

# DIGEST OF BILLS

**FILE COPY**

Enacted by The

## FIFTY-FIRST GENERAL ASSEMBLY

**1978 Second Regular Session  
and the  
First Extraordinary Session**



**COLORADO  
LEGISLATIVE DRAFTING OFFICE**

30 State Capitol Bldg.  
Denver, Colorado 80203

**June, 1978**



DIGEST  
 OF  
 SENATE AND HOUSE BILLS ENACTED  
 BY THE  
 FIFTY-FIRST GENERAL ASSEMBLY  
 OF THE  
 STATE OF COLORADO  
 (1978 - Second Regular Session)  
 and  
 APPROVED OR VETOED BY THE GOVERNOR

\* \* \* \* \*

For grouping of bills by general subject matter,  
 see page i.

Detailed subject index appears at end of digest,  
 together with index by bill number.

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Compiled by the  
 Legislative Drafting Office  
 30 State Capitol  
 Denver

\* \* \* \* \*

**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	259	84	4	80
SENATE	<u>128</u>	<u>43</u>	<u>1</u>	<u>42</u>
TOTALS	387	127	5	122

**Note:** 5 House Bills and 1 Senate Bill became law without Governor's signature, which totals are included in the totals above.



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## PROPOSED CONSTITUTIONAL AMENDMENT

The general assembly proposed the following amendment to the state constitution, and it will be submitted at the 1978 general election to the qualified electors of the state for their approval or rejection:

S.C.R. 6 County commissioners - vacancies in office. Whenever there is a vacancy in the office of county commissioner, a vacancy committee of the same political party as the vacating commissioner would be required, by majority vote, to fill the vacancy by appointment within 10 days after the vacancy occurs. If the vacancy is not so filled, the governor must fill the vacancy by appointment within 15 days after it occurs. The person appointed to fill the vacancy must be of the same political party, if any, as the vacating commissioner. The state constitution presently requires the governor to fill any such vacancy by appointment, but it does not direct that it be done within a specified time and it does not specify the political party of the appointee.

AGRICULTURE

S.B. 80 Gasohol promotion committee - appropriation. Creates a gasohol promotion committee to be responsible for promotion of the development, production, and utilization of gasohol (which is a motor fuel containing at least a 10% blend of ethyl alcohol derived from agricultural and forest products), alcohol, and related industrial hydrocarbons. Specifies that the committee shall be composed of 9 members, 7 members to be appointed by the governor, one member to be appointed by the president of the senate, and one member to be appointed by the speaker of the house of representatives. Specifies the duties of the committee, and appropriates \$80,000 to the department of agriculture for implementation of the act.

May 4

May 4

S.B. 111 Treatment and control of pests - procedure - penalties. Clarifies the definitions in the "Pest Control Act". Gives a board of county commissioners concurrent authority with the department of agriculture to administer and enforce the act through county pest inspectors, and provides for the compensation of county pest inspectors. Sets forth examination and licensing procedures for state and county pest inspectors. Imposes notice and hearing requirements which must be complied with before a state or county pest inspector can order pests destroyed, and increases the cost that may be assessed against the owner of any infested property for destruction of pests by such inspectors from \$250 to \$500 annually. Provides that if the infestation of pests is a result of an infestation of pests on government owned land on which the pests are not under control, the landowner shall not be charged for relief ordered. Sets forth provisions for emergency treatment of pest-ridden material. Allows an owner or bailee to request the inspection of crops, articles, or premises and the issuance of a certificate and inspection by the department. Restricts the right of entry for state and county pest inspectors. Provides that any violation of the act is a class 2 petty offense.

April 27

April 27



APPROPRIATIONS

S.B. 63 Supplemental appropriation - division of purchasing.  
\$50,119 to the division of purchasing in the department of administration for the purpose of furnishing specified state offices and the office of county commissioners in each county with a set of the code of Colorado regulations and a subscription to the Colorado register.

March 3

March 3

S.B. 64 Supplemental appropriation - judicial department.  
\$13,225 to the judicial department for the purchase of 23 sets of the code of Colorado regulations and subscriptions to the Colorado register for placement in the supreme court library and each district court library.

March 3

March 3

S.B. 65 Supplemental appropriation - department of institutions.  
\$277,599 for utilities, allocated as follows: \$37,997 to the division of youth services; \$155,226 to the Colorado state hospital; \$2,577 to the Fort Logan mental health center; \$63,043 to the home and training school at Wheatridge; and \$18,756 to the home and training school at Grand Junction.

March 3

March 3

S.B. 66 Supplemental appropriation - department of education.  
\$27,457 to the department of education for utility expenses of the Colorado school for the deaf and blind.

March 3

March 3

S.B. 67 Supplemental appropriation - department of institutions.  
\$570,299 to the division for developmental disabilities, of which \$38,799 is out of the state treasury, \$502,984 is from federal funds, and \$28,516 is from local matching funds, to be allocated as follows: \$219,879 to Foothills Gateway Rehabilitation Center, Inc.; \$219,519 to Jefferson County Community Center for Developmental

Disabilities, Inc.; \$27,863 to Prowers County Board for the Handicapped, Inc.; \$74,772 to Suburban Community Training and Services Center, Inc.; \$17,382 to Pueblo County Board for Developmental Disabilities, Inc.; and \$10,884 to Southwestern Community Center Board, Inc. Such appropriation is contingent upon year-end reversion of unexpended funds in the division because of servicing less than an average daily enrollment of 3,975.4 clients. Also amends the 1977 long bill by reducing the appropriation for community center basic programs by \$98,281.

February 16      February 16

- S.B. 116    Supplemental appropriation - department of revenue. Amends the portion of the 1976 long bill, as amended in 1977, concerning the department of revenue, leaving the total appropriation the same but altering the source of various appropriations as between the general fund and cash funds. Includes increasing the amount out of the general fund to the office of the executive director by \$227,506 while decreasing the same amount to such office out of cash funds.

Amends the 1977 long bill to increase the total appropriation to the department by \$333,247, including increases for departmental data and administrative processing and the traffic safety program and for personal services in the taxation division, the ports of entry division, the liquor enforcement division, and the inheritance and gift tax division.

March 30      March 30

- S.B. 117    Supplemental appropriation - department of local affairs. \$168,200 to the department of local affairs for allocation as follows: \$7,000 to the division of housing for travel; \$9,000 to the division of property taxation for personal services; and \$152,200 to the division of local government for operating expenses and the emergency water and sewer grant program.

April 4      April 4

- S.B. 118    Supplemental appropriation - department of labor and employment. Amends the 1977 long bill to increase the

appropriation to the division of labor by \$15,931 for operating expenses and capital outlay and by \$17,910 for a hearing officer, to increase the appropriation to the state compensation insurance division by \$47,759 for various services and expenses, and to increase the appropriation to the industrial commission by \$1,511 for personal services.

Amends a 1977 appropriation to the division of labor for the implementation of various amendments to the "Labor Peace Act" to decrease the appropriation by \$87,774 and 5.2 FTE.

PORTIONS VETOED March 31 March 31

S.B. 119 Supplemental appropriation - department of military affairs. Amends the 1977 long bill to decrease the appropriation for utility expenses made to the Colorado nation guard by \$11,225.

March 30 March 30

S.B. 120 Supplemental appropriation - department of health. \$126,859 to the department of health, of which \$102,297 is from the general fund, \$14,562 is from cash funds, and \$10,000 is from federal funds. Such appropriation is to be allocated as follows: \$9,048 for hearing officer services; \$72,811 for costs of tuberculosis treatment at national Jewish hospital; \$5,000 for the rocky mountain poison center WATS line; and \$40,000 for the methane gas study.

March 30 March 30

S.B. 121 Supplemental appropriation - department of regulatory agencies. \$39,046 to the department of regulatory agencies to be allocated as follows: \$3,741 to the real estate commission, of which \$2,431 is for operating expenses and \$1,310 is for travel; \$2,200 to the state board of barbers and cosmetologists for operating expenses; \$1,800 to the state board of pharmacy for operating expenses; \$450 to the state board of practical nurses for rent for examinations; \$22,385 to the division of banking for personal services; and \$8,470 to the division of registrations, of which \$2,474 is for travel and \$5,996 is for per diem for boards.

