

DIGEST OF BILLS

FILE COPY

Enacted by The

FIFTY-SECOND GENERAL ASSEMBLY

1980 Second Regular Session



COLORADO

LEGISLATIVE DRAFTING OFFICE

30 State Capitol Bldg.
Denver, Colorado 80203

May, 1980

DIGEST
 OF
 SENATE AND HOUSE BILLS ENACTED
 BY THE
 FIFTY-SECOND GENERAL ASSEMBLY
 OF THE
 STATE OF COLORADO
 (1980 - 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.

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Compiled by the
 Legislative Drafting Office
 30 State Capitol
 Denver

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Note: The first date appearing after the act is the date on which it was approved by the Governor or, if noted, became law without his signature; 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>Became law</u>
HOUSE	267	99	0	99
SENATE	<u>152</u>	<u>78</u>	<u>3</u>	<u>75</u>
TOTALS	419	177	3	174

Note: 4 House Bills and 4 Senate Bills became law without Governor's signature. These totals are included in the totals above.

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ADMINISTRATIVE RULE REVIEW

H.B. 1142 Continuation of rules of the department of labor and employment. Postpones until 1984 the scheduled expiration of the rules and regulations of the department of labor and employment which were adopted before January 1, 1980, with specified exceptions. Rules which are not so extended, and which thereby expire on July 1, 1980, include all of the rules of the occupational safety and health standards board and certain rules of the industrial commission relating to private employment agency licensing, termination from the WIN program, standards for elevators, and standards for excavation.

April 16 April 16

H.B. 1143 Continuation of rules of the department of personnel. Postpones until 1984 the scheduled expiration of the rules and regulations of the department of personnel which were adopted before January 1, 1980, with specified exceptions. Rules which are not so extended, and which thereby expire on July 1, 1980, relate to affirmative action, federal grants-in-aid, shift differential pay, postponement or cancellation of tests, voluntary self-identification, and computations when 2 or more actions affecting pay occur on the same effective date.

April 16 April 16

H.B. 1151 Continuation of rules of the department of natural resources. Postpones until 1984 the scheduled expiration of the rules and regulations of the department of natural resources which were adopted before January 1, 1980, with specified exceptions. Rules which are not so extended, and which thereby expire on July 1, 1980, include: Certain rules of the executive director relating to weather modification, certain rules of the commissioner of mines relating to mine safety and health and relating to surface or coal mines, certain rules of the mines land reclamation board relating to applications and permits, a rule of the board of parks and outdoor recreation relating to safety equipment for river-running and white water boating, and rules of the wildlife commission relating to disorderly conduct.

April 13 April 13

H.B. 1152 Continuation of administrative rules adopted or amended after July 1, 1979. Provides for the continuation of the rules and regulations of executive agencies which were adopted on or after July 1, 1979 and before January 1, 1980, except that certain rules and regulations of executive agencies shall expire as scheduled on June 1, 1980. Rules which are not continued include a rule of the state board for community colleges and occupational education concerning surety bonds, certain rules of the board for energy-efficient nonresidential building standards in the office of state planning and budgeting, a rule of the state banking board concerning protests to applications for a charter, and a portion of a rule of the liquor enforcement division of the department of revenue concerning the offering of merchandise to increase the consumption of alcoholic beverages.

April 13

April 13

AGRICULTURE

H.B. 1002 Alfalfa leaf-cutter bees. Prohibits the importation, transportation, or possession of redrilled boards (artificial nesting grounds for alfalfa leaf-cutter bees) and of alfalfa leaf-cutter bees in redrilled boards. Such prohibition is repealed on July 1, 1982. Violation of the prohibition is a misdemeanor.

April 13 April 13

H.B. 1167 Commercial feed - adulteration. Authorizes the commissioner of agriculture to promulgate regulations allowing the use of certain food substances and food additives for use in commercial feed for animals.

April 13 April 13

APPROPRIATIONS

- S.B. 102 Supplemental appropriation - department of higher education. Amends the 1979 long bill to increase the capital construction appropriation to the department for the university of southern Colorado by \$538,353.

February 29 February 29

- S.B. 143 Appropriation - reimbursement to Ronald L. Passarelli for recall election expenses. Appropriates \$170 to the state treasurer to reimburse Ronald L. Passarelli for authorized expenses incurred in his recall election.

May 2 May 2

- S.B. 148 Appropriation - highways. Appropriates \$57,500,000 to the highway users tax fund from the special reserve fund created for tax relief, of which \$34,500,000 shall be allocated to the state highway fund for the repair, resurfacing, and maintenance of existing state highways and bridges, \$12,650,000 shall be allocated to the counties for county highways and roads, and \$10,350,000 shall be allocated to municipalities for city streets and roads. Uses existing statutory formulas to allocate such moneys between the state, counties, and municipalities. Similarly, uses existing statutory formulas to allocate the counties' portion to the respective counties and to allocate the municipalities' portion to the respective municipalities.

May 3 May 3

- S.B. 152 Appropriation - payment of settlement agreements. Appropriates \$10,539.57 to the office of attorney general for payment of amounts agreed to by the various parties in civil actions brought by George L. Brown Jr. and several former employees of the lieutenant governor's office for back pay, and a claim for services rendered, by Donald P. Hostetter.

June 5 June 5

- H.B. 1056 Appropriation - reimbursement to J.E. Losavio, Jr. for recall election expenses. Appropriates \$5,631 to J.E. Losavio, Jr. for reimbursement of expenses incurred in

his recall election as district attorney for the 10th judicial district.

May 6

May 6

H.B. 1234 Supplemental appropriation - office of the governor. Appropriates \$30,000 to the office of the governor for the Colorado census committee. Requires all expenditures of the committee to be approved by the joint chairmen of the committee.

April 1

April 1

H.B. 1236 Appropriation - legislative department. Appropriates \$10,031,982 to the legislative department for its expenditures for the fiscal year beginning July 1, 1980, to be allocated as follows:

House of representatives and senate	\$3,907,258
State auditor	2,986,250
Joint budget committee	428,982
Legislative council	915,800
Legislative studies	172,500
Legislative drafting office	756,246
Office of revisor of statutes	784,696
Committee on legal services	67,000
Commission on uniform state laws	<u>13,250</u>
Total legislative department	\$10,031,982

Became law without Governor's signature

April 15

April 15

H.B. 1237 Supplemental appropriation - department of administration. Amends the 1979 long bill to decrease the total appropriation to the department by \$2,588,193. Changes made include: Deletion of the \$1,879,063 contingency reserve for utility expenses; and a decrease of \$660,767 for group health and life insurance.

April 7

April 7

H.B. 1238 Supplemental appropriation - department of corrections. Amends the 1979 long bill to increase the total appropriation to the department by \$203,000. Changes made include: A decrease of \$35,000 for judicial diversion residential placements; and an appropriation of

\$238,000 for judicial diversion nonresidential placements.

April 7 April 7

H.B. 1239 Supplemental appropriation - department of education. Amends the 1979 long bill to decrease by \$7,263,197 the appropriation to the department for minimum equalization under the "Public School Finance Act of 1973".

April 7 April 7

H.B. 1240 Supplemental appropriation - department of higher education. Amends the 1979 long bill to decrease the total appropriation to the department by \$442,068. Changes made include: A decrease of \$373,116 for professional staff at Denver community college; an overall decrease of \$40,295 for Lamar community college; and an overall decrease of \$28,657 for Trinidad state junior college.

April 7 April 7

H.B. 1241 Supplemental appropriation - department of institutions. Amends the 1979 long bill to decrease the total appropriation to the department by \$913,809. Changes made include: A decrease in the amount for facilities lease costs for the state homes and training schools of \$273,152 at Grand Junction, of \$295,222 at Pueblo, and of \$345,435 at Ridge.

April 7 April 7

H.B. 1242 Supplemental appropriation - office of state planning and budgeting. Amends the 1979 long bill to decrease the total appropriation to the office by \$10,191. Includes a decrease of \$5,000 for economic forecasting and a decrease of \$5,191 for a microfilm study.

April 7 April 7

H.B. 1243 Supplemental appropriation - department of social services. Amends the 1979 long bill to decrease the total appropriation to the department by \$23,295,610. Changes made include: A decrease of \$9,277,492 for

assistance payments; a decrease of \$2,031,677 for child welfare; and a decrease of \$11,647,776 for the medical programs division.

April 8 April 8

- H.B. 1244 Supplemental appropriation - department of agriculture. Amends the 1979 long bill to increase the total appropriation to the department by \$100,261 for increased expenses for administration and agricultural services.

April 23 April 23

- H.B. 1245 Supplemental appropriation - office of governor. Amends the 1979 long bill to increase the total appropriation to the office by \$133,288. Changes made include: An increase of \$97,247 for 7 FTE in the executive office; an appropriation of \$22,500 for the interstate compact for education; and an increase of \$13,540 for one FTE in the lieutenant governor's office.

May 2 May 2

- H.B. 1246 Supplemental appropriation - department of health. Amends the 1979 long bill to increase the total appropriation to the department by \$489,559. Changes made include: A \$460,414 increase to the office of medical care; and an increase of \$43,748 for administration and support.

April 25 April 25

- H.B. 1247 Supplemental appropriation - state department of highways. Amends the 1979 long bill to increase the total appropriation to the department by \$452,910. Changes made include: An increase of \$449,920 for operating expenses of the Colorado state patrol; and an increase of \$2,990 for personal services for the office of the highway safety coordinator.

May 2 May 2

- H.B. 1248 Supplemental appropriation - judicial department. Amends the 1979 long bill to increase the total appropriation to the department by \$259,254. Changes made include: An

increase of \$245,054 for courts administration; an overall decrease of \$87,838 for trial courts; and an increase of \$88,328 for probation and related services.

Reduces the appropriation for a special water judge for the Huston case from \$52,122 to \$24,439.

May 2

May 2

- H.B. 1249 Supplemental appropriation - department of labor and employment. Amends the 1979 long bill to increase the total appropriation to the department by \$822,999. Changes made include: An increase of \$77,885 to the executive director's office for capital outlay; and an increase of \$728,229 to the state compensation insurance division for operating expenses and ADP services.

April 23

April 23

- H.B. 1250 Supplemental appropriation - department of local affairs. Amends the 1979 long bill to decrease the total appropriation to the department by \$212,764. Changes made include: A decrease of \$43,715 for the division of criminal justice; and a decrease of \$175,533 for water and sewer funds of the division of local government.

