.

May 10

May 10

H.B. 1120 State government - authorized travel allowances - advances. Authorizes the controller, upon request, to allow a reasonable advance of moneys to employees and officials of any state agency for authorized travel on

official state business not to exceed \$600 per person per trip instead of the \$200 maximum previously allowed.

April 6

April 6

H.B. 1135 Legislative department - powers concerning space, parking, and communication in relation to the capitol building. Provides that the general assembly, by joint resolution, shall designate and assign space in and around the capitol for use of the legislative department.

April 30

April 30

H.B. 1206 State government - office of state planning and budgeting - life cycle costing. Declares that the state shall insure that energy conservation practices in state construction and renovation are followed. Defines "life-cycle cost" to include alternatives for initial cost, cost of energy consumed over the economic life of the facility, replacement cost, and cost of operation and maintenance. Provides that the office of state planning and budgeting shall, in cooperation with state agencies, develop and maintain life-cycle cost analyses for construction of new facilities and for existing facilities. Requires state agencies to employ life-cycle cost analyses and energy conservation practices in state-owned and assisted facilities, specifying considerations and procedures therefor. Exempts municipalities and counties.

April 30

January 1, 1977

H.B. 1213 State government - creation of commission on Indian affairs - appropriation. Creates the Colorado commission of Indian affairs to establish an official liaison among all persons, both public and private, who share concern for the Southern Ute tribe and Ute Mountain Ute tribe. Sets forth the duties of the commission, including investigating the needs of Indians of this state, providing technical assistance in alleviating such needs, and studying the existing status of recognition of all Indian groups, tribes, and communities in the state. Provides that the commission shall be composed of the lieutenant governor and several cabinet members, 2 representatives from each of the 2 Ute tribes, and 2 at-large members.

Appropriates \$18,540 to the office of lieutenant



governor for allocation to the commission for implementation of the act.

May 26

July 1

H.B. 1214 State government - state officials - compensation of members of the general assembly, judges, district attorneys, and certain appointed officials - appropriation. Beginning January, 1977, increases the salary of members of the general assembly, except holdover senators, from \$7,600 per annum to \$12,000 per annum, and increases their per diem allowances. Provides for adjustment of all members' salaries for unapproved absences by forfeiture of one-third of one's salary for absence from one-third or more of the sessions, and two-thirds of one's salary for absence from two-thirds or more of the sessions.

Increases the salary of an associate justice of the supreme court from \$35,000 to \$40,000, and increases the salaries of all other district court and county court judges.

Beginning January, 1977, increases the minimum statutory salary of a district attorney from \$24,000 to \$29,000 per annum.

Beginning July, 1976, increases the salaries of appointed members to the state board of land commissioners, the public utilities commission, and the industrial commission by \$5,000.

Appropriates \$1,495,321 for implementation of the act.

May 10

July 1

H.B. 1231 State government - Colorado housing finance authority - thermal performance improvement loans. Declares that many housing facilities occupied by low and moderate income families use excessive energy due to inadequate insulation or lack of design or materials that reduce energy requirements, and that such families are not financially able to remedy such inefficiencies using available assistance programs. Authorizes the Colorado housing finance authority to make, invest in, and participate in thermal performance loans and specifies certain terms and conditions for such loans.

April 19

April 19

HEALTH

S.B. 30 Health - vital statistics - new certificates of birth following adoption. Authorizes the state registrar of vital statistics to prepare a new certificate of birth for an adopted person born in a foreign country who is a resident of this state, when he receives a certified copy of the final decree of adoption and required findings of fact from the appropriate juvenile court. Provides that the new certificate shall be in the new name of the adopted person, shall show the true or probable country of birth, is valid and legal, and is not evidence of U.S. citizenship and that the registrar shall seal the copies of the decree and findings of fact. Makes similar provisions for the issuance of a new certificate for a person adopted pursuant to a valid decree in a foreign country.

Allows the registrar to issue a new birth certificate for an adopted person born in another state upon a satisfactory showing that the adopting parents were unable, after good-faith effort, to obtain a new certificate from the state of birth.

April 9

July 1

S.B. 40 Health - alcoholism and intoxication treatment. Provides that private as well as public facilities approved for the treatment of alcoholics and intoxicated persons can be used for placing intoxicated or incapacitated persons in protective custody and for the emergency commitment of an intoxicated person endangering himself or another. Eliminates requirement of medical examination of persons by physicians, and authorizes evaluation by facility administrators or their designees. Authorizes any responsible person to petition the court for involuntary commitment to the custody of the division of alcohol and drug abuse of a person alleged to be an alcoholic endangering another. Requires the district attorney to handle all proceedings for a county and the city attorney to handle proceedings for Denver.

May 27

July 1

S.B. 41 Health - alcohol and drug abuse advisory council - duties - members. Increases the membership of the alcohol and drug abuse advisory council from 13 to 17, including one

additional member from a state agency and 3 members from other groups. Permits members from the nonstate-agency category to be from governmental as well as nongovernmental organizations or groups, and requires the governor to consider minority representation in making such appointments. Provides for the issuance of rules and regulations covering standards for alcohol and drug abuse counselors, and directs the advisory council to designate a qualifications committee to recommend such standards.

May 13

July 1

H.B. 1018 Health - patient records. Requires hospitals and related facilities or institutions and individual health care providers to make a patient's records available to him for inspection upon written authorization and request. Provides that psychiatric or psychological records may be given in summary form following termination of the treatment program, but that such records or a physician's notes which an independent third party psychiatrist determines would have a significant negative psychological impact upon the patient are not required to be made available. A doctor's office notes are not available for inspection by the patient. Provides that records of diagnosis or treatment of a minor for venereal diseases or addiction to or use of drugs are not required to be made available to a parent, guardian, or any person other than the minor or his designated representative.

Requires hospitals and related facilities to conspicuously post a statement concerning the act's requirements and to give a copy of such statement to each patient upon admission.

Excludes from the act any nursing institution of any well-recognized church or religious denomination for patients who depend exclusively upon spiritual means through prayer for healing and the practice of their religion. Protects any other statutory right of a patient or his designated representative to inspect the patient's records.

May 27

May 27

H.B. 1031 Health - rights of patients - nursing and intermediate care facilities - other institutions. Allows patients who are eligible for Medicaid and who qualify for skilled or intermediate nursing care to select any certified and licensed skilled or intermediate nursing care facility

where space is available. Directs the department of social services to reimburse the selected facility pursuant to law unless the facility has been notified that it may not qualify as a provider of Medicaid services.

Requires the implementation of patient grievance procedures at larger hospitals and other facilities required to be licensed or certified by the state. Requires certain provisions to be included in any grievance procedure.