Makes a minor amendment to the 1977 long bill by reducing the amount appropriated to the executive director for hearings by \$300. The amount appropriated to the civil rights division which is to be transferred to the department of law for legal services is reduced by \$34,400.

March 30

March 30

- S.B. 122 Supplemental appropriation - department of law. \$55,393 to the department of law to be allocated as follows: \$43,377 to the office of the attorney general; \$3,175 to the consumer affairs section, collection agency board; \$3,785 to the general legal services section; and \$5,056 to the human resources section. Appropriates \$55,000 out of cash funds for 0.8 FTE for personal services.

March 30

March 30

- S.B. 126 Supplemental appropriation - judicial department. Amends the 1977 long bill to increase the total appropriation to the judicial department by \$846,178.

May 4

May 4

- S.B. 128 Supplemental appropriation - department of social services. Amends the 1977 long bill to increase the appropriation to the department of social services, to be allocated as follows: \$287,077 to departmental and welfare administration; \$28,591 to the office of information systems; \$1,277,207 to county administration; an overall decrease of \$2,260,333 for public welfare including a \$6,107,989 decrease in AFDC assistance payments, an increase of \$2,521,564 for special residential child care facilities, and an increase of \$854,012 for special group homes; \$931,309 to the medical programs division; and \$6,330,840 to special purpose welfare programs. Amends other 1977 appropriations to decrease the appropriations to the department from \$1,347,127 to \$287,118.

PORTION VETOED May 4

May 4

- H.B. 1124 Supplemental appropriation - Fort Lewis college. \$47,000

from the capital construction fund to Fort Lewis college for replacement of the industrial arts building and equipment damaged by fire.

March 17                      March 17

H.B. 1125 Supplemental appropriation - office of the governor. \$125,000 out of funds available pursuant to Title II of the federal "Public Works Employment Act of 1976" to the office of the governor, for an economic and site feasibility study of a permanent national olympics training center in Colorado.

February 15                      February 15

H.B. 1126 Supplemental appropriation - department of administration. \$1,255,169 to the department of administration to be allocated as follows: \$81,312 to the office of the executive director from federal funds for water damage expenses; \$881,969 to the division of accounts and control from federal funds and cash funds for workmen's compensation insurance premiums; \$196,329 to the division of communications from federal funds and cash funds for use by the telephone communications section; and \$95,559 to the division of hearing officers from cash funds.

February 16                      February 16

H.B. 1129 Appropriation - department of corrections. Amends a 1977 capital construction appropriation to the department for remodeling the medium security and minimum security facilities at the state penitentiary and the Colorado state reformatory, to allow the use of such funds in a more efficient and productive manner.

April 27                              April 27

H.B. 1130 Appropriation - department of corrections - maximum security prison. \$11,486,000, out of the capital construction fund, for the construction of a new maximum security facility. Specifies that the facility shall house 336 persons and shall be staffed by not more than 171.0 FTE, exclusive of administration. Provides that

the appropriation will remain available for 3 years or until completion of the project, whichever comes first.

Establishes a joint review committee on corrections, with membership consisting of 5 senators and 5 representatives, to be appointed by the president of the senate and the speaker of the house of representatives respectively, to give guidance to and to provide legislative overview and input into the plan for the facility.

April 18                      April 18

H.B. 1157 Appropriation - Robyn Louise LaFountain and Mattia Nancy Eckhoff. Appropriates \$58,615 to the state compensation insurance fund, acting as adjusting agent and disbursing agent, to pay benefits under workmen's compensation to the widows of the Colorado civil air patrol pilot and observer killed on a search on June 26, 1977. Such benefits are in the same amounts as if the civil air patrol and its volunteers had been covered by workmen's compensation at the time of the crash.

May 4                              May 4

H.B. 1196 Supplemental appropriation - department of regulatory agencies - sweepstakes. \$50,000 to the department of regulatory agencies to be allocated to the sweepstakes races fund for initial expenses and operating costs of conducting sweepstakes races. Requires the repayment of such moneys to the general fund no later than June 30, 1981, and provides that such repayment shall be made prior to transfer of sweepstakes proceeds to the conservation trust fund.

May 18                              May 18

H.B. 1217 Appropriation - payment of judgment. \$2,247.67 to the state board for community colleges and occupational education for payment of a judgment entered in favor of Robert O. Hatton.

March 24                              March 24

H.B. 1233 Supplemental appropriation - department of natural resources. Amends the 1977 long bill to increase the appropriation to the department of natural resources by \$308,060. Appropriates \$10,000 to the soil conservation board for replacement of lost maps.

Amends a provision in the 1977 long bill concerning the reversion of capital construction moneys.

May 2

May 2

H.B. 1234 Supplemental appropriation - office of state planning and budgeting. \$15,000 to the office of state planning and budgeting for settlement of the amount due under the terms of the lease of the property formerly known as the Daly building.

Also appropriates \$75,592 to the office of state planning and budgeting for the settlement of the former metropolitan state college leases of the Gold and Glenarm buildings.

May 5

May 5

H.B. 1235 Supplemental appropriation - department of personnel. Amends the 1977 long bill to increase the appropriation to the department of personnel by \$41,534.

May 2

May 2

H.B. 1236 Supplemental appropriation - department of agriculture. \$30,186 to the department of agriculture for the Colorado state fair and industrial exposition.

April 27

April 27

H.B. 1237 Supplemental appropriation - department of highways. \$49,917 out of the highway users tax fund to the Colorado state patrol. Also appropriates \$19,739 out of the general fund to the division of highway safety.

April 27

April 27

H.B. 1238 Supplemental appropriation - department of higher education. Appropriates \$181,835 out of cash funds available from overhead reimbursement to the Colorado commission on higher education for the administration of federal student-aid programs through various colleges and universities.

Amends the 1977 long bill to make numerous changes in the department's appropriation, including an increase in the total appropriation of \$669,144, minor changes in footnotes relating to the Denver symphony in-residency program and grants to local junior colleges, and deletion of the capital construction appropriation for the planning and construction of the auditorium and fine arts building at Trinidad state junior college.

Amends the 1976 long bill to increase the capital construction appropriation to the Colorado school of mines for renovation of a library addition by \$400,000.

May 5

May 5

H.B. 1241 Supplemental appropriation - department of social services. Amends the portion of the 1977 long bill concerning the department of social services as follows: Increases the appropriation to the medical programs division by \$16,516,784, of which \$10,257,914 is for the mentally retarded in state institutions; increases the appropriation to the services for the aged division by \$402,013; and increases the appropriation to the rehabilitation division by \$422,620. Amends the 1975 long bill, as amended, to increase the capital construction appropriation for remodeling the Colorado state veterans center hospital by \$32,623.

May 5

May 5

H.B. 1245 Supplemental appropriation - department of institutions. Amends the 1977 long bill, as amended, to increase the total appropriation to the department of institutions by \$97,080 as follows: Adds footnotes relating to the alcohol and drug abuse program and the residential program for developmentally disabled; repeals footnotes relating to research and juvenile diversionary projects of the division of youth services and the children and adolescents program at Fort Logan mental health center; and increases the capital construction appropriation for the vocational and recreational building at Lathrop park



by \$34,139.

PORTION VETOED May 12

May 12

H.B. 1246 Supplemental appropriation - department of corrections.  
Amends the 1977 long bill to decrease the appropriation to the department of corrections by \$123,947.

Amends the 1976 long bill, as amended, to increase the capital construction appropriation for minimum security by \$126,001.

Appropriates \$496,722 out of the capital construction fund as a loan to the division of correctional industries for construction of a feed mill, a slaughterhouse, and other projects.

PORTION VETOED May 12

May 12

H.B. 1248 Supplemental appropriation - department of administration. Amends the 1977 long bill to decrease the total appropriation to the department of administration by \$503,419 as follows: Decreases the appropriation to the division of accounts and control by \$751,854; increases the appropriation to the division of automated data processing by \$87,000; decreases the appropriation to the archives and public records division by \$8,097; increases the appropriation to the capitol buildings division by \$129,548; and increases the appropriation to the division of communications by \$39,985.