April 7

April 7

- H.B. 1251 Supplemental appropriation - department of military affairs. Amends the 1979 long bill to increase the total appropriation to the department by \$66,483 for additional operating and utility expenses.

May 2

May 2

- H.B. 1252 Supplemental appropriation - department of natural resources. Amends the 1979 long bill to increase the total appropriation to the department by \$400,459. Changes made include: An increase of \$264,107 to the division of wildlife for operating expenses; an increase of \$108,188 for wildlife damage; and an appropriation of \$150,000 for payment of game damage claims.

April 16

April 16

H.B. 1253 Supplemental appropriation - department of personnel. Amends the 1979 long bill to change the source of funding for personnel services of the department to reflect \$12,081 to be recovered from indirect cost recoveries.

April 8 April 8

H.B. 1254 Supplemental appropriation - department of regulatory agencies. Amends the 1979 long bill to increase the total appropriation to the department by \$133,371. Changes made include an increase of \$261,920 to the division of registrations, including a technical adjustment.

April 25 April 25

H.B. 1255 Supplemental appropriation - department of revenue. Amends the 1979 long bill to increase the total appropriation to the department by \$293,206. Changes made include: An increase of \$141,000 for the traffic safety program; an increase of \$15,700 for dealer licensing; and an increase of \$48,883 to the motor vehicle division for operating expenses and utilities.

Amends the 1979 capital construction appropriation to increase by \$324,273 the total appropriation for the Dumont port of entry.

Amends the 1978 long bill appropriation to the department to reallocate the source of funds totaling \$422,112 between the general fund and cash funds.

April 25 April 25

H.B. 1256 Supplemental appropriation - department of administration. Amends the 1979 long bill to increase the total appropriation to the department by \$2,226,824. Changes made include: An increase of \$2,004,447 for salary survey adjustments and shift differential; and an increase of \$210,969 to the capitol buildings division.

Amends the 1979 general fund appropriation made to the capital construction fund to increase the appropriation from \$22,429,917 to \$28,519,727.

Amends the 1979 controlled maintenance allowance for each project from \$10,000 to \$30,000.

Amends the 1979 capital construction appropriation

to the department to specify several new maintenance projects totaling \$4,182,516, and states that an appropriation to the office of state planning and budgeting for retrofitting state buildings will not be reduced upon the receipt of matching federal funds.

April 23 April 23

H.B. 1257 Supplemental appropriation - department of corrections.
Amends the 1979 long bill to increase the total appropriation to the department by \$1,656,858. Changes made include: An increase of \$420,829 to the division of adult services; an increase of \$999,110 to the division of correctional industries; and an appropriation of \$179,967 for expenses associated with Ramos, et al. v. Lamm et al..

Amends the 1979 capital construction appropriation to the department to increase the appropriation from \$365,112 to \$1,547,442.

April 23 April 23

H.B. 1258 Supplemental appropriation - department of education.
Amends the 1979 long bill to increase the total appropriation to the department by \$234,622, of which \$204,374 is allocated for small attendance centers.

May 2 May 2

H.B. 1259 Supplemental appropriation - department of higher education. Amends the 1979 long bill to increase the total appropriation to the department by \$3,303,586. Most of the increase is for additional utility and plant operation expenses. Other increases are for the state historical society and for Pueblo, Pikes Peak, Morgan, and Otero community colleges.

May 2 May 2

H.B. 1260 Supplemental appropriation - department of institutions.
Amends the 1979 long bill to increase the total appropriation to the department by \$1,268,202. Changes made include: An increase of \$357,355 for the division of youth services; and an increase of \$404,645 for the division of mental health, over half of which is for increased utility expenses; and an increase of \$457,386 for the division of developmental disabilities.

Increases the 1979 capital construction appropriation to the division of youth services for various youth facility construction projects by \$234,264.

May 2

May 2

- H.B. 1261 Supplemental appropriation - office of state planning and budgeting. Amends the 1979 long bill to increase the total appropriation to the office by \$346,136. Appropriates \$281,727 out of cash funds to address a possible insufficiency in funds for personal services at Fort Logan and the Colorado state hospital.

May 2

May 2

- H.B. 1262 Supplemental appropriation - department of social services. Amends the 1979 long bill to increase the total appropriation to the department by \$11,477,907. Changes made include: An increase of \$256,840 for county administration; an increase of \$1,336,273 for assistance payments; an increase of \$584,067 for child welfare; a decrease of \$687,519 for day care; an increase of \$6,800,858 for the medical programs division; an increase of \$2,476,635 for the services for the aged division; and an increase of \$667,061 for the rehabilitation division.

Increases the capital construction appropriation for remodeling of the workshop for the blind by \$557,365.

May 6

May 6

- H.B. 1265 General appropriation - long bill. For the expenses of the executive and judicial departments of state government for the fiscal year commencing July 1, 1980, the grand total of the operating budget is \$2,295,793,745 (\$48,698,211 of which is for the judicial department) of which \$1,258,111,409 is from the general fund, \$510,043,531 is from cash funds, and \$527,638,805 is from federal funds. The total appropriation for capital construction is \$47,477,385 of which \$25,693,285 is from the capital construction fund, \$19,759,100 is from cash funds, and \$2,025,000 is from federal funds. The total appropriation for capital construction includes \$600,000 for program planning and necessary repairs for the former state museum building.

PORTIONS VETOED May 2

May 2

CHILDREN AND DOMESTIC MATTERS

S.B. 33 Domestic relations counselors - appointments subject to judicial personnel classification system. Specifies that the power of chief judge of a judicial district to appoint domestic relations counselors and supporting personnel is subject to the provisions of the judicial personnel classification plan applicable to all courts of record.

January 29 January 29

S.B. 49 Dependency and neglect proceedings - evidence required. States that it must be shown by a preponderance of the evidence that separation of a dependent and neglected child from the parents or guardian is necessary for the best interest of the child. Provides that such evidence may be admitted, but is not required, for an order of adjudication.

May 1 May 1

S.B. 124 Visitation rights of grandparents. Permits a grandparent to petition the district court for an order granting him the right of visitation with regard to his grandchild when there is or has been a child custody case. Defines a child custody case for such purpose. Requires, in order for the court to enter an order granting grandchild visitation rights, that the court find such an order to be in the best interests of the child. Prohibits, except upon a showing of good cause, the filing of more than one such petition every 2 years.

April 10 April 10

H.B. 1035 Child abuse reporting and criminal penalties. Formerly child abuse was a class 2 misdemeanor unless serious bodily injury resulted to the child, in which case it was a class 3 felony. The penalties for child abuse are now further specified with regard to result and the actor's degree of culpability as follows:

<u>Classification</u>	<u>Culpability</u>	<u>Result</u>
<u>Felony</u>		
class 2	Knowing act	Death to the child

<u>Classification</u>	<u>Culpability</u>	<u>Result</u>
<u>Felony</u>		
class 3	Reckless or criminally negligent act	Death to the child
	Knowing act	Serious bodily injury
class 4	Reckless or criminally negligent act	Serious bodily injury
<u>Misdemeanor</u>		
class 1	Knowing or reckless act	Any injury other than serious bodily
class 2	Criminally negligent act	Any injury other than serious bodily
class 3	Acts of child abuse not otherwise specified	

In the "Colorado Children's Code", the legislative declaration for liberal construction is amended to direct construction in favor of the welfare of children and the best interests of society.

In the reporting statute, the definition of "child abuse" is amended to refer to an act which threatens, rather than seriously threatens, the health or welfare of a child. The statute is also clarified by dropping the term "receiving agency" and specifying either local law enforcement agency or county department of social services as applicable. Temporary protective custody is now authorized on the less strict standard of danger in the reasonably foreseeable future rather than the former standard of imminent danger to the child's life or health. The county department of social services investigating a report of child abuse is no longer required to visit the location of the alleged abuse. Local law enforcement agencies receiving reports of child abuse are required to immediately attempt to contact county departments of social services and, if unable to do so, to immediately begin an investigation of the report.

May 6

May 6

H.B. 1087 "Uniform Child Custody Jurisdiction Act" - method of publication. Clarifies the manner by which jurisdiction by publication under the act may be obtained over a person outside Colorado by setting forth specific publication requirements for notice.

February 29 February 29

H.B. 1098 Children's code - definition of child abuse. Includes sexual exploitation and prostitution within the definition of child abuse in the "Colorado Children's Code".

March 17 March 17

CONSUMER AFFAIRS

S.B. 20 Consumer credit code - exclusion of loans secured by first liens on dwellings. Provides that, for the purposes of the "Uniform Consumer Credit Code", a "consumer loan" does not include a "loan primarily secured by an interest in land" if, regardless of the rate of the loan finance charge, the loan is secured by a first lien against a dwelling to finance or refinance a loan for the purchase of such dwelling, which includes a loan to finance or refinance a loan for the construction of a dwelling. Also provides a definition of "dwelling" and "first mortgage or deed of trust".

Became law without Governor's signature

February 12 February 12

CORPORATIONS AND ASSOCIATIONS

S.B. 128 Foreign trade zones. Enacts "The Colorado Foreign Trade Zones Act" to allow designated corporations, including municipal corporations, to apply to the federal foreign trade zones board for a grant of privilege to establish a foreign trade zone for the receipt of foreign merchandise (merchandise which would be subject to U. S. customs law).

March 26 March 26

H.B. 1085 Amount of stated capital. Provides that the board of directors of a corporation may increase the stated capital of the corporation by directing that all or part of surplus capital be transferred to stated capital, and allows such surplus to be designated to a class of shares.

March 17 March 17

CORRECTIONS

- S.B. 7 Correctional industries programs. Authorizes the division of correctional industries to sell its products to other states and their political subdivisions. Repeals a provision limiting sales to other states to certain items.

February 29 February 29

- S.B. 116 Solid waste refuse derived fuel - pilot program. Authorizes the division of correctional industries to establish and conduct a pilot program at Camp George West to determine the feasibility of establishing and implementing on a statewide basis a solid waste refuse derived fuel program for the production of energy. Authorizes the division's director to purchase or construct equipment, facilities, and the like. Directs the director to employ criminal offenders in the custody of the department of corrections when possible. Requires a report to the general assembly by December 31, 1980.