May 26

May 26

H.B. 1115 Health - certificates of public necessity. Requires a certificate of public necessity for utilization of any existing but currently unlicensed hospital or health care facility to provide health care. Specifies that an application for a certificate of public necessity must be submitted to the areawide health planning agency serving the state planning and management region where the proposed construction or modification is to take place. Makes various changes in time limitations for action and appeal on applications.

Provides for expiration of a certificate of public necessity if construction or modification is not completed within 12 months of the estimated time as shown in the application, and sets forth a procedure for amendment of applications.

Substantially expands the criteria for rejection of an application to include incompatibility with areawide, statewide, or the health facilities advisory council's plans or standards, economic infeasibility of the proposed facility, and lack of patient cost containment or improved quality of care, except that an application shall be granted if the facility will provide health care at a significantly less cost.

Provides for the transfer of certificates of public necessity upon approval of the council, and continues exclusion from the "Colorado Certificate of Public Necessity Act" for hospitals and health care facilities that commence construction no later than July 1, 1976, and complete construction no later than July 1, 1977.

May 21

July 1

## HIGHWAYS AND ROADS

S.B. 1 Highways and roads - closure of public access to public lands. Makes the closure of any public highway extending to any public land without good cause a class 3 misdemeanor, but provides that an owner of private land who complies with specified procedures may initiate action to close an abandoned public road crossing his land and specifies procedures for effecting such closure.

May 14

July 1

H.B. 1171 Highways and roads - advertising devices. Authorizes the division of highways to remove advertising devices on the controlled portion of the interstate highway system upon payment of just compensation. Defines such controlled portion to include right-of-way acquired after July 1, 1956, which does not traverse commercial or industrial zones. Prohibits the issuance of permits for the erection or maintenance of advertising devices within 660 feet of the controlled portion of the interstate system.

April 9

April 9

## INSTITUTIONS

S.B. 4 Institutions - local correctional facilities and programs - appropriation. Authorizes units of local government to establish community corrections facilities and programs, and stresses local control by authorizing local boards to establish screening facilities and other standards for accepting offenders in local facilities, which may be publicly or privately operated. All assignments to local facilities are by agreement only, which may be made between the local government or the private agency with the chief judge of a judicial district or with the department of institutions. All such agreements are subject to cancellation by the local government. Courts may sentence persons directly to a local correctional facility, either residential or nonresidential in nature, when convicted of nonviolent felonies or misdemeanors and may assign to such facilities persons awaiting sentence, persons charged and granted deferred prosecution, persons granted deferred sentencing, and persons receiving probation. All such assignments are subject to the agreement of the person that portions of his earnings may be used to make restitution to persons his acts may have damaged and to help pay for the local facilities or programs. Authorizes the judicial department and the department of institutions to spend up to \$15.50 per day for persons assigned to residential facilities and up to \$5 per day to nonresidential facilities, with at least 75% of available funds to be used for residential type facilities. Extends the moratorium on new jails to April 1, 1977. Appropriates \$151,500 to the department of institutions and \$150,000 to the judicial department.

May 28

May 28

S.B. 74 Institutions - lease for benefit of Lookout Mountain school for boys. Authorizes the executive director of the department of institutions to lease certain described lands to the Jefferson county school district to develop a school demonstration farm and land laboratory for persons at the Lookout Mountain school for boys and the vocational agricultural program of said school district and to lease the "Superintendent's House" at said school to the Jefferson county human services council to develop a specialized group home for nonadjudicated males aged 11 through 17.

May 14

May 14

H.B. 1010 Institutions - corrections - terminology. Changes the term "warden", as applied to the state penitentiary and

the Colorado state reformatory, to the term "superintendent". Provides that the death sentence is to be executed by the superintendent of the state penitentiary maximum security unit.

April 9

April 9

H.B. 1038 Institutions - developmentally disabled - group homes. Changes the definition of "developmental disability" from a disability originating during the development period to one which may have originated during the first 18 years of life, and includes in the definition a permanent physical handicap requiring substantial supervision and training. Specifies that a group home for the developmentally disabled is a nonmedical residence providing supervision and training. Provides that community-based group homes licensed prior to January 1, 1976, may house more than 10 developmentally disabled persons, transfers operations supervision of such homes from the department of social services to the department of institutions, and transfers the licensing of such homes from the department of social services to the department of health.

May 20

May 20

H.B. 1106 Institutions - lease of property at Colorado state hospital. Allows the executive director of the department of institutions to lease Building No. 53 at the Colorado state hospital to Pueblo Goodwill Industries for a term not to exceed 20 years. Provides that the consideration shall be negotiated by the executive director and deposited in the general fund.

April 9

April 9

H.B. 1190 Institutions - purchase of services from community incorporated boards for the retarded and seriously handicapped. Changes the contribution that a school district makes to a community incorporated board for each school-age child domiciled in the district who attends programs operated by said board from the per-pupil general fund levy in that district to the authorized revenue base per pupil. Includes such child as regularly enrolled for purposes of the "Public School Finance Act of 1973".

April 19

July 1

INSURANCE

S.B. 21 Insurance - nonprofit hospital and health service corporations - rate filing information. Provides that the commissioner of insurance may require, upon his own motion, a nonprofit hospital or health service corporation to file rate information. Provides that the commissioner may dispense with certain public inspection requirements when a rate refiling is made to remedy defects. Extends the time within which the public hearing is to be held on a rate filing from 20 to 40 days after being placed for public inspection in those cases where the corporation requests a hearing at an earlier date than normally required.

May 7

May 7

S.B. 66 Insurance - benefits for services provided at state institutions. Provides that any sickness, health, or accident insurance policy issued on and after July 1, 1977, which provides coverage for mental illness, mental retardation, or both, cannot exclude or diminish benefits for the payment of direct costs related to the treatment therefor provided by a state institution, including community clinics or centers for mental health and mental retardation, if such costs are normally charged by such institutions to nonindigent patients.

Provides that any such policy issued on or after July 1, 1977, on a form approved prior to said date which is in conflict with the act's provisions shall be in effect only if a conforming rider or endorsement is attached when the policy is issued.

May 14

July 1

H.B. 1006 Insurance - medical malpractice - termination. Provides that the only grounds for cancellation of a medical malpractice insurance policy are nonpayment of premiums, suspension or revocation of the insured's license to practice or to operate, and a false statement made on the application for insurance. Requires an insurer to give at least 60 days' notice of intent to cancel a medical malpractice policy (or 10 days' notice if the reason is nonpayment of premium). Requires at least 60 days' notice of intent not to renew such a policy. Establishes procedures for an insured to learn the reasons for



cancellation or nonrenewal.

May 21

May 21

H.B. 1011 Insurance - medical malpractice insurance - rate standards. Adds definitions for "loss paid", meaning money actually paid in settlement of an insurance claim before or after judgment, and "loss incurred", meaning money put in a reserve account for potential payment of losses, including incurred losses not reported.

