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Report to the Colorado General Assembly

**REORGANIZING THE  
EXECUTIVE BRANCH  
OF COLORADO'S  
STATE GOVERNMENT**



**COLORADO LEGISLATIVE COUNCIL**

**RESEARCH PUBLICATION NO. 131**

DECEMBER 1967

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THE EXECUTIVE DEPARTMENT\*

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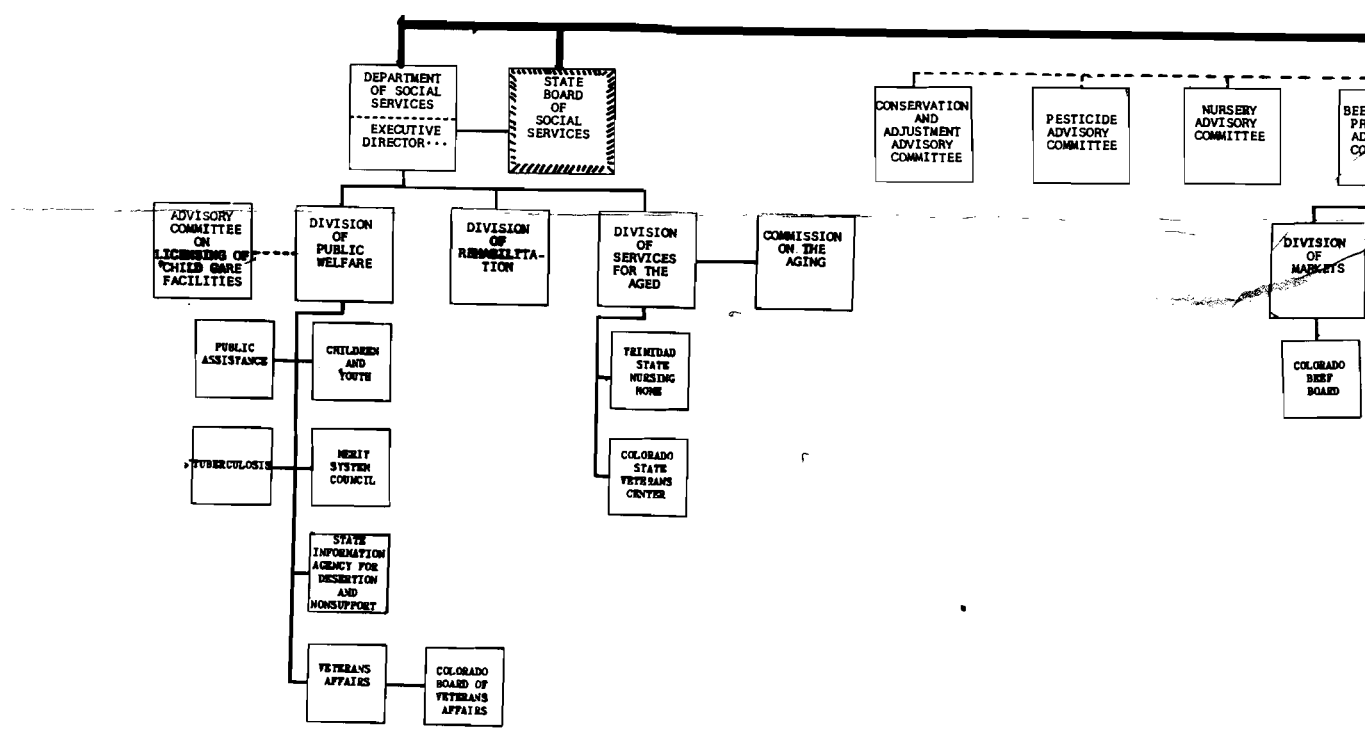
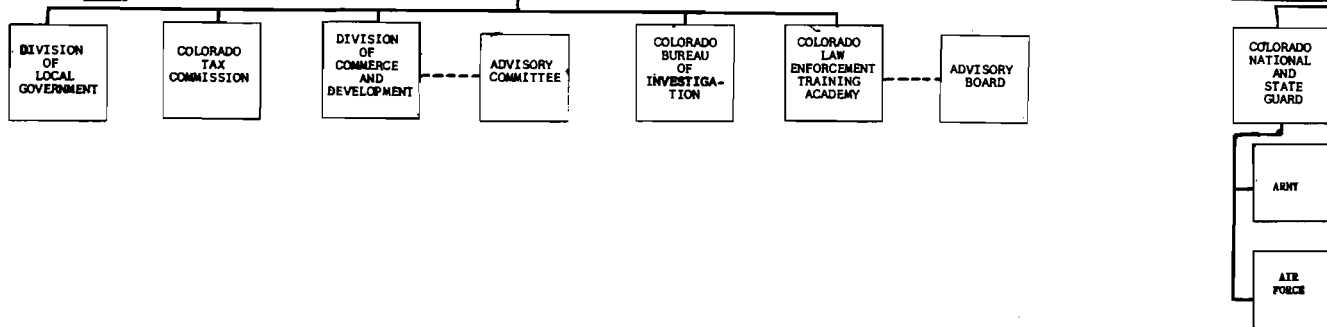
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# PROPOS

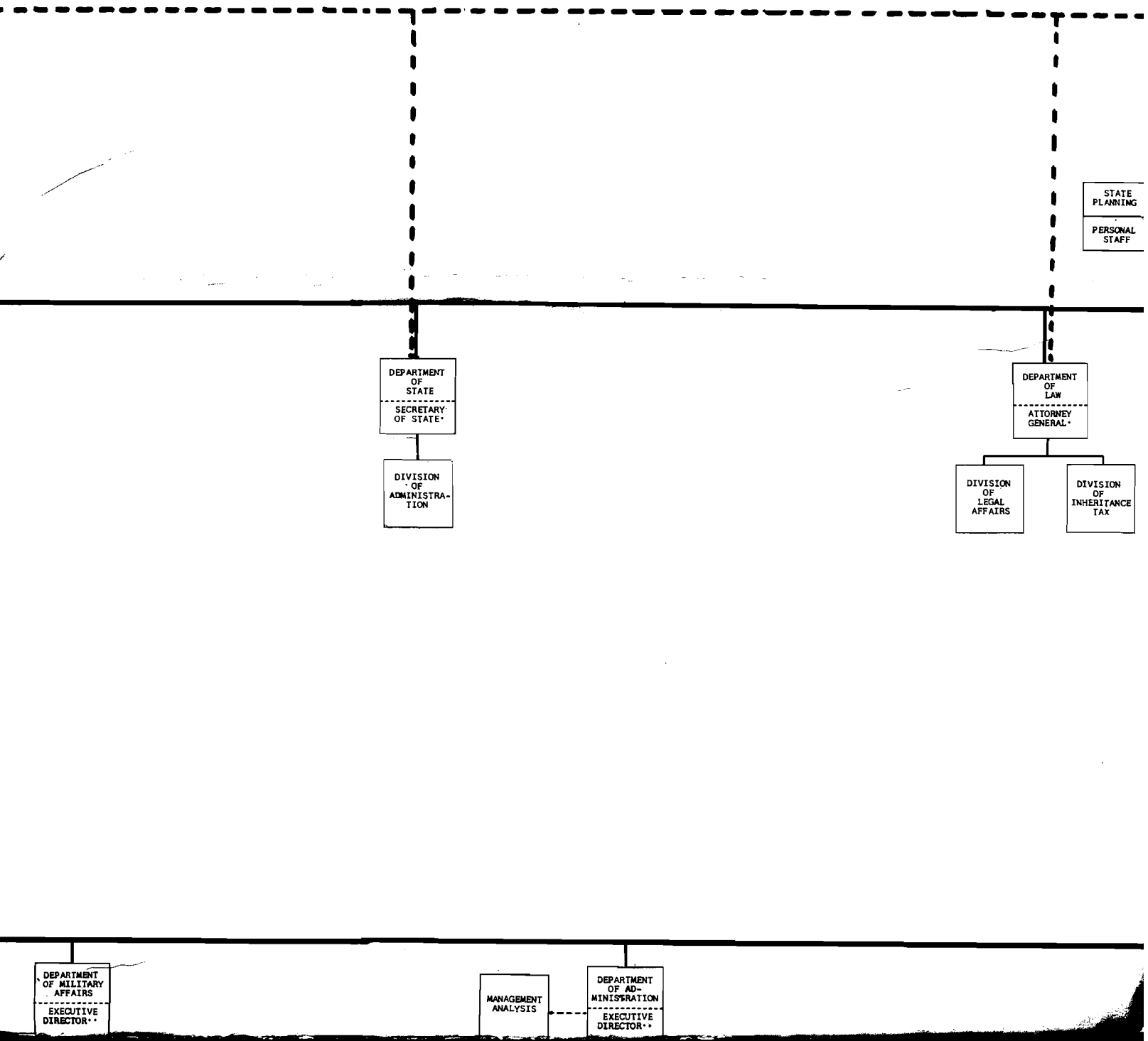
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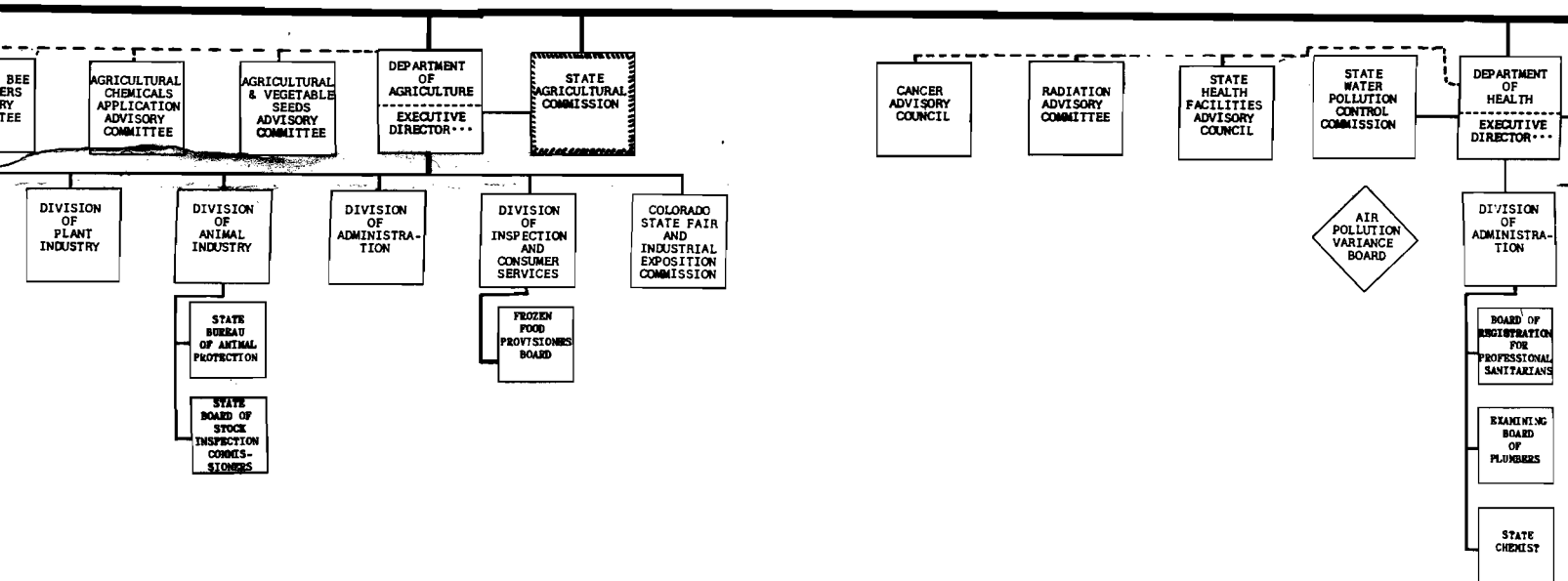
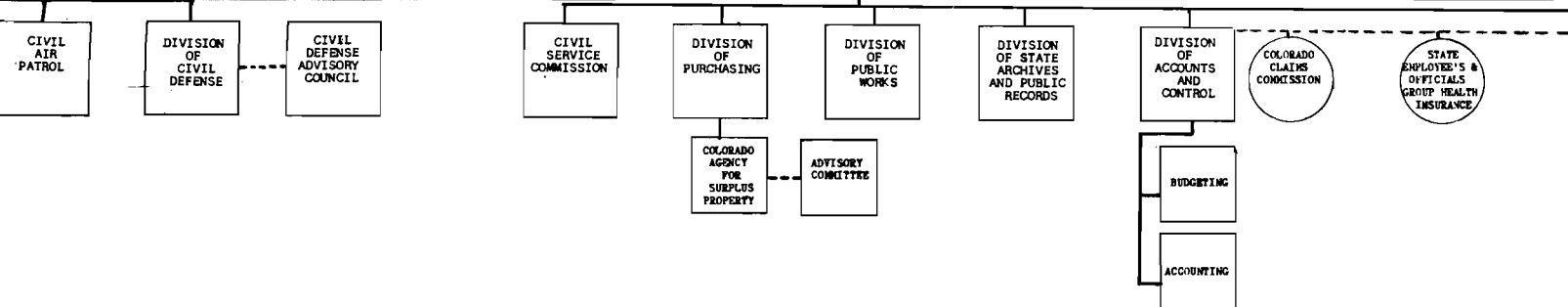
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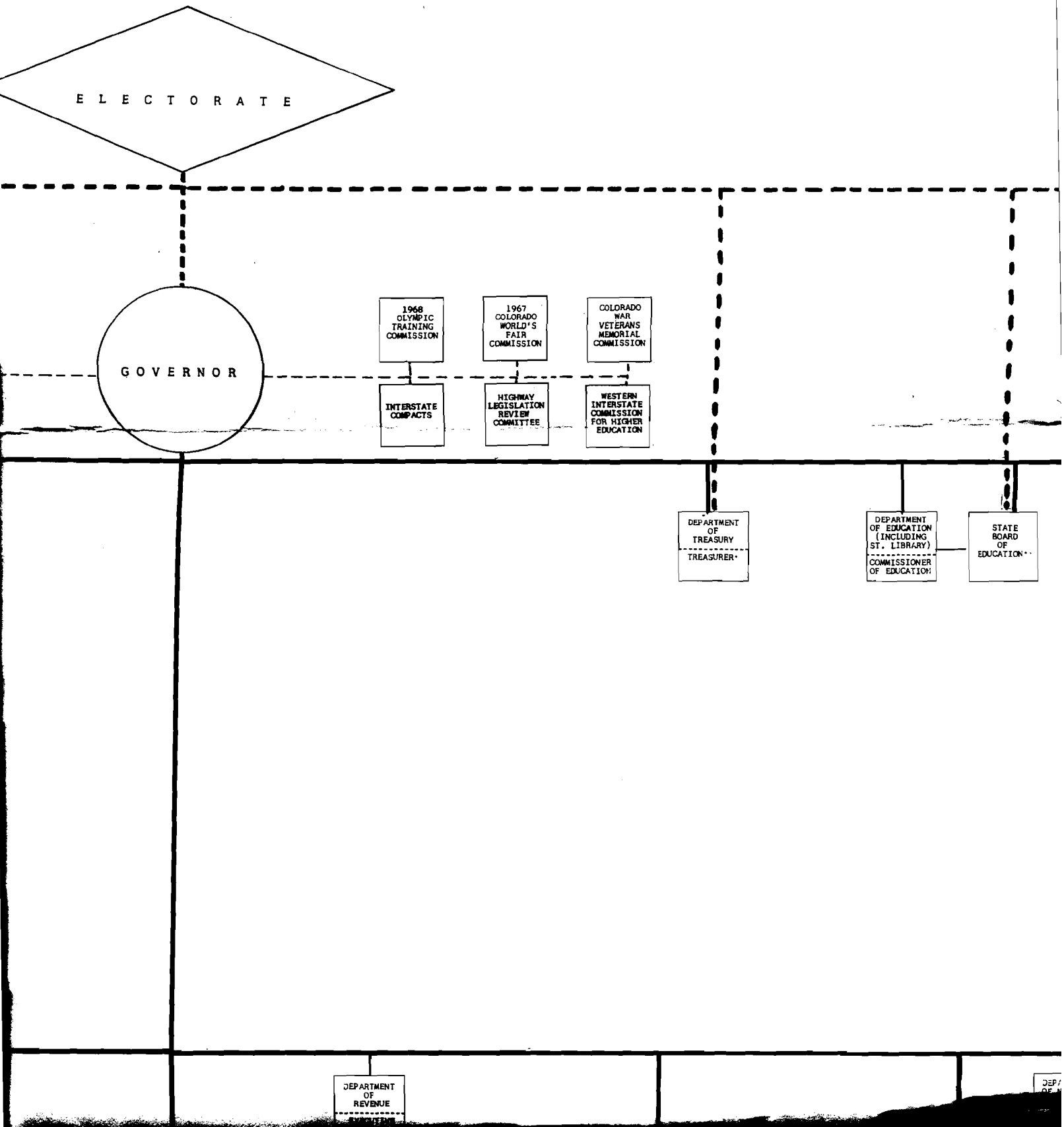


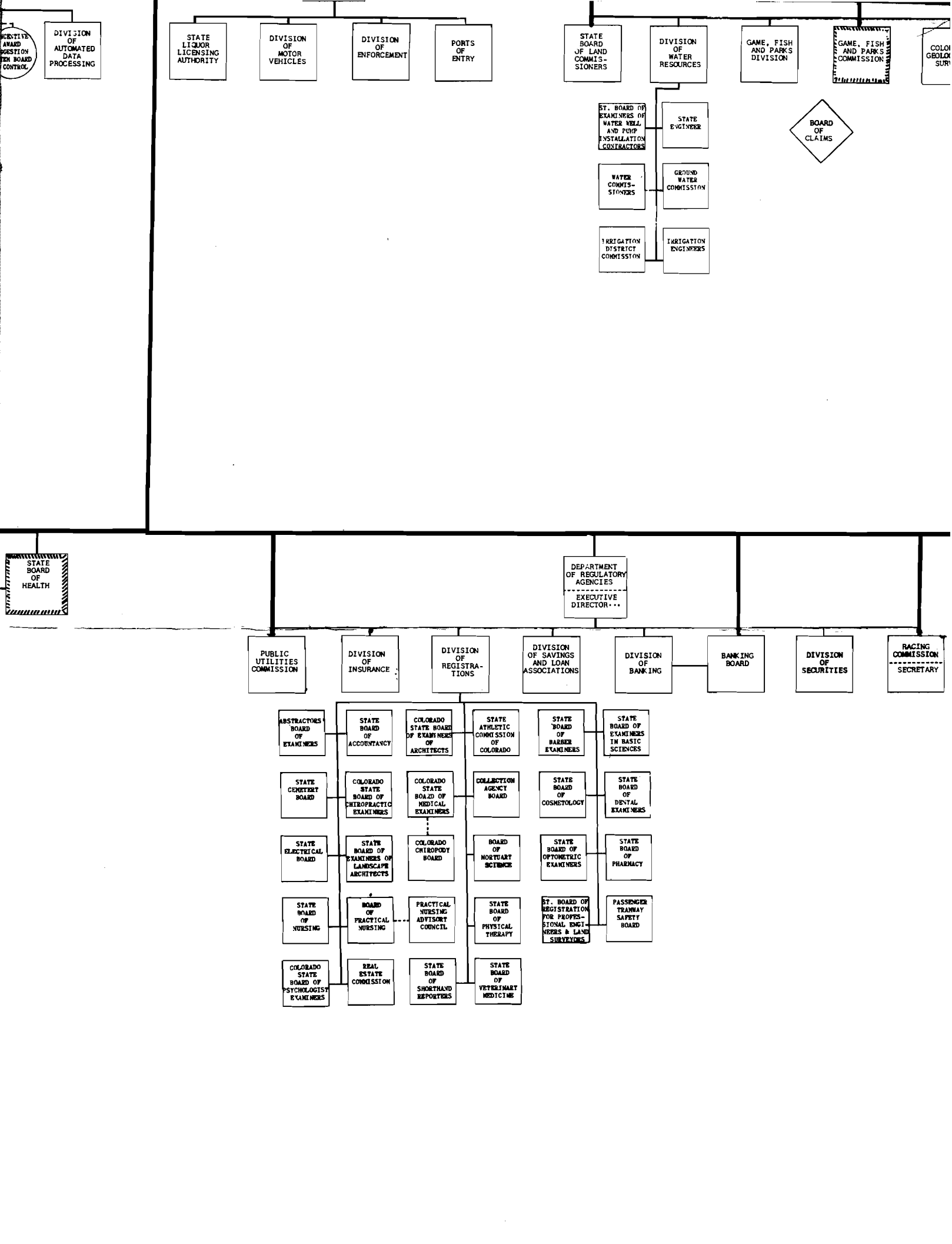
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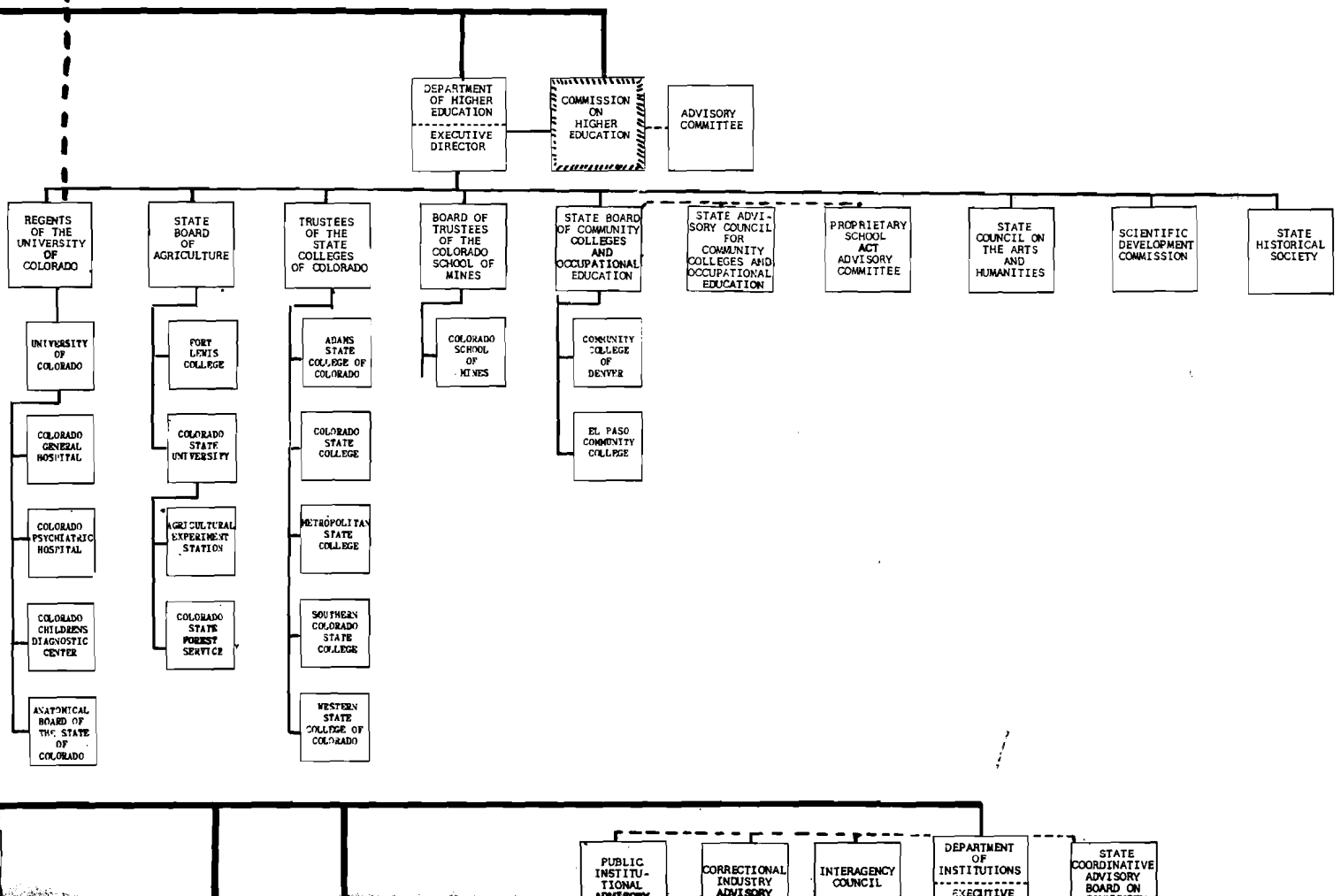