May 1 May 1

- H.B. 1185 Division of correction industries. States that the division of adult services is responsible for keeping state correctional facilities clean and sanitary. Requires the division to establish and administer programs of education and treatment and other productive activities to assist in rehabilitation of offenders.

Acknowledges that the division of correctional industries is not self-supporting. Defines "able-bodied offender", and prohibits the compensation of offenders who are in administrative or punitive segregation or, if able-bodied, who refuse to perform the job to which they are assigned.

March 25 March 25

COURTS

S.B. 32 Additional docket fees - contested civil actions involving monetary judgments. Provides that the additional fee imposed in any civil action in which a monetary judgment is rendered after a contested trial is to be assessed against the losing party (judgment debtor) rather than against the prevailing party. Bases the amount of the additional fee upon the amount of the judgment instead of upon the amount of actual payments made on the judgment.

January 29 January 29

S.B. 46 Additional judge authorized for 11th judicial district - appropriation. Authorizes an additional district judge in the 11th judicial district, to sit in both the northern and southern divisions of the district, as assigned by the chief judge.

Appropriates \$113,329 to the judicial department for implementation of the act.

May 6 July 1

S.B. 68 Donor of food exempt from civil and criminal liability. Exempts producers and subsequent parties in the distributive chain of food from civil or criminal liability for the condition of food donated to a nonprofit organization for consumption by needy or poor persons unless the defect is caused by willful, wanton, or reckless acts. The exemption does not extend to the nonprofit organization which serves or provides the food.

April 6 April 6

S.B. 90 Subpoenas - mechanical reproduction. Allows the seal of a court issuing a subpoena or subpoena duces tecum to be printed thereon by mechanical reproduction instead of being impressed.

March 25 March 25

S.B. 100 Additional county judge authorized for Boulder county - appropriation. Increases the number of county judges in Boulder county from 3 to 4. Requires that one of the

judges maintain a courtroom in Longmont for at least 3 days per week.

Appropriates \$117,657 and 5 FTE to the judicial department for implementation of the act.

May 6

July 1

H.B. 1071 County court appeals - time limitations. Increases from 10 to 15 days the time limitations in county court appellate procedures.

February 14

February 14

H.B. 1074 Judgment liens - duty to investigate before making representations about existence of judgment lien. Requires any person, including a title company, making representations about the existence of a judgment lien on real property to make a good faith effort to determine whether the judgment debtor is the same person as the one holding an interest in the real property. A good faith effort is defined as honesty in fact in the effort to discover the identity of the judgment debtor, including examination of the judgment debtor's social security number, his driver's license, his address, his birth record, and the court record in the action which resulted in the judgment lien. If the good faith effort does not disclose sufficient information, the person making the representation may require the property holder to furnish satisfactory evidence that he is not the judgment debtor.

Anyone making representations about the existence of a judgment lien without making a good faith effort to determine whether the judgment debtor is the same person as the one holding an interest in the real property is liable to any person damaged thereby for his actual and exemplary damages of not less than \$100 nor more than \$1,000. The prevailing party shall recover his costs and reasonable attorney fees.

May 2

July 1

CRIMES

S.B. 28 Crimes - degrees of aggravated motor vehicle theft. Changes the crime of aggravated motor vehicle theft to consist of first and second degree offenses. The first degree offense involves any one or more of the various aggravating factors specified. The second degree offense does not involve any such factors.

January 29 January 29

S.B. 30 Definition of "peace officer". Includes "special deputy district attorney" within the definition of a "peace officer".

January 29 January 29

S.B. 31 Criminal tampering - utility connection. Amends part of the second degree criminal tampering statute to clarify that it applies if merely one unauthorized connection is made to the property of a utility.

January 29 January 29

S.B. 36 Fraudulent administration of narcotic or dangerous drugs. Readopts a provision, apparently omitted in the adoption of the new criminal code in 1971, prohibiting the fraudulently induced consumption or administration of a narcotic or dangerous drug. Makes violation of the provision a class 4 felony.

February 14 February 14

H.B. 1070 Fraud by check. Amends the definition of the offense of fraud by check to include negotiable orders of withdrawal and share drafts drawn by a bank, savings and loan association, industrial bank, or credit union since drafts similar to checks may now be drawn by savings and loan associations, industrial banks, and credit unions. Adds definitions for "negotiable order of withdrawal" and "share draft".

April 13 April 13

H.B. 1079 Offering of false instrument for recording. Creates a class 1 misdemeanor offense for the offering of a false instrument for recording when the element of intent to defraud is not present as is required in existing law.

April 13 April 13

CRIMINAL PROCEDURE

H.B. 1078 Transfer of sex offenders to department of institutions.
Authorizes the state board of parole to transfer a person committed for a sex offense to the department of institutions subject to the availability of staff and housing.

March 25

March 25

DISTRICT ATTORNEYS

S.B. 70 Special deputy district attorneys - appointments. Adds city attorneys and assistant city attorneys of a city and county to the list of those persons eligible for appointment by a district attorney as special deputy district attorneys.

April 1

April 1

EDUCATION - PUBLIC SCHOOLS

- S.B. 11 School finance - equalization program - pupil transportation - appropriation. Establishes the equalization program support level (the amount which one mill is guaranteed to raise per pupil in every school district) at \$49.51 for 1981 and at \$53.37 for 1982. Provides that no district will receive less than \$14.41 per mill per pupil from the state in 1981, nor less than \$15.53 per mill per pupil from the state in 1982. Provides that no district need have an authorized revenue base (ARB) for 1982 of less than \$2,000 per pupil of attendance entitlement.

Increases state reimbursement for pupil transportation from 27¢ to 40¢ per mile traveled by district vehicles, and from 20% to 25% of the excess of transportation expenditures over the mileage reimbursement.

For the fiscal year beginning July 1, 1980, appropriates \$23,368,000 to the department of education to fund the equalization program portions of the act, and \$4,918,622 to the department for transportation reimbursements.

May 1

May 1

- S.B. 58 Accreditation of school districts. States that it is the duty of the state board of education to accredit public school districts in the state. Requires the board to withhold accreditation if a district does not comply with statutory provisions for educational accountability. Requires the board to report annually to the governor and the general assembly on the accreditation status of all school districts.

May 1

May 1

- S.B. 78 School calendar modifications - alternative year programs. Denominates as alternative year programs the former extended year programs.

States that an application for an alternative year program shall specify comparable instructional time a pupil must be enrolled.

Authorizes the state board of education to approve and evaluate pilot programs established for energy conservation purposes, and requires any district implementing a program for energy conservation purposes to submit to the department of education an evaluation of

the energy savings and the effects on education.

April 30 April 30

- S.B. 121 Mill levy limits for school district self-insurance funds. States that school districts may include an annual tax levy for self-insurance purposes not to exceed 1 1/2 mills and not to exceed, in dollars, the amount which is adequate for such purposes. States how such adequate amount is to be determined and provides for review of such determination by the commissioner or insurance. Provides for the budgeting of the self-insurance reserve fund and related costs out of the school district's general fund.

April 30 April 30

- H.B. 1052 Teacher emeritus retirement fund - appropriation. Restores eligibility to those teachers and retired teachers who failed to join the public employees' retirement system, or any available local plan, because they were unaware that lack of such membership would result in loss of entitlement to receive benefits from the state teachers' emeritus retirement fund.

Appropriates \$27,821 to the department of education for implementation of the act.

June 5 July 1

- H.B. 1154 Short-term loans - rate of interest. Limits the total interest on short-term loans contracted by school districts or by junior college districts to 75% of the discount rate set by the federal reserve board for the 10th federal reserve district which the federal reserve bank charges member banks for money borrowed.

April 13 April 13

- H.B. 1177 Absent voters' ballots for school district budget elections. Requires absent voters' ballots to be made available at the administrative offices of the school district conducting a budget election at least 10 days and not after 2 days before the election.

April 13 April 13

H.B. 1187 Public transportation programs - reimbursement entitlement - exemption from motor vehicle laws.
Provides that a school district shall have a reimbursement entitlement of not more than 60% of the costs of contracts entered into for energy conserving or cost reducing purposes which are for pupil transportation under transportation programs which comply with federal regulations. Makes certain provisions of the motor vehicle laws concerning school buses inapplicable to such public transportation programs.

April 13 July 1

EDUCATION - UNIVERSITIES AND COLLEGES

- S.B. 74 Concerning the use of fees paid by veterinary medical students at Colorado state university. Requires that \$1,001 of the additional facility-use fees paid by out-of-state students in the veterinary medical program at CSU be placed in separate reserve accounts to be appropriated by the general assembly for equipment replacement or acquisition and for renovation. Provides that Colorado share proportionately in such replacement, acquisition, and renovation costs.

March 17 March 17

- S.B. 79 State reimbursement to area vocational schools. Permits state reimbursements to area vocational schools to equal, but not exceed, the amount of direct state grants authorized to be made to junior college districts.

April 30 July 1

- H.B. 1012 Application of state fiscal rules. Authorizes the state controller to promulgate fiscal rules which shall be binding upon the university of Colorado and other institutions of higher education and their officers and employees.

March 17 March 17

ELECTIONS

- S.B. 1 Offenses relating to the election process. Combines into a single article the article concerning offenses in general, primary, and congressional vacancy elections and the article concerning offenses in other elections. Such combination eliminates unequal penalties for identical offenses committed under the two previous articles. Deletes the authority of the secretary of state to administer and enforce the article which concerned offenses in elections other than general, primary, and congressional vacancy elections. Leaves prosecutorial authority over election offenses to the attorney general and the district attorneys.

March 17 January 1, 1981

- S.B. 4 Organization of judicial district central committees. Directs each judicial district central committee to meet on the same date and select its officers in the same manner as a party county central committee.

February 14 January 1, 1981

- S.B. 5 Deadline for emergency absentee voting. Authorizes emergency absentee voting on the day of a general, primary, or congressional vacancy election rather than the day before such election.

February 14 February 14

- S.B. 12 Recodification of election laws. Recodifies the law relating to general, primary, and congressional vacancy elections. Makes no substantive changes, but rather revises and rearranges existing law into a more logical sequence. Makes necessary conforming amendments. Makes numerous minor changes in wording for purposes of clarification and consistency. For example, "special election" is changed to "congressional vacancy election", and "absentee" is changed to "absent voter".