Provides that the commissioner, when considering past and prospective loss experience for medical malpractice insurance rates, may consider loss experience outside Colorado only if he first finds that there is insufficient experience in Colorado upon which a rate could be based. Provides that, in considering experience outside Colorado, the commissioner shall attempt to use experience only from states with similar cost and frequency of claims as in Colorado and shall give as much weight as possible to Colorado's experience.

Requires medical malpractice insurers to annually furnish to the commissioner the amount of total losses paid and the total corresponding losses incurred assigned for such losses paid.

May 7

May 7

H.B. 1013 Insurance - professional liability - captive insurance companies. Authorizes captive insurance companies to make insurance and reinsurance to protect associations of individual professional practitioners against professional liability or errors and omissions combined with comprehensive general liability. Exempts the writing of such insurance from other statutory requirements applicable to captive insurance companies.

April 6

April 6

H.B. 1014 Insurance - medical malpractice - temporary joint underwriting association. Creates a nonprofit temporary joint underwriting association (JUA) to provide health care providers, individual or institutional, public or private, with medical malpractice insurance written on an "occurrence" basis. Requires all insurers writing direct insurance in this state to participate in the JUA as a condition of their authority to write insurance in this

state. Provides for the following: Governance of the JUA by a 10-person board of directors consisting of 5 directors elected annually by members of the JUA and an attorney, a physician, a hospital administrator, and 2 members of the public-at-large annually appointed by the governor; and a plan of operation to be developed by the board after consultation with interested parties and submission to the commissioner of insurance for his approval. Makes all policies issued by the JUA subject to a nonprofit group retrospective rating plan. Creates a stabilization reserve fund to be funded by an extra charge to each policyholder. Provides that members of the JUA may recoup any losses by deduction from premium taxes.

While the JUA is created by the act and the board of directors is to be elected or appointed within 90 days after the effective date of the act, the JUA shall not commence underwriting operations for a specific type of licensed health care provider until the commissioner of insurance, after notice and hearing, has determined that medical malpractice insurance is or will not be available or is so high-priced as to be practically unavailable and that said unavailability causes or threatens to cause a significant impediment to medical health care services for residents of this state. If the commissioner thereafter determines that adequate medical malpractice insurance for a specific type of health care provider is available in the voluntary market, the JUA shall cease underwriting such insurance. The JUA may only issue policies terminating on or before February 1, 1981.

May 27

May 27

H.B. 1043 Insurance - pilot programs of prospective reimbursement - number of participating hospitals. Increases the number of hospitals that the department of health is to select for participation in the pilot program of prospective reimbursement from "no less than four nor more than eight", to "eight".

April 16

April 16

H.B. 1061 Insurance - medical liability - extraordinary loss fund - appropriation. Provides for creation of a medical liability extraordinary loss fund when there is a substantial unavailability of coverage in the voluntary market. Requires those who elect coverage by the fund to purchase professional liability insurance in the amount of \$100,000 per occurrence and \$300,000 annual aggregate;

claims in excess of such amounts will be paid by the fund up to \$900,000 per occurrence and \$2,700,000 annual aggregate. Provides for funding from an annual surcharge on health care providers covered by the fund. Specifies procedures for operation of the fund and payment of claims. When the fund is created, appropriates \$20,172 therefrom to the division of insurance to implement the act.

May 7

May 7

H.B. 1201 Insurance - state contribution to state employees' and officials' group insurance - appropriation. Increases the state contribution for state employees' and officials' group insurance from \$12.50 to \$20 per month. Appropriates \$2,068,234 to the department of administration to implement the act, of which \$1,709,638 is from the general fund and \$358,596 is from cash funds.

May 14

July 1

LABOR AND INDUSTRY

H.B. 1136 Labor and industry - unemployment insurance for local public employees. Authorizes all political subdivisions of the state, as defined, rather than counties alone, to elect having employees covered by unemployment insurance. Clarifies that a political subdivision which does not elect to have its employees or the employees of its hospitals and institutions of higher education covered by unemployment insurance will not be obligated for any payments.

Specifically defines "educational institution" as it concerns unemployment compensation payable based on service in an instructional, research, or principal administrative capacity in an educational institution to include educational institutions supervised by school boards, boards of cooperative services, and the department of institutions as well as institutions of higher education.

April 20

April 20

H.B. 1140 Labor and industry - employment security. Changes the name of the division of employment to the division of employment and training and the commissioner of employment to the director of the division of employment and training. Deletes county employees from coverage under the employment security laws. Allows interested parties to examine and copy the records of the division for hearing purposes. Reduces the number of benefits to be received to a full award, reduced award, and special award, and revises the standards of an employee's conduct which determine whether a separated employee will receive a full award or a reduced award. Provides that a worker who received a special award may not be entitled to further benefits until he has earned 10 times his weekly benefit amount under the special award. Reduces the penalties to the amount of benefits and the postponement of benefits for a disqualified separated employee. Changes the benefit year from 4 consecutive calendar quarters to 52 consecutive calendar weeks. Decreases the reduction in unemployment benefits for a separated employee who also receives social security benefits to 50% of any social security benefits received by the employee. Provides that a new employer shall begin to participate in the unemployment security program when he has employed one or more employees for 13 weeks or has paid wages of \$500 or more in any calendar quarter. New

employers will pay the standard rate of 2.7% until they become experienced rated employers.

May 10

October 1

H.B. 1202 Labor and industry - "Colorado Employment Security Act" - claims for benefits. Repeals and reenacts the law relating to the processing of claims for unemployment benefits. Establishes a shorter procedure for the determination and review of a claim. Sets forth certain evidentiary provisions, and specifies the grounds and procedures for appeal of a decision. Removes garnishment of an employee's wages as a factor which can be considered in determining awards.

May 27

October 1

LIQUOR CODE

- S.B. 7 Liquor code - license for consumption on premises - taverns. Establishes a new category of retail liquor license for taverns, which are defined as establishments serving liquors in which the principal business is the retail sale of such beverages for consumption on the premises and where sandwiches or light snacks are available, and removes taverns from the provisions concerning the availability of meals which apply to hotels and restaurants. Provides that an establishment holding a hotel and restaurant license on July 1, 1976, which obtains a tavern license in lieu thereof is subject to license renewal procedures, not new license procedures. Sets an annual state license fee of \$25 and an annual local license fee of \$325 for taverns.

Distinguishes taverns from restaurants by requiring that the sale of meals by a restaurant licensee must provide at least 25% of gross income and, by a hotel licensee, at least 25% of gross restaurant income, and states that the intent is to require licensed hotels and restaurants to maintain a bona fide restaurant business. Mandates the serving of meals only between 8 a.m. and 11 p.m., and provides that meals need not be served after 8 p.m. on Sundays and Christmas.