June 5

June 5

H.B. 1252 General appropriation - long bill. For the expenses of the executive and judicial departments of state government for the fiscal year commencing July 1, 1978, the grand total of the operating budget is \$1,829,251,942 (\$37,999,025 of which is for the judicial department) of which \$1,034,958,278 is from the general fund, \$356,530,956 is from cash funds, and \$437,762,708 is from federal funds. The total appropriation for capital construction is \$27,388,930 of which \$13,505,716 is from the capital construction fund, \$5,531,004 is from cash funds, and \$8,352,210 is from federal funds.

PORTIONS VETOED May 5

May 5

H.B. 1256 Appropriation - legislative department. Appropriates \$8,663,175 to the legislative department for its expenses for the fiscal year beginning July 1, 1978, allocated as follows:

House of representatives and senate	\$3,461,196
State auditor	2,620,608
Joint budget committee	363,102
Legislative council	749,460
Research studies	279,000
Legislative drafting office	626,859
Office of revisor of statutes	583,450
Committee on legal services	67,000
Commission on uniform state laws	12,500

April 27

April 27

## CHILDREN AND DOMESTIC MATTERS

S.B. 101 Juvenile status offenders. Eliminates the juvenile status offenses of truancy and runaway from the category formerly known as "child in need of supervision" and renames said category "child needing oversight", defined as "any child whose behavior or condition is such as to endanger his own or others' welfare". Adds the runaway status offender to the definition of "neglected or dependent child". Provides that a runaway taken into custody may not be held longer than 48 hours unless he is a runaway from another state, and establishes a procedure for mentally ill or developmentally disabled children being held in detention or shelter.

The bill will not become effective unless the department of social services develops a plan for implementation of the act and adequate funds are appropriated in the 1979 long bill.

May 4

July 1, 1979

CORRECTIONS

S.B. 57 Correctional industries - license plates - highway signs.  
Authorizes the division of correctional industries to purchase equipment, machinery, and other materials necessary for the manufacture and delivery of motor vehicle identification materials and highway signs. Requires the executive director of the department of revenue to estimate and certify to the state treasurer the costs of manufacturing motor vehicle identification materials, and appropriates the amount of money so certified each year to be expended for manufacturing costs. Allows the division to provide services to local governments free of charge if approved by the executive director of the department of corrections.

May 2

May 2

S.B. 71 Reimbursement for community corrections care. Increases the reimbursement rate to local government and nongovernmental community corrections programs from \$15.50 to a rate determined in the long bill not to exceed \$25.00 per day per offender. Specifically provides that no appropriation will be considered for fiscal year 1978-79.

May 4

July 1

H.B. 1239 Medical personnel employed at institutions controlled by the department of corrections. Exempts from the provisions of the "Medical Practice Act of 1951", which regulates and controls the practice of medicine, medical personnel employed at institutions controlled by the executive director of the department of corrections with respect to services rendered to patients or inmates of such institutions provided such personnel meet one of 2 sets of specified qualifications, both of which are less stringent than the qualifications set forth in the 1951 act. Prohibits the practice of medicine by such personnel, except as rendered upon such patients or inmates, without first complying with the 1951 act.

April 27

April 27

H.B. 1242 Diagnostic center - offenders sentenced to - treatment and employment needs. Centralizes the Colorado diagnostic program at the state penitentiary. Requires that all persons in the custody of the department of corrections be initially confined in the diagnostic center. Requires parole violators to be transported to the diagnostic center for further evaluation and that each offender entering the diagnostic center have his treatment and employment needs identified.

April 27

April 27

COURTS

H.B. 1143 Civil remedies for domestic abuse - county court restraining orders. Permits county courts to issue restraining orders to prevent assaults and threatened bodily harm in a family setting, and defines "family setting". Provides that the local law enforcement agency shall maintain and enforce such orders, and provides that if a person upon whom the order has not been personally served has actual notice of its existence and substance and violates it, he may be subject to any penalty for violation.

April 21

April 21

## CRIMINAL PROCEDURE

H.B. 1070 Release of criminal justice records. Establishes and sets out a petition procedure allowing a person to obtain an order limiting the release of all or any part of arrest and criminal records information when such records are of an official action involving conviction for a misdemeanor, petty offense, or felony after which the individual has not been formally charged with another crime for a period of 5 years following completion of his sentence for a felony.

Provides that an order limiting access to arrest and criminal records information shall be entered as a matter of course by a court 30 days after a dismissal or acquittal, unless the defendant requests that the record remain open. Prohibits the custodian of an arrest record from allowing inspection of that arrest record if his records do not show that the arrest was followed by the commencement of a trial thereon within 2 years after the arrest or was followed by a disposition prior to a trial within 2 years after the arrest.

Requires that a defendant be informed of his rights concerning sealing or limiting the release of such records.

May 5

May 5

EDUCATION - PUBLIC SCHOOLS

S.B. 25

State equalization support program - property tax relief - appropriation. Basic equalization support: Establishes the amount guaranteed for each pupil of attendance entitlement for each mill levied for the general fund of a district at \$42.25 for budget year 1979 and at \$45.85 for budget year 1980, and provides that the basic equalization support level for 1981 and thereafter shall be such that no more state funds shall be distributed under this category of school finance aid than were distributed in the preceding year. (For budget year 1979, 118 districts will receive basic equalization support.)

Aid to districts with specified geographic density: Establishes a new category of districts, qualification for which is determined by the relationship of a district's attendance entitlement to square miles within the district. A district qualifying for inclusion in said category receives 107.5% of the basic equalization support levels. (For budget year 1979, one district will receive this modified type of basic equalization support.)

Minimum guarantee: Provides for a "bifurcated" minimum support level for budget years 1979 through 1982: If a district's general fund mill levy is 20 mills or less, the minimum guarantee is \$11.35 for each pupil of attendance entitlement. (For budget year 1979, 4 districts will receive this type of minimum support in lieu of basic equalization support.) If a district's general fund mill levy is greater than 20 mills, for budget year 1979 the district will receive \$12.35 for each pupil of attendance entitlement; for budget years 1980 and thereafter, such a district will receive \$13.35 for each pupil of attendance entitlement. (For budget year 1979, 59 districts will receive this type of minimum support in lieu of basic equalization support.) In the absence of review and adjustment of the minimum program support level for 1983, the 1982 support levels will be continued.

Authorized revenue base: Provides that for budget years 1979 through 1982, a district's authorized revenue base per pupil of attendance entitlement (hereafter "ARB") shall increase by \$10 per year. Within limits, allows districts with relatively low ARB's to make larger annual ARB increases in order to reduce statewide ARB



disparities between districts. In the absence of review and adjustment of the ARB for 1983 and thereafter, a district's ARB shall be 107% of the revenue base for the immediately preceding year.

Property tax relief: Declares that funds distributed under the "Public School Finance Act of 1973" may achieve property tax relief and, to the extent that such funds do accomplish property tax relief, moneys in the special reserve fund for property tax relief (created because state general fund expenditures have been limited to 107% of the previous year's general fund expenditures) may be properly distributed through the school finance act. Establishes a mechanism under which the statement for property taxes will indicate the school district general fund mill levy taking into account money received from the state for school purposes and indicating what the school district general fund mill levy would be if the spending level were the same but no such funds were received from the state.

Other changes: Declares that Colorado laws relating to schools, school finance, and property taxes have been so amended as to accommodate the state's geographic, demographic, and economic differences and provide for the funding of public schools in a manner consistent with the constitution and laws of Colorado; provides for an interim school finance study by a 15-member committee of legislators and other interested persons, 7 of whom are to be appointed by the president of the senate and 8 by the speaker of the house of representatives; provides that aid for instructional television shall be received on the same basis by each school district receiving said aid; and continues the current limitation on counting pupils enrolled in kindergarten classes.

Appropriation: \$34,967,000 to the department of education for implementation of the act.

May 2

July 1

EDUCATION - UNIVERSITIES & COLLEGES

S.B. 26 Enrollment incentive program. Requires the Colorado commission on higher education to propose an enrollment incentive program at state colleges and universities and to assess the impact of differentiated tuition for in-state and out-of-state students for summer sessions. Requires the commission to make recommendations to the general assembly for legislative implementation of such a program.