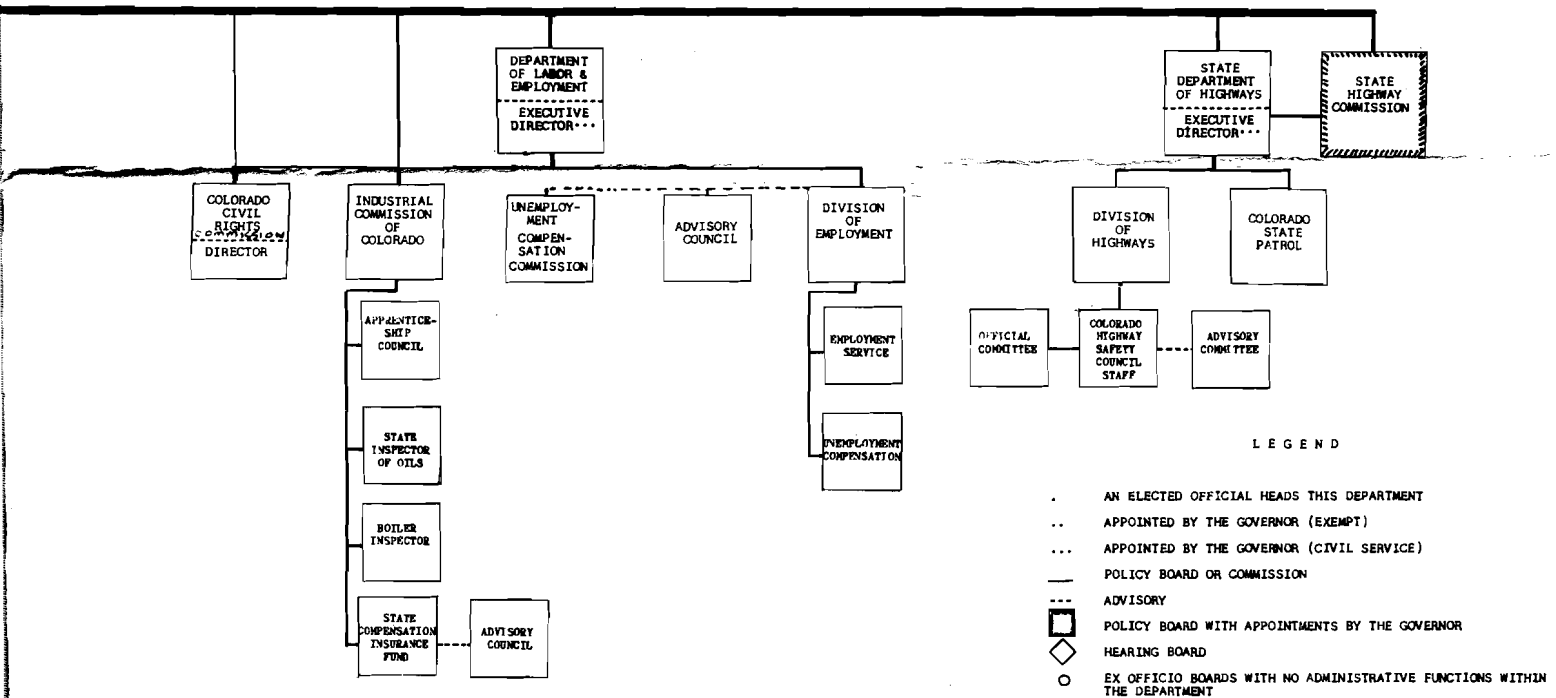
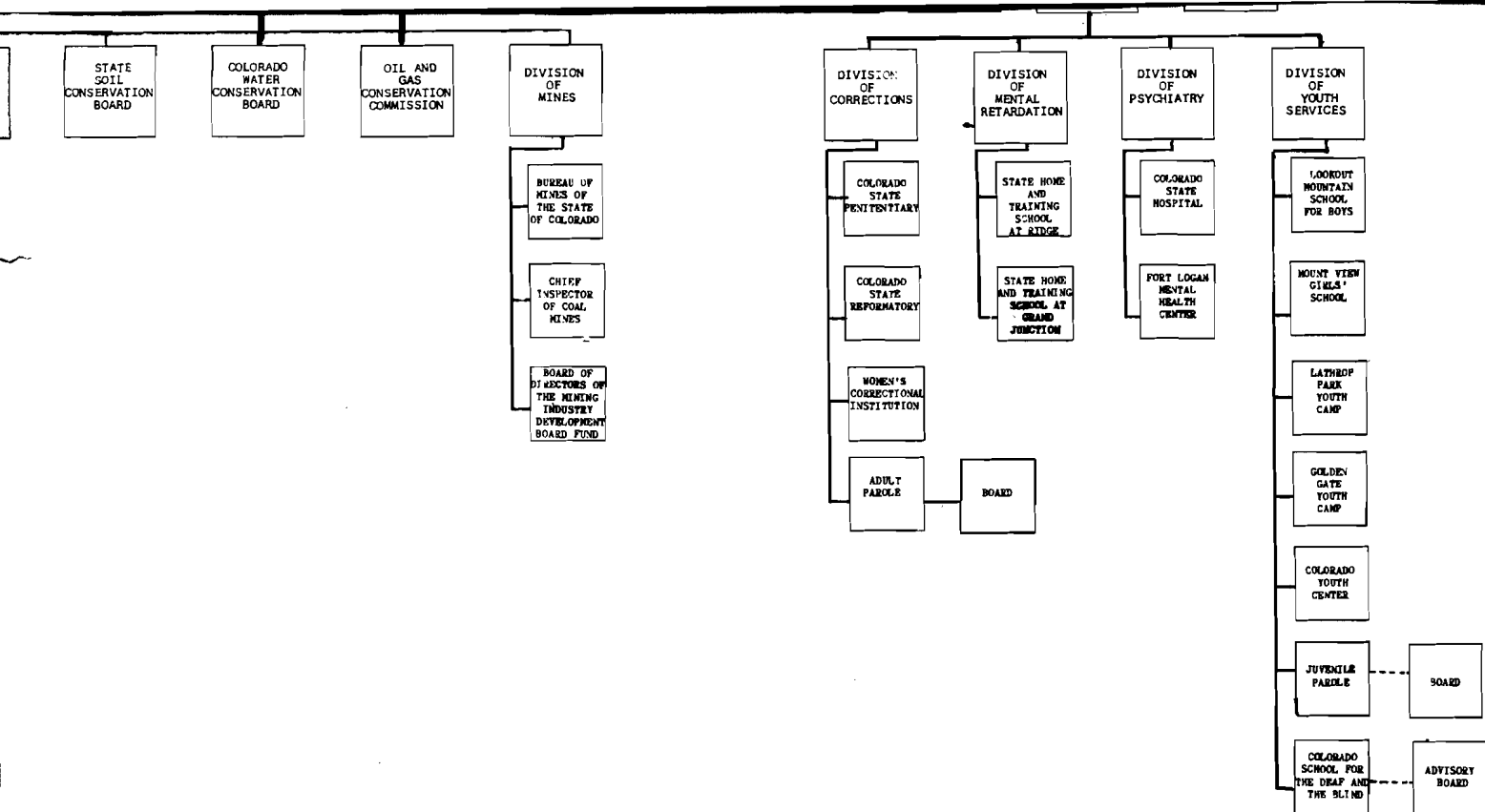
# EXECUTIVE BRANCH INTO 17 DE





# PARTMENTS





#### LEGEND

- AN ELECTED OFFICIAL HEADS THIS DEPARTMENT
- .. APPOINTED BY THE GOVERNOR (EXEMPT)
- ... APPOINTED BY THE GOVERNOR (CIVIL SERVICE)
- POLICY BOARD OR COMMISSION
- ADVISORY
- ▣ POLICY BOARD WITH APPOINTMENTS BY THE GOVERNOR
- ◊ HEARING BOARD
- EX OFFICIO BOARDS WITH NO ADMINISTRATIVE FUNCTIONS WITHIN THE DEPARTMENT

IN GENERAL, ONLY STATUTORY ORGANIZATION HAS BEEN SHOWN. AN EXCEPTION IS THE DEPARTMENT OF INSTITUTIONS WHERE INTERNAL ORGANIZATION HAS BEEN SHOWN TO FACILITATE CORRECT PLACEMENT OF STATUTORY AGENCIES.

-EXEMPT POSITIONS ARE ACCOUNTED FOR IN THE COLORADO CONSTITUTION IN THE FOLLOWING MANNER:

- THREE CONFIDENTIAL EMPLOYEES OF THE GOVERNOR'S OFFICE (ARTICLE XII, SEC. 13)
- A DEPUTY TO THE GOVERNOR (ARTICLE XII, SEC. 13)
- A COMMISSIONER OF MINES (ARTICLE XVI, SEC. 1)

PREPARED BY:  
COLORADO LEGISLATIVE COUNCIL 1/1/68

REORGANIZING THE EXECUTIVE BRANCH  
OF COLORADO'S STATE GOVERNMENT

Legislative Council  
Report To The  
Colorado General Assembly

Research Publication No. 131  
December, 1967

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COMMITTEES  
Vice-chairman of:  
Finance  
Member of:  
Joint Budget  
Local Government  
Institutions  
Education  
Water

**Senate Chamber**  
State of Colorado  
Denver  
December 28, 1967

Members of the Forty-sixth  
Colorado General Assembly  
State Capitol  
Denver, Colorado

Dear Colleagues:

The Committee on Reorganization of State Government has completed the first phase of the charge given to it under House Joint Resolution No. 1007. The attached report is submitted to you for your consideration and action in the 1968 legislative session.

It has been my privilege to serve as chairman of the Committee. Representative Star Caywood served as vice chairman. Members of the Committee are Senators James Perrill, Roger Cisneros, Andres Lucas; Representatives John Mackie, John Vanderhoof, and Tom Neal. Governor John Love and Lt. Governor Mark Hogan were invited to participate in Committee discussions, and both actively worked with the Committee.

Staff assistance has been provided by the Legislative Council, the Legislative Reference Office, and the Governor's Office.

I want to take this opportunity to explain, in detail, the procedure used by the Committee in carrying out the directives of the General Assembly contained in House Joint Resolution No. 1007.

At its organizational meeting, the Committee, in keeping with its bipartisan composition, decided to have the chairman and vice chairman come from opposite parties and opposite houses. It was also agreed that no final committee decisions would be made except on approval of at least five of the eight members of the Committee.



The Committee, at its first meeting, decided to draw upon the experience and expertise of the department heads within the executive branch to help in implementing Amendment No. 1. Consequently, on June 7, 1967, a letter was addressed to each executive branch department or agency containing the request quoted below:

Specifically, the members of the committee would like to receive a concise report covering your department's functions, including whether these functions are defined by the state's constitution, by statute, by executive order, or by participation in a program of the federal government. In addition, the members would like to know which state, local, or federal governmental agencies you come into contact with in carrying out your activities. Also, the members would especially like to receive your comments concerning your suggested placement of your department within an over-all 20-department framework for the executive branch of Colorado state government, including the reasons upon which you base your suggestions.

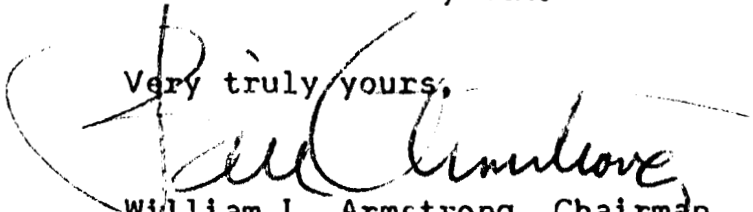
There has been a great deal of legislative attention given to the executive branch in recent years, commencing with the Joint Budget Committee efficiency and economy study of 1959-60 and culminating with Legislative Council studies conducted from 1961 through 1966. All of the materials and background information prepared for and resulting from those studies were made available to the Committee. The 1966 Legislative Council report contained a tentative reorganization plan encompassing 19 principal departments and this proposal was used by the Committee as a beginning point for preparing the plan described in this report.

The 1966 Council proposal, combined with the responses to the June 7th inquiry to all state agencies and the Committee members' own thinking, enabled the Committee to come up with a tentative 16 department proposal which was first released on October 10. Copies were mailed to members of the General Assembly, the Governor, all state departments and agencies, and other interested people for comments and criticisms.

As a result of this effort a number of letters were received which contained specific recommendations for additional changes. In some cases those recommendations were adopted by the Committee, and in others hearings were held with the individuals concerned.

I want to urge the members of the General Assembly to read and carefully study the attached report and bill. These two items are the results of many months of work and 21 days of committee meetings. The proposal is not perfect, but it is a tremendous step forward in attempting to modernize the executive branch and thus enable Colorado's state government to strengthen its position in the federal system.

Very truly yours,



William L. Armstrong, Chairman  
Committee on Reorganization of  
State Government

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REORGANIZING THE EXECUTIVE BRANCH  
OF  
COLORADO'S STATE GOVERNMENT

The form of government devised by our forefathers for these United States, and copied extensively by the several states, is based on a division of power among the executive, judicial, and legislative branches. This form of government traditionally vests administrative responsibility with an elected chief executive. Theoretically, this system enables the voters to hold the governor responsible for the effective administration of the affairs of state.

However, most states, through constitutional and legislative action, have limited central executive authority: (1) by creating a large number of separate state agencies and departments so that any effective central management is impossible; (2) by diffusing executive responsibility among a number of elected administrative officials; (3) by establishing administrative and policy-making boards; or (4) by requiring civil service status for positions of a policy-making nature. Colorado is typical of a state where central administrative authority is limited by all four of these methods.

Background

To illustrate the point, the following paragraphs are excerpted from a study of the executive branch of Colorado's state government conducted by a reputable, nationally known, consulting firm.

The Existing Organization Structure:

Any description of the state government must be based on certain terms to which are attached definite meanings as, for example, the terms "department" and "officer." Actually there appears to be no common understanding as to what constitutes a department or what constitutes an office of the state government. The term "department" is used indiscriminately in designating administrative units. For example, within the so-called "executive department" created by the state constitution is an entirely different "executive department" created by the administrative code; and within the latter department is a state highway department.

The state constitution created three departments: the legislative, the executive, and the judicial. The executive department consists specifically of the governor, lieutenant governor, secretary of state, auditor of state, state treasurer, attorney general, and superintendent of public instruction; but it was not intended that it should consist only of these offices because it is within the power of the legislature to create new and additional executive offices. It would seem, therefore, that the term "executive department" as used in the state constitution embraces in general all state offices and agencies not exercising functions of either the judicial department or the legislative department.

Under a sound plan of organization founded upon accepted principles, the term "department" means a unit of the executive branch of the state government upon which are specifically conferred related functions and responsibilities involving activities and operations that can most conveniently and economically be handled together because of similarity in character, in subject matter, and in the type of operating staff required; which is under the direction, control, and supervision of a single governing authority reporting directly to the governor; and which is so organized that all work of one kind can be centralized in one place or in one unit within the department.

In general, a department should have overhead or service units serving all of its activities and the primary activities should be so coordinated as to eliminate duplication of work, of authority, and of responsibility. Little or nothing is accomplished by placing two or more independent units under one head if the units continue to function independently of each other.

#### The Existing Situation as to the Executive Department:

Within the so-called "executive department" created by the administrative code, there are no less than forty-eight independent and semi-independent state officers and agencies. Although they are nominally responsible to the governor, in actual practice most of them do about as they please and some of them even go so far as to disregard the authority of the governor as executive head of the department. Even if all these officers and agencies did recognize the authority of the governor and reported directly to him, there would not be enough hours in the day for

the governor to meet with them, decide matters of policy, and coordinate their numerous activities, some of which are closely related. Consequently, it is not surprising that each agency goes pretty much its own way without adequate supervision.

#### General Comments on the Existing Organization Structure:

In the administrative organization, it is impossible to distinguish any plan for the application of any of the accepted principles of organization or management. The multiplicity of units, the variations in the sizes of the units, the numerous methods of selecting executives and members of governing bodies, and the lack of definiteness in the allocations and functions, are but indices of the complexities of the existing arrangement. The complexity is so bad that it is impossible to determine with respect to many functions where responsibility rests and impossible for any man or group of men to exercise effective supervision and control of all activities and all financial transactions.

As the general assembly responded from time to time to the demands of the people for additional services or for the recognition of social or economic needs, and provided for new functions, it found no plan to guide it and in many cases created new agencies for the sole purpose of rendering specific services or meeting specific needs. In other cases, with equally bad results, it vested new functions, without adequate thought or consideration to the operating problems involved, in existing agencies that were poorly adapted to handle them. In consequence, the growth of the administrative organization has been without system; it has been by chance, haphazard, and a reflection of the individual ideas of different people at different times.

It is an unquestioned fact that many of the existing agencies operate to all intents and purposes as they would if they constituted the services of separate states unsupervised, unaided, and unchecked.

#### The Election of Certain Administrative Officers:

The provisions of the state constitution constitute the governor as the chief executive officer of the state and make him responsible for seeing that the laws of the state are faithfully enforced. These

provisions are definite and are in accord with the principles upon which the form of government in the United States is based. While the constitution creates the elective offices of secretary of state, auditor of state, state treasurer, attorney general, and superintendent of public instruction, it provides that practically all of their duties and powers shall be prescribed by law. It would seem, therefore, that the framers of the constitution intended that the powers of these offices should be subordinate to those of the governor. However, by making these offices elective, the constitution made it possible for the general assembly to divide administrative responsibility among them, and thus to establish a plan of organization under which elected officers can blame one another for failure in the administration of the affairs of state government.

The election of an administrative officer can be justified only when he must be independently responsible for important matters of state policy, or when his independence from the administration is essential to a proper system of control over the actions of the executive branch. Neither the state treasurer, nor the auditor of state, as he now functions, nor the attorney general, nor the secretary of state, nor the superintendent of public instruction need to be independently responsible for important matters of state policy. All of them should operate in pursuance of state policy adopted by the general assembly and approved by the governor. On the other hand, the governor is independently responsible for important matters of state policy by virtue of his powers of veto over laws passed by the general assembly; and, as chief executive officer of the state, he personally represents the people in matters of state policy.

The first step in the solution of this problem of elected officials lies in the adoption of the constitutional amendment repealing all provisions by which election to the offices of secretary of state, state treasurer, attorney general, and superintendent of public instruction is now made mandatory; establishing the office of state auditor as an independent post-auditing office; and leaving to the legislature the power to provide for such administrative officers as may be necessary and to specify the methods for their selection.



### The Special Funds:

Another obstacle to the securing of a simple and properly coordinated organization structure for the executive branch of the state government is the special fund system which plagues the existing organization. Every time a new fee or tax is imposed by law upon the people of the state, the tendency is for the legislature to create a new independent state agency to administer it, without regard to the availability of propriety or having an already established state agency do the job. Consequently, a situation exists where "the tail wags the dog" so to speak.

Moreover, the dedication of fees and taxes for certain purposes increases the common tendency for the administering agencies to consider themselves as private enterprises and independent kingdoms, and to regard the fees and taxes collected as belonging to them rather than to the people of the state as a whole. This condition is contrary to sound public policy; and results in an organization structure so complex, disjointed, and unresponsive to the needs of the state that it is virtually impossible to obtain proper coordination of related activities, and efficient and economical management of the state government.

### The Form and Selection of the Managing Authorities of State Agencies:

Another organization problem which obviously has not been solved in Colorado is that of the form of the managing authorities. There is not the slightest trace of consistency to be discerned in the existing arrangement. Altogether, there are no less than twenty-five methods by which the managing authorities are selected. Some agencies are headed by single officers, some by boards, and some by combinations of these.

Department heads, secure in office under the civil service law, can surreptitiously build up their own machines through the dispensation of patronage and by other means, even under the most rigid current audit controls and the most effective post-auditing, and thus become so powerful politically as to be immune from either executive or legislative control. Colorado is the only state in which department heads are in the competitive civil service.

A constitutional amendment which would exempt a limited number of department heads from the competitive civil service should be adopted. The alternative is to provide by law that one of the three confidential employees of the governor, exempt from the classified civil service, shall be the head of the department of finance and another the head of the department of revenue, and that the positions of heads of departments, under the reorganization plan, be new positions and be filled by appointments by the governor subject to the provisions of the constitution and laws relating to the classified civil service.

#### The "Ex Officio Board" Device:

Especial attention is called to the fact that the governor is a member, ex officio, of thirteen boards. His membership on them is entirely unnecessary. If he functions as the chief executive of the state, as the constitution requires, he can readily, in such capacity, exercise whatever influence he might consider desirable over the actions of separate boards without the necessity for personal membership thereon.

#### Housing of State Agencies in Relation to Physical Organizations:

Another problem in providing the state government with an organization structure that will facilitate economical and efficient administration, has to do with the housing of state agencies. At the present time, many of the units of certain state agencies are not properly housed; they are physically separated from the chief managing authority and from one another; and they are scattered outside of state buildings. Under such conditions, it is impossible to obtain proper utilization of staff and equipment, both of which must be duplicated in many instances.

Under any plan of organization structure designed to correct the shortcomings of the existing structure, and to make possible efficient and economical administration, the proper housing of agencies is a very important matter. Unless they are properly housed, a good plan of organization structure will not accomplish its aims. Office layouts must be provided to facilitate supervision and direction, to expedite the routing and flow of work, and to provide for coordinated staff efforts under unified procedures.

ALL OF THE ABOVE COMMENTS HAVE BEEN EXCERPTED FROM A REPORT BY GRIFFENHAGEN & ASSOCIATES WHICH WAS SUBMITTED ON JANUARY 6, 1939, WITH RELATIVELY FEW EXCEPTIONS, MOST OF THESE COMMENTS APPEAR TO BE JUST AS PERTINENT TODAY AS THEY WERE ALMOST 30 YEARS AGO.

In view of the foregoing, it is not surprising that every governor of the state since 1939 has advocated changes within the organization of the executive branch. Numerous constitutional and statutory changes have been proposed but very few changes have been effected.

For better than a quarter of a century, critics of state government have been predicting the downfall of state governments with a resulting concentration of authority at the federal level. The fact that the Griffenhagen Report can be applied today, equally as well as in 1939, gives little comfort to those who would like to deter the concentration of authority at the federal level.

#### Positive Steps Taken in Recent Years

Despite the lack of successes during the past 30 years there has been a reversal in that trend in recent years -- an awakening of interest in viable and responsive state governments. This renewed interest in strong state governments has been given impetus by a genuine concern that the federal government has outgrown its ability to administer programs effectively and economically, and an equally important concern that recognizes responsive state governments are essential to the federal system. Colorado is no exception.

Following the defeat at the polls, in 1958, of the so-called "Little Cabinet" plan the Colorado General Assembly commenced what has turned out to be a systematic, step-by-step, approach to reorganizing the executive branch. Commencing with the 1959 session of the general assembly, each year a joint resolution has been adopted directing that interim work be done on reorganizing the executive branch.

Among the specific results of these interim studies have been the following:

(1) Creation of the Management Analysis Section within the Division of Accounts and Control on July 1, 1961;

(2) Repeal of statutes creating Land Acquisition Committee, Board of Industrial Development Research, Division of Aeronautics and the Aeronautics Advisory Committee, State Administrative Board of Cleaning and Dyeing, Board of Conservation and Irrigation District Law of 1935, Department of Revenue

and Taxation, Governor's Council, Committee on Veterans' Education and Training, State Grain Inspection and Inspector, Colorado Council for UNESCO, statutory Executive Department, State Building Authority, Geological Survey Board;

(3) Abolished Alcoholism Commission and transferred function to Department of Health;

(4) Abolished Weather Control Commission and transferred function to Department of Natural Resources;

(5) Abolished Commission for Printing Supreme Court Reports and transferred function to Division of Purchasing;

(6) Placed independent Governor's Committee on Employment of the Handicapped as an associate of Department of Rehabilitation;

(7) Changed Bureau of Child and Animal Protection to Bureau of Animal Protection;

(8) Separate tuberculosis programs in departments of health and welfare, consolidated under Department of Health;

(9) Abolished State Board of Canvassers and placed function with Secretary of State;

(10) Successfully recommended that Civil Service Commission furnish staff services for Merit System Council;

(11) Amended statute creating Commission on Uniform State Laws to require one member of the Commission to be a state legislator;

(12) Amended Commission on Interstate Cooperation statute to abolish three separate committees and replace with one, and changed composition of Commission membership;

(13) Consolidated Resources and Community Development Division, Advertising and Publicity Committee, and Planning and Development Section into a new Department of Commerce and Development;

(14) Creation of Merit Award Program for state employees;

(15) Creation of legislative post audit and abolition of elected state auditor;

(16) Eliminated many state agency reports and paved the way for future issuance of a consolidated executive branch annual report;

(17) Obtained administrative changes necessary to elimi-

nate the separate issuance of Class C pensioners' checks;

(18) Creation of Colorado Claims Commission;

(19) Creation of Law Enforcement Training Academy;

(20) Obtained centralized review of administrative rules and regulations by the Attorney General;

(21) Created Division of Public Works to replace Division of Planning and changed functions of new Division;

(22) Eliminated Governor as ex officio member of State Board of Agriculture, Colorado Water Conservation Board, Ground Water Commission, Game, Fish and Parks Commission, Board of Veterinary Medicine, and State Board of Parole;

(23) Eliminated requirement that Governor authorize transfers of inmates in institutions and that the Governor approve the hiring of new state employees at salary entrance levels above minimum beginning salaries for grade;

(24) Finally, Senate Concurrent Resolution No. 4, 1966 session, was adopted and became Amendment No. 1 on the 1966 general election ballot.

#### Amendment No. 1

Amendment No. 1 was approved in the 1966 general election by vote of 369,366 to 162,038. This amendment added the following new section to Article IV of the Colorado Constitution:

"Section 22. Principal departments. All executive and administrative offices, agencies, and instrumentalities of the executive department of state government and their respective functions, powers, and duties, except for the office of governor and lieutenant governor, shall be allocated by law among and within not more than twenty departments by no later than June 30, 1968. Subsequently, all new powers or functions shall be assigned to departments, divisions, sections, or units in such manner as will tend to provide an orderly arrangement in the administrative organization of state government. Temporary commissions may be established by law and need not be allocated within a principal department. Nothing in this section shall supersede the provisions of section 13, article XII, of this constitution."

#### General Principles and Objectives of Administrative Reorganization

The General principles and objectives of administrative reorganization of government have been subject to a great deal

of study and review during the present century, with activities in this area being accelerated following World War II when state governments found themselves saddled with antiquated structures and procedures which severely limited their ability to meet modern-day problems. As summarized by the Massachusetts Legislative Research Council in a 1965 report, "the major objectives of these executive branch reorganization studies usually include (1) the clarification of lines of administrative authority and responsibility, (2) the elimination of duplication, (3) the pruning of unnecessary activities, (4) better fiscal and personnel practices, and (5) improved administrative procedures. To these ends, stress is placed on: (1) limiting the number of state departments; (2) making terms of department heads coterminous with that of the Governor; (3) placing single officials in charge of all departments and non-quasi-judicial agencies; (4) centralizing state management services (budgeting, accounting, personnel and purchasing); and (5) requiring both centralized pre-audits by controllers accountable to the Governor and post-audits by legislative auditors outside gubernatorial control."1/

A. E. Buck, a pioneer in the field of state governmental administrative organization, lists six general principles to be observed, as follows:2/

1. Concentration of authority and responsibility.
2. Departmentalization or functional integration of agencies.
3. Undesirability of boards for purely administrative work.
4. Coordination of the staff services of administration.
5. Provision for an independent audit.
6. Recognition of a governor's cabinet.