May 13

July 1

- S.B. 8 Liquor code - 3.2 beer and liquor license applicants - criminal history. Provides that the state or a local licensing authority may have access to criminal history record information on an applicant or licensee furnished by a criminal justice agency for purposes of investigating the character of such applicant or licensee. Provides that any such state and local licensing authority considering an applicant's criminal history record must also consider any information provided by the applicant regarding such record.

April 30

April 30

- S.B. 9 Liquor code - 3.2 beer and liquor licenses - termination. Authorizes the state or a local licensing authority to revoke or elect not to renew a retail license for the sale of 3.2 beer or alcoholic beverages for inactivity at the licensed location without good cause for at least one year or, in the case of a facility to be constructed, for failure to commence construction within one year or to

construct and place such facility in operation within 2 years.

April 30

July 1

- S.B. 10 Liquor code - beer and liquor licenses - application fees. Provides for application fees for 3.2 beer and liquor licenses filed with local licensing authorities for new, transfer, and renewal licenses to be determined by such authority to cover actual and necessary expenses in processing the application, specifying the maximum fee allowable.

April 30

July 1

- S.B. 12 Liquor code - retail liquor store - sale of nonfood items. Allows the sale of nonfood items related to the consumption of alcoholic beverages.

April 30

July 1

- S.B. 16 Liquor code - special event permits. Provides that a special event permit may be issued for the sale, by the drink only, of fermented malt or alcoholic beverages. Redefines the grounds for issuance and for denial of such permits, changes the time limitations from no more than 2 consecutive days and no more than 8 days per year to no more than 10 days in one year, provides that a local licensing authority is not bound by prior issuance, and requires food snacks to be served.

Provides for public notice of a proposed permit and of the procedure for protesting such proposed permit, holds the local licensing authority to the same standards as the state licensing authority for approval and denial of such a permit when reviewing an application, and provides that the local authority may assign its functions to an administrative officer.

April 30

April 30

- S.B. 17 Liquor code - multiple licensing - hotels and restaurants. Amends the statute which prohibits a liquor licensee from holding specified financial interests in another liquor license to allow an owner, part owner, shareholder, or other person interested in a hotel and

restaurant license to own, conduct, or be interested in another hotel and restaurant license or establishment if he complies with state rules requiring complete disclosure of persons holding such financial interests and the extent of such interests. Prohibits the granting of more than one hotel and restaurant license to the same licensee if such additional license would restrain competition. Adds provisions governing the registration of a manager for each licensed premises of a hotel and restaurant licensee, and prohibits any person from acting as registered manager for more than one hotel and restaurant license. Provides that it is unlawful for a hotel and restaurant licensee or a registered manager to require a wholesaler to make delivery to any premises other than the specific hotel and restaurant where the beverages are to be sold and consumed.

May 13

July 1

- S.B. 18 Liquor code - 3.2 beer and liquor license applicants - building plans. Changes the requirement that an applicant for a 3.2 beer or liquor license is to provide complete plans and specifications to a requirement that he submit a plot plan and detailed sketch of the interior of the building to be occupied.

Provides that the local licensing authority may impose additional requirements necessary for approval of an application.

May 7

July 1

- S.B. 32 Liquor code - alcoholic beverages - purchases by retail licensees. Provides that retail liquor licensees shall purchase malt, vinous, and spirituous liquors only from a licensed liquor wholesaler, except that beer and wine licensees, hotel and restaurant licensees, club licensees, and racetrack licensees may purchase up to \$100 worth a year of those alcoholic beverages which they are licensed to sell from retail liquor stores.

May 14

July 1

- S.B. 65 Liquor code - recodification. Reorganizes and recodifies the law relating to alcoholic beverages. Standardizes and specifies certain application and licensing procedures, provides for regulation of certain credit sales, grants immunity from criminal prosecution for



certain testimony given before the state licensing authority, specifies the distribution of state and local license fees, adds a new category of license for race tracks, allows hotels to deliver complimentary alcoholic beverages to guests, and permits clubs to obtain extended hours licenses.

April 29

July 1

- S.B. 77 Liquor code - retail licenses - foreclosure proceedings. Provides that it is not unlawful for a financial institution which comes into possession of premises of a liquor licensee by virtue of foreclosure or a deed in lieu of foreclosure to have an interest in any other liquor license or to be interested in loans to other licensees, so long as the financial institution does not retain the premises for more than one year or for such longer period as may be allowed by the state and the local licensing authority. Allows the financial institution to continue operation by transfer of ownership subject to renewal by said licensing authorities.

May 7

July 1

- S.B. 80 Liquor code - alcoholic beverages - penalties. In addition to penalties already provided, permits a court, when trying a person for a violation of any law relating to the sale of malt, vinous, or spirituous liquor which was committed in such person's place of business, to suspend such person's license.

April 29

July 1

- S.B. 87 Liquor code - unlawful financial assistance. Provides that the prohibition on a liquor licensee being interested in any other person or corporation which lends money to a liquor licensee does not apply to banks, savings and loan associations, industrial banks, or FHA-approved mortgagees, or to stockholders, directors, or officers thereof. Specifies that directors and officers of liquor-licensed corporations are subject to the prohibition, as well as stockholders. Continues the prohibition on a liquor licensee or person interested in a liquor license being directly or indirectly interested in a loan to another liquor licensee.

May 7

July 1

S.B. 88 Liquor code - alcoholic beverages - application for renewal. Provides that, upon renewal of an existing liquor license, the state or local licensing authority, for good cause, may waive the time limitation for making application for renewal.

April 29

July 1

S.B. 97 Liquor code - alcoholic beverages - new arts license category. Creates a new category of on-premises consumption liquor license (arts license) which may be issued to a nonprofit arts organization for sale of alcoholic beverages to its patrons in connection with a production or performance. Prohibits such licensee owners from exterior and interior advertising concerning the sale of alcoholic beverages on the premises.

Provides that the granting or denial of such a license shall not depend on the proximity of an arts-licensed premises to any public or parochial school or the principal campus of a college, university, or seminary.

May 7

July 1

H.B. 1150 Liquor code - fermented malt and alcoholic beverages - excise tax. Increases the excise tax on 3.2 beer and malt liquors from 6¢ to 8¢ per gallon, on weak wine from 5¢ to 6¢ per quart, on fortified wine from 7 1/2¢ to 9¢ per quart, and on spirituous liquor from 22 1/2¢ to 27¢ per pint; provides for taxing of metric-measure containers; and requires the payment to be delivered to the department of revenue on the 20th day rather than the 15th day of the succeeding month. States that the legislative intent is to use the increased revenues to fund alcoholism treatment programs.

May 29

July 1

H.B. 1185 Liquor code - intoxicating beverages - offenses. Prohibits an on-premises consumption liquor licensee or his agent or manager from allowing an employee or agent to solicit from patrons for himself or another employee the purchase of any alcoholic beverage or any other thing of value.