April 27

April 27

S.B. 73 Community college name changed from El Paso to Pikes Peak. Changes the name of El Paso community college to Pikes Peak community college.

March 21

March 21

S.B. 81 Transfer of university of southern Colorado. Transfers the university of southern Colorado from the governance of the consortium of state colleges in Colorado to that of the state board of agriculture, requiring separation of the two-year technical college component no later than July 1, 1980. Adds certain powers to the state board of agriculture for such governance.

May 4

July 1

H.B. 1015 Degrees - administration of statutory provisions - inclusion of community colleges. Transfers the administration of statutory provisions relating to the offering of degrees by colleges and universities from the department of education to the Colorado commission on higher education, and includes community colleges within the definition of "state college or university".

May 5

July 1

H.B. 1016 State advisory council for the state board for community colleges and occupational education - membership.

Provides that the governor rather than the state board for community colleges and occupational education shall appoint a state advisory council to assist the board in order to comply with the federal "Education Amendments of 1976".

April 4

April 4

- H.B. 1017 State board for community colleges and occupational education. Requires that appointments to the state board for community colleges and occupational education have the consent of the senate. Removes the requirement that the governor appoint a chairman and a vice-chairman of the board. Makes the board's selection of an executive secretary discretionary rather than mandatory.

March 17

March 17

- H.B. 1022 Direct grants to junior college districts - adjustment by general assembly. Allows the general assembly to increase the amount of direct grant for each Colorado resident student by an amount not exceeding 7% of the prior year's direct grant. Allows a similar adjustment to the direct grant for occupational courses.

May 5

May 5

- H.B. 1169 Pledging of income from land acquired with appropriated moneys - financing facilities. Deletes a restriction on pledging of income derived from land acquired with appropriated moneys for bond redemption financing facilities and land acquisition at state educational institutions.

March 24

March 24

## ELECTIONS

H.B. 1039 Voting by disabled voter - affidavit when assisted.  
Rewrites present provisions requiring entry in the pollbook of an affidavit of assistance if a disabled voter is assisted in casting his vote, adding to such provisions a requirement that physically disabled voters be allowed to vote at the absent voters' polling place. Specifies procedures for such voting, and requires barrier-free access and close-in parking in counties with a population of 100,000 or more.

April 4

April 4

H.B. 1104 Miscellaneous amendments. Makes various amendments to the "Colorado Election Code of 1963" concerning poll watchers, voting, judges of election, procedures, electronic voting, and party committees, and amends a provision concerning election offenses relating to ballot return. Specifically allows voters to change address on the day of election if within the same county and to vote at the new address, and allows the use of computerized voter lists in place of the original registration book. Repeals certain provisions in conflict with or made obsolete by said changes.

February 16

February 16

## FINANCIAL INSTITUTIONS

H.B. 1244 Disclosures by underwriters of financial matters related to refunding public securities. Requires an underwriter proposing to refund bonds of any public body, in cases where there has been no competitive bidding, to disclose to the governing body, simultaneously with the proposal, the entire income anticipated if the proposal is accepted, all expenses the public body shall incur as a result of such refunding transaction, and other matters.

March 29

March 29

GOVERNMENT - COUNTY

- S.B. 11 Mileage allowance for county officers and employees. Removes the flat rate of 12 cents per mile for county officers and employees and provides for an adjustable allowance, as determined by the board of county commissioners, of not less than 12 cents per mile nor more than the maximum mileage allowance provided for state officers and employees.

March 3

March 3

- S.B. 115 Acquisition of land by Larimer county in Big Thompson canyon - appropriation. Amends a prior appropriation for the purchase of lands and the establishment of a recreation district by Larimer county in the Big Thompson canyon and its north fork by decreasing the state's share by \$131,041, and amends the funds upon which the state appropriation is contingent by decreasing the federal share by \$402,400, by decreasing Larimer county's share by \$121,359, and by requiring \$150,000 from the four corners regional commission. Provides that the state may advance the state and federal moneys appropriated, upon approval of the state controller, to Larimer county for such purposes.

Provides that such property acquired by Larimer county shall be subject to land use regulation by the Larimer county board of county commissioners and not the Colorado land use commission.

VETOED March 17

- H.B. 1250 Acquisition of land by Larimer county in Big Thompson canyon - appropriation. Amends a prior appropriation for the purchase of lands and the establishment of a recreation district by Larimer county in the Big Thompson canyon and its north fork by decreasing the state's share by \$131,041, and amends the funds upon which the state appropriation is contingent by decreasing the federal share by \$402,400, by decreasing Larimer county's share by \$121,359, and by requiring \$150,000 from the four corners regional commission. Provides that the state may advance the state and federal moneys appropriated, upon approval of the state controller, to Larimer county for such purposes.

April 3

April 3

GOVERNMENT - LOCAL

H.B. 1018 Colorado housing finance authority - increase in bond limits. Increases from 2 to 4 million dollars the maximum total amount of bonds the authority may have outstanding at any one time.

February 15

February 15

GOVERNMENT - MUNICIPAL

S.B. 46 Fire and police pensions - actuarial soundness - appropriation. Establishes a mandatory program to stabilize and commence full funding of existing unfunded liabilities in police and firemen's pension plans in the state. Requires contributions according to one of 3 schedules, studies of paid and volunteer pension plans, and an increase of minimum employee contributions according to a specified schedule. Establishes a commission of 5 senators and 10 representatives, appointed by the president of the senate and the speaker of the house of representatives respectively, to develop legislation relating to funding and design of firemen's and police pension plans, and increases the state contribution to state police and firemen's pension funds by \$2,000,000. Appropriates \$243,000 to the state auditor for implementation of the act.

April 7

April 7



GOVERNMENT - STATE

- S.B. 34 Sunset Law - performance audits. Requires the legislative audit committee to complete the performance audit for each state agency scheduled for termination after July 1, 1980, at least 12 months, instead of 6 months, prior to the scheduled termination date.

March 30                      July 1, 1979

- S.B. 53 Department of institutions - transfer of leasehold interest in state lands. Authorizes the department to convey a leasehold interest, for 25 years, in certain described state lands in Pueblo county to the city of Pueblo for the purpose of establishing a park. Authorizes the lease to provide for the possible reversion of said interest if the land is not used as a park.

March 21                      March 21

- S.B. 74 Procedures relating to promulgation of rules and regulations. Deletes the requirement that a duplicate set of executive agency rules and regulations and opinions of the attorney general relating thereto be kept by the supreme court library.

March 30                      March 30

- S.B. 79 State board of land commissioners - exchange of property with Denver school district. Authorizes the state board of land commissioners to exchange certain described state property in Denver for 3 specified parcels in Denver owned by school district no. 1, city and county of Denver.

March 21                      March 21

- H.B. 1005 Department of regulatory agencies - division of insurance - Sunset Law. Continues the division of insurance, which had been terminated on July 1, 1977, and was in its wind-up year, until July 1, 1983, pursuant to the provisions of the Sunset Law.

April 4                        July 1

H.B. 1009 State employees - part-year - public employees' retirement association. Includes in the definition of "state employee", for purposes of the public employee's retirement association, those persons working less than a full year and paid at a daily rate, and excludes appointed members of boards or commissions.

March 17

January 1, 1979

H.B. 1026 Fees of boards and commissions in the division of registrations in the department of regulatory agencies. Requires all such boards and commissions to propose in their annual budget requests an adjustment for each fee they collect to reflect direct and indirect costs. Requires the general assembly to adjust such fees, as a condition of appropriation, so that revenues will approximate such costs. States that such fees shall also be adjusted to reflect the prior year's excess or insufficient moneys.

May 4

May 4

H.B. 1105 State contribution to state employees' and officials' group insurance - appropriation. Increases from \$20 to \$30 the monthly state contribution for state employees' and officials' health or life insurance, or both, for each employee or official enrolled in a plan furnishing such insurance. Appropriates \$1,110,000 therefor, including \$900,000 from the general fund and \$210,000 from cash funds.

May 18

January 1, 1979

H.B. 1145 State board of land commissioners - exchange of lands in Park county. Authorizes the state board of land commissioners to transfer certain described state lands located in Park county and to receive in exchange from the Western Union Realty Corporation other described lands located in such county, and specifies the procedures therefor.