In 1950, the Council of State Governments issued a report entitled "Reorganizing State Governments," and on page three, two main objectives of executive branch organization were proposed: "First, it should perform with maximum effectiveness and efficiency the tasks laid upon it. Second, it should be

1/ "Executive Branch Reorganization," Legislative Research Council, Boston, Massachusetts, 1965, p.8.

2/ A. E. Buck, "The Reorganization of State Governments in the United States," New York, National Municipal League, 1938, pp. 14-15.

politically responsible, in practice as well as in theory. Neither of these objectives can be obtained if the executive branch consists of a sprawling mass of uncoordinated agencies. The executive should be reorganized so that it can function as a unit. The way to get unity is to establish a clear administrative hierarchy headed by a popularly elected chief executive -- in this case a governor -- upon whom the attention of the people can focus and from whom all administrative authority will flow. By making the governor responsible for administration and giving him authority commensurate with his responsibility, the twin goals of administrative effectiveness and political responsibility can be achieved."

### Findings and Conclusions

The Committee spent a considerable amount of time in its deliberations discussing whether to attempt a detailed functional review of each and every department and agency within the executive branch of state government with a resulting realignment of functions and duties, or whether to realign structurally the departments and agencies, largely as they exist today, into no more than 20 principal departments. Time was the determining factor in the Committee decision to go the route of a structural realignment of existing departments and agencies into no more than 20 principal departments.

Although the above enumerated principles of organization have been observed wherever feasible, nevertheless, the Committee has had to work within the constitutional framework as it exists today and within the framework of political practicalities. Consequently, the time, constitutional and political limits combined have precluded embodying within the Committee's recommendation all of the principles enumerated.

Giving the Governor Authority Commensurate with His Responsibility. Article IV, Section 2 of the state constitution says: "The supreme executive power of the state shall be vested in the governor, who shall take care that the laws be faithfully executed." There is no question but that the governor has the constitutional responsibility for running the executive branch of state government. However, it is equally clear that the governor does not have the complete authority to carry out that responsibility. There are several reasons for this situation, but most observers attribute the fact to four primary reasons: 1) the constitutional provision for election of executive branch officials whom the governor is theoretically responsible for supervising, i.e., attorney general, secretary of state, treasurer, board of regents, and the state board of education; 2) the constitutional assignment of certain functions relating to education to the board of regents and the state board of education; 3) the constitutional provision which places practically all state employees, including department heads with rare ex-

ceptions, under the state civil service system; and 4) acts of the state legislature which assign duties and responsibilities to specific organizational units within the executive branch.

Elected Administrative Officials. In the first instance the Committee recommendations have been directed towards placing executive branch authority under the control of the governor rather than in the hands of elected administrative officials. These recommendations have the added advantage of relieving the elected administrative officials of substantial administrative responsibilities thus permitting them to concentrate attention on their constitutional duties.

Constitutional Assignment of Administrative Functions. The second constitutional restriction on the governor's supreme executive power, namely, the constitutional assignment of certain educational functions to the board of regents and the state board of education, immediately provokes a philosophical debate. Many sincere observers of the American political scene, including practically all educators, maintain that the education of youngsters in the public schools, and the pursuit of truth in the educational process beyond high school should not be subject to political control. And, it has been traditional in this country, and particularly in this state, at least to keep education on the fringes of the political scene. However, with the ever-increasing emphasis on the value of an education, both philosophically and economically, in society today and with the consequent costs to the taxpayers of providing that education, perhaps the philosophical debate should be joined more seriously. For the financing to provide that education and other policy matters relating to the educational process are at the very center of the political scene. Suffice it to say the Committee has not attempted to resolve this issue, but it may be worthy of additional consideration.

Civil Service Status of Department Heads. The constitutional provision which places practically all state employees, including most department heads, under the state civil service system is the one inhibition on the governor's power that is most often attacked. Many of the constitutional proposals for change during the past 30 years have zeroed in on this particular provision. None have been approved by the electorate.

One of A. E. Buck's basic organizational principles is "recognition of the governor's cabinet." The Griffenhagen Report indicated that "...Colorado is the only state in which department heads are in the competitive civil service." The principle of exempt department heads is recognized at the federal level and in the City and County of Denver.



Despite the overwhelming evidence in favor of the cabinet principle, the committee is not at this time recommending a constitutional amendment to effect the desired change. The Committee has based this particular decision on two assumptions and only time and experience can determine whether they are valid. First, that department heads, whether under civil service or not, will be responsive to the governor's programs and will cooperate fully in carrying these programs out. Second, the feeling among most legislators and governors that department heads who are under civil service often are not responsive to carrying out programs evolved by elected officials stems from the unrealistic span of control which the governor currently has. Many department heads maintain that once the regrouping anticipated under Amendment No. 1 is accomplished, a regular and effective dialogue can be established between the governor and the heads of principal departments. Thus the "problems" heretofore alluded to can be resolved. It would appear that a "wait and see" attitude is the best approach to this particular constitutional problem. The very nature of the responsibilities placed in each department head to carry on the reorganization started here will in itself prove whether or not the fears set out above are well founded.

Statutory Restrictions on Governor. Despite the foregoing, a major share of the restrictions on the authority of the governor have been placed on him by the general assembly. To be specific, it is the general assembly that has created the span of control problem, created a multitude of boards, commissions, and advisory committees with overlapping terms of office and failed to distinguish the authority of such multi-member bodies from that of the governor or the department head, failed to assign similar functions to a single agency, assigned certain statutory duties to elected officials, and failed to assign day-to-day operating functions of state government to one or two key departments under the control of the governor. It is these shortcomings on the part of the General Assembly itself that the accompanying bill is primarily directed. Not all of the shortcomings have been corrected but a major step forward is anticipated.

#### Committee Recommendations

Section 3 of the proposed bill establishes the governor as "boss" of the executive branch subject to the restrictions of the constitution and those which the General Assembly imposes by law. It is the firm belief of the Committee that the statutes should specifically state that the governor has the authority to and is responsible for the formulation and administration of executive branch policy. Where conflicts arise within the executive branch the governor should clearly have the final authority to resolve the conflict.

The process of reorganizing the executive branch will not be completed upon adoption of the Committee's recommendations. It must be a continual process. For this reason, and the fact that the Committee's recommendations primarily result in a structural realignment of existing agencies, the Committee has used a transfer device to accomplish the regrouping proposed. Once the regrouping is accomplished by law the heads of principal departments, working with the governor and this Committee or its successor committees, must begin the process of a functional reorganization. Thus it is anticipated that all of the statutes relating to the executive branch will eventually be rewritten. Because of this future expectation, the transfer device used in the Committee's recommended regrouping eliminated the necessity for amending a tremendous number of sections in the statutes.

There are three types of transfers used in carrying out the Committee recommendations. A Type I transfer results in transferring an existing department, institution, or other agency, or part thereof, to a principal department. Only budgeting, purchasing and related management functions of such department, institution, or agency would be subject to supervision by the head of the principal department to which transferred. Thus all statutory powers, duties, and functions of such a transferred unit would be exercised independently of the principal department head even though the unit might be a division, section, or unit within the principal department. The Type I transfer has been used infrequently and primarily in cases such as the Public Utilities Commission, Civil Service Commission, etc. A total of 65 Type I transfers are included in the bill.

A Type II transfer places all powers, duties and functions of the transferred department, institution, agency, or part thereof in the head of the principal department to which transferred. There are 78 Type II transfers recommended in the bill.

A Type III transfer also places all powers, duties and functions of the transferred unit in the hands of the head of the principal department to which transferred, and also abolishes the existing unit so transferred. A total of four Type III transfers are provided in the bill.

Section 10 of the bill outlines the 17 principal departments that would be established under the Committee's recommendations. They are as follows:

- (1) Department of State;
- (2) Department of Treasury;

- (3) Department of Law;
- (4) Department of Higher Education
- (5) Department of Education;
- (6) Department of Administration;
- (7) Department of Revenue;
- (8) Department of Institutions;
- (9) Department of Health;
- (10) Department of Social Services;
- (11) Department of Labor and Employment;
- (12) Department of Regulatory Agencies;
- (13) Department of Agriculture;
- (14) Department of Natural Resources;
- (15) Department of State and Local Government Services;
- (16) State Department of Highways; and
- (17) Department of Military Affairs.

Department of State. The Committee is recommending the removal of two major functions from the Office of Secretary of State. The regulation of malt beverages, and malt, vinous and spirituous liquors is transferred by a Type II transfer to the Department of Revenue. This recommendation is based on the fact that an important part of the state function in this activity concerns revenue collection and that it properly belongs in the Department of Revenue.

The second function transferred is the Division of Registrations which, on paper, has supervisory duties over 26 separate professional and occupational licensing agencies. Very little, if any, coordination of these functions has been accomplished despite the fact that the Division of Registration within the Office of Secretary of State has existed since 1933. These 26 licensing agencies are to be transferred by a Type I transfer; however, it is the Committee's recommendation that a new Department of Regulatory agencies be created and that these 26 licensing agencies be placed in this department along with the

regulation of the banking, savings and loan, insurance, public utilities and racing industries. This is in keeping with the organizational principle of grouping similar functions in a single department. The Committee further recommends that this new Department of Regulatory Agencies be given a high priority by the head of the department, the governor and the general assembly for a functional reorganization effort.

The transfer of these two major functions from the Secretary of State will leave that office with the constitutionally assigned duties, the functions concerning supervision of elections, and duties as the official custodian of state records. These recommendations are in line with the organizational principle that major state functions should not be assigned to elected state administrative officials over which the governor has no control.

The Committee wishes to emphasize that the recommendation concerning the transfer of the liquor control function is not a criticism of the way the function has been administered by the Secretary of State. In fact, the Committee wishes to commend the Secretary of State for his conscientious efforts in this field; however, the organization of the executive branch should not be determined on personalities but rather on sound, organizational principles.

Department of Treasury. No change is recommended for the Department of the Treasury.

Department of Law. Four functions are removed from the Office of the Attorney General under the proposed reorganization. They are: 1) State Information Agency (to Department of Social Services); 2) Colorado Bureau of Investigation (to Department of State and Local Government Services); 3) Division of Securities (to Department of Regulatory Agencies); and 4) Legislative Reference Office (to Legislative Branch).

The Committee has three objectives in mind in making the above recommended changes: first, to group like functions together wherever feasible; second, wherever feasible to transfer administrative functions from an elected official not directly responsible to the governor; and third, the Committee recognizes the desirability of having the Attorney General freed from many administrative duties in order that he and his staff may spend more time in fulfilling the major role of the office -- to serve as the legal advisor for the state government.

The one major administrative function which has been left with the Attorney General is the inheritance tax function. In

terms of sound administrative organization, the Committee thinks this function should be placed in the Department of Revenue. However, there seems to be a difference of opinion among the legal profession as to the desirability of such a transfer; consequently, the Committee suggests that attention be given to this problem in the future, but in the meantime recommends leaving the function with the Department of Law.

Once again, as in the case of the Secretary of State, the Committee wishes to point out that the above recommendations are based on principles of organization and should not be interpreted as criticisms of the Attorney General. To the contrary, the Attorney General, who has served under governors from both political parties, has done an outstanding job of cooperating with governor and general assemblies in every way possible.

Department of Higher Education. For the purposes of implementing Amendment No. 1 all institutions of higher learning are placed in this single department. In addition, the Council on Arts and Humanities, the Scientific Development Commission, and the Historical Society are placed in the department.

The Committee is well aware that practically every organizational principle is violated in this proposal. However, there are constitutional and philosophical questions involved. Thus, the coordinating approach has been used by continuing the concept originated by the General Assembly in 1963 when the Commission on Higher Education was created. Contrary to committee recommendations concerning other policy-making boards, the members of the Commission on Higher Education would continue to serve on a staggered term basis and the commission would appoint the executive director. However, for the Scientific Development Commission, the Historical Society and the Council on Arts and Humanities, the executive director would be the department head for budgeting, purchasing and related management activities.

Department of Education. The Committee's recommendations concerning this department effects two changes. First, the Commissioner of Education is designated as the head of the department subject to the stipulations of the constitution. Second, the Board of Teacher Certification is abolished and its functions are assigned to the State Board of Education.

Department of Administration. The acquisition of supplies, materials and personnel, the budgeting and accounting of funds, the allocation and maintenance of facilities, the processing, evaluation and publication of information, the management and preservation of records, and the day-to-day analysis of administrative organization and procedures of the executive branch are the essential ingredients necessary to effectively run the state government. At the present time, these functions are located in five separate and independent state agencies.

The Committee recommends the transfer of all these functions into a new Department of Administration headed by a confidential employee of the governor. The department will contain six divisions: 1) Civil Service Commission; 2) Purchasing; 3) Accounts and Control; 4) Automated Data Processing; 5) Public Works; and 6) Archives and Public Records. Also, the Claims Commission, State Employees' and Officials Group Health Insurance functions and the Incentive Award Suggestion System Board of Control would be placed in the department.

The Committee spent a considerable amount of time trying to determine the most effective way to achieve control over automated data processing. The proliferation of equipment and the consequent cost to the state has been a major concern of both the governor and the General Assembly for several years. Priority of use has been a major concern of operating agencies and has contributed to the accelerated rate of acquisitions of hardware.

The Committee recommends that planning and development of the use of automated data processing equipment be consolidated with the service bureau into one division within the department. This proposal disassociates the planning and service functions from user agencies. The Committee does not anticipate the creation of one large service center into which all equipment would be physically placed. However, it does recommend that maximum utilization of all equipment, regardless of where located, be achieved.

The management analysis function has been removed from the Division of Accounts and Control and placed as a staff function with the executive director of the department. This recommendation is based on the firm belief of the Committee that within the executive branch there should be one department which has a continuing responsibility to review the organizational structure with a view towards improving the efficient and economical operation of the executive branch. It seems to the Committee that the logical location of this function would be the Department of Administration. In order to function properly, no routine, day-to-day, program administrative tasks should be assigned to the staff carrying out this function; consequently, the recommendation that it be placed as a staff function with the department executive director.

Several members of the General Assembly, the Civil Service Commission and the employees' association have expressed doubts about the advisability of placing a constitutional agency, namely the Civil Service Commission, under the supervision of a gubernatorial appointee. The Committee believes that there is no constitutional problem since the constitutional prerogatives of the Civil Service Commission would be protected by the Type I transfer recommended. In addition, the Committee

would point out that the State Land Board, another constitutional body, has been for several years located in the Department of Natural Resources, and this arrangement has worked very well. This type of transfer specifically reserves "...statutory powers, duties and functions, including rule-making, regulation, licensing, and registration, and the promulgation of rules, rates, regulations, and standards, and the rendering of findings, orders, and adjudications..." to the Civil Service Commission independent of the head of the Department of Administration. Only the budgeting, purchasing and related management activities of the commission would be subject to the supervision of the department head.

Department of Revenue. The major change recommended in this department, from the way it exists today, is the addition of the liquor control function by a Type II transfer. The existing Liquor Control Division of the Office of Secretary of State would be transferred intact, including personnel, existing rules, regulations and procedures, to the Department of Revenue. Consequently, the only actual change in operation that would occur is that the Executive Director of the Department of Revenue would assume the duties related to the liquor control function that are now performed by the Secretary of State. The Committee recommends that the Executive Director be one of the confidential employees of the governor, as is now the case.

Department of Institutions. There are two changes provided for in the bill relating to the Department of Institutions. All institutions currently in the department are listed in one place in the bill, and the Colorado School for the Deaf and the Blind placed in the department. In addition, the name of the present Board of Control is changed to the Advisory Board for the Colorado School for the Deaf and the Blind.

The Committee recommends that the executive director of the Department of Institutions continue as one of the confidential employees of the governor.

Department of Health. The primary change made in this department concerns the term of office of the members of the Board of Health. All members would be appointed as under present law. In addition, all members would serve at the pleasure of the governor or until their successors are appointed.

Department of Social Services. The Committee recommends that the Department of Public Welfare, the Department of Rehabilitation, the Department of Veterans Affairs, the Commission on Aging, and the Homes for the Aged at Trinidad and Monte Vista be combined into a new Department of Social Services. The bill creates three divisions within the department: 1) Public Welfare; 2) Rehabilitation; and 3) Services for the Aged. The

existing Department of Veterans Affairs would become a section in the Division of Public Welfare. The director of the Commission on Aging would also serve as the director of the Division of Services for the Aged. The Trinidad State Nursing Home and the Colorado State Veterans Center would be placed under the Division of Services for the Aged and the existing Board of Control would be abolished.

The State Board of Public Welfare would be reconstituted to serve as the Board of Social Services and the members appointed, according to law, to serve at the pleasure of the governor or until their successors are appointed.

The Committee is of the firm belief that the rehabilitation concept should be more closely allied with the welfare programs. Hopefully, this combination will result in training or retraining many welfare recipients to the extent that they can become productive members of society.

Originally the Committee had planned to place the two homes for the aged in the Department of Institutions; however, in reviewing the pertinent federal law quoted below the Committee became aware that in order to combine the welfare and rehabilitation departments a third major state function would have to be added.

- (a) Designation of sole State agency. The State plan shall designate a sole State agency to administer the State plan for vocational rehabilitation services in the State or to supervise its administration in a political subdivision of the State by a sole local agency of such political subdivision. This agency shall be one of the agencies specified in paragraph (b) of this section, except that the State agency for the blind, as specified in paragraph (c) of this section, may be designated as the sole State agency with respect to that part of the program relating to the vocational rehabilitation of the blind.
- (b) Designated State agency. The designated State agency, except for a designated State agency for the blind as specified in paragraph (c) of this section, shall be:
  - (1) A State agency primarily concerned with vocational rehabilitation, or vocational and other rehabilitation of disabled individuals; such agency must be an independent State



commission, board, or other agency whose major function is vocational rehabilitation, or vocational and other rehabilitation, of disabled individuals, with authority, subject to the supervision which derives from the office of the Governor, to define the scope of the program within the provisions of State and Federal law, and to direct its administration without external administrative controls.

- (2) The State agency administering or supervising the administration of education or vocational education in the State; or
- (3) A State agency which includes at least two other major organizational units each of which administers one or more of the major public education, public health, public welfare, or labor programs of the State.

- (c) Designated State agency for the blind. Where the State commission for the blind, or other agency which provides assistance or services to the adult blind, is authorized under State law to administer or supervise the administration of vocational rehabilitation services to the blind, such commission or agency may be designated as the sole State agency to administer the part of the plan under which vocational rehabilitation services are provided for the blind or to supervise the administration of such part in a political subdivision of the State by a sole local agency of such political subdivision.

Thus, the homes for the aged and the Commission on Aging were added as a Division of Services for the Aged. The Committee is of the firm opinion that both the letter and spirit of the federal law have been met in the recommended Department of Social Services.

The director of the department would be under civil service.

Department of Labor and Employment. The Committee recommends placing the Department of Employment, Industrial Commission, and the Civil Rights Commission in a new Department of

Labor and Employment. All three of these units would be transferred by a Type I transfer, thus all three would operate independently except for budgeting, purchasing and related management functions.

The Committee recommends that the governor designate one member of the Industrial Commission to serve at the pleasure of the governor as the head of the principal department. Since the members of the Industrial Commission are exempt from civil service under the constitution, this proposal meets the Committee's objective of placing as many exempt positions at the head of principal departments as possible. The Industrial Commission currently serves, ex officio, as the Unemployment Compensation Commission which hears appeals from rulings of the Department of Employment concerning unemployment compensation cases. Thus there is currently a close tie between these two agencies. In addition, this would eliminate the necessity for creating a new position for duties that can be readily performed by an existing official. This is consistent with committee decisions in other departments.

Department of Regulatory Agencies. The Committee recommends placing the Public Utilities Commission, the Department of Insurance, the Department of Savings and Loan, the Department of Banking, the Division of Securities, and the Colorado Racing Commission in a new Department of Regulatory Agencies to be headed by a civil service employee. Also, as previously mentioned in this report, the Division of Registrations, including the 26 separate professional and occupational licensing agencies assigned thereto, should be placed within this department. This proposal would place practically all business and professional regulatory functions in one department.

The Committee plans to place this new department high on the priority list for a detailed functional review next year.

Department of Agriculture. The Committee recommends that the Colorado State Fair and Industrial Exposition be placed in the Department of Agriculture as a division. Also, the Committee recommends that the members of the State Agricultural Commission be appointed, as provided by law, to serve at the pleasure of the governor or until their successors are appointed. Finally, the Colorado Beef Board has been placed in the Division of Markets; the Bureau of Animal Protection and the Board of Livestock Inspection have been placed in the division of animal industry, the latter by a Type I transfer.

Department of Natural Resources. The Committee recommends the creation of a division of Mines within the department and the placement of the Board of Directors of the Mining Industrial Development Board fund, the Bureau of Mines, the Board of Examiners and the Chief Inspector of Coal Mines within the division as sections.

The State Forester is placed with Colorado State University, where he is physically located, but provision is made in the bill to continue the practice of having the State Forester coordinate his activities with the executive director of the Department of Natural Resources. The executive director of the department will continue as the Commissioner of Mines, a constitutional officer, exempt from civil service, and appointed by the governor for a term of four years.

Department of State and Local Government Services. The Committee recommends the consolidation of the Division of Local Government, the Colorado Tax Commission, the Colorado Bureau of Investigation, the Law Enforcement Training Academy, and the Division of Commerce and Development into a new Department of State and Local Government Services. The primary functions of the first four mentioned agencies concern services that the state provides for local government units. The Division of Commerce and Development is not so closely allied to local government services; however, in the process of promoting the economic expansion of the state, of necessity the division must and should work very closely with local government. The Committee is convinced that the Department of State and Local Government Services is the most logical location for the commerce and development function.

The Committee is recommending the retention of the present arrangement whereby the chief of the State Patrol serves as head of the Law Enforcement Training Academy. The Advisory Committee of Local Law Enforcement Officers is also retained.

The newly created Department of State and Local Government Services would be headed by a confidential employee of the governor.

State Department of Highways. The Committee recommends the creation of a State Department of Highways comprised of the present Highway Department, the State Patrol and the Highway Safety Council, the latter to be a section within the Division of Highways.

This proposal abolishes the State Patrol Board and places the board's functions in the Highway Commission. The members of the commission would be appointed to serve at the pleasure of the governor or until their successors are appointed; however, other provisions of existing law concerning party representation, congressional district representation, etc., remain the same.

The chief engineer of the Highway Department would serve both as executive director of the department and director of the Division of Highways. He would be under civil service.

Department of Military Affairs. The Committee recommends placing the National Guard, the State Guard, the Civil Air Patrol and the Office of Civil Defense in a new Department of Military Affairs to be headed by the adjutant general.

Standardized Terminology. As indicated in the 1939 Griffenhagen Report: "Any description of the state government must be based on certain terms to which are attached definite meanings..." The Committee has attempted to correct this deficiency by using "department" as the name of the major administration units. Within departments the term "division" is used for the next level of functions. Divisions are divided into "sections" and sections into "units". The Committee recommends that all future statutes include the same terminology.

Designating Single Authority As Head of Each Department. In line with the organizational principle of placing a single head in charge of the administrative units the Committee has adhered reasonably to this principle except where a quasi-judicial function is involved, i.e., Industrial Commission, Civil Service Commission, etc. Where policy-making boards or commissions are involved, the department executive director has been designated as the head of the department for administrative purposes and the boards or commissions have been assigned strictly policy functions.

Exempt Positions. Traditionally, the three confidential employees in the Office of the Governor, which are exempted from civil service under Article XII, Section 13 of the constitution, have been assigned by statute to head major state functions. That tradition has been continued by the Committee in this proposed reorganization. Also, the Commissioner of Mines is exempt from civil service and this position is used as the executive director of the natural resources department. The same assignment is continued.

In addition, the constitution stipulates that each elected administrative official can appoint a deputy who is exempt from civil service. The Committee recommends that the governor appoint a deputy and that the deputy be used to head the Department of Administration.

Changing Terms of Office of Policy Making Boards. The terms of office for the Highway Commission, Welfare Board, Board of Health, Agriculture Commission, and the Game, Fish and Parks Commission are changed from stipulated lengths of time and staggered basis to serve at the pleasure of the governor or until their successors are appointed. Here again the Committee's objective is to place with the governor the authority as well as the responsibility to determine executive branch policy.

Salary levels for Heads of Principal Departments. The Committee is not making specific recommendations as to the salary levels that should be established for the heads of principal departments. However, the Committee is firmly convinced that salary levels should be established sufficiently high to attract well qualified people to accept the appointments, and the Committee recommends that the governor include in the executive budget a request for funds to attract the caliber of people he wants to serve in these key positions.

P.E.R.A. The Public Employees' Retirement Association has not been placed in any of the proposed 17 principal departments because it is the opinion of the Committee that P.E.R.A. is not a state department, institution, or agency within the definition of Amendment No. 1.

#### Legislative Drafting Office

The Committee recommends that the Legislative Reference Office be transferred from the Department of Law to the Legislative Department as the Legislative Drafting Office, under an eight-member bi-partisan Committee, similar to the Legislative Audit Committee; however, the three majority and minority leaders in each house would be members of the said drafting committee. This recommendation is very similar to that of the current Legislative Council Committee on Legislative Procedures.

Since the functions of the office relate primarily to the legislative branch and since experience, continuity and impartiality among the staff of the office are highly desirable, the Committee believes the office should be placed under the supervision and control of the General Assembly. The proposed language of the bill closely follows that governing the selection of the Legislative Council staff, and that concerning the functions of the Legislative Reference Office. Provision is made for the selection of the initial drafting committee; thereafter, the appointive members will be selected along with the majority and minority leaders of both houses at the beginning of the first regular session of each succeeding General Assembly.

The Committee believes that the leadership of both houses should be represented on the drafting Committee to maintain a high degree of liason between the drafting office and the operation of the General Assembly both during and in between sessions.

#### Commissioners on Uniform State Laws

At present, there are three Commissioners on Uniform State Laws, appointed by the Governor, all of whom must be attorneys at law, and one of whom must be a member of the General Assembly.