April 30

July 1

## MINERAL RESOURCES

H.B. 1065 Mineral resources - mined land reclamation. Consolidates laws requiring the reclamation of surface disturbances resulting from all types of mining, and charges the mined land reclamation board to administer the reclamation of such disturbances and to issue the required reclamation permits. Provides for the appointment of board members and the powers and duties of such board. Requires all mining operators beginning a new mining operation after June 30, 1976, to obtain a permit before starting the operation. Applications for permits filed under the provisions of the "Colorado Open Mining Land Reclamation Act of 1973" which are pending on July 1, 1976, shall be processed in accordance with the provisions of this act. An operator who has an existing permit under the "Colorado Open Mining Land Reclamation Act of 1973" may apply for conversion or renewal of his existing permit to a permit provided by this act. Allows mining operations which were lawfully operated prior to July 1, 1976, without a permit to continue operation until October 1, 1977, provided the operator applies for a new permit during the period between July 1, 1976, and October 1, 1977.

Establishes requirements for reclaiming lands disturbed by the following types of mining operations: Limited impact operations where a mining operation affects less than 10 acres of land and extracts less than 70,000 tons of mineral or overburden per calendar year; sand, gravel, or quarry aggregate operations which are operated to obtain materials for public construction projects and which are granted special permits which last for the duration of the public construction project; prospecting operations; and other mining operations more extensive than those above.

Sets forth the requirements for all applications for the various permits under the act, and provides for permit fees and surety to be posted by the applicants for the performance of reclamation. Requires that any person desiring to conduct prospecting shall, prior to entry upon the land, file a notice of intent to conduct prospecting and post a surety in an amount determined by the board. After completion of prospecting operations, the board is to notify the prospector of steps he must take to reclaim the prospected land and subsequently inspect the reclaimed land. Provides standards for and establishes the duties of the mining operator with respect to reclaiming the land affected by the mining operation. Establishes surety standards for mining

operators, and provides for forfeiture of the surety if the operator fails to reclaim the land properly. Allows the transfer of the responsibility for reclamation to subsequent transferees of the mining operation. Provides penalties for a mining operator who operates a mine without a mining permit or who fails to comply with the regulations or orders of the board or the conditions of a permit.

May 20

July 1

MOTOR VEHICLES

S.B. 49 Motor vehicles - weight or load limitations - penalty. Increases the penalty in the penalty assessment provisions for violation of the motor vehicle weight or load limitations from \$8 to a fine of \$15 plus \$5 per 1,000 pounds in excess of the statutory limitations.

May 3

July 1

H.B. 1175 Motor vehicles - regulation-highway users safety. Makes numerous amendments to the motor vehicle law relating to traffic control, speed limits, safety equipment, vehicle identification numbers, as well as other miscellaneous amendments. Also provides for the disposition of personal property acquired by law enforcement agencies in the course of motor vehicle law enforcement or related highway duties.

May 20

July 1

NATURAL RESOURCES

- S.B. 27 Natural resources - state board of land commissioners - posting requirements for leases of public lands. Requires the state board of land commissioners to list and post only those leases of public land used for grazing and other agricultural purposes, in the manner prescribed, to provide notice prior to the expiration of such leases. Prior law required such notice for all public land leases.

February 20

February 20

- S.B. 51 Natural resources - wildlife and parks and outdoor recreation - licenses and permits. Provides that license agents of the division of wildlife and the division of parks and outdoor recreation may make cash purchases of licenses, permits, stamps, passes, cards, and certificates pursuant to rules and regulations promulgated by the governing boards of said divisions, thereby creating an alternative to the existing method of consigning such materials to license agents. Specifies procedures and penalties for failure to comply with rules and regulations governing such sales.

April 30

April 30

- H.B. 1067 Natural resources - parks and outdoor recreation - Flagler lake - appropriation. Provides that the Flagler lake state recreation area shall be operated and maintained by the division of parks and outdoor recreation, and appropriates \$23,500 for such administration.

May 4

July 1

- H.B. 1110 Natural resources - parks and outdoor recreation - Boyd Lake state recreation area. Provides for acquisition of perpetual recreational easements and the purchase of contiguous land in the Boyd lake area. Allows acquisitions through proceedings in eminent domain.

April 16

April 16

H.B. 1142 Natural resources - acquisition of lands - Castlewood canyon. Authorizes the division of parks and outdoor recreation to acquire certain lands in and contiguous to Castlewood canyon to be developed as a state recreation area, and authorizes such acquisition by eminent domain. Amends the 1975 long appropriations bill to reflect that approximately 640 acres are to be purchased.

May 6

May 6

H.B. 1182 Natural resources - recreational vehicles - snowmobiles - registration - appropriation. Transfers the duty to register snowmobiles from the division of wildlife to the division of parks and outdoor recreation. Provides that wildlife licensing agents may serve as licensing agents for recreational vehicles, including snowmobiles, and may take and forward registration applications and issue temporary registrations. Increases special permit fees for out-of-state owners from \$1 to \$5, and decreases the time period for such permits from 30 to 10 days. Requires proof of ownership of a recreational vehicle purchased on or after July 1, 1976, and proof of payment of sales taxes due, prior to registration. Provides for disposition of registration fees to the parks motorized recreational trails fund rather than to the wildlife cash fund. Permits the division of parks and outdoor recreation to contract for clearing of snow from roads leading to snowmobile areas. Appropriates \$22,036 to the department of natural resources to implement the act.

May 7

July 1

PROFESSIONS AND OCCUPATIONS

- S.B. 48 Professions and occupations - psychiatric technicians - definitions. Expands the definition of the practice of a psychiatric technician to allow the administering of selected treatments and medications prescribed by a physician or dentist in a state institutional setting approved by the department of institutions.

April 22

April 22

- S.B. 62 Professions and occupations - mobile home dealers - exclusion of real estate brokers and salesmen. Provides that real estate brokers and salesmen engaged in transactions in which the sale of land is an integral part are not to be regulated as mobile home dealers.

April 29

April 29

- S.B. 63 Professions and occupations - motor vehicle dealers - fees. Imposes a \$25 fee for each place of business of a motor vehicle dealer in addition to his principal place of business. Raises the fee for a wholesaler's license from \$25 to \$100. Requires that one-half the license fee be refunded if an application for a dealer's, wholesaler's, or salesman's license is denied or withdrawn. Imposes a \$7.50 fee for the issuance of a new license for a motor vehicle salesman who leaves his employment and is subsequently reemployed.

April 30

April 30

- H.B. 1009 Professions and occupations - physicians - state board of medical examiners - appropriation. Adds 2 public members to the state board of medical examiners and provides for their appointment; requires monthly rather than quarterly meetings of the board; increases board members' per diem from \$30 to \$50; and provides for appointment of an executive administrator of the board. Increases the fee for licensure by examination from \$35 to \$50 and for licensure by prior certification from \$75 to \$85.