Became law without Governor's signature

March 19

March 19

H.B. 1156 Compensation - state officials - appropriation. Increases the compensation of certain state officials as follows: The chief justice of the supreme court from \$40,800 to \$46,400; the associate justices of the supreme court from \$40,000 to \$45,600; the chief judge of the court of appeals from \$37,500 to \$42,300; the judges of the court of appeals from \$37,000 to \$41,500; the judges of the district courts from \$33,000 to \$38,350; the governor from \$40,000 to \$50,000; the attorney general from \$32,500 to \$35,000; the secretary of state and the state treasurer from \$25,000 to \$27,500; the deputy secretary of state and the deputy state treasurer from \$16,000 to \$20,000; each member of the state board of land commissioners from \$22,160 to \$23,200; each member of the public utilities commission from \$23,000 to \$26,950; and each member of the industrial commission from \$27,100 to \$28,750. Also increases the compensation of the judges of the juvenile court, probate court, and superior court of the city and county of Denver and of the judges of the county courts.

Appropriates \$475,306 to be allocated to the various departments and offices as necessary for the implementation of the act.

Became law without Governor' signature

June 9

January 1, 1979

H.B. 1158 Commissioners - exemption from civil liability. Provides that Colorado members of the Cumbres and Toltec scenic railroad commission shall not be liable for civil damages which result from acts or omissions in good faith, occurring while such members are performing their duties.

April 4

April 4

H.B. 1230 State board of land commissioners - exchange of lands in Douglas county. Authorizes the state board of land commissioners to transfer certain described state lands located in Douglas county and to receive in exchange from Douglas Park, Ltd., other described lands located in such county together with additional consideration as the board may require, and specifies the procedures therefor.

Became law without Governor's signature

April 8

April 8

HEALTH

- S.B. 17 Dental care for the elderly - appropriation. Makes technical changes in the administration of the "Colorado Dental Care Act of 1977", and revises provisions concerning the copayment schedule, local dental committees, duties of such committees, and dental services and the maximum fees therefor. Extends the program to June 30, 1979, and requires quarterly reports to the joint budget committee and a revised reporting procedure.

Appropriates \$252,050 to the department of health for implementation of the act, of which not more than \$25,000 may be used for local administrative costs and not more than \$12,500 may be used for department administrative costs.

May 2

July 1

- S.B. 89 Rural nursing homes - required staff. Prohibits the department of health from promulgating any rule, regulation, or standard relating to nursing personnel required in rural nursing homes that is more stringent than the applicable federal standard. Defines "rural" as a county of less than 15,000 population, a municipality of less than 15,000 population located 10 or more miles from a municipality of over 15,000 population, or the unincorporated area of a county located more than 10 miles from a municipality of over 15,000 population.

April 27

April 27

- H.B. 1052 Long-term health care facilities - regulation. Provides that upon refusal to renew, revocation, or suspension of the license of a long-term health care facility, as defined, the department of health and the owner may attempt to agree on a management consultant to operate the facility for up to 12 months, but if agreement is not reached in 5 days, the facility is to be closed. Provides a similar procedure for emergency suspension, except that the department applies to the court for the emergency management consultant who must be appointed within 3 days of application. Amends various provisions concerning nursing home administrators and licensing of

facilities.

VETOED May 5

H.B. 1089 Immunization for school enrollment. Requires a certificate of immunization against those communicable diseases specified by the state board of health in order to attend any school, which is defined as a public, private, or parochial nursery school, day care center, child care facility, family care home, head start program, kindergarten, or elementary or secondary school through grade twelve. In lieu of such a certificate, there may be submitted a written and signed authorization for local health officials to administer the immunizations or a signed plan whereby the student begins to receive the inoculations within 30 days. Transfer students have 60 days to submit such certificate. Exemptions are allowed if a physician certifies that the immunizations would endanger the child's life or health because of his physical condition or if there is religious or personal opposition to the immunizations and such opposition is stated in writing by a parent, guardian, or the emancipated child. Indigent children shall be immunized at public expense if funding is available. Such children shall not be kept out of school unless the immunization has been available and accessible to them.

Failure to submit certification for a child enrolled on or after September 15, 1979, shall result in suspension or expulsion of the child. Children enrolling for the first time on or after July 1, 1978, shall submit a certificate or be excluded from school unless exempted. Each board of education shall suspend or expel noncomplying students, unless exempt, but only after direct personal notification of such noncompliance. Makes noncompliance a ground for denial of admission.

Danger of an epidemic removes all exemptions and exceptions to immunization and allows quarantine as an alternative to immunization.

April 4

April 4

H.B. 1113 Certificates of public necessity - conformance with P.L. 93-641. Rewrites the "Colorado Certificate of Public Necessity Act", primarily to conform to the requirements of P.L. 93-641. Renames the former health facilities

advisory council as the health facilities review council, and recreates the council in the act. Provides for added duties of the council, revised criteria for granting a certificate of public necessity, and specified procedures, all as required under federal law or regulation.

April 18                      July 1

H.B. 1151 Emergency medical services - requirements for ambulance drivers. Allows the board of county commissioners in counties with less than 15,000 population to waive the required advanced first aid card for ambulance drivers if ambulance service would be precluded or detrimentally affected. Limits such waiver to one year but provides for extension.

April 4                      April 4

H.B. 1247 Colorado health facilities authority - board of directors - disclosure of interest. Provides that it is not a conflict of interest for specified persons to be members of the board of directors of the Colorado health facilities authority. Requires such persons to disclose such interest to the board. Provides that such persons may abstain from participation in board activities involving such interest.

Became law without Governor's signature

April 28                      April 28

## HIGHWAYS AND ROADS

H.B. 1147 Determination of existing highway mileage for county allocation of highway users tax fund moneys. Amends the definition of "open, used, and maintained" public highways to include highways maintained by crews of governmental agencies within this state which are authorized to engage in highway, road, or street maintenance or improvement.

March 24

July 1

## INSURANCE

- S.B. 21 Nonprofit hospital and health service corporations - filing of rates - public inspection - hearing and judicial review. Repeals the statutory provisions requiring prior approval of rates charged by nonprofit hospital and health service corporations by the commissioner of insurance, and sets forth new public inspection and notice requirements concerning rate filings. Allows any subscriber or subscriber group which feels aggrieved by a rate filing to request a public hearing. Allows the commissioner of insurance to call for a hearing on his own motion on the question of whether a rate filing is inconsistent with the corporation's basic rating formula and concepts. Gives the court of appeals instead of the district court original jurisdiction to review decisions or orders of the commissioner.

Declares that rates shall not be destructive of competition or detrimental to the solvency of the corporation.

May 4

July 1

- S.B. 36 Extension of term of licenses issued by the division of insurance. Provides for a 2-year, instead of an annual, license for insurance agents, insurance brokers, limited insurance representatives, insurance adjusters, preneed funeral contract salesmen, enrollment representatives of nonprofit hospital and health service corporations, and motor club representatives. Adjusts original license and renewal fees accordingly.

February 16

July 1

- S.B. 88 Unfair discrimination - blindness or physical disability. Prohibits classification of insured persons on the basis of blindness, partial blindness, or a specific physical disability unless based upon unequal life expectation or different expected risk of loss.

March 21

July 1



H.B. 1004 Unfair competition and deceptive practices - medicare supplemental insurance. Adds a definition of "medicare supplemental policy", for purposes of unfair competition and deceptive practices in the insurance business, which is a policy that provides sickness and accident insurance benefits supplemental to benefits under the federal medicare program. Requires that disclosures be made to purchasers of such policies regarding, among other things, the coverage of the policy, any exceptions to, reductions of, or limitations on benefits, any additional benefits, and the amount of the premium. Requires written notification to purchasers of such policies of an offer of rescission without obligation within 30 days.

March 24

July 1

H.B. 1006 Single license for agents and representatives. Removes the requirement that an insurance agent or representative hold a license for each insurer for which he solicits business, but continues the provision for written appointments for each insurer. Requires insurers to file and maintain a current list of their appointed agents and representatives with the commissioner of insurance.