The Committee recommends that the four Commissioners should be directly responsible to the General Assembly, should include two members of the General Assembly, and should have the services of the director of the Legislative Drafting Office as the Secretary to the Commissioners. The Committee believes that under such an organizational plan, the work of the Commissioners and the National Conference of Commissioners on Uniform State Laws would be more readily available to the members of the General Assembly and continuity of representation would be better assured. Also, the sentiments of the General Assembly could be better expressed through the Commissioners at the said National Conference. As with the drafting office, the Legislative Council Committee on Legislative Procedures has also recommended that the Commissioners be placed under the Legislative Department.

Provision is made in the bill for the existing Commissioners to continue in office until January, 1969, when the General Assembly would then appoint two of its lawyer members as Commissioners and two practicing attorneys in the state as the other Commissioners. (The Constitution of the said National Conference requires that Commissioners, to be recognized at the Conference, must be members of the bar of their state.) Thereafter, the Commissioners would be appointed or reappointed every two years.

#### Constitutional Changes Suggested To Committee

Single University Board. During the course of the Committee's deliberations Mr. Shelby Harper, Chairman of the Commission on Higher Education, proposed that a constitutional amendment be adopted by the General Assembly to establish a single board to govern the University of Colorado, Colorado State University, and the School of Mines.

Mr. Harper noted that he was not speaking formally for the Commission on Higher Education in presenting a proposal but he felt the commission would give unanimous approval to the plan presented today.

The plan would dissolve three university boards -- the Colorado University Board of Regents, the Board of Agriculture at Colorado State University and the Colorado School of Mines Board of Trustees -- and replace them with one governing board.

Mr. Harper observed that the plan fits a "three-legged stool" concept of higher education in the state; one leg is junior colleges and vocational education; the second leg is state colleges. The final leg would be the

university system placed under the proposed single governing body. The plan would call for dissolving the University of Colorado Board of Regents which is a constitutional body. Thus a constitutional amendment would be placed on the ballot in November, 1968, to dissolve the board. The plan would place Fort Lewis College, now under the Board of Agriculture, under the presently constituted Board of Trustees for State Colleges.

Mr. Harper emphasized the creation of one board would not dilute the programs of any one of the three universities under the board's jurisdiction. He suggested a single board could tone the competition for educational dollars among the three universities, a competition which is growing more fearsome each year.

Mr. Jim Bromley, Mr. Art Sheeley, Mr. Russell Volk, Mr. C. C. Waneka, representing the three university boards and Dr. Frank Abbott, and Mr. Don McKinlay, representing the Commission, agreed in principle with the single board proposal and with the concept that the board would be appointed, rather than elected. Mr. Bromley noted that two other members of the University of Colorado Board of Regents favor appointed board members.

Mr. Richard Bernick, former regent, noted although he supports the concept of one board, he would favor an elected board. He would also favor the universities retaining their own constitutional autonomy.

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In concluding the public hearing with representatives of the Commission on Higher Education, committee members expressed their support of the single board concept. Representative Mackie moved that the Commission on Higher Education be requested to prepare proposals for the creation of a single university board for the Committee on Executive Reorganization. The motion was seconded and passed.\*

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\*Source; Minutes of the Committee on Organization of State Government, September 8, 1967.

On September 22, the Commission on Higher Education met and took note of the fact that the Board of Regents and the Trustees of the Colorado School of Mines had expressed, by resolution, support for the principle involved in the proposal made by Mr. Harper. The Commission proceeded to establish an informal committee comprised of Commission members and representatives of the three university boards to work out the necessary language to implement the proposal.

The Commission on Higher Education reported back to the Committee on Organization of State Government on November 17. Excerpts from that report are as follows:

Three meetings of the informal committee were held (September 27, October 11, November 1). The Commission received an interim report of the discussions at its special meeting, November 10, and authorized Commissioners Harper and McKinlay to put a Commission report in final form for presentation to the Committee on Organization of State Government, November 17.

In the course of the discussions with the consultative committee several principal issues were considered:

1. Should the proposal for legislative action include a detailed plan spelling out the organization of the proposed board, or should the action proposed for the 1968 legislative session be limited to the constitutional amendment that would be required to make possible a single board for the university system?

It is the Commission's conclusion that its recommendation should deal only with the constitutional amendment, and that issues involving specific provisions pertaining to the university board, or other matters, should be resolved by the legislature as elected representatives of the people of this state. The Commission will be happy to work with appropriate legislative groups at any time in the formulation of further proposals which may be in order.

2. What should be the nature of the proposed constitutional amendment?

Three major alternatives were considered.



(1) Simply eliminate Sections 12, 13, and 14 of Article IX which provide for the Regents of the University of Colorado and its functions and powers.

(2) In addition to (1) amend Section 5 of Article VIII pertaining to "Educational Institutions," to provide for the University System of the State of Colorado and its governance.

(3) In addition to (1), amend Section 5 of Article VIII to include the general college and community college sectors of higher education as well as the university system, and to provide for their governance and coordination.

After extended consideration it is the recommendation of the Commission that a constitutional amendment be provided which will encompass the several higher education institutions and the three sectors within the total state educational system. This appears to be the concern and intent of Article VIII. Provisions for the proposed university governing board would be made by law, following adoption of the constitutional amendment.

3. What powers should be assigned to governing boards in the best interests of higher education and of the State?

At one extreme, a state university or college system is held to be "like any other department of state government" and there is said to be no need of special provisions for planning and administering higher education. At the other extreme, colleges and universities are held to be "unique" functions of state government requiring special status as essentially autonomous units, virtually a "fourth branch" of government equivalent in status to the executive, legislature, and judiciary.

The functions of teaching and research call for freedom from interference by forces motivated by special interest, and through the long history of higher education in America special provisions have been made to assure this freedom. Institutions of quality can arise in no other circumstances.

To this end, typically, colleges and universities are organized as corporations in the legal charge of boards of trustees. In addition, in a number of states, university boards have constitutionally-protected authority to administer the institutions, subject to state control primarily through budgetary and appropriation measures. In many other states, colleges and universities are excepted by statute from various state procedures or controls.

Several statements were prepared to define the appropriate powers of self-government of the university system, and were discussed within the consultative committee. There is broad agreement that governing boards should have the authority required to manage the internal affairs of the institutions within a coordinated higher education system, and that this does not imply constitutional status as in effect a "fourth branch" of government. The recommendations of the Commission are implicit in the language set forth below.

The Commission recommends legislative consideration of the following amendment language:

Section 5 of Article VIII of the Constitution of the State of Colorado is Repealed and Re-Enacted, with Amendments, to Read:

Section 5. Educational Institutions. Institutions of higher education of the State of Colorado shall be developed and coordinated as provided by law, including universities and special purpose institutions, general colleges, and community and technical colleges. Government of the internal affairs of the institutions shall be vested in one or more lay boards of control, each board to be a body corporate, as provided by law. Each board shall preserve to the institution(s) governed its identity, administration, campus, endowments, grants and property, real and personal, within the State's coordinated system of higher education.

Article IX of the Constitution of the State of Colorado is Amended by the Repeal of Sections 12, 13, and 14.

Representatives of the University of Colorado, and the Trustees of the Colorado School of Mines, developed an alternative proposal for amendment of Articles VIII and IX, providing for the university system alone. This proposal (attached) is presented by the Commission without recommendation but with the observation that its provisions appear to convey governing powers broad enough to jeopardize the authority of any statutory body to coordinate and plan for the development of an integrated system of higher education.

Proposal By Colorado School of Mines  
And Representatives of the  
University of Colorado--  
Draft of October 11, 1967

Section 5 of Article VIII of the Constitution of the State of Colorado is Repealed and Re-Enacted, With Amendments, to Read:

Section 5. Educational Institutions.

The following educational institutions, to wit: the University of Colorado at Boulder, Colorado State University at Fort Collins, and the Colorado School of Mines at Golden, together with their respective hospitals, centers, farms, stations, mines and other properties wherever located and now existing, or to be hereafter established by law, are hereby declared to be institutions of higher education of the State of Colorado of university status, the supervision, management and control of which shall be vested in a board of nine members, citizens of this State, which board shall constitute a body corporate, having, but not restricted to, all powers and franchises incident to a corporation, to be known as "THE REGENTS OF THE UNIVERSITY SYSTEM OF THE STATE OF COLORADO". The members of said board shall be selected as may be provided by law and shall make and adopt any and all by-laws and regu-

lations of an executive and administrative nature necessary or useful for the supervision and government of the respective affairs of said institutions. The board shall preserve to each institution its separate administration, identity and campus and its respective endowments, incomes, funds, grants and property, both real and personal of which it shall have entire control; and shall allocate between such institutions appropriations of money and property to carry out such functions, objectives and purposes.

Article IX of the Constitution of the State of Colorado is Amended by the Repeal of Sections 12, 13, and 14.

Following the November 17 meeting the Commission, at the urging of members of the governing boards of the University of Colorado and the School of Mines, held additional meetings of the informal committee and attempted to prepare a proposed amendment that all three university governing boards and the Commission itself could agree upon. As a result, a new proposal was presented on December 8. The proposal is as follows:

Section 5 of Article VIII of the Constitution of the State of Colorado is Repealed and Re-Enacted, with Amendments, to Read:

Section 5. Educational Institutions.  
Institutions of higher education of the State of Colorado shall be developed and coordinated as provided by law, including universities and special purpose institutions, general colleges, and community and technical colleges. The governing and supervision of the academic and administrative affairs of said institutions shall be vested in two or more lay boards of control, each board to be a body corporate created and empowered as provided by law, with one of such boards governing the University of Colorado at Boulder and Denver, Colorado State University at Fort Collins, and the Colorado School of Mines at Golden. Said board shall preserve, and shall have authority to preserve, to each of said three institutions its separate identity, administration, campus, endowments, grants, funds, and property, real and personal, and shall have the power to coordinate academic offerings among said institutions, all within the State's coordinated system of higher education.

Article IX of the Constitution of the  
State of Colorado is Amended by the Re-  
peal of Sections 12, 13, and 14.

To the knowledge of the Committee, this last proposed amendment has not been approved by any of the governing boards of the three universities. However, there is considerable optimism among some members of the Commission, the Trustees of the School of Mines, and Board of Regents that approval may be forthcoming.

In that connection, quoted below is a background paper of the Commission concerning the desirability of a single university board and supporting the concept of three boards to govern the distinct parts of the higher education system.

The preceding proposal would establish a single governing board to operate the University of Colorado, Colorado State University, and Colorado School of Mines, replacing the Regents of the University, State Board of Agriculture, and the Trustees of the School of Mines. As will be noted in the subsequent discussion, the Commission anticipates, should this proposal be adopted by the legislature and approved by the people, recommending the establishment of three governing boards for the three major sectors of higher education in Colorado:

- (1) Universities and special purpose institutions.
- (2) General colleges.
- (3) Community colleges.

The concept of an integrated three-sector system of institutions beyond high school has a long history in Colorado. It is found in documents of the Association of State Institutions of Higher Education, and is specifically defined in the opening section of the Act establishing Metropolitan State College as well as in the Act of 1966 establishing the Board of Community Colleges and Occupational Education. Colorado for many years has provided for coordination in the governance of the general colleges through the Trustees of the State Colleges in Colorado. In 1966 it provided in similar fashion for a State Board of Community Colleges and Occupational Education to develop and superintend two-year institutions within the State

Community College System. The plan to establish a single governing body for institutions of University status is consistent with these provisions and should help to promote the individuality of each of the major sectors of higher education.

Events that have occurred essentially within the past decade have changed dramatically the historic roles and interrelationships of the University of Colorado, the institution which ten years ago was known as The Colorado Agricultural and Mechanical College, and the Colorado School of Mines. Even a short decade ago each of these was a very different institution than it is today. The University at Boulder was in fact the only comprehensive university in the State, and its contributions in graduate study and research (the hallmarks of a university) were elementary compared to its contributions of the present in these areas. Ten years ago, neither in name nor in fact was Colorado State University a university at all. It offered a number of graduate programs including a limited number on the doctoral level in agricultural sciences and engineering, areas of long-standing emphasis in the land-grant colleges. But the rapid growth of this institution in the breadth and depth of its program, as well as in enrollments and faculty numbers, is a phenomenon of very recent years.

Within the sciences during these same years, differences of content and method that formerly tended to separate the physical from the biological sciences and the social sciences from the natural sciences have tended to break down. Entirely new fields have appeared which interrelate chemistry and physics, biology with both chemistry and physics, and mathematics with all of the sciences. Long-standing Colorado conceptions that one institution would emphasize "biology" and another the "physical sciences" have been undermined to a considerable extent by such developments within the sciences themselves which force every university to develop competence in science very broadly. Within engineering education, too, the years since World War II have seen much heavier emphasis upon the science components underlying engineering practice,

and upon social science and humanities fields that contribute in essential ways to the education of all men and women whatever their special fields.

As a result of this evolution within science and engineering and rapid growth in graduate study and research, two institutions which formerly had clearly separate and separable roles and programs have grown rapidly to be more nearly alike. The School of Mines retains a valued identity now almost unique in this country, but its demands upon the basic sciences and its needs for faculty personnel, facilities and equipment are comparable to those at C.U. and C.S.U. For many years, public leadership in Colorado, and the institutions themselves, have been concerned to maintain a difference of role and program, to provide for complementarity rather than duplication of programs, faculty resources, and facilities. However to accomplish this is a far more difficult task, one calling for much more intimate knowledge and much closer direction over the course of institutional development, than in the years of as little as a decade ago.

There is no acceptable solution to the problems arising from these circumstances through attempting to halt the further development of sophisticated graduate-research endeavors at any of these institutions. The further strengthening of these institutions and the economic well-being of the State are directly tied to this evolution. It will be recalled that emphasis was given to the importance of a strong university establishment by the National Academy of Sciences Committee which reviewed sites for location of the 200-300 BEV atom smasher. It is essential to strengthen the universities further.

The plan to provide for a single governing board is directly related to that need. It is necessary to promote joint planning, common programs, interinstitutional sharing of resources of all kinds; it is necessary to extend efficiency of operation in every way possible, to avoid needless duplication of personnel, programs or facilities. Govern-

ing bodies for each of the institutions which are constitutionally or statutorily independent have little incentive to bring about such joint planning and operation, and in fact, little such coordination occurs under present circumstances. A coordinating body such as the Colorado Commission on Higher Education exercises limited powers; it is not a governing body. In many cases, plans and proposals come to such a body from the institutions at a stage when it is too late to provide for the needed joint effort of persons in two or more schools. Planning and coordination by the Commission is needed and valuable, but it is not a substitute for such planning and coordination at the governing board level.

To provide more effective overall planning and coordination in higher education has been a long-standing concern of executive and legislative agencies in Colorado, and throughout the Nation. During the past fifteen years some two-dozen states have established coordinating boards with powers roughly similar to those of the Colorado Commission on Higher Education.

In Colorado in 1967 a joint resolution to establish a single governing body for all of higher education received a simple majority vote in the Senate. Such a governing body is not proposed at this time. Because of the numbers of institutions of higher education and the rapidity of growth in size and program of many of them, it is believed no single board of laymen can give to the affairs of the several institutions the attention which is needed. Moreover it is assumed that to be effective, any such board would require a sizable central staff, and it is believed that the successful operation of a single governing board would require placing in such a staff powers that can more effectively and equitably be exercised at the campus level. It is notable that not one state has adopted such a "single governing board" plan in the past 15 years. While it is conceivable that changing circumstances would make such a plan desirable at some future time, the more limited modification of the present organization which is outlined above seems preferable.



Several states having strong university systems have "consolidated university" boards. North Carolina some years ago provided for a single university board to govern the University at Chapel Hill, North Carolina State at Raleigh, and the Woman's College at Greensboro. The Regents of the University of California are the governing body for the 9-campus university system in that State. The University of Wisconsin at Madison, the University at Milwaukee, and additional campuses now in the planning and development stage, are operated by a single board of trustees. The State of Missouri has provided for the University board to operate institutions at Kansas City, Rolla, St. Louis and Columbia.

In summary, the proposal for a Constitutional amendment that will make possible the establishment of a single board of trustees (or regents) for the University of Colorado, Colorado State University, and Colorado School of Mines has the following advantages:

(1) It will help give emphasis to the special qualities of the university sector of the total system, with its particular role in advanced instruction in the arts, sciences and professions and in research.

(2) It will facilitate and promote interinstitutional planning and cooperation in program development and reduce needless duplication of programs and resources.

(3) It will contribute to management efficiency by providing for appropriate development of management systems and permitting optimum development of special resources and expertise relevant to the problems of complex institutions.

(4) It will provide to these institutions the essential guarantees of freedom and of individual identity without which strong university programs cannot develop.

(5) It will provide a board for institutions of university status comparable to present boards for state colleges and community colleges and facilitate planning

and integration of the three sectors by the overall coordinating body, the Colorado Commission on Higher Education.

Due to the lack of time, the Committee was unable to consider fully the implications of the language contained in each of the above proposals or to develop a specific proposal of its own. However, the Committee wants to take this opportunity to commend the Commission on Higher Education and the several members of the informal committee that developed the above proposals.

The Committee believes that the time has arrived for the General Assembly to submit a proposed constitutional amendment to the people concerning higher education. A great deal of spade work has taken place and there is a very real possibility that a constructive amendment can be drafted and passed in 1968. The Committee recommends to the General Assembly that such action be taken in the 1968 session.

Civil Service. One of the charges to the Committee under the terms of S.J.R. 42 is to "...make a thorough study of the civil service laws of the state and of the administration thereof by the Civil Service Commission..." The Committee has been unable to undertake the suggested review in detail; however, the Civil Service Commission appeared before the Committee and recommended a constitutional amendment to alleviate certain problems in our present system. These changes concern veterans' preference, the "rule of one", a probationary period of employment, exemption of governor's confidential staff from civil service, authority to waive qualified elector requirement, rule-making power of the commission, authority to hire parolees, and authority to hire handicapped persons.

Again because of the time problem, the Committee is not in a position to recommend adoption of a specific proposal, but it would call the attention of the General Assembly to the fact that the Commission recommendations are directed at specific problems which have been of concern to the General Assembly for many years. The Committee does recommend that the General Assembly give serious consideration to a proposed constitutional amendment embodying at least some of the suggested changes enumerated in the Commission recommendations during the 1968 session.

The several documents submitted by the Commission follow on the succeeding pages of this report.

CY J. BURRESS, Jr.  
President

WM. R. WELSH, Jr.  
Commissioner

R. Y. (DICK) BATTERTON  
Commissioner



JOHN A. LOVE, Governor  
STATE OF COLORADO

CIVIL SERVICE COMMISSION

WM. J. HILTY  
Personnel Director

606 State Services Bldg.  
1525 Sherman Street  
Denver, Colorado 80203

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A MEMBER  
Public Personnel Association

Pueblo Branch  
Employees Cafeteria  
Colorado State Hospital  
Pueblo, Colorado

December 7, 1967

Legislative Committee on Reorganization  
of State Government  
Room 341, State Capitol Building  
Denver, Colorado 80203

Attention: Senator William L. Armstrong, Chairman

Gentlemen:

Pursuant to your request, the Colorado State Civil Service Commission submits for your consideration proposed additions and/or modifications to our State Constitution with specific reference to Article XII, Section 13.

Based upon the Commission's operating experience over the years, we believe that Section 13 of Article XII is substantially sound as it now stands. However, in the best interests of the State and in order to more effectively and efficiently meet current day problems, we recommend the following changes and/or additions.

1. Provision for a probationary period of not to exceed one (1) year prior to permanent appointment
2. Elimination of the present "rule of one" and substitution of "rule of three" or preferably "rule of five".
3. Authority for the Commission to waive the present electorship requirement for employment to permit the employment of Colorado residents under 21 years of age, as well as some parolees -- the latter on a highly selective basis.
4. Exempt the Governor's private secretary, members of his confidential staff and employees at the Governor's mansion. The number of such exempt employees at either location limited only by Legislative appropriation.

Legislative Committee on Reorganization  
of State Government

December 7, 1967

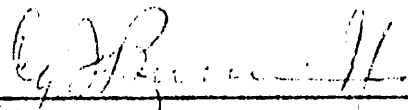
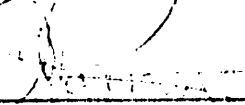
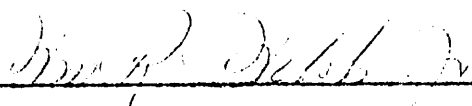
Page 2

5. Authority for the Commission to approve the employment of some handicapped individuals in situations where it can be predetermined that they are capable of handling the job in question.
6. With approximately 16,500 state employees subject to the Civil Service Merit System it is utterly impossible to anticipate unusual problems which can and do arise during any given period. Some provision, with adequate safe guards, should be incorporated allowing the Commission sufficient elasticity to meet and solve those problems within the framework of the State Constitution and Statutes.
7. We are enclosing a separate memorandum outlining our recommendations for revision of Article XII, Section 14 relating to Veterans Preference.

Respectfully submitted,

COLORADO STATE CIVIL SERVICE COMMISSION

By:

  
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CJB:jr

encl.

# CONSTITUTION OF COLORADO

## Article XII, Section 14, Veterans Preference

### RECOMMENDED REVISION

#### 1. Preference in Civil Service Examinations

- a. In each and every examination for initial entry (open competitive) into the classified civil service of the state, state merit system, the civil service of any political subdivision of the state - including cities, towns and cities and counties - chartered or to be chartered under the XXth Amendment to the Constitution of the State of Colorado, or into any other legally established personnel or merit system of the aforesaid jurisdictions, veterans preference shall be granted in accordance with the following provisions:

b. Period of Service

Veterans preference points shall be granted for active military service during the periods of time designated by the Congress of the United States and the United States Civil Service Commission for application to the Federal Civil Service, providing the candidate served at least 60 days on active duty.

c. Amount of Preference Points

Five points for candidates who served in the appropriate period and who were honorably discharged or released to inactive duty; five points for widows (providing they have not remarried) of persons who died while serving during the appropriate periods or as a result of service-connected injury or illness incurred during the appropriate periods; an additional five points for candidates who have an existing service-connected disability which is rated as 10% or more by the Veterans Administration or successor thereto.

d. Application of Preference Points

Veterans preference points shall be added only to passing grades as determined by the appropriate jurisdiction, providing that passing grades are the same for all candidates on a specific examination; veterans preference points shall not be granted to candidates who retire from military service with twenty (20) years or more total service.

#### 2. Preference in Retention

In the event of a reduction in force (lay off) in the jurisdictions cited above, veterans who are eligible for examination preference and who

2. Preference in Retention (Continued)

attained permanent status as defined by the laws governing the jurisdiction shall be granted preference in accordance with the following provisions:

- a. Preference shall apply only to the employees current job classification except as provided by statutes or rules of the appropriate jurisdiction.
  - b. Veterans having an existing service connected disability of 10% or more shall be retained until all other employees in the classification have been laid off.
  - c. In determining seniority as applied to lay offs, veterans eligible for preference points shall be credited with one day of service in the jurisdiction for each day of active military service during the appropriate periods for which preference points are granted.
  - d. When factors other than seniority are applied to lay-off procedures, veterans shall receive preference within such procedures in accordance with the intent and purpose of this article.
3. The State Civil Service Commission, State Merit System Council, the civil service commission of the aforesaid political subdivisions of the State of Colorado and the successors thereof shall be vested with the authority and responsibility to make and enforce rules to carry out the purposes of this amendment and the alterations and recession of such rules. Such rules shall include the means of claiming veterans preference, documents required and methods of administering the provisions of this amendment.
4. This section of the Constitution shall be in full force and effect from the date of its approval by the vote of the people, as provided in the Constitution and it shall be in all respects self-enacting.

CY J. BURRESS, Jr.  
President

WM. R. WELSH, Jr.  
Commissioner

R. Y. (DICK) BATTERTON  
Commissioner

WM. J. HILTY  
Personnel Director

606 State Services Bldg.  
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JOHN A. LOVE, Governor  
STATE OF COLORADO  
CIVIL SERVICE COMMISSION

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A MEMBER  
Public Personnel Association

Pueblo Branch  
Employees Cafeteria  
Colorado State Hospital  
Pueblo, Colorado

December 12, 1967

Lyle C. Kyle, Staff Director  
Legislative Council  
341 State Capitol  
Denver, Colorado

Dear Mr. Kyle:

Pursuant to your request, we are herein summarizing the reasons for requesting amendments to Article XII, Section 13, and Article XII, Section 14 of the State Constitution.

Article XII, Section 13 is the basic Civil Service amendment, and the changes and/or additions proposed would provide as indicated below:

1. Addition of a provision for a probationary period not to exceed one year. Very few examinations are able to accurately predict job success. Examinations do measure capability, but the final portion of an examination is actual performance on the job. Present constitutional provisions provide that employees appointed as result of examination shall be immediately certified, and they can be removed only upon filing of formal written charges and possible hearings. Colorado is one of the very few jurisdictions not having a probationary period, and this imposes undue burden on the examination.
2. Addition of a "rule of three" or preferably, "a rule of five." Present constitutional provisions prescribe that the highest ranking individual on an examination shall be appointed, which provisions again put undue burden on the examination process, and further, completely eliminates an appointing authority having any voice in selection of personnel. The many small differences between individual positions in a class of work cannot be included in an examination, and only an appointing authority can determine whether or not certain small traits and abilities are essential for the job. Insofar as we can determine, Colorado is the only civil service/merit system having a rule of one.

3. Deletion of "qualified elector" requirement for employment.  
This deletion is particularly important, as the requirement imposes limitations in many areas. Almost all beginning level clerical, typist, stenographic and labor applicants are recent high school graduates and less than 21 years of age -- which age is an electorship requirement. In this day of modern transportation and labor mobility, nationwide recruiting for many professional and technical classes is an absolute "must." Colorado has a department to rehabilitate parolees, but parolees are not qualified electors, and cannot be hired.
4. Exemption from civil service of members of the Governor's staff.  
The Civil Service Commission fully supports the concept of merit selection and retention for the vast majority of positions in state service. At the same time, it is recognized that the Governor must have a personal staff that fully supports his policies, and that he must be able to select and remove persons who are in such a capacity. The number to be exempted is a highly debatable matter, and we have recommended that this be a legislative determination through appropriation.
5. Authority for the Commission to limit appointment to designated positions to handicapped persons. Present constitutional provisions limit all appointments to "best qualified", which obviously limits appointment of handicapped persons who are minimally qualified. Certain routine jobs can be performed by the mentally retarded and physically handicapped, but the "best qualified" provision prohibits the state from participating in their own rehabilitative programs.
6. Provisions for Civil Service Commission to establish policies and procedures by rule. Ever-changing situations, problems and philosophies in the general area of personnel administration make it imperative that the Commission be able to operate flexibly within broad limits.