Specifies additional criteria requiring an investigation of a physician by the board; grants immunity to a physician examining another at the board's request for good faith actions; and provides for an investigation of a physician at the initiative of the



executive director of the department of regulatory agencies.

Increases the annual registration fee from \$5 to \$15 for residents and \$10 to \$25 for nonresidents, and conditions continuing registration on submission of evidence of continuing medical education. Requires notification of the board by medical malpractice insurers of malpractice claims and by licensed hospitals of disciplinary action against physicians.

Appropriates \$80,191 to the state board of medical examiners, \$25,000 to the executive director of the department of regulatory agencies, and \$12,500 to the attorney general for implementation of the act.

May 26

July 1

H.B. 1012 Professions and occupations - professional review committees for the practice of health care. Exempts the proceedings of a professional review committee for the practice of health care from any laws otherwise requiring that they be publicly conducted and the minutes and records of any such committee from any laws otherwise requiring public inspection. Provides that the records of a professional review committee are not subject to subpoena except by a physician seeking judicial review of an action of such a committee or a hospital board of trustees, but that a summary of said records may be provided to the state board of medical examiners. Extends to the board of trustees of a hospital immunity from liability arising out of a civil suit brought by a physician who is the subject of action taken by such board on the basis of recommendations of a professional review committee.

April 2

April 2

H.B. 1016 Professions and occupations - ore buyers. Repeals the article providing for the licensure of ore buyers, and removes the requirements providing that ore buyers be licensed with the secretary of state.

February 20

February 20

H.B. 1022 Professions and occupations - agricultural products - commission merchants, brokers, and dealers - appropriation. Makes various amendments to the law

concerning commission merchants, brokers, and dealers including addition of a short title; adding to the definition of agent a person who buys or sells farm produce; increasing the fees for commission merchants, dealers, and brokers from \$40 to \$50 and for agents from \$5 to \$10; and increasing the surety bond for dealers and brokers from \$100 to \$200 and providing for an additional bond or other evidence of financial responsibility if determined necessary by the commissioner. Provides for denial, revocation, or suspension of a license for lack of adequate financial position to meet obligations, for refusal to allow an inspection, or for failure of a licensee in the business of storing farm products to display a schedule of services and fees, and includes as a punishable offense the conversion of a producer's farm products.

Adds provisions concerning the display of evidence of a uniform grain storage agreement or federal warehouse license, requirements for property and casualty insurance for storage obligations, the furnishing of information to the commissioner of agriculture and his authority to make inspections, the issuance of cease and desist orders and temporary injunctions, and administrative procedures.

Repeals article 36 of title 35, C.R.S. 1973, which contained obsolete provisions concerning grain warehousing. Appropriates \$41,623 to the department of agriculture for administration of the act.

May 10

July 1

H.B. 1032 Professions and occupations - midwives. Repeals the article providing for the licensure of midwives, which provided that no additional midwives were to be licensed by the board of medical examiners after 1941, and deletes references pertaining to such licensure.

February 20

July 1

H.B. 1034 Professions and occupations - abolition of state board of examiners of landscape architects and its functions. Abolishes the state board of examiners of landscape architects and repeals article 45 of title 12, C.R.S. 1973, thereby terminating state registration and regulation of landscape architects.

April 22

July 1, 1977

H.B. 1108 Professions and occupations - examinations in the basic sciences. Abolishes the state board of examiners in the basic sciences, and provides that qualification in the basic sciences may be established by submitting proof of the successful passing of a national examination in the basic sciences. For chiropodists and podiatrists, the examination is that given in the basic sciences by the national podiatry examiners; for chiropractors, the examination in the basic sciences given by the national board of chiropractic examiners; and for medical practitioners, the examination in the basic sciences given by the national board of medical examiners or by the national board of examiners for osteopathic physicians and surgeons.

April 22

April 22

H.B. 1145 Professions and occupations - mobile home dealers. Makes miscellaneous amendments to the mobile home dealers' law. Defines "mobile home salesman", and extends the retesting period for all licensees from 5 to 10 years. Allows the mobile home dealers licensing board to establish its own rules for determining a dealer's gross sales income for purposes of bond requirements. Removes the minimum limit on the amount a dealer may charge as a handling fee in performing warranty repairs. Removes the requirement that an applicant for registration submit a copy of a certificate of appointment as a dealer from a manufacturer.

Imposes criminal penalties for unlicensed activity as a mobile home dealer or salesman, and reduces other criminal sanctions from felonies to class 1 misdemeanors.

May 20

May 20

H.B. 1208 Professions and occupations - professional review committees. Adds to the list of groups authorized to form professional review committees (which evaluate the quality of care given by physicians) by including any organization performing review services under federal or state law similar to those performed by professional standards review organizations established pursuant to federal law. Grants immunity from civil actions to witnesses appearing before professional review committees in the same circumstances as are presently applicable to committee members.

April 19

July 1

H.B. 1211 Professions and occupations - licensing and registration fees - abstractors, pharmacies, and professional sanitarians. Increases annual license or registration renewal fees for abstractors from \$25 to \$50; for pharmacies from \$35 to \$50; and for professional sanitarians from \$2 to \$15.

April 19

April 19

PROPERTY

S.B. 59 Real property - interests - conservation easements.  
Defines "conservation easement in gross" to mean a right to prohibit or require a limitation on or obligation to perform acts concerning land, water area, or air space to maintain such land, water, or air space in a natural, scenic, or open condition or to conserve and preserve buildings, sites, or structures with historic, architectural, or cultural interest or value. Specifies that a conservation easement is an interest in real property. Requires that a conservation easement be created by conveyance to a governmental entity or charitable organization. Provides that conservation easements are subject to recordation laws. Establishes remedies for injury and threatened injury to the easement through suits for injunctive relief and money damages. Specifies taxation procedures, and declares that recognized interests in real property are not impaired by the act.

May 13

July 1

## SAFETY

H.B. 1098 Safety - inspections of boilers and pressure vessels. Makes miscellaneous amendments to the statutes concerning boilers and pressure vessels including a provision for granting variances from standards set forth in such statutes and rules adopted pursuant thereto. Replaces the category fee schedule with a \$15 fee for an inspection certificate plus the following charge for the services of the inspectors: \$20 for secondhand boilers or equipment at the request of the owner, and \$85 minimum for a half-day (\$150 full day) plus expenses for a national board shop inspection or an A.S.M.E. quality control survey. Deletes the authority to order discontinuance of fuel or electricity supplies, and provides that the chief boiler inspector may order an owner or user to cease and desist using a boiler or pressure vessel if the inspection certificate fee therefor is not paid within 30 days of the inspection.