February 21 January 1, 1981

- H.B. 1021 Branch registration offices - times open. Authorizes, for the purpose of registration for elections, branch registration offices to be open at any time after 45 days

following any general election.

March 25 January 1, 1981

H.B. 1024 Boundaries for election purposes. Requires changes in precinct boundaries or the creation of new precincts to be completed not less than 32 days before the precinct caucus day. Also requires changes in boundaries of or the creation of new county commissioner districts to be completed not less than 32 days prior to the precinct caucus day. Declares that school district director district boundaries are not to be changed more often than twice every 4 years.

March 25 January 1, 1981

H.B. 1089 Special district elections - computation of time. Amends the provision concerning the computation of time for special district elections to exclude the first day and include the last day.

Clarifies the general provision on notice of election by specifying that the notice of an election for an increased levy is an exception to such general provision.

March 17 July 1

H.B. 1213 Compensation of judges of elections. Increases from \$40 to \$50 per day the maximum amount a judge of election may receive as compensation for his services.

April 13 April 13

FINANCIAL INSTITUTIONS

H.B. 1121 Credit unions - maximum interest rate. Increases the maximum interest rate that credit unions may charge on the unpaid balance of a loan from 1% per month to 1 1/4% per month.

March 10

March 10

GENERAL ASSEMBLY

H.B. 1100 Maximum daily allowance for expenses of members of the general assembly - appropriation. Increases the expense allowance from \$10 to \$20 per legislative day for members of the general assembly from the Denver metropolitan area. For members outside the Denver metropolitan area, the expense allowance is increased from \$20 to \$40 for each day spent in Denver during sessions.

Appropriates \$230,000 to the legislative department for implementation of the act.

May 2

May 2

GOVERNMENT - COUNTY

S.B. 44 Mileage allowances for county officers increased. Raises the minimum and maximum mileage allowances by 2¢ per mile, to 14¢ and 20¢, respectively, for mileage expenses of county officers and employees, the amount to be specified by resolution of the county commissioners. The allowance for 4-wheel drive vehicles, previously set at 18¢, is changed to 18¢ minimum, 24¢ maximum.

March 25

July 1

GOVERNMENT - LOCAL

S.B. 55 Hazardous material incidents - emergency response - hazardous material listing - appropriations. Provides for the designation of authorities for emergency response to incidents involving hazardous materials. Establishes the emergency response cash fund to reimburse public agencies which provide assistance in response to hazardous material incidents occurring outside their jurisdictions for the reasonable costs of such assistance. Requires the department of health to establish and maintain an information service on the emergency response capabilities of agencies within the state and on the proper action to take to counteract incidents involving specific kinds of hazardous materials.

Requires persons possessing specified quantities and types of hazardous materials to provide the county sheriff with a listing of the quantities of such hazardous material types expected to be on hand at any time if the material is located on private property, other than residential or agricultural property, in an unincorporated area outside any fire protection district and if the possessor does not have arrangements for fire protection services. Establishes a civil penalty for persons failing to comply with such requirement.

Appropriates \$50,000 for implementation of the act.

May 7 July 1

H.B. 1048 Provision of benefits for volunteer firemen. Permits the payment of an annuity to the widows of deceased volunteer firemen who, otherwise eligible for a pension, had not attained the age of 50 at death. Directs the provision of a statewide death and disability insurance policy for volunteer firemen. Provides for an increase in the state contribution to municipalities and special districts having volunteer firemen. Such increase is to occur in equal steps over a 4-year period.

Became law without the Governor's signature

May 6 February 1, 1981

H.B. 1214 Landfill-generated methane gas - exploration, development, production, distribution, marketing, and financing by counties and municipalities. Defines "landfill-generated methane gas". Declares that landfill gas constitutes a hazard and that development of such gas will provide an alternate energy source. Authorizes

counties and municipalities to: Acquire real property for landfill gas exploration, production, and development; engage in activities leading to the ultimate marketing and sale of landfill gas; acquire necessary easements and rights-of-way for facilities related to the collection and distribution of landfill gas; enter into contracts and perform all acts necessary to produce, distribute, and market landfill gas; and issue general obligation and revenue bonds for purposes of financing activities involving landfill gas.

April 16 July 1

GOVERNMENT - MUNICIPAL

S.B. 147 Municipal establishment of public energy finance authorities. Authorizes municipalities to establish energy finance authorities for the purpose of financing operations for the exploration, development, production, distribution, marketing, and sale of unconventional gases for municipal uses or to any other person or entity. Authorizes such authorities to directly engage in such activities. Defines "unconventional gases", which are primarily methane.

May 2

July 1

H.B. 1053 Fire and police benefits - coverage. Extends public employee benefits to employees of the fire and police pension association if authorized by the governing board of such association. Authorizes an employer which covers its policemen or paid firemen under the social security act to affiliate with the fire and police pension association in order to provide benefits for its employees by filing a resolution with the board of directors of the association. Sets forth requirements and procedures for such affiliation. Empowers said board of directors to provide for disbursements from the fire and police members' benefit fund, to make modifications to minimum annual rates of contribution certified to municipalities and fire protection districts, and to promulgate necessary rules and regulations.

Increases from 55 to 60 the base age to be used for determination of an early retirement pension.

Provides that any member awarded a disability pension shall be eligible for the normal disability benefit or may make an election for a reduced pension under one of the normal or early retirement pension options.

Changes the interest rate received on accumulated contributions refunded to a member if he terminates his service.

Repeals the provision which required an actuarial study to be made of all policemen's and firemen's pension funds and the language implementing such study.

April 16

April 16

GOVERNMENT - SPECIAL DISTRICTS

- S.B. 34 Special districts - conforming cross references - fire and police pensions. Makes corrective amendments to include certain statutory cross references relating to pension benefits for firemen in municipalities and special districts and to exemptions from state income tax for fire and police pensions.

February 14 February 14

- S.B. 57 Metropolitan districts - public transportation services authorized. Adds to the services which may be performed by a metropolitan district the service of public transportation, by any means of conveyance.

April 13 April 13

- S.B. 75 Regional transportation district - additional tax for fixed rail mass transit system upon voter approval. Authorizes the regional transportation district, after approval at an election in the district, to levy an additional 3/4% sales tax. Of the additional revenues, 87% would be used only for the implementation of a fixed rail mass transit system (light rail), including design, construction, and acquisition of capital equipment and real property necessary for such system; and 13% of the additional revenues would be used to compensate for the elimination of the district's authority to levy a sales tax on specified items, including food and fuel items. Such elimination of sales tax authority on specified items and also the elimination of the district's authority to levy a real property tax are to become effective only upon approval, at an election, of the additional 3/4% sales tax.

Requires the district to submit the question of the additional tax to the voters at the general election on November 4, 1980, and if not approved, one additional time at the next general election in 1982. Prohibits the district from using any moneys to purchase commercial promotion or advertisement to urge electors to vote in favor of or against the additional tax.

Prohibits the district from incurring any indebtedness for such fixed rail system which cannot be repaid, within 2 years, from the additional revenues allocated for the system, and prohibits the district from issuing any securities approved at an election held before May 1 without approval by the general assembly by

law.

Establishes special audit procedures for the state auditor to audit the operations of the district upon formal request by the legislative audit committee.

Provides that the general assembly is to review the construction, funding, and initial operation of an initial segment of the fixed rail system as well as plans, construction, and funding of any additional segments not later than the regular session of the general assembly following the date operation of the initial segment first commences, and requires construction of the initial segment to be completed prior to January 1, 1985. Authorizes the general assembly, after making such review or any subsequent review, to modify or terminate the authority of the district to levy the additional 3/4% sales tax upon granting the district other authority to raise revenue to compensate for terminating such additional sales tax.

Requires the assembly of fixed rail vehicles to be done in Colorado to the greatest extent possible.

May 1

May 1

S.B. 144 Regional transportation district - removal of directors.
Provides that a director of the regional transportation district who has held such office for at least 6 months may be removed from office. Provides that the appointing authority may remove a director which it appointed. Provides that if a petition for the removal of a director appointed from such area is submitted to the city council of the city and county of Denver or to the board of county commissioners of a county wholly or partially within the district, said council or board of commissioners shall vote on the removal of the director. Provides that if, upon such vote, the director is not removed, a special election shall be held and that, if a majority of the electors voting on said question vote for the removal of the director, he shall be removed from the board. Provides procedures governing petitions for removal of a director.

Provides that on July 1, 1980, the term of office of any director who has served 8 years shall expire. Provides that on July 1, 1981, and on July 1, each year thereafter, the term of any director who has served 2 full terms shall expire.

VETOED June 5

GOVERNMENT - STATE

- S.B. 9 Weatherization grants - division of housing - appropriation. Amends the functions of the division of housing to include making weatherization grants to public and private agencies involved in weatherization of existing housing in order to provide energy-efficient housing to low-income households. Defines weatherization for such purpose. Requires an annual report to the general assembly regarding the weatherization grants program.

Appropriates \$100,000 to the division for such grants.

May 1

May 1

- S.B. 25 Reclassification or regrading of positions in state personnel system. Provides that the only exception to July 1 date regarding assignment or reassignment of classes to pay grades, salary rates, or salary ranges is in those urgent situations where personnel shortages will endanger the health and safety of Colorado residents and where special salary surveys indicate such reassignment is necessary to provide salaries comparable to those in comparable employment and when approved by the governor and the state personnel director.

February 14 February 14

- S.B. 43 Fuel conservation powers. Reestablishes the fuel conservation policy council with which the governor consults concerning the implementation of fuel conservation powers in the event of an energy emergency. Adds one ex officio member to the council who shall be the chairman of the energy coordinating advisory committee.

Reestablishes the energy coordinating council as an advisory committee to the fuel conservation policy council to give advice and information and make recommendations to the council concerning coordination of the energy activities of state and local government and private industry.

Includes within the advisory committee's duties the study, in cooperation with the department of natural resources, of the permitting system applicable to energy development and production and of the problems of small operators in complying with such systems. The committee

is to make recommendations to the general assembly, the governor, and administering agencies relating to improving such permitting systems and assisting such small operators.

Provides for a repeal of the act on February 1, 1981.

May 1

May 1

- S.B. 48 Emeritus retirement funds - appropriations. The annual increase in payments from the state teachers' emeritus retirement fund, the state institutions of higher education emeritus retirement fund, and the state employees' emeritus retirement fund is raised from a 3% increase to 8% or the average percentage increase in the state salary survey for 1980-81, whichever is higher, for the fiscal year commencing in 1980. For the fiscal year commencing in 1981, and thereafter, payments are increased annually in accord with the average state salary survey percentage increase.