Article XII, Section 14 provides for the granting of veterans preference, and the following changes are recommended:

1. Period of military service. Present provisions grant points to veterans who serve "in time of war." World War II ended in 1952, and at the present, veterans of the "non-hostility" period 1946-1950 are granted points and Korean veterans who served in 1950-1952 are granted points. However, Korean veterans who served after the latter part of 1952 and Viet Nam veterans -- whether wounded or not -- are granted no points. We propose to adhere to time periods established by U.S. Congress and/or U.S. Civil Service Commission. Additionally, we have recommended a minimum of 60 days of military service to eliminate granting points for one day of active duty for physical examination and rejection.



Lyle C. Kyle, Staff Director  
December 12, 1967  
Page 3

2. Amount of Points. We have proposed the additional points for service-incurred disability be granted only if the disability is 10% or more. This would eliminate disability points for "zero" disability cases, which cases are now granted points to the embarrassment of the Commission.
3. Application of points. It is proposed points be granted only for initial examinations into state service and not on promotional examinations. The granting of points on promotional examinations, along with "zero" disability has been the greatest problem with veterans preference points. We have further proposed that veterans who retire with twenty or more years be granted no points.
4. Preference in lay-off. All of the above-proposals are supported by all major veteran organizations, provided a provision for retention of veterans in event of lay-off is established. A constitutional amendment must be supported by these organizations, and most of them insist on an absolute preference for all veterans, comparable to the Federal government. We feel this is not reasonable and have proposed absolute preference only for veterans with service-incurred disability of 10% or more. We have further proposed that the years of military service during the appropriate periods be counted as state service toward seniority for lay-off consideration for all veterans.

If you wish additional details on any of our recommendations, please feel free to contact me.

Very truly yours,

STATE CIVIL SERVICE COMMISSION

  
William J. Hilty  
Personnel Director

WJH:vs

INDEX TO TRANSFERS AND CREATION OF DEPARTMENTS, DIVISIONS, SECTIONS, INSTITUTIONS,  
BOARDS, AND COMMISSIONS IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968".

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Abstracters' board of examiners	22(3)(b)	1	Regulatory Agencies	Registrations
Accountancy, state board of	22(3)(c)	1	Regulatory Agencies	Registrations
Accounts and control, <b>division of</b> (functions not transferred to division of automated data pro- cessing and department of ad- ministration)	16(2)(g)	2	Administration	
Accounts and control (functions of division and controller con- cerning planning, management and coordination of automated data processing and operation of data processing equipment, including systems, programming)	16(2)(f)	2	Administration	Automated data processing
Accounts and control (functions of division concerning manage- ment analysis)	16(3)	2	Administration	
Accounts and control (functions of division concerning account- ing, accounting systems and financial reports)	16(5)(b)	2	Administration	Accounts and control (ac- counting sec- tion)
Accounts and control (functions of division concerning budget- ing and office of state budget officer)	16(5)(c)	2	Administration	Accounts and control (bud- geting sec- tion)
Adams state college of Colorado	14(4)(d)(ii)	*	Higher Education	

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Adjutant general, office of	27(2)	2	Military Affairs	
Administration, department of	16(1)	Created		
Administration, division of (department of health, except office of executive director of state department of public health)	19(5)(b)	2	Health	
Administrative services, divi- sion of	23(4)(e)	2	Agriculture	
Administrative services, office of chief of	23(4)(e)	2	Agriculture	
Aged, state board of control for state home for	20(3)(d)(iii)	3		
Aging, Colorado commission on the	20(3)(d)(i)	2	Social Services	Services for the aged
Aging, office of director of Colorado commission on the	20(3)(d)(i)	2	Social Services	Services for the aged
Agricultural commission, state	23(2)	1	Agriculture	
Agriculture, department of	23(1)	Created		
Agriculture, office of commis- sioner of	22(3)	2	Agriculture	
Agriculture, state board of	14(4)(c)	*	Higher Education	
Agriculture, state department of	23(3)	2	Agriculture	
Air pollution variance board	19(5)(c)	1	Health	

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Alcoholism division	19(5)(d)	2	Health	
Animal industry, division of	23(4)(d)	2	Agriculture	
Animal industry, office of chief of	23(3)(d) 23(4)(d)	2	Agriculture	
Animal protection, state bureau of	23(5)(b)	2	Agriculture	Animal industry
Apprenticeship council	21(3)(b)	2	Labor and Employment	Industrial commission
Architects, Colorado state board of examiners of	22(3)(d)	1	Regulatory Agencies	Registrations
Archives and public records, division of	16(2)(e)	2	Administration	
Archivist, office of state	16(2)(e)	2	Administration	Archives and public records
Arts and humanities, state council on	14(3)(b)	2	Higher Education	
Athletic commission of Colorado, state	22(3)(e)	1	Regulatory Agencies	Registrations
Attorney general, office of	13(2)	2	Law	
Attorney general (functions concerning state information agency under the "Uniform Reciprocal Enforcement of Support Act")	20(4)(d)	2	Social Services	Public welfare

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Automated data processing, division of	16(2)(f)	Created	Administration	
Automated data processing, office of director of	16(2)(f)	Created	Administration	Automated data processing
Bank commissioner, office of state	22(2)(e)	1	Regulatory Agencies	Banking
Banking board	22(2)(e)	1	Regulatory Agencies	Banking
Banking department	22(2)(e)	1	Regulatory Agencies	Banking
Barbers, barbering, barber- ing schools and colleges, board of examiners con- cerning	22(3)(f)	1	Regulatory Agencies	Registrations
Basic sciences, state board of examiners in the	22(3)(g)	1	Regulatory Agencies	Registrations
Beef board, Colorado	23(5)(a)	1	Agriculture	Markets
Boiler inspection, division of	21(3)(c)	2	Labor and Employ- ment	Industrial com- mission
Boys, Lookout Mountain School for	18(3)(g)	2	Institutions	
Brand commissioner, office of	23(5)(c)	1	Agriculture	Animal industry
Budget officer, office of state	16(5)(c)	2	Administration	Accounts and control (budget- ing section)
Cemetery board, state	22(3)(h)	1	Regulatory Agencies	Registrations
Chemist, office of state	19(6)(b)	2	Health	Administration

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Chiropractic examiners, Colorado state board of	22(3)(i)	1	Regulatory Agencies	Registrations
Civil air patrol, Colorado division of	27(3)(c)	1	Military Affairs	
Civil defense, division of	27(3)(d)	2	Military Affairs	
Civil defense, office of director	27(3)(d)	2	Military Affairs	
Civil rights commission, Colorado	21(2)(d)	1	Labor and Employment	Civil rights
Civil rights division, Colorado	21(2)(d)	1	Labor and Employment	Civil rights
Civil service commission	16(2)(b)	1	Administration	
Claims, board or	24(3)(i)	1	Natural Resources	Game, fish, and parks
Claims commission, Colorado	16(5)(d)	2	Administration	Accounts and control
Coal mines, board of examiners of	24(3)(f)(iii)	2	Natural Resources	Mines
Coal mines, office of chief inspector of	24(3)(f)(iii)	2	Natural Resources	Mines
Coal mines, office of district director of	24(3)(f)(iii)	2	Natural Resources	Mines
Collection agency board	22(3)(j)	1	Regulatory Agencies	Registrations
Colorado school of mines	14(4)(e)	*	Higher Education	

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Colorado school of mines, board of trustees of	14(4)(e)	*	Higher Education	
Colorado state college	14(4)(d)(iii)	*	Higher Education	
Colorado state university	14(4)(c)	*	Higher Education	
Commerce and development, division of	25(2)(d)	2	State and local government services	
Commerce and development, office of director of	25(2)(d)	2	State and local government services	Commerce and development
Community and technical colleges, office of director of	14(4)(f)	*	Higher Education	
Community college of Denver	14(4)(f)	*	Higher Education	
Community colleges and occupational education, state board of	14(4)(f)	*	Higher Education	
Compensation insurance fund, state	21(3)(e)	2	Labor and Employment	Industrial commission
Controller, office of	16(2)(g)	2	Administration	Accounts and control
Cosmetology, state board of	22(3)(k)	1	Regulatory Agencies	Registrations
Deaf and blind, advisory board for Colorado school for	18(4)	Created	Institutions	
Deaf and blind, board of trustees of Colorado school for	18(4)	3		

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Deaf and blind, Colorado school for	18(3)(m)	2	Institutions	
Dental examiners, state board of	22(3)(l)	1	Regulatory Agencies	Registrations
Education, department of	15(1)	Created		
Education, office of commis- sioner of	15(3)	2	Education	
Education, state board of	15(2)	1	Education	
Education, state department of	15(3)	2	Education	
Electrical board, state	22(3)(m)	1	Regulatory Agencies	Registrations
El Paso community college	14(4)(f)	*	Higher Education	
Employment, department of	21(2)(c)	1	Labor and Employ- ment	Employment
Employment, executive director of	21(2)(c)	1	Labor and Employ- ment	Employment
Engineer, office of state	24(4)(b)	1	Natural Resources	Water resources
Fair and industrial exposition commission, Colorado state	23(4)(g)	1	Agriculture	
Fair and industrial exposition commission, office of manager of Colorado state	23(4)(g)	1	Agriculture	
Fermented malt beverages (func- tion of secretary of state)	17(3)	2	Revenue	
Fort Lewis college	14(4)(c)	*	Higher Education	



<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Frozen food provisioner board	23(5)(d)	2	Agriculture	Inspection and consumer services
Game, fish, and parks commission	24(3)(i)	1	Natural Resources	Game, fish, and parks
Game, fish, and parks department	22(3)(j) 22(3)(i)	1	Natural Resources	Game, fish, and parks
Game, fish, and parks department, office of director of	24(3)(i)	1	Natural Resources	Game, fish, and parks
Geological survey, Colorado	24(3)(h)	2	Natural Resources	
Geologist, office of state	24(3)(h)	2	Natural Resources	
Girls' school, Mount View	18(3)(h)	2	Institutions	
Ground water commission	24(4)(d)	1	Natural Resources	Water resources
Guard, Colorado state	27(3)(e)	2	Military Affairs	
Health, department of	19(1)	Created		
Health, office of executive director of department of	19(1)	Created		
Health, office of executive director of state department of public	19(4)	2	Health	
Health, state board of	19(2)	1	Health	
Health, state department of public	19(4)	2	Health	
Higher education, Colorado commission on	14(2)	1	Higher Education	

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Higher education, department of	14(1)	Created		
Higher education, executive director of Colorado commis- sion on	14(2)	1	Higher Education	
Highway commission, state	26(2)	1	Highways	
Highway safety council	26(5)	1	Highways	Highways
Highway safety council, offi- cial committee of	26(5)	1	Highways	Highways
Highways, department of	26(3)(b)	2	Highways	Highways
Highways, office of chief engineer of department of	26(3)(b)	2	Highways	Highways
Highways, office of executive director of state department of	26(1)	Created		
Highways, state department of	26(1)	Created		
Historical society, state	14(3)(d)	1	Higher Education	
Home and training school, state (at Grand Junction)	18(3)(f)	2	Institutions	
Home and training school, state (at Ridge)	18(3)(e)	2	Institutions	
Homes for the aged, state board of control for state	20(3)(d)(iii)	3		
Hospital, Colorado state	18(3)(d)	2	Institutions	

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Incentive award suggestion system board of control	16(5)(d) 16(5)(f)	2	Administration	Accounts and control
Industrial commission of Colorado	21(2)(b)	2	Labor and Employment	
Inheritance tax commissioner, office of	13(3)(c)	2	Law	
Inheritance tax, division of	13(3)(c)	2	Law	
Inspection and consumer services, division of	23(4)(f)	2	Agriculture	
Inspection and consumer services, office of chief of	23(4)(f)	2	Agriculture	
Institutions, department of	18(1)	Created		
Institutions, department of	18(2)	2	Institutions	
Institutions, director of	18(2)	2	Institutions	
Insurance, office of commissioner of	22(2)(c)	1	Regulatory Agencies	Insurance
Insurance, state of Colorado department of	22(2)(c)	1	Regulatory Agencies	Insurance
Investigation, Colorado Bureau of	25(2)(e)	1	State and local government services	
Investigation, office of director of Colorado bureau of	25(2)(e)	1	State and local government services	
Irrigation district commission	24(4)(f)	2	Natural Resources	Water resources
Irrigation division engineers	24(4)(c)	2	Natural Resources	Water resources

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Labor and employment, department of	21(1)	Created		
Labor and employment, office of executive director of department of	21(1)	Created	Labor and Employment	
Land commissioners, state board of	24(3)(e)	1	Natural Resources	
Landscape architects, state board of examiners	22(3)(n)	1	Regulatory Agencies	Registrations
Land surveyors, state board of registration for professional engineers and	22(3)(w)	1	Regulatory Agencies	Registrations
Law, department of	13(1)	Created		
Law, department of	13(2)	2	Law	
Law enforcement training academy, Colorado	25(2)(f)	1	State and local government services	
Law enforcement training academy, office of supervisor of Colorado	25(2)(f)	1	State and local government services	
Legal affairs, division of	13(3)(b)	2	Law	
Library, state	15(4)	2	Education	
Local government, division of	25(2)(b)	2	State and local government services	
Local government, office of director of	25(2)(b)	2	State and local government services	

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Malt, vinous and spiritous liquors (functions of secretary of state)	17(3)	2	Revenue	
Management analysis (functions of division of accounts and control concerning)	16(3)	2	Administration	
Markets, division of	23(4)(b)	2	Agriculture	
Markets, office of chief of	21(3)(b) 23(4)(4)	2	Agriculture	
Medical examiners, Colorado state board of	22(3)(o)	1	Regulatory Agencies	Registrations
Mental health center, Fort Logan	18(3)(j)	2	Institutions	
Merit system council	20(4)(b)	2	Social Services	Public welfare
Metropolitan state college	14(4)(d)(iv)	*	Higher Education	
Military affairs, department of	27(1)	Created		
Mines, bureau of	24(3)(f)(ii)	2	Natural Resources	Mines
Mines, division of	24(3)(f)(i)	Created	Natural Resources	
Mines, office of commissioner of		2	Natural Resources	Mines
Mining industrial development board fund	24(3)(f)(iv)	2	Natural Resources	Mines
Mining industrial development board fund, board of directors of	24(3)(f)(iv)	2	Natural Resources	Mines
Mortuary science, board of	22(3)(p)	1	Regulatory Agencies	Registrations

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
National guard, Colorado	27(3)(b)	2	Military Affairs	
Natural resources coordinator, office of	24(2)	2	Natural Resources	
Natural resources, department of	24(1)	Created		
Nursing home, Trinidad state	20(3)(d)(ii)	2	Social Services	Services for the aged
Nursing, state board of	22(3)(q)	1	Regulatory Agencies	Registrations
Occupational education, office of director of	14(4)(f)	*	Higher Education	
Oil and gas conservation commission of the state of Colorado	24(3)(g)	1	Natural Resources	
Oils, office of state inspector of	21(3)(d)	1	Labor and Employment	Industrial commission
Optometric examiners, state board of	22(3)(r)	1	Regulatory Agencies	Registrations
Passenger tramway safety board	22(3)(s)	1	Regulatory Agencies	Registrations
Patrol board, Colorado state	26(4)	3		
Patrol, Colorado state	26(3)(c)	1	Highways	State patrol
Patrol, office of chief of Colorado state	26(3)(c)	1	Highways	State patrol
Penitentiary, Colorado state	18(3)(b)	2	Institutions	
Pharmacy, state board of	22(3)(t)	1	Regulatory Agencies	Registrations
Physical therapy, state board of	22(3)(u)	1	Regulatory Agencies	Registrations

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Planning, office of coordinator of state	9(2)	-	(office of governor)	
Planning, office of state	9(2)	-	(office of governor)	
Plant industry, division of	23(4)(c)	2	Agriculture	
Plant industry, office of chief of	23(4)(c)	2	Agriculture	
Plumbers, examining board of	19(6)(e)	2	Health	Administration
Practical nursing, board of	22(3)(v)	1	Regulatory Agencies	Registrations
Professional engineers and land surveyors, state board of registration for	22(3)(w)	1	Regulatory Agencies	Registrations
Professional sanitarians, board of registration for	19(6)(d)	2	Health	Administration
Property taxation, division of	25(2)(c)	Created	State and local government services	
Psychologist examiners, Colorado state board of	22(3)(x)	1	Regulatory Agencies	Registrations
Public health, office of executive director of state department of	19(4)	2	Health	
Public utilities commission	22(2)(b)	1	Regulatory Agencies	
Public works, division of	16(2)(d)	2	Administration	
Public works, office of director of	16(2)(d)	2	Administration	Public works
Purchasing agent, office of state	16(2)(c)	2	Administration	Purchasing

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Purchasing, division of	16(2)(c)	2	Administration	
Racing commission, Colorado	22(2)(g)	1	Regulatory Agencies	Racing events
Real estate commission	22(3)(y)	1	Regulatory Agencies	Registrations
Reformatory, Colorado state	17(2) 18(3)(c)	2	Institutions	
Regents of the university of Colorado	14(4)(b)	*	Higher Education	
Registrar, office of state	19(6)(c)	2	Health	Administration
Registrations, division of	22(2)(h)	2	Regulatory Agencies	
Registrations, office of director of	22(2)(h)	Created	Regulatory Agencies	Registrations
Regulatory agencies, depart- ment of	22(1)	Created		
Regulatory agencies, office of executive director of depart- ment of	22(1)	Created	Regulatory Agencies	
Rehabilitation, department of	20(3)(c)	2	Social Services	Rehabilitation
Rehabilitation, office of director of	20(3)(c)	2	Social Services	Rehabilitation
Revenue, department of	17(1)	Created		
Revenue, department of	17(2)	2	Revenue	
Revenue, office of director of	17(2)	2	Revenue	
Sanitaricians, board of registra- tion for professional	19(6)(d)	2	Health	Administration



<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Savings and loan associations, state commissioner of	22(2)(d)	1	Regulatory Agencies	Savings and loan
Savings and loan, state of Colorado department of	22(2)(d)	1	Regulatory Agencies	Savings and loan
Scientific development commis- sion	14(3)(c)	2	Higher Education	
Secretary of state, office of (functions concerning ferment- ed malt beverages, and malt, vinous and spiritous liquors)	17(3)	2	Revenue	
Secretary of state, office of (except functions concerning fermented malt beverages and malt, vinous and spiritous liquors)	11(2)	2	State	
Securities, division of	22(2)(f)	1	Regulatory Agencies	
Securities, office of commis- sioner of	22(2)(f)	1	Regulatory Agencies	Securities
Services for the aged, division of	20(3)(d)(i)	Created	Social Services	
Services for the aged, office of director of	20(3)(d)(i)	Created	Social Services	Services for the aged
Shorthand reporters, state board of	22(3)(z)	1	Regulatory Agencies	Registrations
Soil conservation board, state	24(3)(d)	1	Natural Resources	
Social services, department of	20(1)	Created		

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Social services, office of executive director of department of	20(1)	Created	Social Services	
Southern Colorado state college	14(4)(d)(v)	*	Higher Education	
State and local government services, department of	25(1)	Created		
State and local government services, office of executive director of department of	25(1)	Created		
State, department of	11(1)	Created		
State, department of	11(2)	2	State	
State employees' and officials' group health insurance board of administration	16(5)(c) 16(5)(e)	2	Administration	Accounts and control
Stock inspection commissioners, state board of	22(5)(c)	1	Agriculture	Animal industry
Surplus property, Colorado state agency for	16(4)	2	Administration	Purchasing
Tax commission, Colorado	25(2)(c)	1	State and local government services	Property tax
Teacher certification, state board of	15(5)	3		
Treasurer, office of state	12(1)	2	Treasury	
Treasury, department of	12(1)	Created		
Treasury, department of	12(1)	2	Treasury	

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Trustees of state colleges in Colorado	14(4)(d)(i)	*	Higher Education	
Veterans affairs, Colorado board of	20(4)(c)	1	Social Services	Public welfare
Veterans affairs, Colorado department of	20(4)(c)	1	Social Services	Public welfare
Veterans center, Colorado state	20(3)(d)(ii)	2	Social Services	Services for the aged
Veterinary medicine, state board of	22(3)(aa)	1	Regulatory Agencies	Registrations
Water commissioners	24(4)(c)	2	Natural Resources	Water resources
Water conservation board, Colo- rado	24(3)(c)	1	Natural Resources	
Water conservation board, office of director of Colorado	24(3)(c)	1	Natural Resources	
Water pollution control commis- sion, state	19(3)	1	Health	
Water resources, division of	24(3)(b)	Created	Natural Resources	
Water well and pump installa- tion contractors, state board of examiners of	24(4)(e)	1	Natural Resources	Water resources
Welfare, office of director of state department of public	20(3)(b)	2	Social Services	Public welfare
Welfare, state board of public	20(2)	1	Social Services	
Welfare, state department of public	20(3)(b)	2	Social Services	Public welfare

<u>New or Transferred Agency</u>	<u>Section of Bill</u>	<u>Type of Transfer</u>	<u>Department Transferred To</u>	<u>Division Allocated To</u>
Western state college of Colorado	14(4)(d)(vi)	*	Higher Education	
Women's correctional institution	18(3)(n)	2	Institutions	
Youth camp, Golden Gate	18(3)(k)	2	Institutions	
Youth camp, Lathrop Park	18(3)(l)	2	Institutions	
Youth center, Colorado	18(3)(i)	2	Institutions	

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\* Continued to be administered as provided by law, but grouped under department of higher education for purposes of section 22 of article IV of the state constitution.

TEXT

COMMENTS

A BILL FOR AN ACT

CONCERNING THE ADMINISTRATIVE REORGANIZATION OF STATE GOVERNMENT.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. The general assembly hereby declares that this act is necessary to create a structure of state government which will be responsive to the needs of the people of this state and sufficiently flexible to meet changing conditions; to strengthen the powers of the governor and provide a reasonable span of administrative and budgetary controls within an orderly organizational structure of state government; to strengthen the role of the general assembly in state government; to encourage greater participation of the public in state government; to effect the grouping of state agencies into a limited number of principal departments primarily according to function; and to eliminate overlapping and duplication of effort. It is the intent of the general assembly to provide for an orderly transfer of powers, duties, and functions of the various state agencies to such principal departments with a minimum of disruption of governmental services and functions and with a minimum of expense. To the ends

## TEXT

## COMMENTS

1 stated in this section, this act shall be liberally construed.

2 SECTION 2. Short title. Sections 1 through 36 of this  
3 act shall be known and may be cited as the "Administrative  
4 Organization Act of 1968".

5 SECTION 3. Head of department defined. Whenever the  
6 term "head of a principal department" is used in this act, it  
7 shall mean the head of one of the principal departments cre-  
8 ated by this act. Unless the head of a principal department  
9 shall be a state elected official, he shall have the title of  
10 executive director of the department, or such other title as  
11 specifically designated by this act.

12 SECTION 4. Policy-making authority and administrative  
13 powers of governor - delegation. The governor, in accordance  
14 with section 2 of article IV of the state constitution, shall  
15 be the chief executive officer of the state. Subject to the  
16 constitution and laws of this state, the governor shall be  
17 responsible for formulating and administering the policies  
18 of the executive branch of the state government. In the  
19 execution of these policies, the governor shall have full  
20 powers of supervision, approval, direction, and appointment

## TEXT

## COMMENTS

1 over all principal departments and the divisions, sections,  
2 and units thereof. Where a conflict arises as to the adminis-  
3 tration of the policies of the executive branch of the state  
4 government, such conflict shall be resolved by the governor,  
5 and the decision of the governor shall be final.

6 SECTION 5. Types of transfers. (1) Under this act, a  
7 type 1 transfer means the transferring intact of an existing  
8 department, institution, or other agency, or part thereof, to  
9 a principal department established by this act. When any de-  
10 partment, institution, or other agency, or part thereof, is  
11 transferred to a principal department under a type 1 transfer,  
12 that department, institution, or other agency, or part there-  
13 of, shall be administered under the direction and supervision  
14 of that principal department, but shall exercise its pre-  
15 scribed statutory powers, duties, and functions, including  
16 rule-making, regulation, licensing, and registration, and the  
17 promulgation of rules, rates, regulations, and standards, and  
18 the rendering of findings, orders, and adjudications inde-  
19 pendently of the head of the principal department. Under a  
20 type 1 transfer, all budgeting, purchasing, and related

## TEXT

## COMMENTS

1 management functions of any transferred department, institu-  
2 tion, or other agency, or part thereof, shall be performed  
3 under the direction and supervision of the head of the princi-  
4 pal department.

5 (2) Under this act, a type 2 transfer means the trans-  
6 ferring of all or part of an existing department, institution,  
7 or other agency to a principal department established by this  
8 act. When all or part of any department, institution, or  
9 other agency is transferred to a principal department under  
10 a type 2 transfer, its statutory authority, powers, duties,  
11 and functions, records, personnel, property, unexpended bal-  
12 ances of appropriations, allocations or other funds, includ-  
13 ing the functions of budgeting and purchasing, are trans-  
14 ferred to the principal department.

15 (3) Under this act, a type 3 transfer means the abolish-  
16 ing of an existing department, institution, or other agency,  
17 and the transferring of all or part of its powers, duties,  
18 and functions, records, personnel, property, unexpended bal-  
19 ances of appropriations, allocations or other funds, to a  
20 principal department as specified under this act.