April 20

July 1

H.B. 1122 Safety - passenger tramway - appropriation. Requires the passenger tramway safety board to make 2 annual inspections of each ski tow, ski lift, and passenger tramway, one of which shall be during the high use season and shall be unannounced. Authorizes the board to employ a full-time supervisory engineer.

Requires the design and construction of all new passenger tramways to be certified by a qualified tramway design engineer or qualified tramway construction engineer as complying with the rules of the board. Authorizes the board to qualify such design and construction engineers, and prescribes a fee therefor.

Gives the executive director of the department of regulatory agencies the power and duty to act on behalf of the board upon its approval and to advise the board concerning qualification and board hearings and orders.

Increases the annual registration fees substantially for all passenger tramways except rope tows. Appropriates \$84,325 to the passenger tramway safety board.

May 27

May 27

SOCIAL SERVICES

H.B. 1051 Social services - specialized social services - appropriation. Requires county departments of social services to provide or contract to provide a central information and referral service of all available services in the county which may prevent or reduce inappropriate institutional care.

Authorizes the state department of social services to provide not more than 10 additional homemaker positions to be located in Adams, Larimer, Garfield, Otero, and Morgan counties. Provides that qualified homemaker services costs in such counties will be reimbursed 100%.

Appropriates \$88,650 to the department of social services for implementation of the act.

May 10

May 10

H.B. 1053 Social services - adult foster care facilities - appropriation. Defines "adult foster care", and requires the department of social services to establish rules relating to the operation of adult foster care facilities in cooperation with other state and federal agencies.

Appropriates \$256,257, of which \$204,295 shall be from the general fund and \$51,262 shall be from county funds, to the department of social services to provide for an average caseload of 204 persons at an average monthly rate not to exceed \$104.68 per month.

May 7

May 7

H.B. 1083 Social services - state reimbursement for county public assistance - appropriation. Strikes the provision that the county contingency fund created by section 26-1-126, C.R.S. 1973, shall be repealed effective January 1, 1977. Appropriates \$2,207,250 to the department of social services for implementation of the act.

May 10

May 10

H.B. 1100 Social services - duties of state board - old age pension cost of living adjustments. Provides that the state board of social services shall meet as necessary to adjust the minimum old age pension award for changes in the cost of living. Requires such a meeting within 20 days after the publication of any federal bureau of labor statistics monthly index of consumer prices which reports an increase or decrease necessitating an increase or decrease over the previous adjustment and federal benefits are similarly adjusted.

April 30

April 30

H.B. 1114 Social services - Colorado commission on the aging. Provides that of the 11 members appointed to the commission, after July 1, 1976, one shall be from west of the continental divide and that appointments shall be in conformance with federal regulations issued pursuant to the federal "Older Americans Comprehensive Services Amendments of 1973".

April 22

April 22



STATUTES

S.B. 99 Statute revision - fermented malt beverage recodification. Reorganizes and recodifies the law relating to fermented malt beverages. Makes certain additions to conform provisions regarding 3.2 beer to the liquor code for administrative purposes, provides for regulation of certain credit sales, grants immunity from criminal prosecution for certain testimony given before the state licensing authority, specifies the distribution of state and local license fees, and eases the restrictions on financial interests in both a fermented malt beverage license and a financial institution.

April 29

July 1

H.B. 1079 Statute revision - consumer credit code - time requirements for delinquency and deferral charges. Makes a revisor's change to correct an omission from H.B. 1349 enacted in 1975, thereby reducing from 20 days to 10 days certain time requirements for delinquency and deferral charges under the "Uniform Consumer Credit Code".

January 30

January 30

H.B. 1080 Statute revision - restoration of speed limits in effect prior to national limit - when. Makes a revisor's change to give effect to the intention of section 4 of S.B. 154 enacted in 1975, thus requiring that, in the event of the repeal of the federal national speed limit, the speed limits in the state are to return to the limits in effect prior to the enactment of the federal act.

February 20

February 20

H.B. 1081 Statutes - 1975 supplement to C.R.S. 1973 - enactment. Enacts the 1975 supplement, a compilation of the laws enacted in 1974 and 1975, certified by the committee on legal services, pursuant to law, as the positive statutory law of Colorado, with the same legal force and effect as, and as 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 and 1975 sessions. Such reenactments in the 1975 supplement as revised statutes, upon a filing with the secretary of

state, became effective March 1.

February 20

February 20

H.B. 1137 Statutes - revisions to conform, correct, and clarify.  
Amends or repeals various statutory provisions which are  
obsolete, inconsistent, or in conflict with other law;  
clarifies language and more accurately reflects  
legislative intent; and conforms certain provisions to  
the state constitution and to Colorado supreme court and  
court of appeals decisions.

May 20

May 20

TAXATION

- S.B. 3 Taxation - income tax - real property tax credit or refund - severely disabled veterans. In determining eligibility for the real property tax credit or refund against individual income taxes, excludes from consideration income received from specific veterans' benefits that are payments for service-connected disabilities. Defines service-connected disabilities as permanent disabilities from loss of or loss of use of both lower extremities, loss of use of both hands, blindness in both eyes, or loss of one lower extremity combined with disease or injury precluding locomotion except by wheelchair. Applies to real property taxes levied for 1975 and collected in 1976 and to personal property and specific ownership taxes paid in 1976 and thereafter.

May 7

May 7

- S.B. 29 Taxation - general property tax - exemptions. Exempts property owned by a home rule or statutory county, city and county, city, town, or territorial charter city from the general property tax if it was leased, loaned, or otherwise made available to and used by a private person in connection with a business for profit before July 1, 1976. (The tax exemption for such properties had been statutorily removed in 1975.) Limits the exemption to the term of the lease or loan. Also exempts those properties owned by a political subdivision which are used in the provision of facilities, services, or operations authorized by constitution or statute.

Applies to all taxable years beginning January 1, 1976, and thereafter.

May 3

May 3

- S.B. 125 Taxation - abstracts of assessments. Requires each county assessor to file a copy of the annual abstract of assessment, together with the aggregate valuation for assessment of taxable property in the county and in each municipality and school district in the county, with the property tax administrator.

April 30

April 30

H.B. 1007 Taxation - real property - valuation for assessment of improvements. Deletes the requirement that the property tax administrator promulgate regulations for uniform administration of valuation for assessment of improvements and provide an appropriate application form. Provides that, for taxable years commencing on or after January 1, 1977, improvements rehabilitating or modernizing a residential building structure more than 30 years old shall not be included in the valuation for assessment for the first 5 years after completion of such improvements so long as the structure does not change ownership other than by descent or inheritance.