Appropriates \$66,434 to the department of education for its increased contributions to the state teachers' emeritus retirement fund and to the state institutions of higher education emeritus retirement fund. Also appropriates \$1,800 to the controller for the state employees' emeritus retirement fund.

May 6

July 1

- S.B. 62 Retirement benefits - stabilization fund - appropriation. Increases monthly benefits for all retired public employees' retirement association members. The increases range from 145%, for those having retired before 1952, to 6% for those having retired in 1978, and creates a stabilization fund to pay for those increases. Increases contributions from the state between 1 1/2 to 2%, with smaller increases from other public employers, portions of which increases go to the stabilization fund.

Appropriates \$2,796,333 to the controller for the state's increased contribution to the public employees retirement system.

May 1

July 1

- S.B. 69 Judges retirement system - state contribution - appropriation. Amends Senate Bill No. 62 of the 1980

session to increase the state contribution to the judges' retirement fund from 12% to 13% of salary starting July 1, 1980 and from 14% to 15% starting September 1, 1980. Authorizes a refund of contributions made by a judge during his 17th through 20th year of service and who retires after July 1, 1979 under certain retirement options.

Appropriates \$94,231 to the judges' retirement fund, including \$27,751 on behalf of certain judges who retired between July 1, 1979 and July 1, 1980.

May 6

July 1

S.B. 83 State personnel system - cost of administration. Repeals a requirement that each principal department pay for deposit to the general fund its pro rata share of the cost of administering the state personnel system, since such costs are presently recovered through the controller's indirect cost recovery procedures.

April 10

April 10

S.B. 93 Loans and advances of state funds to state agencies. Amends the provisions which authorize the state treasurer to loan state funds as temporary working capital for the operation of business-type enterprises by state agencies to eliminate the restrictions that such enterprises not be financed by state funds and that the revenues therefrom not go to the state treasury. Replaces such restrictions with the requirement that the treasurer find that the enterprise is capable of repaying the loan. Adds a specific provision for such loans to colleges and universities operating business enterprises, which are not primarily teaching or research, and which are or may be in competition with private enterprise. Provisions for repayment are unchanged.

Amends provisions authorizing advances of temporary working capital with no interest charge for programs of state agencies (other than those qualifying for loans), including federal programs having no advance funds available, with a limit of \$12,000,000 to any agency. No such advance is available for any item which was part of an agency's prior year budget request. The general assembly is authorized to impose loan and advance limitations in the long bill.

Became law without Governor's signature

April 15

September 1

S.B. 113 State buildings - capital construction and controlled maintenance. Amends definitions concerning state buildings and relating to capital construction to delete minimum dollar figures of \$15,000 on buildings and \$5,000 on site work, and restates the definition of controlled maintenance.

May 1

July 1

S.B. 120 Deferred compensation plan for public employees. Authorizes the state, through the state deferred compensation committee, and any political subdivision thereof, through its local administrator, to establish a deferred compensation plan for employees, in addition to any other retirement, pension, benefit, or other deferred compensation plan.

The plan shall be optional for employees and provides for the exemption of deferred compensation and the income thereon from state income tax until ultimate distribution, in the same manner as provided under federal laws and regulations.

Authorizes the administrator to impose a fee for administering a fund and to invest moneys in any legitimate investment offered by a person authorized to do business in Colorado. Limits the liability of the state or political subdivision on investment losses.

April 10

April 10

S.B. 131 Office of energy conservation - appropriation. Statutorily establishes the office of energy conservation in the office of the governor and, on July 1, 1981, transfers said office to the department of regulatory agencies. The director shall be appointed by the governor with the approval of the senate and shall serve at the pleasure of the governor. The office has the power to develop comprehensive state and federal energy conservation and renewable energy programs for legislative consideration, to develop and administer energy conservation emergency and contingency plans of federal and state nature, to monitor and evaluate the actions, policies and legislation of all levels of government in energy conservation matters relevant to the state, to assess trends and to publish information concerning energy conservation, and to coordinate state energy conservation policies and programs among state agencies. The provisions of the "Human Settlement Policies" as set forth in the governor's executive order, September 13, 1979, are declared inapplicable to the

office of energy conservation.

Appropriates \$145,000 and 6 FTE to the office of the governor for implementation of the act.

May 1

May 1

H.B. 1014 Division of wildlife - acquisition of Alpine Lake property - appropriation. Authorizes the division to acquire fee title to 65 acres in Chaffee County, known as Alpine Lake.

Appropriates \$170,000 for the acquisition.

May 6

May 6

H.B. 1019 Mileage allowances for public employees and officers - appropriation. Increases the mileage allowance for state officers and employees from 14¢ to 20¢ per mile for regular vehicles and from 18¢ to 24¢ per mile for 4-wheel-drive vehicles.

Appropriates \$870,000 to the department of administration for implementation of the act.

June 5

June 5

H.B. 1028 Division of wildlife - Reeder Creek-Mayhoffer Property - appropriation. Authorizes the division to acquire fee title to approximately 1,748 acres in Grand County, known as the Reeder Creek-Mayhoffer Property. Water rights not to be severed from said property.

Appropriates \$700,000 for the acquisition.

May 6

May 6

H.B. 1030 Division of wildlife - water for the Great Plains Reservoirs - appropriation. Authorizes the division to acquire water for the purpose of creating conservation pools in the Great Plains Reservoirs.

Appropriates \$60,000 for the acquisition.

May 6

May 6

H.B. 1080 Fire protection district mill levies. Specifies 8 mills as the maximum rate a fire protection district may levy upon taxable property in the district without an election, and exempts from any mill levy limitation any levies made for paying the principal and interest of bonds and other obligations of the district issued after June 14, 1973, or for the purpose of pension funds. Exempts from the annual 7% limit on increased special district levies any levy for the payment of pension funds by fire protection districts.

April 13 April 13

H.B. 1088 Reports filed by departments, institutions, and agencies. Deletes the requirement that state departments, institutions, and agencies collecting or receiving certain moneys make quarterly reports on such moneys to the state controller and state treasurer and provides that such reports be made as required by the fiscal rules of the controller.

February 29 February 29

H.B. 1124 Public employees' social security - political subdivisions. Amends provisions regarding social security for employees of political subdivisions by changing the time when contributions from the political subdivisions must be made and the interest rate applicable for delinquent payments.

March 25 March 25

H.B. 1133 Division of wildlife - Loban-Watson Property - appropriation. Authorizes the department of natural resources to acquire fee title to 32.389 acres in Larimer County, known as the Loban-Watson Hatchery Property.

Appropriates \$160,000 for the acquisition.

May 6 May 6

H.B. 1199 State publications depository and distribution center - appropriation. Creates a state publications depository and distribution center as a section of the state library. Provides for collection and distribution of and public access to state publications. Requires state agencies to deposit copies of new publications with the

center and to provide to the center a list of said agencies' current publications. Makes conforming amendments.

Appropriates \$80,302 to the state library division for creation and operation of the center.

May 6

July 1

H.B. 1218 Compensation of state officials - judges - district attorneys - members of the general assembly - elected and appointed officials - appropriation. Provides for increases in the compensation of numerous state officials, most of whose salaries cannot be increased annually because of constitutional restrictions on increases during a term of office.

Increases the compensation of judges on the supreme court, court of appeals, district courts, Denver courts, and on courts in class B counties. Judges in class B counties shall receive \$36,500 annually. Judges in class C and D counties (part-time judges) shall receive a salary based upon the average number of cases terminated annually in an amount which is a percentage of the salary of a county judge in a class B county (\$36,500).

Increases the minimum compensation for district attorneys from \$29,000 to \$35,000, of which the state shall contribute \$28,000. Such increase shall take effect January 7, 1981.

Increases the salary of the governor from \$50,000 to \$60,000; of the attorney general from \$35,000 to \$40,000; and of the lieutenant governor, the secretary of state, and the state treasurer to \$32,500. Such elected officials' salaries are not to take effect until January, 1983.

Increases the salaries of the deputy secretary of state, the deputy state treasurer, the state board of land commissioners, the public utilities commissioners, and the members of the industrial commission.

Increases the annual compensation of members of the general assembly to be elected at the 1980 general election and thereafter from \$12,000 to \$14,000.

Appropriates \$1,097,840 for implementation of the act.

June 5

July 1

H.B. 1219 Maximum compensation for state employees - appropriation.
Increases the maximum compensation a state employee may receive under the state personnel system from \$3,227 to \$4,872 per month.

Appropriates \$1,136,937 to the department of administration for implementation of the act.

June 5

July 1

HEALTH

- S.B. 16 Individual sewage disposal systems. Increases from \$75 to \$150 the maximum fee which may be charged by a local health department for accepting and processing an application for an individual sewage treatment system. Requires that the fee be based on the average cost of processing such applications in the county for the preceding year.

VETOED April 5

- S.B. 77 Regulation of ambulance services - exclusion of services by mining operators. Amends the definition of "ambulance service" under the "Colorado Emergency Medical Services Act" to exclude persons and vehicles used for the emergency transportation of persons injured at a mine when the person operating the vehicle is subject to the mandatory safety standards of the federal mine safety and health administration. Also amends the definition of "ambulance" to specify that it is a vehicle operated by an ambulance service.

Became law without Governor's signature

April 8 April 8

- H.B. 1162 Certificates of public necessity - conforming to federal requirements. Makes various amendments to the certificate of public necessity act to conform the act with the requirements of recent federal laws. Redefines "capital expenditures" by or on behalf of a health care facility. Defines various other terms for purposes of the certificate of public necessity act including: "Institutional health services", "expenditure minimum", "major medical equipment", and "physician". Revises requirements and standards for certificates of public necessity for capital expenditures. Provides for concurrent review of applications for certificates for similar types of services. Amends appeal provisions. Expands and defines factors to be considered in granting certificates for the provision of health services and construction projects. Extends until October 1, 1980, the date by which rules and regulations governing certificates must be adopted. Provides for the repeal of the act, effective July 1, 1982.