March 24

January 1, 1979

H.B. 1100 Loss ratio requirements for medicare supplemental policies. Requires insurance companies which issue policies of sickness and accident insurance designed to supplement medicare to comply with a loss ratio prescribed by the commissioner of insurance. When the loss ratio or percentage of premium income which is returned in the form of benefits to persons covered by such policies is less than that required by the commissioner, the commissioner is authorized to order a rate reduction on such policies.

March 8

March 8

H.B. 1101 Training program for county social services employees - assist aging on medicare supplemental insurance. Requires the division of insurance to develop a training program for persons working with the aging on the local level to enable such persons to assist elderly persons with medicare supplemental insurance matters.

April 18

April 18

H.B. 1119 Regulation of insurance. Makes substantial changes in the methods used in the regulation of some types of insurance, primarily involving less supervision of the rates of companies selling fire, casualty, inland marine, and title insurance. The new type of regulation is referred to as "open competition" and is to be contrasted with the requirement that rates of such types of insurance as workmen's compensation must be filed with and approved by the division of insurance before they may be used. Regulation of various life and health coverages is left without change from existing law.

Instead of the division of insurance receiving all rate filings proposing rate changes, a company is required only to have information on its experience, or other data used in setting rates, available within the state for examination by the commissioner on notice. The commissioner substantially retains his powers respecting examinations of companies and his authority to require justification of rates and other practices in such areas as cancellation of policies and the like. Company examinations can be based upon consumer complaints, evidence of company financial difficulty, or other grounds. Licensing of insurance rating organizations is continued, but companies are given more freedom from compulsion with respect to rates set by rating organizations.

Miscellaneous amendments include changed requirements in the licensing of bail bondsmen; increases in the amount of capital or guaranty funds required to write insurance, including making companies previously qualified meet the higher requirements over a 10-year period; changes as to when certain claim settlement activities may constitute unfair acts and practices; and a requirement that insurance companies furnish completed disclosure forms, containing the coverage and the reasons for which the policy may be cancelled, to purchasers of private automobile and homeowners policies.

VETOED May 5

H.B. 1179 Insurance board - establishment - powers and duties - appropriation. Establishes a 6-member insurance board, and sets forth the qualifications for membership and the terms and compensation of members. Provides that the board shall meet at least once a month, and sets forth certain procedures of the board. Places the division of insurance and the board within the department of regulatory agencies by a type 1 transfer. Sets forth the powers of the board, including the power to review and make recommendations for modifications to any order, rule, or ruling of the commissioner of insurance, the

power to review and concur or not concur with a rate decision or order of the commissioner before it becomes effective, the power to hold quasi-hearings in connection with any power or duty vested in the division, commissioner, or board, and the power to issue declaratory orders with respect to matters not prohibited. Sets forth certain matters which the board may not entertain. Appropriates \$31,205 to the department of regulatory agencies for allocation to the division of insurance and the insurance board for the implementation of the act.

April 19

July 1

LABOR AND INDUSTRY

H.B. 1108 Workmen's compensation - coverage for apprentices.  
Provides that persons receiving training in a work or job training program under the sponsorship of a joint apprenticeship and training committee may be deemed employees of such committee while engaged in such program for the purposes of benefits payable under workmen's compensation. The rate of any compensation to be paid such persons shall be based upon wages received at the time of injury or death.

March 22

March 22

H.B. 1189 Workmen's compensation coverage - inclusion of Colorado wing of civil air patrol - appropriation. Extends workmen's compensation insurance coverage to members of the Colorado wing of the civil air patrol. Appropriates \$22,385 to the department of military affairs for allocation to the Colorado division of the civil air patrol for implementation of the act.

May 5

May 5

LIQUOR CODE

H.B. 1148 Club liquor license - defined. Reduces the time for which a club must have been incorporated and operating in order to obtain a club liquor license from 5 to 3 years.

March 17

March 17

## MOTOR VEHICLES

H.B. 1076 Penalties - drunken driving. Adds driving while under the influence of intoxicating liquors to the causes for which a person shall be brought before a county judge.

January 26

January 26

H.B. 1209 Air pollution control - appropriation. Smoking vehicles. Provides that no motor vehicle registered in any of 10 front range counties, except those which are diesel-powered, shall emit any visible air contaminants, and provides that no diesel-powered vehicle registered in those counties shall emit visible air contaminants which exceed 40% opacity. Raises the penalty for subsequent offenses by the same vehicle within one calendar year, provides for development of a training course to enable police officers to ascertain violations of the standards, and revises the procedures for enforcement of the section.

Vanpooling - state vehicles and parking. Requires the department of administration to promulgate rules and regulations governing the use of state-owned vans purchased for use in carrying state employees to and from work. Exempts nonprofit vanpools from regulation by the public utilities commission. Provides workmen's compensation coverage for persons going to and from work in a vanpool of at least 8 persons. Requires the state purchasing agent to purchase for state use only those vehicles which meet certain exhaust emission standards. Provides preferential parking rates in state parking facilities for vehicles used to transport 2 or more persons to and from work, and prohibits any charge for vehicles regularly carrying 4 or more persons to and from work.

State implementation plan. Requires the air pollution control commission to submit any state implementation plan, or revision thereof, regarding regulation of motor vehicles or indirect air contamination sources to the legislative council for review, and directs that such plan be reviewed and returned by the legislative council or approved by the general assembly before it is submitted to the administrator of the United States environmental protection agency.

Inspection and maintenance program. Provides earlier dates for the implementation of the motor vehicle emissions inspection program enacted in 1977; extends the program (which had applied to vehicles of 1977 and later model years) to vehicles of 1972 and later model years; establishes exhaust emissions standards for vehicles required to be inspected; and adds Pueblo county to the list of front range counties subject to the program. Transfers the functions and duties of the department of health concerning the emissions inspection program and research on motor vehicle emissions to the department of revenue. Requires used motor vehicles of the model year 1972 and subsequent model years, if subject to the inspection program, to have a valid certification of emission compliance prior to any resale. Establishes a committee, composed of 4 members of the general assembly, 2 appointed by the president of the senate and 2 by the speaker of the house of representatives, 4 industry representatives, appointed by the executive director of the department of revenue, and 3 public members, appointed by the governor, to evaluate the motor vehicle emissions inspection and maintenance program.

Appropriations. Appropriates \$504,427 from the special fund created by section 42-4-303 (4), C.R.S. 1973, to the department of revenue to implement the act. Appropriates \$15,507 from the special fund created by section 42-4-303 (4), C.R.S. 1973, to the department of health to develop a training course to implement the smoking vehicles provision. Appropriates \$56,627 from the special fund created by section 42-4-303 (4), C.R.S. 1973, to the Colorado state patrol to train officers to enforce the smoking vehicles provision. Appropriates \$18,375 from cash funds to the department of administration for the purchase of low-polluting vehicles, and appropriates \$7,081 from the state parking fees cash fund for preferential carpool parking. Appropriates \$50,400 from the wildlife cash fund to the department of natural resources for the purchase of vans for employee carpooling.

VETOED May 5

PROFESSIONS AND OCCUPATIONS

H.B. 1094 Life care institutions - regulation. Changes the name of the board of examiners of institutions for aged persons to the "board of examiners of life care institutions", and reconstitutes the board, with 2 members representing professions related to life care and 3 members not affiliated with the industry. Substantially rewrites provisions concerning life care institutions, requiring certificates for operation of a life care business and specifying procedures therefor. Specifies the contents of contractual agreements for life care, and provides terms for withdrawal or dismissal. Makes various other amendments and extends the life of the board under the Sunset Law until July 1, 1983.

March 30                      July 1

H.B. 1102 Nursing home administrators - regulation - continuation of board. Rewrites provisions concerning the regulation and licensing of nursing home administrators, adding provisions relating to consumer protection. Reconstitutes the board of examiners of nursing home administrators providing for 3 practicing nursing home administrators, one hospital administrator, 4 members from related fields with no interest in a nursing home, and one member from the public at large. Extends the life of the board under the Sunset Law until July 1, 1983.

April 4                      April 4

H.B. 1106 Mortuary science - regulation - continuation of board. Rewrites the "Mortuary Science Code", adding numerous provisions relating to consumer protection and strengthening the regulation of the practice of mortuary science. Reconstitutes the board of mortuary science with 3 consumer and 2 industry members, and extends the life of the board under the Sunset Law until July 1, 1981.