## TEXT

## COMMENTS

1       (4) When any department, institution, or other agency,  
2 or part thereof, is transferred by a type 2 or type 3 trans-  
3 fer to a principal department under the provisions of this  
4 act, its prescribed powers, duties, and functions, including  
5 rule-making, regulation, licensing, and promulgation of rules,  
6 rates, regulations, and standards, and the rendering of find-  
7 ings, orders, and adjudications are transferred to the head  
8 of the principal department into which the department, insti-  
9 tution, or other agency, or part thereof, has been transferred.

10       SECTION 6. Agencies not enumerated - continuation. Any  
11 board, commission, advisory board, or other entity not enu-  
12 merated in this act, but established by law within, or as ad-  
13 visory to, an existing department, institution, or other  
14 agency, shall continue to exercise all its powers, duties,  
15 and functions within, or as advisory to, such department,  
16 institution, or other agency, under the principal department  
17 and the type of transfer to which such department, institu-  
18 tion, or other agency is transferred under this act.

19       SECTION 7. Internal organization of department; alloca-  
20 tion and reallocation of powers, duties, and functions;

## TEXT

## COMMENTS

1 limitations. In order to promote economic and efficient ad-  
2 ministration and operation of a principal department, and not-  
3 withstanding any other provisions of law, the head of a prin-  
4 cipal department, with the approval of the governor, may  
5 establish, combine, or abolish, divisions, sections, and units  
6 other than those specifically created by law, and may allocate  
7 and reallocate powers, duties, and functions to divisions,  
8 sections, and units under the principal department, but no  
9 substantive function vested by law in any officer, department,  
10 institution, or other agency within the principal department  
11 shall be removed from the jurisdiction of such officer, de-  
12 partment, institution, or other agency under the provisions  
13 of this section.

14 SECTION 8. Appointment of officers and employees. Any  
15 provisions of law to the contrary notwithstanding, and sub-  
16 ject to the provisions of the constitution of the state of  
17 Colorado, the head of a principal department shall be ap-  
18 pointed by the governor, and the head of a principal depart-  
19 ment shall appoint all subordinate officers and employees of  
20 each division, section, and unit under a department, but all

TEXT

COMMENTS

1 appointments made by the head of a principal department shall  
2 be made in accordance with section 3-1-4, C.R.S. 1963, as  
3 amended.

Section 3-1-4 is amended in  
SECTION 172 of this act.

4       SECTION 9.               Office of the governor. (1) The  
5 powers, duties, and functions now vested by law in the  
6       office of the governor are continued. Temporary commis-  
7 sions, unless otherwise provided, when established by law or  
8 by the governor, shall be units of the               office of  
9 the governor. Interstate compacts authorized by law shall be  
10 administered under the direction of the office of the governor.  
11       (2) The office of coordinator of state planning and the  
12 state planning office, created by chapter 248, Session Laws  
13 of Colorado 1967, are hereby transferred to the  
14 office of the governor. The governor shall appoint a coordi-  
15 nator of state planning, who shall be a member of the staff  
16 of the               office of the governor. The coordinator of  
17 state planning shall be responsible to the governor for the  
18 administration of the state planning office, and his duties  
19 shall be as prescribed by said chapter 248, Session Laws of  
20 Colorado 1967.

## LEXI

## COMMENTS

1     SECTION 10. Principal departments. (1) (a) In accord-  
2     ance with the provisions of section 22 of article IV of the  
3     state constitution, all executive and administrative offices,  
4     agencies, and instrumentalities of the executive department  
5     of the state government, and their respective functions, pow-  
6     ers, and duties, except as otherwise provided by law, are  
7     allocated among and within the following principal departments  
8     created by this act:

9           (b) Department of state;  
10          (c) Department of the treasury;  
11          (d) Department of law;  
12          (e) Department of higher education;  
13          (f) Department of education;  
14          (g) Department of administration;  
15          (h) Department of revenue;  
16          (i) Department of institutions;  
17          (j) Department of health;  
18          (k) Department of social services;  
19          (l) Department of labor and employment;  
20          (m) Department of regulatory agencies;

## TEXT

## COMMENTS

- (n) Department of agriculture;
- (o) Department of natural resources;
- (p) Department of state and local government services;
- (q) State department of highways; and
- (r) Department of military affairs.

### DEPARTMENT OF STATE

#### SECTION 11. Department of state - creation. (1) There

is hereby created a department of state, the head of which shall be the secretary of state.

(2) Except with respect to the powers, duties, and functions of the secretary of state under the provisions of chapter 75, C.R.S. 1963, as amended, concerning fermented malt beverages, and malt, vinous, and spirituous liquors, and except for the division of registrations, created by article 10 of chapter 3, C.R.S. 1963, as amended, the department of state, created by article 10 of chapter 3, C.R.S. 1963, as amended, and the office of secretary of state, created by article IV of the state constitution, and all other powers, duties, and functions vested by law in said department and said office, are transferred by a type 2

## TEXT

## COMMENTS

01 transfer to the department of state, subject to the state  
2 constitution.

### DEPARTMENT OF THE TREASURY

#### SECTION 12. Department of the treasury - creation. (1)

5 There is hereby created a department of the treasury, the  
6 head of which shall be the state treasurer.

7 (2) The powers, duties, and functions of the department  
8 of the treasury, created by article 6 of chapter 3, C.R.S.  
9 1963, as amended, and the powers, duties, and functions  
10 vested by law or the state constitution in the office of  
11 state treasurer, are transferred by a type 2 transfer to the  
12 department of the treasury, subject to the state constitution.

### DEPARTMENT OF LAW

#### SECTION 13. Department of law - creation. (1) There

15 is hereby created a department of law, the head of which  
16 shall be the attorney general.

17 (2) Except as otherwise provided in this act or by law,  
18 the powers, duties, and functions of the department of law,  
19 created by article 9 of chapter 3, C.R.S. 1963, as amended,  
20 and all other powers, duties, and functions vested by law

1 or the state constitution in the office of attorney general,  
2 are transferred by a type 2 transfer to the department of law,  
3 subject to the state constitution.

4 (3) (a) The department of law shall consist of the fol-  
5 lowing divisions:

6 (b) Division of legal affairs. The division of legal  
7 affairs created by article 9 of chapter 3, C.R.S. 1963, as  
8 amended, and its powers, duties, and functions, are trans-  
9 ferred by a type 2 transfer to the department of law as the  
10 division of legal affairs.

11 (c) Division of inheritance tax. The division of in-  
12 heritance tax, and the office of inheritance tax commissioner,  
13 created by article 3 of chapter 138, C.R.S. 1963, as amended,  
14 and their powers, duties, and functions, are transferred by  
15 a type 2 transfer to the department of law as the division  
16 of inheritance tax.

17 DEPARTMENT OF HIGHER EDUCATION

18 SECTION 14. Department of higher education - creation.

19 (1) There is hereby created a department of higher educa-  
20 tion, the head of which shall be the executive director of

## TEXT

## COMMENTS

1 the Colorado commission on higher education, who shall be  
2 appointed by the commission, and whose powers and duties shall  
3 be as specified in this section.

4 (2) The Colorado commission on higher education, and  
5 the office of executive director thereof, created by article  
6 22 of chapter 124, C.R.S. 1963, as amended, and their powers,  
7 duties, and functions, are transferred by a type 1 transfer  
8 to the department of higher education.

9 (3) (a) The department of higher education shall in-  
10 clude the following divisions:

11 (b) State council on the arts and humanities, created  
12 by chapter 420, Session Laws of Colorado 1967, and its powers,  
13 duties, and functions, are transferred by a type 2 transfer  
14 to the department of higher education as a division thereof.

15 (c) Scientific development commission, created by chap-  
16 ter 1, Second Extraordinary Session Laws of Colorado 1966,  
17 and its powers, duties, and functions, are transferred by a  
18 type 2 transfer to the department of higher education as a  
19 division thereof.

20 (d) State historical society, created by article 1 of



## TEXT

1 chapter 131, C.R.S. 1963, as amended, and its powers, duties,  
2 and functions, are transferred by a type 1 transfer to the  
3 department of higher education as a division thereof.

4 (4) (a) For the purposes of section 22 of article IV of  
5 the state constitution, the following are allocated to the  
6 department of higher education, but shall otherwise continue  
7 to be administered as provided by law:

8 (b) The regents of the university of Colorado, created  
9 by section 12 of article IX of the state constitution, and  
10 the university of Colorado, created by section 5 of article  
11 VIII of the state constitution.

12 (c) The state board of agriculture, created by article  
13 11 of chapter 124, C.R.S. 1963, as amended, Colorado state  
14 university, created by article 10 of chapter 124, C.R.S. 1963,  
15 as amended, and Fort Lewis college, created by article 14 of  
16 chapter 124, C.R.S. 1963, as amended.

17 (d) (i) The trustees of the state colleges in Colorado,  
18 created by article 5 of chapter 124, C.R.S. 1963, as amended.

19 (ii) Adams state college of Colorado, created by arti-  
20 cle 8 of chapter 124, C.R.S. 1963.

## COMMENTS

Section 22 added to article IV  
by Amendment No. 1, adopted  
November, 1966.

## TEXT

## COMMENTS

1 (iii) Colorado state college, created by article 6 of  
2 chapter 124, C.R.S. 1963.

3 (iv) Metropolitan state college, created by article 19  
4 of chapter 124, C.R.S. 1963, as amended.

5 (v) Southern Colorado state college, created by article  
6 17 of chapter 124, C.R.S. 1963.

7 (vi) Western state college of Colorado, created by arti-  
8 cle 7 of chapter 124, C.R.S. 1963, as amended.

9 (e) The board of trustees of the Colorado school of  
10 mines, created by article 9 of chapter 124, C.R.S. 1963, as  
11 amended, and the school of mines at Golden, created by section  
12 5 of article VIII of the state constitution.

13 (f) State board of community colleges and occupational  
14 education and the offices of director of occupational educa-  
15 tion and director of community and technical colleges, cre-  
16 ated by chapter 242, Session Laws of Colorado 1967.

17 (5) (a) With respect to the divisions of the department  
18 specified in subsection (3) of this section, the executive  
19 director shall have the powers, duties, and functions pre-  
20 scribed in this act for heads of principal departments.

## TEXT

## COMMENTS

1       (b) With respect to the Colorado commission on higher  
2 education and the universities, colleges, and boards speci-  
3 fied in subsection (4) of this section, the executive director  
4 shall have only those powers, duties, and functions prescribed  
5 in article 22 of chapter 124, C.R.S. 1963, as amended.

### DEPARTMENT OF EDUCATION

#### SECTION 15. Department of education - creation. (1)

8 There is hereby created a department of education, the head  
9 of which shall be the commissioner of education, who shall  
10 be appointed by the state board of education.

11       (2) The state board of education, created by article 1  
12 of chapter 123, C.R.S. 1963, as amended, and its powers,  
13 duties, and functions, are transferred by a type 1 transfer  
14 to the department of education.

15       (3) The state department of education and the office  
16 of the commissioner of education, created by article 1 of  
17 chapter 123, C.R.S. 1963, as amended, and their powers,  
18 duties, and functions, are transferred by a type 2 transfer  
19 to the department of education, subject to the state consti-  
20 tution.

## TEXT

## COMMENTS

1       (4) The department of education shall include the state  
2 library, the ex officio head of which shall be the commis-  
3 sioner of education. The state library, created by article 1  
4 of chapter 84, C.R.S. 1963, as amended, and its powers, duties,  
5 and functions, are transferred by a type 2 transfer to the  
6 department of education, as a division thereof.

7       (5) The state board of teacher certification, created  
8 by article 1 of chapter 123, C.R.S. 1963, as amended, and its  
9 powers, duties, and functions, are transferred by a type 3  
10 transfer to the department of education as additional powers,  
11 duties, and functions of the state board of education, and  
12 the state board of teacher certification is abolished.

### 13               DEPARTMENT OF ADMINISTRATION

#### 14       SECTION 16. Department of administration - creation.

15       (1) There is hereby created a department of administration,  
16 the head of which shall be the executive director of the de-  
17 partment of administration, who shall be the deputy to the  
18 governor, appointed by the governor pursuant to the provi-  
19 sions of section 13 of article XII of the state constitution,  
20 and who shall serve at the pleasure of the governor.

The office of deputy to the governor is created as exempt from civil service, section 13 of article XII of the state constitution allowing the exemption of "one deputy of each elective officer".

## TEXT

## COMMENTS

1       (2) (a) The department of administration shall consist  
2 of the following divisions:

3       (b) The civil service commission, created by section 13  
4 of article XII of the state constitution, and its powers,  
5 duties, and functions, are transferred by a type 1 transfer  
6 to the department of administration as a division thereof,  
7 subject to the state constitution.

8       (c) Division of purchasing, the head of which shall be  
9 the state purchasing agent. The division of purchasing and  
10 the office of state purchasing agent, created by article 4 of  
11 chapter 3, C.R.S. 1963, as amended, and their powers, duties,  
12 and functions, are transferred by a type 2 transfer to the  
13 department of administration as the division of purchasing.

14       (d) Division of public works, the head of which shall  
15 be the director of public works. The division of public  
16 works and the office of director thereof, created by article 1  
17 of chapter 106, C.R.S. 1963, as amended, and their powers,  
18 duties, and functions, are transferred by a type 2 transfer  
19 to the department of administration as the division of public  
20 works.

## TEXT

1       (e) Division of archives and public records, the head  
2 of which shall be the state archivist. The division of  
3 archives and public records and the office of state archivist,  
4 created by article 3 of chapter 131, C.R.S. 1963, as amended,  
5 and their powers, duties, and functions, are transferred by  
6 a type 2 transfer to the department of administration as the  
7 division of archives and public records.

8       (f) Division of automated data processing, the head of  
9 which shall be the director of automated data processing,  
10 who shall be the director of automated data processing plan-  
11 ning and management under the division of accounts and con-  
12 trol immediately prior to the effective date of this act.  
13 The said division and director shall exercise the powers,  
14 duties, and functions specified in this act and in article 26  
15 of chapter 3, C.R.S. 1963, as amended, under the department  
16 of administration and the executive director thereof, as if  
17 the same were transferred by this act by a type 2 transfer  
18 to the department. The powers, duties, and functions of the  
19 division of accounts and control and of the controller, pur-  
20 suant to article 3 of chapter 3, C.R.S. 1963, as amended,

## COMMENTS

Article 26 of chapter 3 added  
by SECTION 47 of this act.

## TEXT

## COMMENTS

1 concerning the planning, management, and coordination of  
2 automated data processing for state agencies, and the opera-  
3 tion of automated data processing equipment, including the  
4 systems, programming, and operations functions thereof, are  
5 transferred by a type 2 transfer to the department of adminis-  
6 tration as additional powers, duties, and functions of the  
7 division of automated data processing.

8 (g) Division of accounts and control, the head of which  
9 shall be the controller. The division of accounts and con-  
10 trol and the office of controller, created by article 3 of  
11 chapter 3, C.R.S. 1963, as amended, and their powers, duties,  
12 and functions, except those powers, duties, and functions  
13 transferred by paragraph (f) of this subsection (2) and by  
14 subsection (3) of this section, are transferred by a type 2  
15 transfer to the department of administration as the division  
16 of accounts and control.

17 (3) The powers, duties, and functions of the existing  
18 division of accounts and control concerning analysis of  
19 state agency programs are hereby transferred by a type 2  
20 transfer to the department of administration. The director

## TEXT

## COMMENTS

1 of management analysis shall be a staff assistant to the  
2 executive director of the department of administration, and  
3 shall have the responsibility for the analysis of all state  
4 agency programs; the appraisal of the quantity and quality  
5 of services rendered by each principal department and by the  
6 divisions, sections, and units thereunder; and the development  
7 and installation of plans for improvements and economies in  
8 organization and operation of the principal departments; and  
9 to report thereon to the executive director of the department  
10 of administration.

11 (4) The Colorado state agency for surplus property,  
12 created by article 4 of chapter 134, C.R.S. 1963, and its pow-  
13 ers, duties, and functions, are transferred by a type 2 trans-  
14 fer to the department of administration and allocated to the  
15 division of purchasing as a section thereof.

16 (5) (a) The division of accounts and control shall con-  
17 tain the following:

18 (b) The accounting section. Those powers, duties, and  
19 functions of the division of accounts and control relating to  
20 accounting, accounting systems, and financial and other



## IXI

## COMMENTS

1 reports, pursuant to article 3 of chapter 3, C.R.S. 1963, as  
2 amended, and other laws relating thereto, are transferred by  
3 a type 2 transfer to the department of administration, and  
4 allocated to the division of accounts and control as a sec-  
5 tion thereof.

6 (c) The budgeting section. The office of state budget  
7 officer and those powers, duties, and functions of the divi-  
8 sion of accounts and control relating to all budget functions,  
9 pursuant to article 3 of chapter 3, C.R.S. 1963, as amended,  
10 and other laws relating thereto, are transferred by a type 2  
11 transfer to the department of administration, and allocated  
12 to the division of accounts and control as a section thereof.

13 (d) The Colorado claims commission, created by article  
14 10 of chapter 130, C.R.S. 1963, as amended, and its powers,  
15 duties, and functions, are transferred by a type 2 transfer  
16 to the department of administration, and allocated to the  
17 division of accounts and control as a section thereof.

18 (e) The state employees' and officials' group health  
19 insurance board of administration, created by article 22 of  
20 chapter 72, C.R.S. 1963, as amended, and its powers, duties,

## TEXT

## COMMENTS

1 and functions, are transferred by a type 2 transfer to the  
2 department of administration, and allocated to the division  
3 of accounts and control as a section thereof.

4 (f) The incentive award suggestion system board of con-  
5 trol, created by article 20 of chapter 3, C.R.S. 1963, as  
6 amended, and its powers, duties, and functions are transferred  
7 by a type 2 transfer to the department of administration, and  
8 allocated to the division of accounts and control as a section  
9 thereof.

### DEPARTMENT OF REVENUE

#### SECTION 17. Department of revenue - creation. (1)

12 There is hereby created a department of revenue, the head of  
13 which shall be the executive director of the department of  
14 revenue, who shall be appointed by the governor as a confi-  
15 dential employee of the governor pursuant to section 13 of  
16 article XII of the state constitution, and shall serve at  
17 the pleasure of the governor.

18 (2) The department of revenue and the office of direc-  
19 tor of revenue, created by article 7 of chapter 3, C.R.S.  
20 1963, as amended, and their powers, duties, and functions,

## TEXT

## COMMENTS

1 are transferred by a type 2 transfer to the department of  
2 revenue.

3 (3) The powers, duties, and functions of the secretary  
4 of state with respect to fermented malt beverages, and malt,  
5 vinous, and spirituous liquors, under the provisions of  
6 chapter 75, C.R.S. 1963, as amended, are transferred by a  
7 type 2 transfer to the department of revenue.

8 (4) The department of revenue shall consist of the  
9 following divisions: Division of enforcement, motor vehicle  
10 division, ports of entry division, liquor enforcement divi-  
11 sion, and such other divisions, sections, and units as the  
12 executive director of the department of revenue may create  
13 pursuant to section 3-7-3, C.R.S. 1963, as amended.

### DEPARTMENT OF INSTITUTIONS

14  
15 SECTION 18. Department of institutions - creation. (1)  
16 There is hereby created a department of institutions, the  
17 head of which shall be the executive director of the depart-  
18 ment of institutions, who shall be appointed by the governor  
19 as a confidential employee of the governor pursuant to sec-  
20 tion 13 of article XII of the state constitution, and shall

## TEXT

## COMMENTS

1 serve at the pleasure of the governor.

2 (2) The department of institutions and the office of  
3 director of institutions, created by article 11 of chapter 3,  
4 C.R.S. 1963, as amended, and their powers, duties, and func-  
5 tions, are transferred by a type 2 transfer to the department  
6 of institutions created by this section.

7 (3) (a) The department of institutions shall supervise  
8 and control the following institutions existing on the effect-  
9 ive date of this act which are transferred by a type 2 trans-  
10 fer to the department of institutions:

11 (b) Colorado state penitentiary, at Canon City;

12 (c) Colorado state reformatory, at Buena Vista;

13 (d) Colorado state hospital, at Pueblo;

14 (e) State home and training school, at Ridge;

15 (f) State home and training school, at Grand Junction;

16 (g) Lookout Mountain school for boys, at Golden;

17 (h) Mount View girls' school, at Morrison;

18 (i) Colorado youth center, at Denver;

19 (j) Fort Logan mental health center, at Denver;

20 (k) Golden Gate youth camp, in Gilpin county;

## TEXT

## COMMENTS

1       (1) Lathrop Park youth camp, in Huerfano county;  
2       (m) Colorado school for deaf and blind, at Colorado  
3 Springs;  
4       (n) Women's correctional institution, at Canon City.  
5       (4) The powers, duties, and functions of the board of  
6 trustees of the Colorado school for deaf and blind, created  
7 by section 16-1-4, C.R.S. 1963, are transferred by a type 3  
8 transfer to the department of institutions, and allocated to  
9 the executive director of the department of institutions, and  
10 the members of said board of trustees of the Colorado school  
11 for deaf and blind, on and after July 1, 1968, shall consti-  
12 tute the "Advisory Board for the Colorado School for Deaf  
13 and Blind", with all the powers, duties, and functions as  
14 set forth in section 16-1-4, C.R.S. 1963, as amended.

### DEPARTMENT OF HEALTH

15  
16       SECTION 19. Department of health - creation. (1) There  
17 is hereby created a department of health. The head of the  
18 department shall be the executive director of the department  
19 of health. The executive director shall be ex officio the  
20 head of the division of administration within the department.

Section 16-1-4 amended by  
SECTION 71 of this act.

## TEXT

## COMMENTS

1 Subject to the provisions of section 13 of article XII of the  
2 state constitution, the governor shall appoint said executive  
3 director.

4 (2) The state board of health, created by article 1 of  
5 chapter 66, C.R.S. 1963, as amended, and its powers, duties,  
6 and functions, are transferred by a type 1 transfer to the  
7 department of health as the state board of health.

8 (3) The state water pollution control commission, cre-  
9 ated by chapter 44, Session Laws of Colorado 1966, as amended,  
10 and its powers, duties, and functions, are transferred by a  
11 type 1 transfer to the department of health as the state  
12 water pollution control commission. Anything in this act to  
13 the contrary notwithstanding, the state board of health shall  
14 have no powers, duties, or functions with respect to water  
15 pollution control.

16 (4) Except for the state board of health, the state  
17 department of public health and the office of the executive  
18 director thereof, created by article 1 of chapter 66, C.R.S.  
19 1963, as amended, and their powers, duties, and functions,  
20 are transferred by a type 2 transfer to the department of

1 health.

2 (5) (a) The department of health shall consist of the  
3 following divisions:

4 (b) Division of administration. The division of ad-  
5 ministration, created by article 1 of chapter 66, C.R.S. 1963,  
6 as amended, except for the office of the executive director  
7 of the state department of public health, and its powers,  
8 duties, and functions, are transferred by a type 2 transfer  
9 to the department of health as the division of administration.

10 (c) The air pollution variance board, created by chap-  
11 ter 45, Session Laws of Colorado 1966, as amended, and its  
12 powers, duties, and functions, are transferred by a type 1  
13 transfer to the department of health as a division thereof.

14 (d) Alcoholism division. The alcoholism division,  
15 created pursuant to article 1 of chapter 66, C.R.S. 1963,  
16 as amended, and its powers, duties, and functions, are  
17 transferred by a type 2 transfer to the department of health  
18 as the alcoholism division.

19 (6) (a) The division of administration shall include  
20 the following:

## TEXT

## COMMENTS

1 (b) The office of state chemist, created by article 16  
2 of chapter 66, C.R.S. 1963; said office, and its powers,  
3 duties, and functions, are transferred by a type 2 transfer  
4 to the department of health, and allocated to the division of  
5 administration as a section thereof.

6 (c) The office of state registrar, created by article 8  
7 of chapter 66, C.R.S. 1963, as amended; said office, and its  
8 powers, duties, and functions, are transferred by a type 2  
9 transfer to the department of health, and allocated to the  
10 division of administration as a section thereof.

11 (d) The board of registration for professional sani-  
12 tarians, created by article 14 of chapter 66, C.R.S. 1963, as  
13 amended; said board, and its powers, duties, and functions,  
14 are transferred by a type 2 transfer to the department of  
15 health, and allocated to the division of administration as  
16 a section thereof.

17 (e) The examining board of plumbers, created by arti-  
18 cle 1 of chapter 142, C.R.S. 1963, as amended; said board,  
19 and its powers, duties, and functions, are transferred by a  
20 type 2 transfer to the department of health, and allocated to



## TEXT

## COMMENTS

1 the division of administration as a section thereof.

2 DEPARTMENT OF SOCIAL SERVICES

3 SECTION 20. Department of social services - creation.

4 (1) There is hereby created a department of social services,  
5 the head of which shall be the executive director of the de-  
6 partment of social services, which office is hereby created.  
7 Subject to the provisions of section 13 of article XII of the  
8 state constitution, the governor shall appoint the executive  
9 director.

10 (2) The state board of public welfare, created by arti-  
11 cle 1 of chapter 119, C.R.S. 1963, as amended, and its pow-  
12 ers, duties, and functions, are transferred by a type 1  
13 transfer to the department of social services as the state  
14 board of social services.

15 (3) (a) The department of social services shall con-  
16 sist of the following divisions:

17 (b) Division of public welfare, the head of which  
18 shall be the director of public welfare. Except with  
19 respect to the state board of public welfare, the state de-  
20 partment of public welfare and the office of the director

See SECTION 83 of this act for  
provisions creating State Board  
of Social Services.

## TEXT

1 of the state department of public welfare, created by arti-  
2 cle 1 of chapter 119, C.R.S. 1963, as amended, and their  
3 powers, duties, and functions, are transferred by a type 2  
4 transfer to the department of social services as the division  
5 of public welfare.

6 (c) Division of rehabilitation, the head of which shall  
7 be the director of rehabilitation. The department of rehabili-  
8 tation, and the office of the director of the department of  
9 rehabilitation, created by article 2 of chapter 146, C.R.S.  
10 1963, as amended, and their powers, duties, and functions,  
11 are transferred by a type 2 transfer to the department of  
12 social services as the division of rehabilitation.