Became law without Governor's signature

May 2 May 2

H.B. 1183 Health maintenance organizations - certificates of public necessity - conformance to federal law. Amends the definition of health maintenance organizations to include those qualified under the federal public health service act. Amends the provisions detailing which organizations and under what circumstances a certificate of public necessity is required. Provides that a certificate shall not be required by a health maintenance organization or health care facility if granted an exemption by the Colorado health facilities review council based on a determination employing factors set forth in the section authorizing such an exemption. Removes the requirement that a health maintenance organization obtain a predevelopment certificate. Sets forth criteria for the review council to consider in determining whether to grant a certificate of public necessity when an exemption from the necessity of obtaining such certificate is disallowed.

April 16 July 1

HIGHWAYS AND ROADS

S.B. 19 Local rail service assistance - highway department to act for state - appropriation. Authorizes the state department of highways to act on behalf of the state in dealing with the federal government in connection with local rail service assistance and other provisions of the federal law.

Appropriates \$1,000,000 to the department, of which \$10,000 is from the state treasury and the balance is to come from private company and federal funds.

May 6

May 6

INSTITUTIONS

H.B. 1109 Community mental health clinics - ownership. Eliminates the requirement that a mental health clinic be a nonprofit corporation in order to be approved by the executive director of the department of institutions for providing health services.

March 25

March 25

INSURANCE

- S.B. 50 State contribution to state employees' and officials' group insurance - appropriation. Increases the state contribution for state employees' and officials' group health or life insurance from \$30 to \$40 per month.

Appropriates \$2,024,802 to the department of administration for implementation of the act.

May 1 July 1

- S.B. 85 No fault insurance - benefits under the federal "Social Security Act". Requires that, in the case of persons eligible for medical benefits under federal social security, benefits under the no fault insurance provisions be reduced by the amount of benefits actually provided under the federal "Social Security Act".

May 1 May 1

- S.B. 107 Reimbursement of insurers for direct benefits paid under no fault insurance. Amends the reimbursement provisions under the no fault insurance law in cases in which an insurer has a claim against the owner, user, or operator of a nonprivate passenger motor vehicle for reimbursement for benefits paid by the insurer to its injured insured. Such reimbursement of the insurer by the tort-feasor's insurer shall be only to the extent of the alleged tort-feasor's coverage which is in excess of the reasonable compensation paid by the tort-feasor's insurer to injured person.

March 25 March 25

- H.B. 1173 Public school transportation - exclusion from provisions on "ridesharing arrangements". Specifies that "ridesharing arrangements" under "no fault" insurance law does not include school vehicles operated by elementary and secondary schools for transporting children to or from school or on school related events.

April 13 April 13

LABOR & INDUSTRY

- S.B. 23 Unpaid officials of local governments - exclusion from workmen's compensation coverage. Authorizes the governing body of specified units of local government to exclude any category of its elected or appointed officials who receive no compensation for their services from coverage under workmen's compensation insurance. Requires the governing body to notify all such officials of such exclusion.

Became law without Governor's signature

April 8 July 1

- S.B. 81 State major medical insurance fund - premiums. Increases from 1.25% to 1.75% the tax on premiums received by insurance carriers insuring employers under the "Workmen's Compensation Act of Colorado". Increases from \$1,500,000 to \$3,000,000 the balance in the major medical fund which, when exceeded, will result in the temporary abatement of such tax.

April 6 July 1

- S.B. 115 Repeal of "Colorado Occupational Safety and Health Act". Repeals the "Colorado Occupational Safety and Health Act" and abolishes the occupational safety and health standards board. Makes miscellaneous conforming amendments.

April 13 April 13

- H.B. 1114 Displaced homemakers - service centers established - fund created. Authorizes the department of labor and employment to establish multi-purpose service centers throughout the state to aid displaced homemakers. Specifies the range of services to be provided at such centers. Directs the executive director of the department to submit a biennial evaluation of each service center and of the progress of the program as a whole. Directs the creation of an advisory body to aid the department. Assesses a \$5 fee for the filing of a petition for dissolution of marriage and directs that such fees be credited to the displaced homemaker fund established by the act.

May 6 July 1

H.B. 1120 Definition of employment under the "Colorado Employment Security Act". Makes applicable the provisions of the "Colorado Employment Security Act" to employees of elementary and secondary schools and institutions of higher education operated by religious organizations so that such employees may be considered for unemployment compensation.

April 13 July 1

MOTOR VEHICLES

S.B. 52 Air pollution control - reduction of mobile source emissions - appropriation. Establishes an automobile emissions inspection program in certain front-range counties, to be known as the "AIR Program". Provides, beginning July 1, 1981, that government-owned motor vehicles of the model years 1968 through 1981 must be inspected, that motor vehicles of the model years 1968 through 1981 must be inspected upon change of title prior to registration in those front-range counties, and that any other motor vehicle may voluntarily be inspected. Provides that those vehicles required to be inspected which do not meet the applicable emissions standards must be adjusted as provided in air quality control commission (hereafter "commission") regulations and reinspected after the adjustments are made. Provides that, beginning January 1, 1982, motor vehicles of the model years 1968 through 1982 which are registered in certain front-range counties must be inspected annually. Provides that those vehicles which do not meet the applicable emissions standards must be adjusted as provided in commission regulations and reinspected after the adjustments are made. Provides that, beginning July 1, 1982, motor vehicles of the model year 1981 or a later model year which do not meet the applicable emissions standards shall be issued a certificate of emissions adjustment if not less than \$100, in addition to the cost of adjustments specified in the commission's regulations, has been expended for the reduction of exhaust emissions from the vehicle. Provides that on July 1 of each subsequent year one additional motor vehicle model year is to be included in the program. Requires a visual inspection of emissions control equipment as a part of the inspection and provides that if such equipment has been tampered with or removed that it must be repaired or replaced.

Provides that the commission is to develop and adopt emissions standards which are designed so that not less than 60% of the motor vehicles of the model years 1968 through 1974 which are required to be inspected meet such standards at the time of the first inspection and so that not less than 70% of the motor vehicles of the model years 1975 or later model years which are required to be inspected meet such standards at the time of the first inspection.

Requires the commission to continuously evaluate the program and to report annually to the general assembly on its evaluation. Requires the commission to monitor and analyze ambient air quality. Requires the commission to determine the number of motor vehicles which fail the retest after the required adjustments are

made and, if a significant number of vehicles do fail the retest, requires the commission to recommend changes to improve the air pollution control-effectiveness of the program. Requires the commission to assess the methods of controlling or reducing emissions from motor vehicles equipped with newly developed emissions control systems and, if necessary for such vehicles, to develop procedures which require the replacement of inoperative or malfunctioning emissions control equipment. Requires the commission to develop a compilation of approved high altitude modifications or adjustments for motor vehicles.

Requires the executive director of the department of health to establish an information system concerning the program, to administer mechanic licensing examinations, to operate necessary technical centers, and to conduct a study of diesel emissions. Requires the department of revenue to calibrate inspection station analyzers at least once every 60 days and to evaluate each inspection station through the use of unmarked vehicles at least once each year.

Provides that the fee charged for the emissions inspection shall be as posted by the station, which shall not exceed \$10. Provides that the fee for the adjustments required by commission regulations shall be as posted by the station, which shall not exceed \$15. Provides that the license fee for an inspection station shall be \$25, with a renewal fee of \$10. Provides that the license fee for an emissions mechanic shall be \$10, with an annual renewal fee of \$5.

Provides for termination of the program on January 1, 1988. Provides that the program shall not be deemed to interfere with the enforcement of any motor vehicle part warranty. Provides civil penalties for making, issuing, or knowingly using a counterfeit certification of emissions control and for issuing a certification of emissions control for a motor vehicle which does not qualify for the certification issued.

Repeals the income tax deduction for the fee paid for a required emissions inspection. Repeals the requirement that school districts report annually concerning actions taken to reduce emissions from vehicles used for the transportation of pupils.

Appropriates \$278,248 to the department of revenue and \$248,735 to the department of health for implementation of the act.

May 23

May 23

S.B. 82 Financial assessments against persons convicted of driving while impaired or under the influence. Continues the assessment of \$60 established in 1979 against persons convicted of driving while impaired by, or under the influence of, alcohol or drugs. This fee is for the cost of presentence alcohol and drug evaluation and supervision services. Provides that for each fiscal year after July 1, 1980, the general assembly, rather than the state auditor, is to adjust the amount of the assessment so that the alcohol and drug driving safety program established in 1979 will be self-supporting.

April 10 April 10

S.B. 96 Parking privileges for the handicapped - appropriation. Extends the definition of "handicapped person" beyond those persons requiring mechanical devices in order to be mobile to include persons with a physical impairment verified by a physician or the director of the division of rehabilitation as substantially limiting their ability to move from place to place. Provides for issuance of temporary distinguishing license plates and identifying placards, valid for 90 days and renewable, to persons temporarily handicapped.

Appropriates \$7,470 out of the highway users tax fund to the department of revenue for implementation of the act.

April 30 April 30

S.B. 114 Regulation and licensing of electric powered motor vehicles. Provides preferential treatment for electric powered motor vehicles, until July 1, 1987, with respect to property, income, and sales taxes and motor vehicle registration fees and taxes to encourage the use of such vehicles. Prohibits discrimination by insurance companies against such vehicles.

April 10 April 10

H.B. 1113 Parking privileges for the handicapped. Extends the definition of "handicapped person" beyond those persons requiring mechanical devices in order to be mobile to include persons with a physical impairment verified by a physician or the director of the division of rehabilitation as substantially limiting their ability to move from place to place. Provides that any person invalidly using a license plate or placard for the

handicapped is guilty of a class 2 petty offense,
punishable by a fine of \$15.

April 22 April 22

H.B. 1172 Registration of vehicles exempt from the ton-mile tax.
Increases the weight limitation, from 6,500 lbs. to
10,000 lbs., of certain trucks and truck tractors exempt
from payment of ton-mile taxes and not subject to
clearance by a port of entry weigh station and provides
registration fees for such vehicles.

May 1 January 1, 1981

NATURAL RESOURCES

- S.B. 51 Credit against severance tax for approved contributions made by expanded operation. Establishes a credit against any severance taxes due the local government severance tax fund in an amount equal to approved contributions made to any local unit of government locally impacted to assist in solving impact problems arising from an increase in production.

Requires the executive director of the department of local affairs to act upon each contribution within 90 days after submission by the taxpayer and the unit of local government (for new operations) or the local unit of government locally impacted (for expanded operations). States that failure of the executive director to so act shall be deemed approval of the contribution.