April 7                      July 1



H.B. 1198 State electrical board - membership - powers and duties.  
Declares that the state electrical board shall be involved in the testing and licensing of electricians and the inspection of electrical installations not inspected by local authorities. Changes the membership of the board to include a building official employed by a political subdivision of the state which performs electrical inspections and a general contractor. Allows the board to adopt standards different from the national electrical code after a hearing, and allows local authorities to impose standards more strict than those of the state electrical board. Changes license requirements for master electricians. Reduces the passing grade on examinations from 75% to 70%. Provides for temporary permits under certain conditions. Changes the meaning of direct supervision for apprentices and trainees, and clarifies the penalties for improper work done by an apprentice or trainee. Makes miscellaneous changes in provisions concerning state electrical inspectors and inspections. Changes the type of transfer of the state electrical board to the department of regulatory agencies from a type 2 to a type 1 transfer. Extends the life of the state electrical board to July 1, 1984.

April 12                      July 1

H.B. 1258 Regulation of life care institutions - corrective amendments. Amends H.B. No. 1094, concerning regulation of life care institutions, clarifying a provision relating to bonds for handling money and amending provisions in conflict with the board's type 1 transfer.

May 8                              July 1

PUBLIC UTILITIES

S.B. 23 Continuation of the public utilities commission.  
Continues the public utilities commission, which had been terminated on July 1, 1977, and was in its wind-up year, until July 1, 1983, pursuant to the provisions of the Sunset Law.

March 3                      July 1

H.B. 1013 Deregulation of vehicles transporting sand and gravel or logs and poles - liability insurance. Exempts motor vehicles transporting sand and gravel solely or logs and wooden poles solely from regulation by the public utilities commission. Requires owners of such vehicles to carry in such vehicles evidence of minimum motor vehicle liability insurance, and provides a penalty for failure to do so.

May 4                        July 1

H.B. 1014 Deregulation of commercial carriers - safety standards - biannual inspections - liability insurance. Removes commercial carriers from regulation by the public utilities commission. Requires the department of revenue to adopt safety standards and specifications for the operation of any such carrier, which is defined as any truck with a gross ton-mile truck plate, any truck with a gross ton-mile truck tractor plate, or any truck with a metro truck plate.

Requires such vehicles to be inspected by the department twice a year, rather than once a year, and requires that each such vehicle carry evidence of minimum motor vehicle liability insurance. Provides penalties for violations.

April 27                     July 1

## SOCIAL SERVICES

- S.B. 68 Old age pensions - special needs. Authorizes the state board of social services to provide for the special needs of recipients of old age pensions in the form of adult foster care or home care out of funds available pursuant to the portion of the state constitution concerning old age pensions. Provides that this provision shall take effect July 1, 1979.

May 4

May 4

- S.B. 95 Rehabilitative nursing facility - pilot project. Provides for the establishment of a pilot project for a rehabilitative nursing facility, contingent upon receipt of a waiver from the federal government for the availability of programs on a statewide basis. A rehabilitative nursing facility is defined as a skilled nursing facility furnishing services and therapy exclusively to persons who no longer need hospital care but require continued nursing care. The qualification for placement is completion of a plan of care in a licensed hospital's rehabilitation program or a finding that the individual is unable to benefit significantly from continuation of such a plan of care. Includes additional statutory criteria for demonstrating the need for individual placement in the pilot project facility. Requires the state department of social services to submit a report to the general assembly no later than January 15, 1979, concerning the project, and provides for separate licensing as a rehabilitative nursing facility.

May 18

May 18

- H.B. 1154 Medical assistance - definitions - categorically needy. Deletes from the definition of "categorically needy" persons who are eligible for medicaid those persons who qualify under federal law for the spenddown program.

May 8

July 1

STATUTES

- S.B. 16 Supplements to Colorado Revised Statutes 1973. Provides that the effective and operative date of the 1976 supplement to Colorado Revised Statutes 1973 is July 1, 1977, and enacts the 1977 supplement, providing that it will not be separately printed but will be compiled and published with the 1978 supplement.

Became law without Governor's signature  
May 6                      May 6

- S.B. 60 Statute revision - appropriation to department of health. Amends a 1977 appropriation to the department of health for the "Dental Care Act of 1977" to correct a technical error.

February 16              February 16

- S.B. 70 Revisor's bill - 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 court decisions.

May 23                      May 23

## TAXATION

S.B. 39 Property taxation - mobile homes - valuation - distraint - permit for moving. Provides that mobile homes shall be assessed as personal property while held as stocks of merchandise by a licensed mobile home dealer. Requires notification to lienholders of record, when a mobile home is distrained and seized, as to the amount demanded and the time and place of sale and subsequent notice, 30 days prior to the end of the redemption period, that a treasurer's certificate of ownership rather than a certificate of title will be issued to the purchaser unless payment is made. Changes the period of redemption from 3 years to one year. The purchaser may, if no payment is made and the redemption period has run, apply for a treasurer's certificate of ownership rather than a certificate of title which, upon application to the executive director of the department of revenue, entitles him to a certificate of title. Requires that a copy of an application for a certificate of title upon the sale or transfer of a mobile home be forwarded to the county assessor in which the home is to be located.

Requires authentication by the county treasurer's office of payment of all ad valorem taxes in order to obtain a permit to transport a mobile home. Also requires a dealer moving part of his stock or a previously untitled mobile home to certify that the move is from one retail location to another or that a previously untitled mobile home is being located. Requires that copies of the permit be sent to the treasurers of the counties from which and to which the mobile home is being moved and be forwarded to the county assessors. Makes moving without a valid permit a class 1 traffic offense.

March 10

March 10

H.B. 1019 Income tax deduction for alternative energy devices. Revises and replaces provisions concerning an income tax deduction for alternative energy devices in order that such deduction is available to all Colorado residents.

March 24

March 24

H.B. 1020 Real property tax credit - increased limits. Increases the income amount under which a husband and wife may qualify for the real property tax credit or refund on their Colorado income tax from \$8,300 to \$10,800. Provides that the 1978 credit or refund will be \$410 minus 10% of a husband's and wife's income over \$6,700, rather than over \$4,300.

May 4

May 4

H.B. 1034 Food sales tax credit or refund. Permanently establishes the graduated method of determining the food sales tax credit or refund on Colorado income tax based upon average adjusted gross income per family member. Increases such credit or refund from \$16 to \$17 for persons with average adjusted gross income up to \$3,000, from \$11 to \$12 for persons over \$3,000 and up to \$4,000, and from \$7 to \$8 for persons over \$4,000.

May 5

May 5

H.B. 1045 Sales tax - definition of sale or purchase - exclusion of transfers between parent and subsidiary corporations. Excludes from the definition of "sale" or "sale and purchase" the transfer of assets between a parent and a closely held subsidiary corporation, or between subsidiary corporations closely held by the same parent corporation, or between corporations owned by the same shareholders, if a sales or use tax was paid when the assets were originally acquired, except to the extent the assets have increased in value.

April 18

April 18

H.B. 1111 Income tax - credit - pollution control equipment - appropriation. Defines "pollution control property", excluding motor vehicle emission control devices and residential sewage disposal systems from that definition. Provides for certification and assessment of pollution control property owned or leased by a public utility upon request to the division of administration of the department of health. Provides for certification and assessment of pollution control property owned or leased by any other person upon request to the division of administration of the department of health on or before September 30, 1978, which certification shall last for

the useful life of the property and shall be transferable to subsequent owners or lessees. Sets up the procedures for certification, review of denial of certification, assessment, and acknowledgment of property taxes levied upon pollution control property, lease payments providing revenue for a payment in lieu of taxes, or payments in lieu of taxes paid by the owner or lessee of pollution control property.

Allows a credit against state income taxes in an amount equal to 30% of property taxes paid, or 30% of the portion of lease payments providing revenue for payments in lieu of taxes, or 30% of payments in lieu of taxes on pollution control property. Allows a credit in excess of income taxes to be applied for the 5 succeeding years. Requires that any credit claimed under the act shall be subtracted from property taxes deducted in determining taxable income.