13 (d) (i) Division of services for the aged, the head of  
14 which shall be the director of the division of services for  
15 the aged, which office is hereby created. The director of  
16 the Colorado commission on the aging shall also be the  
17 director of the division of services for the aged. The  
18 division and the director shall exercise their powers and  
19 perform their duties and functions specified by law under  
20 the department of social services and the executive director

## COMMENTS

See SECTION 106 of this act for provisions creating Colorado commission on aging, adding new article 10 to chapter 119, C.R.S. 1963.

## TEXT

## COMMENTS

1 thereof, as if the same were transferred to the department by  
2 a type 2 transfer. The Colorado commission on the aging,  
3 and the office of director thereof, created by article 10 of  
4 chapter 119, C.R.S. 1963, and their powers, duties, and func-  
5 tions, are transferred by a type 2 transfer to the department  
6 of social services as a part of the division of services for  
7 the aged.

8 (ii) The Trinidad state nursing home, created by arti-  
9 cle 2 of chapter 133, C.R.S. 1963, as amended, and the Colo-  
10 rado state veterans center, created by article 1 of chapter  
11 144, C.R.S. 1963, as amended, are transferred by a type 2  
12 transfer to the department of social services as a part of  
13 the division of services for the aged.

14 (iii) The powers, duties, and functions of the state  
15 board of control for state homes for the aged, created by  
16 article 1 of chapter 133, C.R.S. 1963, as amended, are trans-  
17 ferred by a type 3 transfer to the department of social servi-  
18 ces, and said board of control for state homes for the aged  
19 is abolished.

20 (4) (a) The division of public welfare shall include

1 the following:

2 (b) The merit system council, created by article 1 of  
3 chapter 119, C.R.S. 1963, as amended; said council, and its  
4 powers, duties, and functions, are transferred by a type 2  
5 transfer to the department of social services, and allocated  
6 to the division of public welfare as a section thereof.

7 (c) The Colorado board of veterans affairs, and the  
8 Colorado department of veterans affairs, created by article 6  
9 of chapter 144, C.R.S. 1963, as amended; said board and de-  
10 partment, and their powers, duties, and functions, are trans-  
11 ferred by a type 1 transfer to the department of social servi-  
12 ces, and allocated to the division of public welfare as a  
13 section thereof.

14 (d) The powers, duties, and functions of the attorney  
15 general with respect to the administration of section 43-2-17,  
16 C.R.S. 1963, as amended, regarding the state information  
17 agency under the "Uniform Reciprocal Enforcement of Support  
18 Act"; said powers, duties, and functions are transferred by  
19 a type 2 transfer to the department of social services as an  
20 additional function of the division of public welfare.

## LEXI

## COMMENTS

### DEPARTMENT OF LABOR AND EMPLOYMENT

#### SECTION 21. Department of labor and employment - creation.

(1) There is hereby created a department of labor and employment, the head of which shall be the executive director of the department of labor and employment, which office is hereby created. The governor shall appoint one member of the industrial commission of Colorado to serve ex officio as the executive director of the department, to serve at the pleasure of the governor.

(2) (a) The department of labor and employment shall consist of the following divisions:

(b) The industrial commission of Colorado, created by article 1 of chapter 80, C.R.S. 1963, as amended, and its powers, duties, and functions, are transferred by a type 1 transfer to the department of labor and employment as a division thereof.

(c) Division of employment, the head of which shall be the commissioner of employment, who shall be the executive director of employment. The department of employment, created by article 2 of chapter 82, C.R.S. 1963, as amended,

## TEXT

## COMMENTS

1 and the powers, duties, and functions of said department and  
2 of the executive director of employment, are transferred by  
3 a type 1 transfer to the department of labor and employment  
4 as the division of employment.

5 (d) Division of civil rights, the head of which shall  
6 be the Colorado civil rights commission. The Colorado civil  
7 rights commission, and the Colorado civil rights division,  
8 created by article 21 of chapter 80, C.R.S. 1963, as amended,  
9 and their powers, duties, and functions, are transferred by  
10 a type 1 transfer to the department of labor and employment  
11 as the division of civil rights.

12 (3) (a) The industrial commission of Colorado shall in-  
13 clude the following:

14 (b) The apprenticeship council, created by article 1 of  
15 chapter 9, C.R.S. 1963, as amended; said council and its pow-  
16 ers, duties, and functions, are transferred by a type 2 trans-  
17 fer to the department of labor and employment, and allocated  
18 to the industrial commission of Colorado as a section thereof.

19 (c) The division of boiler inspection, created by arti-  
20 cle 3 of chapter 17, C.R.S. 1963, as amended; said division

1 and its powers, duties, and functions, are transferred by a  
2 type 2 transfer to the department of labor and employment,  
3 and allocated to the industrial commission of Colorado as a  
4 section thereof.

5 (d) The office of state inspector of oils, created by  
6 article 1 of chapter 100, C.R.S. 1963, as amended; said office  
7 and its powers, duties, and functions, are transferred by a  
8 type 1 transfer to the department of labor and employment,  
9 and allocated to the industrial commission of Colorado as a  
10 section thereof.

11 (e) The state compensation insurance fund, created by  
12 article 15 of chapter 81, C.R.S. 1963, as amended; said fund,  
13 and the powers, duties, and functions of the industrial com-  
14 mission of Colorado with respect thereto, are transferred by  
15 a type 2 transfer to the department of labor and employment,  
16 and allocated to the industrial commission of Colorado as a  
17 section thereof.

18 DEPARTMENT OF REGULATORY AGENCIES

19 SECTION 22. Department of regulatory agencies - creation.

20 (1) There is hereby created a department of regulatory

## IXI

## COMMENTS

1 agencies, the head of which shall be the executive director of  
2 the department of regulatory agencies, which office is hereby  
3 created. The executive director shall be appointed by the  
4 governor pursuant  
5 to section 13 of article XII of the state constitution.  
6

7 (2) (a) The department of regulatory agencies shall  
8 consist of the following divisions:

9 (b) The public utilities commission, created by article  
10 2 of chapter 115, C.R.S. 1963, as amended, and its powers,  
11 duties, and functions, are transferred by a type 1 transfer  
12 to the department of regulatory agencies as a division  
13 thereof.

14 (c) Division of insurance, the head of which shall be  
15 the commissioner of insurance. The department of insurance  
16 of the state of Colorado, and the office of commissioner of  
17 insurance, created by article 1 of chapter 72, C.R.S. 1963,  
18 as amended, and their powers, duties, and functions, are  
19 transferred by a type 1 transfer to the department of regula-  
20 tory agencies as the division of insurance.



## TEXT

## COMMENTS

1 (d) Division of savings and loan, the head of which  
2 shall be the state commissioner of savings and loan associa-  
3 tions. The savings and loan department of the state of Colo-  
4 rado, and the office of state commissioner of savings and  
5 loan associations, created by article 5 of chapter 122, C.R.S.  
6 1963, as amended, and their powers, duties, and functions,  
7 are transferred by a type 1 transfer to the department of  
8 regulatory agencies as the division of savings and loan.

9 (e) Division of banking, the head of which shall be the  
10 state bank commissioner. The banking department, including  
11 the banking board, created by article 2 of chapter 14, C.R.S.  
12 1963, as amended, and the office of state bank commissioner,  
13 created by article 13 of chapter 14, C.R.S. 1963, as amended,  
14 and their powers, duties, and functions, are transferred by  
15 a type 1 transfer to the department of regulatory agencies  
16 as the division of banking.

17 (f) Division of securities, the head of which shall be  
18 the commissioner of securities. The division of securities,  
19 and the office of commissioner of securities, created by  
20 article 1 of chapter 125, C.R.S. 1963, as amended, and their

Article 1 of chapter 125 amended  
by SECTION 132 of this act to  
create the division.

1 powers, duties, and functions, are transferred by a type 1  
2 transfer to the department of regulatory agencies as the  
3 division of securities.

4 (g) Division of racing events, the head of which shall  
5 be the Colorado racing commission. The Colorado racing com-  
6 mission, created by article 2 of chapter 129, C.R.S. 1963,  
7 as amended, and its powers, duties, and functions, are trans-  
8 ferred by a type 1 transfer to the department of regulatory  
9 agencies as the division of racing events.

10 (h) Division of registrations, the head of which shall  
11 be the director of registrations, which office is hereby cre-  
12 ated. The division of registrations, created by article 10  
13 of chapter 3, C.R.S. 1963, as amended, is transferred by a  
14 type 2 transfer to the department of regulatory agencies  
15 as the division of registrations.

16 (3) (a) The following boards and agencies are trans-  
17 ferred by a type 1 transfer to the department of regulatory  
18 agencies, and allocated to the division of registrations:

19 (b) Abstracters' board of examiners, created by arti-  
20 cle 1 of chapter 1, C.R.S. 1963, as amended.

## TEXT

## COMMENTS

1 (c) State board of accountancy, created by article 1 of  
2 chapter 2, C.R.S. 1963, as amended.

3 (d) Colorado state board of examiners of architects,  
4 created by article 1 of chapter 10, C.R.S. 1963, as amended.

5 (e) State athletic commission of Colorado, created by  
6 article 1 of chapter 129, C.R.S. 1963, as amended.

7 (f) Board of examiners, concerning barbers, barbering,  
8 barbering schools and colleges, created by article 1 of chap-  
9 ter 15, C.R.S. 1963, as amended.

10 (g) State board of examiners in the basic sciences,  
11 created by article 5 of chapter 91, C.R.S. 1963, as amended.

12 (h) State cemetery board, created by article 3 of chap-  
13 ter 61, C.R.S. 1963, as amended.

14 (i) Colorado state board of chiropractic examiners,  
15 created by article 1 of chapter 23, C.R.S. 1963, as amended.

16 (j) Collection agency board, created by article 1 of  
17 chapter 27, C.R.S. 1963, as amended.

18 (k) State board of cosmetology, created by article 1  
19 of chapter 32, C.R.S. 1963, as amended.

20 (l) State board of dental examiners, created by

## TEXT

## COMMENTS

1 article 1 of chapter 42, C.R.S. 1963, as amended.

2 (m) State electrical board, created by article 2 of  
3 chapter 142, C.R.S. 1963, as amended.

4 (n) State board of examiners of landscape architects,  
5 created by chapter 300, Session Laws of Colorado 1967.

6 (o) Colorado state board of medical examiners, created  
7 by article 1 of chapter 91, C.R.S. 1963, as amended, and the  
8 Colorado chiropody board, created by article 2 of chapter 91,  
9 C.R.S. 1963, as amended.

10 (p) Board of mortuary science, created by chapter 413,  
11 Session Laws of Colorado 1967.

12 (q) State board of nursing, created by article 1 of  
13 chapter 97, C.R.S. 1963, as amended.

14 (r) State board of optometric examiners, created by  
15 article 1 of chapter 102, C.R.S. 1963, as amended.

16 (s) Passenger tramway safety board, created by article  
17 25 of chapter 66, C.R.S. 1963, as amended.

18 (t) State board of pharmacy, created by article 1 of  
19 chapter 48, C.R.S. 1963, as amended.

20 (u) State board of physical therapy, created by

TEXT

COMMENTS

1 article 6 of chapter 91, C.R.S. 1963, as amended.

2 (v) Board of practical nursing, created by chapter 419,  
3 Session Laws of Colorado 1967.

4 (w) State board of registration for professional engi-  
5 neers and land surveyors, created by article 1 of chapter 51,  
6 C.R.S. 1963, as amended.

7 (x) Colorado state board of psychologist examiners, cre-  
8 ated by article 1 of chapter 108, C.R.S. 1963, as amended.

9 (y) Real estate commission, created by article 1 of  
10 chapter 117, C.R.S. 1963, as amended.

11 (z) State board of shorthand reporters, created by  
12 article 1 of chapter 126, C.R.S. 1963, as amended.

13 (aa) State board of veterinary medicine, created by  
14 article 1 of chapter 145, C.R.S. 1963, as amended.

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TEXT

COMMENTS

DEPARTMENT OF AGRICULTURE

SECTION 23. Department of agriculture - creation. (1)

There is hereby created a department of agriculture, the head of which shall be the commissioner of agriculture.

(2) The state agricultural commission, created by article 1 of chapter 6, C.R.S. 1963, as amended, and its powers, duties, and functions, are transferred by a type 1 transfer to the department of agriculture.

(3) The state department of agriculture and the office of commissioner of agriculture, created by article 1 of chapter 6, C.R.S. 1963, as amended, and their powers, duties, and functions, are transferred by a type 2 transfer to the department of agriculture.

(4) (a) The department of agriculture shall consist of the following divisions:

(b) Division of markets, the head of which shall be the director of the division of markets. The division of markets, and the office of chief thereof, created by article 1 of chapter 6, C.R.S. 1963, as amended, and their powers, duties, and functions, are transferred by a type 2 transfer

## TEXT

## COMMENTS

1 to the department of agriculture, as the division of markets.

2 (c) Division of plant industry, the head of which shall  
3 be the director of the division of plant industry. The divi-  
4 sion of plant industry, and the office of chief thereof,  
5 created by article 1 of chapter 6, C.R.S. 1963, as amended,  
6 and their powers, duties, and functions, are transferred by  
7 a type 2 transfer to the department of agriculture as the  
8 division of plant industry.

9 (d) Division of animal industry, the head of which  
10 shall be the director of the division of animal industry.  
11 The division of animal industry, and the office of chief  
12 thereof, created by article 1 of chapter 6, C.R.S. 1963, as  
13 amended, and their powers, duties, and functions, are trans-  
14 ferred by a type 2 transfer to the department of agriculture  
15 as the division of animal industry.

16 (e) Division of administrative services, the head of  
17 which shall be the director of administrative services divi-  
18 sion. The division of administrative services, and the  
19 office of chief thereof, created by article 1 of chapter 6,  
20 C.R.S. 1963, as amended, and their powers, duties, and func-  
21 tions, are transferred by a type 2 transfer to the department

TEXT

COMMENTS

1 of agriculture as the division of administrative services.

2 (f) Division of inspection and consumer services, the  
3 head of which shall be the director of inspection and con-  
4 sumer services division. The division of inspection and  
5 consumer services, and the office of chief thereof, created  
6 by article 1 of chapter 6, C.R.S. 1963, as amended, and their  
7 powers, duties, and functions, are transferred by a type 2  
8 transfer to the department of agriculture as the division of  
9 inspection and consumer services.

10 (g) The Colorado state fair and industrial exposition  
11 commission and the office of manager of the Colorado state  
12 fair and industrial exposition, created by article 1 of chap-  
13 ter 54, C.R.S. 1963, as amended, and their powers, duties,  
14 and functions, are transferred by a type 1 transfer to the  
15 department of agriculture as a division thereof.

16 (5) (a) The Colorado beef board, created by article 20  
17 of chapter 8, C.R.S. 1963, as amended, and its powers, duties,  
18 and functions, are transferred by a type 1 transfer to the  
19 department of agriculture, and allocated to the division of  
20 markets as a section thereof.



## TEXT

## COMMENTS

1       (b) The state bureau of animal protection, created by  
2 article 1 of chapter 19, C.R.S. 1963, and its powers, duties,  
3 and functions, are transferred by a type 2 transfer to the  
4 department of agriculture, and allocated to the division of  
5 animal industry as a section thereof.

6       (c) The state board of stock inspection commissioners,  
7 and the office of brand commissioner, created by article 1 of  
8 chapter 8, C.R.S. 1963, and their powers, duties, and func-  
9 tions, are transferred by a type 1 transfer to the department  
10 of agriculture, and allocated to the division of animal in-  
11 dustry as a section thereof.

12       (d) Frozen food provisioner board, created by article  
13 12 of chapter 7, C.R.S. 1963, as amended, and its powers,  
14 duties, and functions, are transferred by a type 2 transfer  
15 to the department of agriculture, and allocated to the divi-  
16 sion of inspection and consumer services as a section thereof.

17               DEPARTMENT OF NATURAL RESOURCES

18       SECTION 24. Department of natural resources - creation.

19       (1) There is hereby created a department of natural resources,  
20 the head of which shall be the executive director of the de-

TEXT

COMMENTS

1 department of natural resources, who shall be the commissioner  
2 of mines. The executive director shall be appointed by the  
3 governor pursuant to law.

4 (2) The office of natural resources coordinator, created  
5 by article 15 of chapter 3, C.R.S. 1963, as amended, and its  
6 powers, duties, and functions, are transferred by a type 2  
7 transfer to the department of natural resources.

8 (3) (a) The department of natural resources shall con-  
9 sist of the following divisions:

10 (b) Division of water resources, the head of which shall  
11 be the state engineer.

12 (c) The Colorado water conservation board, and the of-  
13 fice of director thereof, created by article 1 of chapter  
14 149, C.R.S. 1963, as amended, and their powers, duties, and  
15 functions, are transferred by a type 1 transfer to the de-  
16 partment of natural resources as a division thereof.

17 (d) The state soil conservation board, created by  
18 article 1 of chapter 128, C.R.S. 1963, as amended, and all  
19 its powers, duties, and functions, are transferred by a type 1  
20 transfer to the department of natural resources as a division

## TEXT

## COMMENTS

1   thereof.

2       (e)   The state board of land commissioners, created by  
3   section 9 of article IX of the state constitution, and its  
4   powers, duties, and functions, are transferred by a type 1  
5   transfer to the department of natural resources as a division  
6   thereof, subject to the state constitution.

7       (f) (i)   The division of mines, the head of which shall  
8   be the commissioner of mines. The said division and commis-  
9   sioner shall exercise their powers, duties, and functions  
10   prescribed by law under the department of natural resources  
11   and the executive director thereof, as if the same were trans-  
12   ferred to the department by a type 2 transfer.

13       (ii)   The bureau of mines and the office of commissioner  
14   of mines, created by article 32 of chapter 92, C.R.S. 1963,  
15   as amended, and their powers, duties, and functions, are trans-  
16   ferred by a type 2 transfer to the department of natural  
17   resources as a part of the division of mines.

18       (iii)   The offices of chief inspector of coal mines  
19   and district directors of coal mines, and the board of exam-  
20   iners, created by article 2 of chapter 92, C.R.S. 1963, as

## TEXT

## COMMENTS

1 amended, and their powers, duties, and functions, are trans-  
2 ferred by a type 2 transfer to the department of natural re-  
3 sources as a part of the division of mines.

4 (iv) The mining industrial development board fund, and  
5 the board of directors thereof, created by article 34 of  
6 chapter 92, C.R.S. 1963, as amended, and their powers, duties,  
7 and functions, are transferred by a type 2 transfer to the  
8 department of natural resources as a part of the division of  
9 mines.

10 (g) The oil and gas conservation commission of the  
11 state of Colorado, created by article 6 of chapter 100, C.R.S.  
12 1963, as amended, and its powers, duties, and functions, are  
13 transferred by a type 1 transfer to the department of natural  
14 resources as a division thereof.

15 (h) The Colorado geological survey, and the office of  
16 the state geologist, created by article 1 of chapter 64,  
17 C.R.S. 1963, as amended, and their powers, duties, and func-  
18 tions, are transferred by a type 2 transfer to the department  
19 of natural resources as a division thereof.

20 (i) Division of game, fish, and parks, the head of

## TEXT

## COMMENTS

1 which shall be the director of the division of game, fish, and  
2 parks. The game, fish, and parks commission, the game, fish,  
3 and parks department, and the office of director thereof,  
4 created by article 2 of chapter 62, C.R.S. 1963, as amended,  
5 and the board of claims, created by article 3 of chapter 62,  
6 C.R.S. 1963, as amended, and their powers, duties, and func-  
7 tions, are transferred by a type 1 transfer to the department  
8 of natural resources as the division of game, fish, and parks.

9 (4) (a) The division of water resources shall include  
10 the following:

11 (b) The office of state engineer, created by article 11  
12 of chapter 148, C.R.S. 1963, as amended; said office, and its  
13 powers, duties, and functions, are transferred by a type 1  
14 transfer to the department of natural resources, and allocated  
15 to the division of water resources as a section thereof.

16 (c) The irrigation division engineers, created by  
17 article 12 of chapter 148, C.R.S. 1963, and the water com-  
18 missioners, created by article 15 of chapter 148, C.R.S. 1963,  
19 as amended; said engineers, and commissioners, and their  
20 powers, duties, and functions, are transferred by a type 1

1 transfer to the department of natural resources, and allocated  
2 to the division of water resources as a section thereof.

3 (d) The ground water commission, created by article 18  
4 of chapter 148, C.R.S. 1963, as amended; said commission, and  
5 its powers, duties, and functions, are transferred by a type 1  
6 transfer to the department of natural resources, and allocated  
7 to the division of water resources as a section thereof.

8 (e) The state board of examiners of water well and pump  
9 installation contractors, created by chapter 335, Session  
10 Laws of Colorado 1967; said board, and its powers, duties,  
11 and functions, are transferred by a type 1 transfer to the  
12 department of natural resources, and allocated to the division  
13 of water resources as a section thereof.

14 (f) The irrigation district commission, created by  
15 article 2 of chapter 150, C.R.S. 1963, as amended, and its  
16 powers, duties, and functions are transferred by a type 2  
17 transfer to the department of natural resources and allocated  
18 to the division of water resources as a section thereof.

19 DEPARTMENT OF STATE AND LOCAL GOVERNMENT SERVICES

20 SECTION 25. Department of state and local government

## TEXT

## COMMENTS

1 services - creation. (1) There is hereby created a department  
2 of state and local government services, the head of which shall  
3 be the executive director of state and local government serv-  
4 ices, which office is hereby created. The executive director  
5 shall be appointed by the governor as a confidential employee  
6 of the governor under the provisions of section 13 of article  
7 XII of the state constitution, and shall serve at the pleasure  
8 of the governor.

9 (2) (a) The department of state and local government  
10 services shall consist of the following divisions:

11 (b) Division of local government, the head of which  
12 shall be the director of local government. The division of  
13 local government and the office of director thereof, created  
14 by chapter 35, Session Laws of Colorado 1966, and their  
15 powers, duties, and functions, are transferred by a type 2  
16 transfer to the department of state and local government  
17 services as the division of local government.

18 (c) Division of property taxation, the head of which  
19 shall be the Colorado tax commission. The Colorado tax com-  
20 mission, created by article 3 of chapter 137, C.R.S. 1963,  
21 as amended, and its powers, duties, and functions, are trans-  
22 ferred by a type 1 transfer to the department of state and

## TEXT

## COMMENTS

1 local government services as the division of property taxation.

2 (d) Division of commerce and development, the head of  
3 which shall be the director of commerce and development. The  
4 division of commerce and development and the office of direc-  
5 tor thereof, created by article 18 of chapter 3, C.R.S 1963,  
6 as amended, and their powers, duties, and functions, are trans-  
7 ferred by a type 2 transfer to the department of state and  
8 local government services as the division of commerce and  
9 development.

10 (e) The Colorado bureau of investigation and the office  
11 of director thereof, created by chapter 239, Session Laws of  
12 Colorado 1967, and their powers, duties, and functions, are  
13 transferred by a type 1 transfer to the department of state  
14 and local government services as a division thereof.

15 (f) The Colorado law enforcement training academy, the  
16 head of which shall be the supervisor of the Colorado law  
17 enforcement training academy. The Colorado law enforcement  
18 training academy and the office of supervisor thereof,  
19 created by article 23 of chapter 124, C.R.S. 1963, as amended,  
20 and their powers, duties, and functions, are transferred by a



## TEXT

## COMMENTS

1 type 1 transfer to the department of state and local govern-  
2 ment services as a division thereof.

### STATE DEPARTMENT OF HIGHWAYS

#### SECTION 26. State department of highways - creation.

5 (1) There is hereby created a state department of highways,  
6 the head of which shall be the executive director of the state  
7 department of highways, which office is hereby created.

8 (2) The state highway commission, created by article 2  
9 of chapter 120, C.R.S. 1963, as amended, and its powers,  
10 duties, and functions, are transferred by a type 1 transfer  
11 to the state department of highways.

12 (3) (a) The state department of highways shall consist  
13 of the following divisions:

14 (b) Division of highways, the head of which shall be  
15 the chief engineer who shall also be ex officio head of the  
16 department. The department of highways and the office of  
17 the chief engineer, created by article 2 of chapter 120,  
18 C.R.S. 1963, as amended, and their powers, duties, and func-  
19 tions, are transferred by a type 2 transfer to the state de-  
20 partment of highways as the division of highways.

TEXT

COMMENTS

1       (c) The Colorado state patrol and the office of chief  
2 thereof, created by article 10 of chapter 120, C.R.S. 1963,  
3 as amended, and their powers, duties, and functions, are  
4 transferred by a type 1 transfer to the state department of  
5 highways as a division thereof.

6       (4) The Colorado state patrol board, created by article  
7 10 of chapter 120, C.R.S. 1963, as amended, and its powers,  
8 duties, and functions, are transferred by a type 3 transfer  
9 to the state department of highways as additional powers,  
10 duties, and functions of the state highway commission, and  
11 the state patrol board is abolished.

12       (5) Highway safety council, the head of which shall be  
13 the official committee of the highway safety council. The  
14 highway safety council and the official committee of the  
15 highway safety council, created by article 5 of chapter 3,  
16 C.R.S. 1963, as amended, and their powers, duties, and func-  
17 tions, are transferred by a type 1 transfer to the state  
18 department of highways, and allocated to the division of  
19 highways as a section thereof.

20

DEPARTMENT OF MILITARY AFFAIRS

SECTION 27. Department of military affairs - creation.

(1) There is hereby created a department of military affairs, the head of which shall be the adjutant general who shall be appointed by the governor pursuant to law.

(2) The office of the adjutant general, created by article 1 of chapter 94, C.R.S. 1963, as amended, and its powers, duties, and functions, are transferred by a type 2 transfer to the department of military affairs.

(3) (a) The department of military affairs shall consist of the following divisions:

(b) The Colorado national guard, created by article 1 of chapter 94, C.R.S. 1963, as amended, and its powers, duties, and functions, are transferred by a type 2 transfer to the department of military affairs as a division thereof.

(c) The Colorado civil air patrol, created by article 2 of chapter 5, C.R.S. 1963, as amended, and its powers, duties, and functions, are transferred by a type 1 transfer to the department of military affairs as the Colorado division of the civil air patrol.