April 10 April 10

- S.B. 101 Mined land reclamation - use of proceeds of bonds forfeited. Requires that the proceeds of reclamation performance bonds forfeited under the "Colorado Mined Land Reclamation Act" be used for reclaiming land for which the bonds were forfeited, rather than deposited in the general fund. Directs that any proceeds remaining after reclamation be returned to the mine operator or surety company, whichever is appropriate.

April 1 April 1

- S.B. 149 Water conservation board projects - fund limitations - appropriation. Eliminates provisions that required funds in excess of \$10,000,000 in the water conservation board trust fund to revert to the general fund. Changes a limitation on the use of moneys in the trust fund for investigations of feasibility of water projects to 10% of the moneys in the trust fund.

Appropriates \$40,000,000 for the purposes of the trust fund.

May 2 May 2

- H.B. 1073 Mineral claim location - exclusion of coal and oil shale. Provides that coal and oil shale are not subject to mineral claim location upon state lands.

April 13 April 13

H.B. 1117 State parks - fee for annual pass. Increases the fee for an annual park pass from \$10 to \$15 for the calendar year 1981. January 1, 1982, and thereafter, the fee is increased to \$20.

Became law without Governor's signature

April 15 January 1, 1981

H.B. 1195 Mineral prospecting - requirements for abandonment of drill holes. Sets forth specific requirements to be followed in plugging or capping holes drilled in prospecting for minerals. Requires sealing to prevent the movement of fluid between water aquifers and reclamation work on the surface. Temporary abandonment is permitted, subject to certain restrictions. Imposes requirements for reporting compliance with the statute to the division of mined land reclamation, giving the location and the method used to comply. The mined land reclamation board may inspect any operation before releasing a prospector's surety bond.

June 5 July 1

PROFESSIONS AND OCCUPATIONS

- S.B. 65 Division on women - state commission on women - creation - appropriation. Restructures the existing commission on women (currently in its wind-up year) and reorganizes the division as follows: Distinguishes between the commission and the division; provides for the appointment of the director of the division by the executive director of the department of regulatory agencies; creates the 15-member state commission on women; authorizes the appointment of members by the governor with the consent of the senate; specifies the duties of the division; directs the commission to advise the division and review and approve the activities and direction of the division; prohibits commission members from engaging in political activity while acting in their official capacity; and authorizes the division to seek and to expend federal funds as well as gifts and donations from other persons. Provides for the automatic termination of the division, including the commission, on July 1, 1987.

Appropriates \$57,000 for implementation of the act.

VETOED May 14

- S.B. 105 Regulation of the practice of nursing - appropriation. Provides for the licensing and regulation of the nursing profession under a state board of nursing in the division of registrations of the department of regulatory agencies. Merges previously separate statutory provisions for practical nursing with those for professional nursing. Redefines certain terms used in the nurse practice act; creates an 11 member board; and provides additional and changed procedures for the discipline of licensees.

Appropriates \$302,053 for the implementation of the act.

April 16 July 1

- H.B. 1129 Practice of practical nursing, pending licensing, by graduates of out-of-state schools. Vests discretion in the state board of practical nursing to allow the practice of practical nursing by graduates of out-of-state schools pending such graduates' results of the state licensing examination as long as the practice is under the supervision of a registered professional nurse.

April 13 April 13

H.B. 1190 Drug paraphernalia - definition - acts prohibited - penalty. Defines "drug paraphernalia" and establishes criteria which a court may use in determining whether an object is drug paraphernalia. Prohibits the possession of drug paraphernalia with the intent to use it under circumstances in violation of the laws of this state; prohibits the manufacture, sale, or delivery of objects with the intent that such objects will be used as drug paraphernalia; and prohibits the advertisement of objects designed and intended for use as drug paraphernalia. Declares any building used for the unlawful manufacture, sale, or delivery of drug paraphernalia to be a class 1 public nuisance. Sets forth penalties for violations concerning drug paraphernalia.

April 10 July 1

H.B. 1211 Escort services - licensing and regulation - penalties. Defines terms pertaining to escort services. Requires any person holding himself out as an escort, conducting an escort bureau, or representing himself as an escort bureau runner to secure a license from the local licensing authority. Provides for terms, conduction, suspension, and revocation of such license. Authorizes the local licensing authority to conduct an investigation of any applicant for a license. Prohibits certain persons from obtaining a license. Makes certain acts concerning escort services unlawful. Requires an escort bureau to provide a written contract for escort patrons and to transmit a copy of such contract to the local licensing authority. Sets forth penalties. Authorizes peace officers of the local licensing authority to enforce the provisions of the article. Allows local governments to enact ordinances providing more stringent standards for licensing than those established by the act.

April 16 July 1

PROPERTY

- S.B. 42 Compensation for the office of public trustee. Increases the compensation of the public trustee in counties of the first class from \$10,000 to \$16,000; in counties of the second class from \$10,000 to \$15,000 for full-time and \$10,500 as the salary for part-time trustees; and in counties of the third class from \$2,000 to \$4,000.

States that all public trustees in counties of the second class shall be paid as full-time trustees unless the board of county commissioners declares, by resolution, the trustee to be part-time.

May 1 July 1

- S.B. 103 Liens against real property. Provides that any person who knowingly files an invalid lien against real property shall be liable to the owner for damages of not less than \$1,000 or actual damages, whichever is greater, plus attorney fees. The same sanctions are imposed upon any person benefited by the invalid document who refuses to relinquish the document to the owner of the property. Violation of the filing limitation is a class 1 misdemeanor. Also amends the recording statute to provide that, except for statements filed pursuant to the "Uniform Commercial Code", Title 4, C.R.S. 1973, recording is equivalent to filing.

April 22 July 1

- S.B. 138 Self-storage facility liens. Provides the owner of a self-storage facility with a remedy in the form of a lien if the occupant of such facility defaults in his rental agreement. Authorizes disposal of the occupant's property to satisfy the lien after demand for payment and notice have been given. Applies to rental agreements executed on or after July 1, 1980.

May 2 July 1

- H.B. 1141 Cooperative housing corporations - formation. Authorizes the formation of cooperative housing corporations, as nonprofit corporations, to provide stockholders the right to occupy a dwelling in property owned or leased by such corporations. Requires the articles of incorporation of such corporations to contain provisions setting forth the rights of stockholders in property of the corporation.

Provides state income tax deductions for property taxes and interest paid on the residential units on which the stockholders of the corporation receive proprietary leases. Authorizes lending institutions to make loans on such housing.

April 16 July 1

PUBLIC UTILITIES

S.B. 95 Commercial transporting of ashes, trash, or other discarded materials - deregulation by public utilities commission. Provides that persons hauling ashes, trash, or other discarded materials, except sludge or fly ash, are not considered to be public utilities and are not otherwise subject to regulation by the public utilities commission.

Authorizes a board of county commissioners to: Assess the cost of rubbish removal by the county against the lots from which the rubbish has been removed; inspect vehicles used in the conduct of the business of transporting ashes, trash, or other discarded materials; contract, subject to certain limitations, with persons in the business of transporting and disposing of ashes, trash, or other discarded materials; regulate the activities of persons in the business of transporting ashes, trash, or other discarded materials by requiring a license, by charging a fee, and by requiring adherence to reasonable health and safety standards; make regulations for the promotion of health or suppression of disease; and require liability insurance on motor vehicles used in the business of transporting ashes, trash, or other discarded materials. Sets forth limitations on county regulation of such haulers.

Allows a credit against Colorado income taxes based on the cost of a certificate issued by the public utilities commission and purchased by persons in the business of the transportation of ashes, trash or other discarded materials.

April 1 June 30

H.B. 1131 Tampering with utility property. Provides that making a connection to a utility service line supplying gas, water, or electricity or interfering with a utility meter measuring gas, water, or electricity, without the consent of such utility, is a class 2 misdemeanor.

April 13 July 1

H.B. 1135 Railroad crossings of public highways. Provides that when certain criteria are met the public utilities commission shall authorize the expansion of a highway at a railroad crossing and allocate the full cost of such expansion and relocation of safety signals and devices to the political subdivision in interest. Provides for a

repeal of the act on July 1, 1982.

April 16 April 16

H.B. 1209 Termination of gas or electric service to residential customers. Requires the public utilities commission to establish rules and regulation for the termination of gas and electric service to residential customers, and to provide for reasonable notice and a hearing prior to any termination. Prohibits termination of service if the customer establishes that it would be especially dangerous to his health or safety and that he is unable to pay for the service as regularly billed or is able to pay only in reasonable installments.

April 13 April 13

SOCIAL SERVICES

S.B. 38 Alternatives to long-term nursing home care - pilot program - funding. Requires the department of social services to report annually to the general assembly on the availability and quality of home health care services. Provides for a 2 year pilot program in home health care services for the qualifying aged and disabled and a 2 year pilot program for adult care services for the aged, blind, and disabled, which are to be administered by the department of social services. Provides for certification of home health agencies by the department of health. Permits county departments of social services to be certified as home health agencies. Limits expenditures by counties in pursuance of the program.

May 1 July 1

H.B. 1110 Clinic services for the categorically needy - definition - purchase of from community-centered boards. Expands the definition of "clinic services", which are to be provided under basic services programs for the categorically needy, to include services furnished by an approved intermediate care facility for the mentally retarded or by a community-centered board. Provides that a community-centered program providing services for the mentally retarded or seriously handicapped may be under the control of a corporation for profit, in order to conform to federal qualification requirements for providers of services.

April 13 January 28, 1981

H.B. 1132 Rehabilitative nursing facility - pilot project continued. Continues until June 30, 1982, the rehabilitative nursing facility pilot project which was established in 1978 within the department of social services. Such project was due to terminate on June 30, 1980. Requires that a report on the project be made to the general assembly no later than January 15, 1981.

May 6 May 6

STATUTES

- S.B. 35 Adoption of 1979 supplement - effective date of replacement volumes. Adds the replacement volumes to the statute providing for the validation of Colorado Revised Statutes 1973, and sets out the effective and operative date for the 1977 Replacement Volume for Volume 12 and for the 1978 Supplement and the 1978 Replacement Volumes for Volumes 5 and 8.

Reenacts all the laws of a general and permanent nature enacted by the general assembly in the 1974, 1975, 1976, 1977, 1978, and 1979 sessions as contained in the 1979 Supplement as the positive statutory law of the state, with the same legal force and effect as, and as a part of, Colorado Revised Statutes 1973.