Appropriates \$65,980 to the department of health for the implementation of the act.

May 5

July 1

H.B. 1112 Property tax - deferral - homesteads owned by the elderly - appropriation. Authorizes persons 65 years of age or older to elect to defer real property taxes on their homestead. Defines "homestead" to mean the owner-occupied residence of a taxpayer. Sets forth the effects of filing a valid claim for deferral. Allows a guardian, conservator, or attorney-in-fact to claim a deferral for the taxpayer. Lists the requirements that must be met to claim the deferral. Sets forth the lien status of the deferred taxes and interest on the deferred taxes, and limits the amount of taxes which may be deferred to an amount equal to the net value of or equity in the property.

Requires the state treasurer to pay to county treasurers the amount of taxes certified to be deferred. Provides that once the state treasurer pays a county treasurer, the lien created by deferral shall be vested in the state treasurer. Requires the release of such lien upon receipt of payment of deferred taxes. States that an annual notice shall be sent to taxpayers claiming a deferral in the previous year.

Makes deferred real property taxes payable upon the happening of specified events, and gives time schedules for payment of such deferred taxes. Allows the surviving

spouse to continue the tax deferral under certain circumstances. Allows voluntary payment of deferred tax and interest at any time. Voids any clause in a mortgage, deed of trust, or contract of sale prohibiting an owner from claiming a tax deferral 5 years after the execution of such instrument, but allows a purchaser to promise not to claim deferral in a separate instrument, subject to a right of rescission to be exercised within 3 days.

Appropriates \$800,000 for the implementation of the act.

Became law without Governor's signature

May 8

February 28, 1979

H.B. 1120 Sales and use tax - exemption for charitable organizations and governmental entities. Defines "charitable organization" for tax purposes, clarifies the exemption from sales tax for sales made to said organizations, and includes in the exemption from use tax a loan of tangible personal property to the federal government, the state, any of the state's political subdivisions, or any charitable organization.

March 8

March 8

H.B. 1131 Deduction for child care expenses. Establishes an income tax deduction for child care expenses, determined by multiplying the federal income tax credit allowed for such expenses by 100 over the percentage used to calculate the federal credit.

May 8

May 8

H.B. 1135 Excise tax on motor fuel blends with alcohol derived from agricultural commodities and forest products. Provides that the excise tax on such motor fuel blends manufactured in Colorado which contain at least 10% alcohol and are sold in counties having 200,000 or more population shall be 5 cents less per gallon than other motor fuels.

Requires, when available, that such motor fuel blend or other less polluting motor fuel be used in all



state and local government motor vehicles in counties having 200,000 or more population.

States that the general assembly may adjust the tax on such motor fuel blends when sales exceed 20,000,000 gallons per year.

January 27          July 1

H.B. 1139 Income tax - itemized deduction. Allows a resident individual to deduct his Colorado itemized deduction in lieu of his Colorado standard deduction whether or not he itemizes his deduction on his federal income tax return.

May 5                  July 1

H.B. 1160 Sales and use tax - exemption for certain items and containers sold to retailers or vendors of food, meals, and beverages. Exempts from sales tax the sale of an item used with articles of tangible personal property sold by a retailer or vendor of food, meals, or beverages, and the sale of containers of such tangible personal property, if a separate charge is not made for said item or container and if the item or container becomes the property of the consumer who purchases the tangible personal property in a sale subject to sales tax. Exempts the use, storage, or consumption of any such item or container from use tax.

April 4                April 4

H.B. 1170 Special credit or refund for homeowners - available whenever paid. Provides that the special homeowners' income tax credit for property taxes levied in 1976 is available whenever such taxes are paid.

March 24              March 24

H.B. 1172 Sales and use tax - exemption for exchanged vehicles. Exempts from sales and use tax a transaction in which vehicles subject to licensing are exchanged. Provides that the exchange of 3 or more vehicles of the same type by a person within a calendar year is prima facie evidence that said person is in the business of selling

that type of vehicle and subject to licensing requirements.

April 7                      July 1

H.B. 1181 Personal exemption - surtax - filing of return.  
Increases the personal exemption allowance for Colorado income tax purposes from \$750 to \$850, and increases the threshold amounts which determine whether a person is required to file an income tax return, applicable to taxable years commencing on or after January 1, 1978.

Repeals the surtax on dividend and interest income with respect to taxable years beginning on or after January 1, 1980.

VETOED May 5

H.B. 1191 Income tax credit for new business facilities.  
Establishes the "Job Expansion and Investment Credit Act of 1978" which provides a special income tax credit against new business facility income, as defined, for taxpayers who establish a new business facility, as defined, if the number of new business facility employees is 5 or more. Such credit is based upon the number of new business facility employees and the amount of new business facilities investment. Provides a double credit for such facilities located in counties with less than 50,000 population, and specifies that the establishment or expansion of a public utility does not qualify for the credit.

May 5                      July 1

H.B. 1194 Income tax - adjustment of rates of tax, Colorado standard deduction, and personal exemption by annual inflation factor. Establishes an annual inflation factor of 106% for all taxable years commencing on and after January 1, 1978, but before January 1, 1979, and provides for the annual establishment of such a factor by the general assembly; however, in the absence of annual adjustment of said factor by the general assembly, the annual inflation factor is assumed to be 106%. The rates of tax, Colorado standard deduction, and personal exemption are to be multiplied by the annual inflation factor in order to: (1) Limit the extent to which

inflation-caused increases in income move a taxpayer into a higher tax bracket; (2) Allow a slight decrease in the tax rate; (3) Increase the standard amount to be deducted from adjusted gross income; and (4) Increase the amount of the personal exemption which is subtracted from adjusted gross income.

Each year the annual inflation factor will be applied to the amounts derived for the prior year so there will be a cumulative effect. The cumulative effect will be reflected in the income tax forms and instructions for each year.

Other amendments increase the amount of the personal exemption from \$750 to \$850, which will be multiplied by the annual inflation factor, and make conforming changes in other sections of tax law, including the sections defining which individuals have to file income tax returns.

May 5

May 5

H.B. 1257 Sales and use tax - exemption of meals furnished employees. Exempts from state sales and use taxes the value of meals furnished to employees free or at reduced rates by restaurants and similar businesses, when such meals are considered part of the employee's compensation.

May 5

May 5

## WATER AND IRRIGATION

S.B. 69

Colorado water conservation board - construction of water and power facilities - appropriation. Enlarges the authority of the Colorado water conservation board with respect to the construction, rehabilitation, enlargement, or improvement of water and power projects which in the board's opinion will conserve or protect water and hydroelectric energy resources. Directs the board to emphasize water conservation measures, including the installation of water meters. Specifies priorities of various named construction projects, together with the amounts authorized to be spent, including \$5,000,000 for water meters in Denver. Appropriates \$1,000,000 to the Colorado water conservation board construction fund to implement the act, of which \$400,000 is out of the general fund and \$600,000 is out of the oil shale special fund, this latter amount to be used only in political subdivisions of the state lying west of the continental divide.

May 4

May 4

**First Extraordinary Session**

**Fifty-first General Assembly**

**DIGEST OF**  
**SENATE AND HOUSE BILLS ENACTED**  
**BY THE**  
**FIFTY-FIRST GENERAL ASSEMBLY**  
**OF THE**  
**STATE OF COLORADO**  
**(1978 - First Extraordinary Session)**  
**and**  
**APPROVED OR VETOED BY THE GOVERNOR**

\*\*\*\*\*

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.

	<u>Introduced</u>	<u>Passed</u>	<u>Passed and Approved</u>
HOUSE	2	1	1
SENATE	<u>2</u>	<u>0</u>	<u>0</u>
TOTALS	4	1	1

CRIMINAL PROCEDURE

H.B. 1001 Criminal procedures - effective date of H.B. 1589.  
Changes the effective date of 1977 House Bill No. 1589,  
which abolished indeterminate sentencing for defendants  
convicted of felonies, from July 1, 1978, to April 1,  
1979.

(SEE: H.B. No. 1589, 1977 Digest of Bills for Summary.)

May 24

May 24





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H indicates House Bills

SCR indicates Senate Concurrent Resolution

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