May 26

May 26

H.B. 1025 Taxation - administration and enforcement of property taxation - appropriation. Clarifies provisions of existing law, removes contradictions therein, and provides for smoother administration thereof by amending, among others, the laws relating to: Functions of county assessors and county clerks and recorders, identification of property owners, powers and functions of the property tax administrator, procedures of the board of assessment appeals and the state board of equalization, and the time-frame for taxpayer appeals.

Instructs county assessors in the employment of the 6 factors used to determine actual value of certain residential, commercial, and industrial properties, and forbids the arbitrary increase in the valuation for assessment of all parcels in the abstract of a county or in a class or subclass of parcels upon order of the state board of equalization.

Provides that the valuation for assessment of agricultural supplies shall be 5% of actual value. Phases in a reduction in the valuation for assessment of livestock from 13% of actual value to 5% of actual value by 1981. Statutorily prescribes the standard for determination of actual value of dairy livestock.

Provides that a structure occupied by a disabled person is exempt from property taxation, and, effective upon passage of the act, deletes a requirement that the benefits of a property tax exemption be apportioned so that said benefits accrue only to those qualifying for the exemption.

Effective July 1, 1976, provides that for 1977, the manuals and associated data published by the property tax administrator in 1975 and thereafter approved by the advisory committee to the property tax administrator

shall be utilized for assessing real and personal property; in 1979 and every 4th year thereafter, and after approval by said advisory committee, the administrator is to publish manuals and associated data for the base year, and said manuals and associated data are to be employed by the assessor in conducting a total county reevaluation. The advisory committee to the property tax administrator is created in the department of local affairs and is to be composed of 5 members to be appointed by the governor with the consent of the senate. The committee's function is to review and approve or disapprove manuals, appraisal procedures, and instructions prepared by the property tax administrator.

A provision of the act which is effective upon passage and is to be repealed effective January 1, 1977, provides as follows: In reviewing 1976 abstracts of assessment the state board of equalization is to determine whether the aggregate valuation for assessment of classes or subclasses of specified properties is lower than or exceeds 22% of actual value. If the aggregate valuation for assessment of any class or subclass of agricultural building improvements or residential improved or unimproved property is more than 2 percentage points above or below 22% of actual value, the state board is to adjust the class or subclass to 22%; the state board is to make the same adjustment to a class or subclass of commercial improved or unimproved or industrial improved or unimproved property which is more than 3 percentage points above or 2 percentage points below 22%. The percentage relationship is to be modified for one year only and then only for purposes of adjustment by the state board.

Effective upon passage of the act, with regard to abstracts of assessment certified after 1976, the state board must base orders for adjustment of any class or subclass of property on the statutorily specified 6 factors and manuals and instructions prepared by the division of property taxation and approved by the state board of equalization.

Effective upon passage of the act, appropriates \$120,000 to the division of property taxation in the department of local affairs for contractual services, operating expense, and travel to implement the provision requiring the state board to review and adjust classes and subclasses of specified properties.

Except as otherwise noted herein, the effective date of this act is January 1, 1977.

June 10

January 1, 1977

H.B. 1035 Taxation - oil and gas well equipment. Requires that in addition to surface oil and gas equipment, subsurface submersible pumps and sucker rods are also to be separately valued for assessment as personal property. Provides that any other subsurface oil and gas well equipment is to be valued for assessment as part of the leasehold or land as real property.

April 6

January 1, 1977

H.B. 1077 Taxation - sales and use tax - exemption of certain truck and trailer sales. Exempts from payment of the applicable sales or use tax the sale of any new trailer, semitrailer, truck, or truck body if such vehicle is to be used exclusively outside the state or in interstate commerce, if such vehicle is removed from the state within 30 days, and if the purchaser furnishes an affidavit as to the licensing and registration of such vehicle outside the state and its removal from the state.

May 27

July 1

H.B. 1089 Taxation - county assessors - maps. Directs each county assessor, prior to January 1, 1981, to map all the land in his county showing each parcel, according to guidelines established by the property tax administrator.

April 29

July 1

H.B. 1097 Taxation - exemptions of leased property from liens for income, sales, and use taxes. Removes the filing or recording requirement which was a prerequisite to an exemption from liens for income, sales, and use taxes for leased property which is reasonably identifiable from the lease description and as to which the lessee has no right to become the owner. Provides, in instances when the lessee has a right or obligation to become the owner of such property, that the lien shall extend only to his interest therein.

VETOED May 10

H.B. 1144 Taxation - collection - use of facsimile signatures. Authorizes the executive director of the department of revenue to use a facsimile signature for the issuance of warrants to facilitate the collection of taxes. Provides

that the facsimile signature should be made in accordance with existing uniform procedures for the making of such signatures.

April 3

April 3

H.B. 1160 Taxation - delinquent sales tax. Provides that any vendor who is determined to be delinquent in remitting a monthly sales tax to the department of revenue shall be required to remit not only the entire 3% tax without deduction for expenses, but also any amount allowed by the local government to cover costs for collecting and remitting said tax. Any local vendor expense remitted shall go into the state general fund.

April 6

April 6

H.B. 1164 Taxation - creation of a one-year income tax credit for hiring certain employees. Allows employers a credit from the income tax, for the taxable year commencing in 1976 only, based upon wages paid to new employees referred under the federal work incentive program or by a county department of social services and employed a minimum of 6 months, commencing on or after May 1, 1976. Provides a credit of \$250 for an employee who earns, exclusive of fringe benefits, \$399 to \$602 monthly, and a credit of \$500 for an employee who earns over \$602 monthly.

May 10

May 10

H.B. 1235 Taxation - valuation for assessment of public utilities. Includes sole proprietorships doing specified types of businesses in the definition of "public utility" for purposes of the statutes governing property taxation. Adds coal slurry pipelines and deletes street transportation companies, sleeping car companies, and express companies from the list of businesses which constitute public utilities. Specifies that pipeline companies transporting coal slurry or other coal products through or in Colorado are subject to the statutes on valuation for assessment of public utilities.

April 26

April 26

H.B. 1246 Taxation - withholding tax - refunds - appropriation.  
For the taxable year 1975 only, each resident individual subject to state withholding tax who files his 1975 state income tax return by the due date is deemed to have made a payment against his 1975 income tax in an amount equal to \$9 multiplied by the number of allowable exemptions on said return qualifying for the food sales tax credit or refund, and provides for proration if applicable. Appropriates \$108,382 to the department of revenue for implementation of the act.

May 27

May 27



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1067	.... 56	1146	.... 13	1261	.... 6
1072	.... 25	1150	.... 52	1262	.... 7
1077	.... 72	1152	.... 27	1264	.... 7
1078	.... 4	1160	.... 73	1265	.... 23
1079	.... 67	1164	.... 73	1266	.... 7
1080	.... 67	1171	.... 39	1267	.... 8
1081	.... 67	1175	.... 55	1272	.... 14
1083	.... 65	1182	.... 57		