April 1

April 1

- S.B. 109 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.

June 5

June 5

TAXATION

- S.B. 41 Gasoline and special fuel taxes - bulk purchases. Specifies that special districts purchasing gasoline from distributors are exempt from the gasoline tax if purchased in bulk. Decreases from 300 to 100 gallons the amount of gasoline required to be purchased in bulk by a government agency in order to be exempt from the tax.

Also, decreases from 500 to 250 gallons the amount of bulk storage required of bulk purchasers of special fuel and from 300 to 100 gallons the amount of bulk purchase of special fuel in order to be eligible to purchase special fuel without payment of the tax.

April 10 April 10

- S.B. 59 Vendor's reports for sales and use tax. Allows the executive director of the department of revenue to permit vendors whose monthly tax collected is less than \$300 to submit quarterly returns. Formerly, a taxpayer's monthly tax had to be less than \$60 in order to permit quarterly, rather than monthly, returns.

April 29 July 1

- S.B. 125 Mobile homes - registration, assessment, and taxation - penalties. Requires the owner of a mobile home to file notice of change of location of such mobile home within a county or from one county to another county with the respective county assessors. Allows the owner of a mobile home to provide evidence to an assessor that household furnishings exceed 20%, or the portion established by the property tax administrator, of the delivered price of the mobile home. Allows a personal property tax deduction equal to that amount.

Requires the seller of a mobile home to provide a tax certificate and an itemized list of household furnishings to the buyer. Requires all ad valorem taxes to be paid before a used mobile home may be included in a dealer's list of stocks of merchandise. Modifies provisions regarding redemption of any mobile home sold at a tax sale. Allows taxes levied on any mobile home which are determined to be uncollectible to be deleted from the tax rolls. Allows a mobile home to be moved without a permit in an emergency situation.

Makes other miscellaneous amendments and sets forth penalties for certain violations concerning mobile homes,

including new penalties for moving a mobile home without a valid permit.

May 1 July 1

H.B. 1059 Apportionment of income of foreign financial institutions. Provides that a bank, savings and loan, credit union, or other institution making or purchasing loans whose only business activity in Colorado is the ownership of property acquired by foreclosure, or a procedure in lieu thereof, which property is disposed of within 24 months, shall directly allocate net income or gains or losses to the state where the property is located.

Applies to tax years beginning on or after January 1, 1979.

March 17 March 17

H.B. 1112 Assessment of personal property. Removes personal property from the current scheme for revaluation and implementation of revaluation of taxable property. Generally, provides that personal property be valued by consideration of applicable factors specified in the property tax laws. Personal property shall be valued and the actual value for the current year of assessment adjusted to the level of value of the base year applicable to real property by using appraisal procedures and instructions as published by the property tax administrator and approved by the advisory committee to the administrator.

In determining actual value, depreciation attributable to age shall not exceed that for the actual age of the property on the assessment date.

Applies to property tax years beginning on or after January 1, 1981.

February 29 February 29

H.B. 1136 Sales and use taxes - exemption of horse feed. Exempts sales and purchases of feed for horses from the provisions of the sales and use taxes.

April 13 July 1

H.B. 1153 Income tax credit for property taxes on freeport merchandise and stocks of merchandise. Makes it clear that a credit or refund of income taxes based on payment of general property taxes on freeport merchandise and stocks of merchandise is available only for general property taxes paid to a taxing entity within Colorado. Applies to tax years beginning on or after January 1, 1980.

March 10 March 10

H.B. 1207 Sales and use taxes - sales of fuel. Extends to July 1, 1982, the exemption from sales and use taxes for fuel used in residences for light, heat, and power. Includes wood in the list of fuels exempt and defines "gas" to include natural, manufactured, and liquified petroleum gas. Makes miscellaneous conforming amendments.

May 2 May 2

H.B. 1215 Estate tax - miscellaneous amendments. Sets forth procedures and requirements for entry into a safe deposit box of a decedent, procedures to obtain a certificate of nonliability if an estate is not subject to the tax, and a penalty provision for failing to file an estate tax return when required or for filing a false return. Applies to estates of decedents dying on or after July 1, 1980.

March 25 July 1

H.B. 1228 Taxation of works of art. For taxable years commencing on or after January 1, 1981, original creations of visual works of art offered for public display are deemed a special class of personal property having a public purpose and their valuation for assessment shall be at an amount equal to one-half of one percent of their actual value. Sets forth qualifications and requirements for public display. If not offered for public display, the visual works of art are valued at the normal 30% rate for personal property.

April 16 April 16

H.B. 1264 Reduction and elimination of taxes for individuals and businesses - income tax credits - sales and use taxes exemptions - changes in the tax and fiscal policy laws, which changes can be summarized as follows:

I. Reduction and elimination of state taxes

A. State income taxes

1. Individual income taxes, generally

a. For the 1980 income tax year, the annual inflation factor is increased from 107% to 109%.

b. For the 1980 income tax year and thereafter, removes the low-income allowance and the percentage standard deduction and provides a \$1,000 standard deduction for an individual and a husband and wife filing jointly, and a \$500 standard deduction for a married person filing separately. Such standard deductions are to be multiplied by the annual inflation factor.

c. For the 1980 income tax year and thereafter, provides that interest income on obligations of this state or any political subdivision thereof issued on or after the effective date of the act shall not be added to federal adjusted gross income in determining Colorado adjusted gross income. Continues such exemption for interest income from such obligations issued before the effective date if the law authorizing the issuance of such obligations provided for an exemption.

d. For the 1980 income tax year and thereafter, provides that, for an individual, the first \$200 of any interest income and, for a husband and wife filing jointly, the first \$400 of any interest income shall be subtracted from federal adjusted gross income in determining Colorado adjusted gross income. Provides a similar subtraction with regard to any dividend income. Both such forms of income however must be reduced by an amount equal to the amount of interest income and dividend income, respectively, which was excluded in determining federal adjusted gross income. Provides that both such forms of income need not be added back into the deduction for federal tax liability.

e. Provides that a surviving spouse 58 years of age or older may, upon meeting the other eligibility requirements, claim the real property tax credit or refund and the home heat expense credit or refund, even though the deceased spouse was not 65 years of age or older, and even though they jointly did not meet the other eligibility requirements for a prior taxable year.

f. For the real property tax credit or refund, increases the maximum amount of the credit and increases the income eligibility level for claiming such credit or refund. Increases the income eligibility level for claiming the home heat credit or refund, and changes the income and percentage figures used in determining the amount of such credit or refund.

g. Provides that the credit against income taxes which is equal to 10% of the annual income tax liability be applicable only to the 1979 income tax year. Allows such a credit in the amount of 20% for the 1980 income tax year. Withholding tax tables shall not reflect these credits before July 1, 1981.

h. For the 1980 income tax year and thereafter, provides a tax credit or refund to handicapped persons based upon certain expenses incurred by reason of their employment. Requires employment for at least 6 months during the income tax year. Limits the credit to \$50 a month for a home attendant and to 20% of the cost of durable medical equipment, not to exceed \$1,200 and requiring at least \$300 in cost of such equipment be incurred.

i. Provides a residential energy tax credit for expenditures for the installation of energy-conserving measures, up to \$400, and for renewable energy source property, up to \$3,000 which are installed in the taxpayer's principal residence. Such credit applies to expenditures made between January 1, 1980 and December 31, 1985.

2. Business income taxes, generally

a. For the 1981 income tax year and thereafter, allows a credit during the first 5 years of operation of a new mining, milling, or mining and milling operation or the expansion of such an operation in an amount equal to prior eligible contributions made to units of local government under agreements with such units to assist in solving impact problems. Allows the credit to be taken only if the new operation or the expansion actually begins operation after June 30, 1980, and allows the credit only with regard to income derived therefrom. The department of local affairs determines eligibility. If the total of all claims for credit exceeds \$100,000 annually, each claimant shall receive a prorated value of the contribution made by him so that the total of all credit claims will not exceed \$100,000 annually.

b. For the 1980 income tax year, amends the investment tax credit to allow a credit for depreciable property used in Colorado which credit shall be equal to 25% of the credit allowed under federal law against federal income taxes for investment in such property. (For the 1981 income tax year and thereafter, such increased percentage and dollar amounts return to what they were prior to the amendments contained in the act.)

c. Provides a business, commercial, and agricultural credit for expenditures for energy property and solar or wind energy property, as such terms are

defined in the federal "Internal Revenue Code of 1954". Such credit applies to expenditures made between January 1, 1981 and December 31, 1986.

B. State sales and use taxes

1. Effective January 1, 1981, exempts certain medical supplies and equipment, including wheelchairs, eyeglasses, contact lenses, hearing aids, and certain therapeutic devices valued at more than \$100.

C. Miscellaneous amendments

1. Changes from 120 days to 45 days the time within which notice must be given by a county or city to the department of revenue of any countywide or city sales tax which is adopted, and changes the time period within which the tax may be imposed.

2. For the 1980 income tax year and thereafter, includes livestock in the provisions granting an income tax credit based on payment of general property taxes on freeport merchandise and stocks of merchandise.

3. Provides that an employer's deduction from Colorado gross income for his contributions which subsidize ridesharing arrangements and use of mass transit shall be allowed only to the extent not previously deducted in determining Colorado gross income.

II. Fiscal policy matters

1. Amends the restriction on state general fund spending in order to allow the special reserve fund, which currently can only be used for tax relief, to be used for construction, maintenance, and repair of highways, for water projects, and, for fiscal year 1980-81, for administration of highways, in addition to its use for tax relief.

2. Provides that, for the purpose of the section which limits appropriations from the highway users tax fund to not more than 23% of the net revenue of such fund for the previous fiscal year, "net revenue" does not include moneys appropriated to the fund from the special reserve fund which is created in the provision establishing the 7% limit on state general fund spending.

May 1

May 1

WATER AND IRRIGATION

S.B. 67 Projects of the Colorado water conservation board - fund limit removed. Approves the financing of 18 water resource and flood control projects for financing out of the board's construction fund, in the total amount of \$9,711,600. Cancels an authorization made in 1977 for 3 such projects, and removes a provision requiring the reversion from the construction fund to the general fund of all amounts over \$10,000,000 at the end of any fiscal year.

June 5

June 5

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