## TEXT

## COMMENTS

1 (d) The division of civil defense, and the office of  
2 director thereof, created by article 1 of chapter 24, C.R.S.  
3 1963, as amended, and their powers, duties, and functions,  
4 are transferred by a type 2 transfer to the department of  
5 military affairs as a division thereof.

6 (e) The Colorado state guard, when organized by the  
7 governor pursuant to article 2 of chapter 94, C.R.S. 1963,  
8 and its powers, duties, and functions, are transferred by a  
9 type 2 transfer to the department of military affairs as a  
10 division thereof.

### 11 TRANSFER OF POWERS, PERSONNEL, FUNDS

12 SECTION 28. Effect of transfer of powers, duties, and  
13 functions. Any principal department to which powers, duties,  
14 and functions of any existing department, institution, or  
15 other agency are transferred, or any division, section, or  
16 unit of any principal department to which such powers, duties,  
17 and functions are allocated, shall be the successor in every  
18 way, with respect to such powers, duties, and functions, of  
19 the department, institution, or other agency in which such  
20 powers, duties, and functions were vested prior to the

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## COMMENTS

1 effective date of this act, except as otherwise provided by  
2 this act. Every act performed in the exercise of such powers,  
3 duties, and functions by or under the authority of the princi-  
4 pal department, or any division, section, or unit thereof, to  
5 which such powers, duties, and functions are transferred or  
6 allocated by this act, shall be deemed to have the same force  
7 and effect as if performed by the department, institution, or  
8 other agency in which such functions were vested prior to the  
9 effective date of this act. Whenever any such department,  
10 institution, or other agency is referred to or designated by  
11 any law, contract, or other document, such reference or desig-  
12 nation shall be deemed to apply to the principal department,  
13 or the division, section, or unit thereof, in which the powers,  
14 duties, and functions of such department, institution, or  
15 other agency so referred to or designated are vested by the  
16 provisions of this act.

17       SECTION 29. Actions, suits, or proceedings not to  
18 abate by reorganization; maintenance by or against successors.

19 (1) No suit, action, or other proceeding, judicial or ad-  
20 ministrative, lawfully commenced, or which could have been

1 lawfully commenced, by or against any department, institution,  
2 or other agency, or by or against any officer of the state in  
3 his official capacity or in relation to the discharge of his  
4 official duties, shall abate by reason of the taking effect  
5 of any reorganization under the provisions of this act. The  
6 court may allow the suit, action, or other proceeding to be  
7 maintained by or against the successor of any department,  
8 institution, or other agency, or any officer affected.

9 (2) No criminal action commenced or which could have  
10 been commenced by the state shall abate by the taking effect  
11 of this act.

12 SECTION 30. Rules, regulations, and orders adopted  
13 prior to act; continuation. All rules, regulations, and  
14 orders of departments, institutions, boards, commissions, or  
15 other agencies, lawfully adopted prior to the effective date  
16 of this act, shall continue to be effective until revised,  
17 amended, repealed, or nullified pursuant to law.

18 SECTION 31. Prior right of head of department as to  
19 records and personnel. Upon approval of this act by the  
20 governor, and before July 1, 1968, the head of a principal

1 department designated by this act, or appointed by the gover-  
2 nor before said effective date, shall have, prior to assuming  
3 his duties as head of the department, full access to all de-  
4 partments, institutions, or other agencies, and the records  
5 thereof, under his department, for the purpose of formulating  
6 internal organization, and the fiscal and personnel adminis-  
7 tration of the department.

8       SECTION 32. Transfer of officers and employees. Effec-  
9 tive July 1, 1968, such officers and employees who were en-  
10 gaged prior to said date in the performance of powers, duties,  
11 and functions of any department, institution, or other agency  
12 transferred to a principal department under the provisions  
13 of this act, and who, in the opinion of the head of the prin-  
14 cipal department and the governor, shall be necessary to  
15 perform the powers, duties, and functions of the principal  
16 department, or of any division, section, or unit thereof,  
17 shall become officers and employees of such principal depart-  
18 ment, and shall retain all rights to civil service and re-  
19 tirement benefits under the laws of the state, and their  
20 services shall be deemed to have been continuous. All

## TEXT

## COMMENTS

1 transfers and any abolishment of positions of personnel in the  
2 classified civil service shall be made and processed in accord-  
3 ance with civil service laws and rules and regulations.

4       SECTION 33. Transfer of property and records. In all  
5 cases where, under the provisions of this act, the powers,  
6 duties, and functions of any department, institution, or  
7 other agency are transferred to a principal department or  
8 divided between any two or more principal departments, such  
9 principal department or departments shall succeed to all  
10 property and records which were used for, or pertain to, the  
11 performance of the powers, duties, and functions transferred,  
12 respectively. Any conflict as to the proper disposition of  
13 such property or records arising under this section, and  
14 resulting from the transfer, allocation, abolishment, or  
15 division of any department, institution, or other agency,  
16 or the powers, duties, and functions thereof, shall be  
17 determined by the governor, whose decision shall be final.

18       SECTION 34. Transfer of appropriations. Appropriations  
19 made to any department, institution, or other agency for the  
20 fiscal year beginning July 1, 1968, or remaining to the credit



## TEXT

## COMMENTS

1 thereof and not revertible by law to the general fund on July 1,  
2 1968, the powers, duties, and functions of which are trans-  
3 ferred to a principal department or divided between two or  
4 more principal departments by this act, shall be transferred  
5 to the principal department or departments, or division, sec-  
6 tion, or unit thereof, to which such powers, duties, and func-  
7 tions are transferred and allocated. No transfer of funds is  
8 authorized under this section if such transfer would result  
9 in the termination of any approved federal-aid program.

10       SECTION 35. Subsequent powers and functions - assignment.  
11 Pursuant to the provisions of section 22 of article IV of the  
12 state constitution, all powers and functions of the executive  
13 department of state government, created or specified by law  
14 after July 1, 1968, including the creation of any new division,  
15 section, unit, or other agency of said executive department,  
16 shall be assigned to a principal department and such powers  
17 and functions shall be exercised under such principal depart-  
18 ment as if the same were transferred to such department by  
19 this act under a type 2 transfer, unless otherwise specified  
20 by such law.

Provision for relationship of  
future agencies with head of  
department where law creating  
the new agency does not so pro-  
vide.

## TEXT

1       SECTION 36. Repeal. Effective July 1, 1969, sections  
2 31 and 34 of this act are repealed.

3                   DEPARTMENT OF STATE

4       SECTION 37. Article 2 of chapter 132, Colorado Revised  
5 Statutes 1963, is amended BY THE ADDITION OF A NEW SECTION  
6 to read:

7       132-2-7. Annual reports - publications. (1) The secre-  
8 tary of state shall prepare and transmit annually, in the form  
9 and manner prescribed by the controller pursuant to the pro-  
10 visions of section 3-3-17, C.R.S. 1963, a report accounting  
11 to the governor and the general assembly for the efficient  
12 discharge of all responsibilities assigned by law or direc-  
13 tive to the department of state and divisions thereof.

14       (2) Publications by the secretary of state circulated  
15 in quantity outside the executive branch shall be issued in  
16 accordance with fiscal rules promulgated by the controller  
17 pursuant to the provisions of section 3-3-17, C.R.S. 1963.

18       SECTION 38. Repeal. Article 10 of chapter 3, Colorado  
19 Revised Statutes 1963, as amended, is repealed.

20

## COMMENTS

With amendments to delete refer-  
ences to division of registrations  
and examining and licensing boards;  
this is section 3-10-3, C.R.S.  
1963 (1965 Supp.), which is re-  
pealed by SECTION 38 of this bill.

Repeals article on department  
of state; the department will  
be organized as reflected in  
SECTION 11 of this bill.

## TEXT

### DEPARTMENT OF HIGHER EDUCATION

SECTION 39. Section 4 (1) of chapter 420, Session Laws of Colorado 1967, is amended to read:

Section 4. Establishment of council - members - term of office - chairman - compensation. (1) There is hereby established within the ~~division-of-commerce-and-development~~, DEPARTMENT OF HIGHER EDUCATION, a state council on the arts and humanities, hereinafter referred to as the "council". The council shall consist of eleven members, including the chairman, to be appointed by the governor. The members of the council shall be broadly representative of the major fields of the arts and humanities, and shall be appointed from among private citizens who are widely known for their competence and experience in connection with the arts and humanities, as well as knowledge of community and state interests. In making these appointments, the governor shall seek and consider those recommended for membership by persons or organizations involved in civic, educational, business, labor, professional, cultural, ethnic, and performing and creative arts, as well as knowledge of community and state interests. At least one

## COMMENTS

Reflects the transfer of the council on arts and humanities to the department of higher education in SECTION 14 (3) (b) of this bill.

## TEXT

1 such person from each area designated shall be a member of the  
2 council to include both men and women.

3 SECTION 40. 112-7-14 (1) (e) and (g), Colorado Revised  
4 Statutes 1963 (1965 Supp.), are amended to read:

5 112-7-14. Powers and duties of the board of agriculture.  
6 (1) (e) To disseminate information and statistics concerning  
7 forests and forestry in the state, subject to the control and  
8 approval of the ~~coordinator~~ EXECUTIVE DIRECTOR of the ~~division~~  
9 DEPARTMENT of natural resources; and

10 (g) To report to the ~~coordinator~~ EXECUTIVE DIRECTOR of  
11 the ~~division~~ DEPARTMENT of natural resources at such times and  
12 on such matters as the ~~coordinator~~ EXECUTIVE DIRECTOR may re-  
13 quire.

14 SECTION 41. Repeal. Article 20 of chapter 124, Colo-  
15 rado Revised Statutes 1963, as amended, is repealed.

16 DEPARTMENT OF EDUCATION

17 SECTION 42. 123-1-3 (1), Colorado Revised Statutes 1963  
18 (1965 Supp.), as amended, is REPEALED AND RE-ENACTED, WITH  
19 AMENDMENTS, to read:

20 123-1-3. Department of education. (1) (a) The

## COMMENTS

Reflects the change of name of the coordinator of the division of natural resources to the executive director of the department of natural resources in SECTION 139 of this bill.

Repeals the law creating the higher education assistance authority.

Reflects the abolishing of the state board of teacher certification in SECTION 14 (5) of this bill.

## TEXT

## COMMENTS

1 department of education shall include the following:

2 (b) State board of education;

3 (c) Commissioner of education, assistant commissioners  
4 of education, and other officers and employees of the depart-  
5 ment;

6 (d) State library.

7 SECTION 43. 123-1-9, Colorado Revised Statutes 1963  
8 (1965 Supp.), is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to  
9 read:

10 123-1-9. State board of education - teacher certifica-  
11 tion. (1) Effective July 1, 1968, the state board of educa-  
12 tion shall perform the duties previously allocated to the  
13 state board of teacher certification. Whenever any law of  
14 this state refers to the state board of teacher certification,  
15 said law shall be construed as referring to the state board  
16 of education.

17 SECTION 44. 123-1-10 (1) and (4), Colorado Revised  
18 Statutes 1963 (1965 Supp.), are amended to read:

19 123-1-10. State board of education - teacher certifica-  
20 tion - duties. (1) It shall be the duty of the state board

Reflects the transfer of the powers, duties, and functions of the state board of teacher certification to state board of education in SECTION 14 (5) of this bill.

## IBI

1 of ~~teacher-certification~~ EDUCATION:

2 (4) To conduct or arrange for research pertinent or es-  
3 sential to implement the provisions of sections 123-17-9 to  
4 123-17-18 and sections 123-17-21 to 123-17-25, ~~with-the-appre-~~  
5 ~~vat-of-the-state-board-of-education~~; including but not limited  
6 to teacher employment, teacher certification, and teacher  
7 preparation programs in institutions of higher learning. Pub-  
8 lication of research findings and studies circulated in quan-  
9 tity outside the executive branch shall be issued in accordance  
10 with fiscal rules promulgated by the controller pursuant to  
11 the provisions of section 3-3-17, C.R.S. 1963.

12 SECTION 45. Repeal. 123-1-10 (2) (b), (5), and (6),  
13 Colorado Revised Statutes 1963 (1965 Supp.), are repealed.

### DEPARTMENT OF ADMINISTRATION

14  
15 SECTION 46. Chapter 3, Colorado Revised Statutes 1963,  
16 as amended, is amended BY THE ADDITION OF A NEW ARTICLE 25  
17 to read:

### ARTICLE 25

### DEPARTMENT OF ADMINISTRATION

18  
19  
20 3-25-1. Department created - executive director. There

## COMMENTS

Repeals duties of state board  
of teacher certification refer-  
ring to state board of education.

## TEXT

1 is hereby created the department of administration, the head  
2 of which shall be the executive director of the department of  
3 administration, who shall be the deputy to the governor, ap-  
4 pointed by the governor pursuant to the provisions of section  
5 13 of article XII of the state constitution, and who shall  
6 serve at the pleasure of the governor. The department shall  
7 be organized as provided in the "Administrative Organization  
8 Act of 1968"; but nothing herein shall be construed to pre-  
9 vent the establishment, combination, or abolition of divisions,  
10 sections, or units other than those created by law.

11 3-25-2. Powers and duties of executive director. (1) (a)

12 In order to eliminate unnecessary functions, avoid duplication,  
13 reduce costs, increase efficiency, and to improve services to  
14 the public, it shall be the duty of the executive director to:

15 (b) Study and make recommendations to the governor re-  
16 garding improvements in techniques used by state agencies for  
17 management specialties, including, but not limited to, person-  
18 nel management, budgeting, accounting, purchasing, construc-  
19 tion and maintenance of state buildings and grounds, records  
20 management, and data processing management;

## COMMENTS

Adds new article to spell out specific duties of head of new department of administration.

## TEXT

## COMMENTS

1 (c) Coordinate and provide services used by more than  
2 one state agency;

3 (d) Review agencies' programs and management in order to  
4 identify problems and suggest improvements to the governor;

5 (e) Investigate any irregularities in the various state  
6 agencies;

7 (f) Examine the functions and operating costs of state  
8 agencies in order to determine the feasibility of consoli-  
9 dating, rearranging, or creating agencies;

10 (g) Report annually to the governor concerning his find-  
11 ings and recommendations.

12 (2) (a) In order to perform his duties, the executive  
13 director shall have power to:

14 (b) Promulgate rules and regulations;

15 (c) Examine the books, accounts, and employees of the  
16 various state agencies;

17 (d) Conduct public or private hearings in order to in-  
18 form himself of any matters relating to his functions.

19 (3) The executive director shall have such other powers,  
20 duties, and functions as are prescribed for heads of principal



## TEXT

## COMMENTS

1 departments in the "Administrative Organization Act of 1968".

2 (4) Every state department, its officers and employees,  
3 shall cooperate with the executive director in the performance  
4 of his duties.

### 5 Division of Automated Data Processing

6 SECTION 47. Chapter 3, Colorado Revised Statutes 1963,  
7 as amended, is amended BY THE ADDITION OF A NEW ARTICLE 26  
8 to read:

9 3-26-1. Legislative findings and declarations. (1) The  
10 general assembly hereby finds, determines, and declares that:

11 (2) Automated data processing equipment and systems  
12 are being widely used by the state of Colorado as a practical  
13 and economical means of increasing administrative productivity  
14 and efficiency;

15 (3) It is expected that existing uses of automated data  
16 processing will be expanded as state government continues to  
17 grow and as rapidly changing technology multiplies actual  
18 and potential uses, it is expected that new automated data  
19 processing applications will be developed to enable the state  
20 to better serve the public;

Establishes new division of  
A.D.P. to provide a central  
control over acquisition and  
use of A.D.P. equipment, and  
sets out specific central  
controls.

## TEXT

## COMMENTS

1       (4) Efficient and economical operation is a prime goal  
2 of state automated data processing policy to the end that auto-  
3 mated data processing shall be performed at a reasonable cost  
4 to the taxpayers of the state; and

5       (5) To most effectively utilize automated data processing  
6 and to assure the best possible service at reasonable cost to  
7 the public, it is necessary and desirable to establish strong  
8 central management of automated data processing applications,  
9 planning, systems, programs, personnel, equipment, and facili-  
10 ties.

11       3-26-2. Division of automated data processing. There is  
12 hereby created a division of automated data processing in the  
13 department of administration. The executive director of the  
14 department of administration shall appoint, pursuant to sec-  
15 tion 13 of article XII of the state constitution, a director  
16 of automated data processing, as head of the division, and  
17 also such other personnel as may be necessary for the efficient  
18 operation of the division.

19       3-26-3. Functions of the division. (1) (a) The divi-  
20 sion shall perform the following functions:

## TEXT

## COMMENTS

1 (b) Exercise general supervision over all automated data  
2 processing applications, planning, systems, programs, personnel,  
3 equipment, and facilities of state government;

4 (c) Review all existing and future automated data pro-  
5 cessing applications, planning, systems, programs, personnel,  
6 equipment, and facilities to determine the need for such, and  
7 to establish priorities for those that are necessary and de-  
8 sirable to accomplish the purposes of this article;

9 (d) Establish automated data processing procedures and  
10 standards for automated data processing facilities for all  
11 state departments, institutions, and agencies;

12 (e) Establish and maintain automated data processing  
13 facilities including, but not limited to, the operation of  
14 automated data processing equipment and facilities, and the  
15 employment of necessary personnel;

16 (f) Formulate and implement a current and long-range  
17 automated data processing plan through studies of the needs  
18 of state agencies;

19 (g) Advise the civil service commission on qualifica-  
20 tions and wage standards necessary to recruit and retain

## TEXT

## COMMENTS

1 automated data processing personnel essential for the imple-  
2 mentation of a sound long-range automated data processing plan.

3 (h) Advise the governor and general assembly on auto-  
4 mated data processing matters;

5 (i) Prepare and submit such reports as are required by  
6 this article or which the governor or general assembly may  
7 request;

8 (j) Approve or disapprove the acquisition of automated  
9 data processing equipment by any state department, institution,  
10 or agency, and to approve only that which will be most effi-  
11 cient, economical, and technically feasible to meet the data  
12 processing operations of the state, and to approve, modify,  
13 or disapprove the staffing pattern for automated data proces-  
14 sing operations by any state department, institution, or  
15 agency;

16 (k) Continually study and assess the data processing  
17 operations and needs of state departments, institutions, and  
18 agencies; and

19 (l) Provide automated data processing services, equip-  
20 ment, and facilities for state departments, institutions, and

TEXT

COMMENTS

1 agencies according to their needs.

2       3-26-4. Powers of the director. (1) (a) In order to  
3 perform the functions and duties of the division as set forth  
4 in this article, the director, with approval of the executive  
5 director of the department of administration, shall exercise  
6 the following powers:

7       (b) Prescribe the equipment and facilities for perform-  
8 ing specific automated data processing services by or for any  
9 state department, institution, or agency;

10       (c) Prescribe standards governing the selection and  
11 operation of automated data processing equipment;

12       (d) Adopt such rules and regulations as may be neces-  
13 sary to carry out the purposes and provisions of this article;

14       (e) Contract for such services as the division may  
15 require;

16       (f) Require such reports from other agencies as may be  
17 necessary; and

18       (g) Effect the transfer of funds, equipment, supplies,  
19 and personnel from existing agencies to the division or to  
20 such other agency as may be necessary to accomplish the

## TEXT

## COMMENTS

1 purposes of this article.

2       3-26-5. Appeal from decisions of director. If any de-  
3 partment, institution, or agency shall disagree with any de-  
4 cision, plan, procedure, priority, standard, rule, or regula-  
5 tion or other act of the division or its director, then, in  
6 such case, the head thereof shall notify the executive direc-  
7 tor of the department of administration and the director of  
8 the basis for such disagreement, and the said executive direc-  
9 tor may, in his discretion, uphold, modify, or reverse such  
10 decision, procedure, plan, priority, standard, rule, or regula-  
11 tion or other act; but no further action shall be taken by  
12 the division or the director to implement any decision, plan,  
13 procedure, priority, standard, rule, or regulation or other  
14 act after the notification hereinabove mentioned until the  
15 said executive director shall have rendered his decision in  
16 the matter.

17       3-26-6. Existing and new equipment, personnel, applica-  
18 tions, systems, subject to approval of director. On and  
19 after the effective date of this article, no automated data  
20 processing equipment shall be purchased, leased, or otherwise

TEXT

COMMENTS

1 acquired by any department, institution, or agency, nor shall  
2 any new automated data processing personnel be added to the  
3 state service nor shall any new applications, systems, or pro-  
4 grams begin except upon the written approval of the director;  
5 nor shall any automated data processing equipment presently  
6 leased or operated by any department, institution, or agency,  
7 continue to be so leased or operated after July 1, 1969, ex-  
8 cept upon the written approval of the director. No warrant  
9 drawn on the state treasury shall be issued in payment for  
10 the same, until the acquisition thereof has been approved by  
11 the division pursuant to this article.

12 3-26-7. Reports. (1) (a) On or before December 1, 1968,  
13 the director shall prepare and submit the following reports to  
14 the governor and the general assembly:

15 (b) A report on the use and cost of all automated data  
16 processing equipment which is owned, leased, or operated by  
17 the state government including the cost of acquiring or leas-  
18 ing such equipment and a detailed report on the annual cost  
19 of operating such equipment including the cost of personnel,  
20 supplies, and other expense in connection therewith.

TEXT

COMMENTS

1 (c) A complete inventory of all automated data processing  
2 equipment which is presently on order or otherwise scheduled  
3 for use by the state government or which has been requested of  
4 the division by any agency pursuant to the provisions of sec-  
5 tion 3-26-6, together with an estimate of the annual cost of  
6 acquiring or leasing such equipment, and a detailed estimate  
7 of the annual cost of operating such equipment including the  
8 cost of personnel, supplies, and other expense in connection  
9 therewith, and the director's recommendations thereon.

10 (d) A report listing by agency the existing and requested  
11 uses, applications, and programs of automated data processing  
12 including such explanation and analysis as the director may  
13 deem advisable, together with his recommendations thereon and  
14 specifically including, with respect to requested uses, appli-  
15 cations, and programs, his recommendations for priorities in  
16 implementing the same.

17 (e) A report on the adequacy and efficiency of the state  
18 government's automated data processing equipment, uses, appli-  
19 cations, and programs together with the director's recommenda-  
20 tions thereon.



1       (2) On or before December 1 of each year succeeding the  
2 date of the first report required by this section, the direc-  
3 tor shall prepare and submit to the governor and the general  
4 assembly a similar report which shall include all of the in-  
5 formation required by subsection (1) of this section, and  
6 such other information as the director may deem advisable,  
7 including budgetary requirements.

8       (3) (a) The director shall prepare and transmit annually,  
9 in the form and manner prescribed by the controller pursuant  
10 to the provisions of section 3-3-17, C.R.S. 1963, a report  
11 accounting to the governor and the general assembly for the  
12 efficient discharge of all responsibilities assigned by law  
13 or directive to the division of automated data processing.

14       (b) Publications by the director circulated in quantity  
15 outside the executive branch shall be issued in accordance  
16 with fiscal rules promulgated by the controller pursuant to  
17 the provisions of section 3-3-17, C.R.S. 1963.

18               Division of Accounts and Control

19       SECTION 48. 3-3-1 (1), Colorado Revised Statutes 1963,  
20 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

## TEXT

1        3-3-1. Division of accounts and control - controller.

2 (1) The division of accounts and control shall be a division  
3 in the department of administration. The controller shall be  
4 the head of the division and shall be appointed by the execu-  
5 tive director of the department of administration, subject to  
6 the provisions of section 13 of article XII of the state  
7 constitution. The controller shall be bonded in such amount  
8 as said executive director shall fix. The powers and duties  
9 of the division and of the controller shall be:

10        SECTION 49. 3-3-8, Colorado Revised Statutes 1963, is  
11 amended to read:

12        3-3-8. Reports of revenue and expenditures. The con-  
13 troller shall ~~have authority to investigate duplication of~~  
14 ~~work of departments, institutions and agencies of the state~~  
15 ~~government; to study the organization and administration of~~  
16 ~~such departments, institutions and agencies; to formulate~~  
17 ~~plans for better and more effective management and to prepare~~  
18 and report to the governor or the general assembly, when  
19 requested, any financial data or statistics which he or it  
20 may require, such as monthly or quarterly estimates of the

## COMMENTS

Combines 2 prior sections to place provisions on the appointment of the controller in one place.

Language stricken to reflect transfer of management analysis.

## TEXT

## COMMENTS

1 state's income, and cost figures on the current operation of  
2 departments, institutions, or agencies.

3 SECTION 50. Repeal. 3-3-1 (3) and (4), and 3-3-15,  
4 Colorado Revised Statutes 1963, are repealed.

5 Incentive Award Suggestion System Board

6 SECTION 51. 3-20-1, Colorado Revised Statutes 1963 (1965  
7 Supp.), is amended to read:

8 3-20-1. Incentive award suggestion system - policy. It  
9 shall be the policy of the state to encourage state employees  
10 to develop new ideas for improving the economy and efficiency  
11 of state government; to purchase such ideas from employees;  
12 and to implement such ideas in the functioning of government.  
13 Toward these ends, a program to be known as the "Incentive  
14 Award Suggestion System" is hereby established. The program  
15 ~~will~~ SHALL be under the direction and supervision of ~~a-board~~  
16 ~~reporting-directly-to-the-governor~~ THE INCENTIVE AWARD SUG-  
17 GESTION SYSTEM BOARD, WHICH SHALL BE A SECTION WITHIN THE  
18 DIVISION OF ACCOUNTS AND CONTROL, AND WHICH SHALL HEREINAFTER  
19 BE REFERRED TO AS THE "BOARD".

Reflects placement of IAS system  
under division of accounts and  
control.

## TEXT

## COMMENTS

### Colorado Claims Commission

SECTION 52. 130-10-9, Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

130-10-9. Expenses of the commission. Members of the commission shall receive no compensation for service on the commission other than actual and necessary traveling expenses incurred in the performance of their duties. Administrative expenses incurred by the commission shall be requested in the annual budget of the ~~state-auditor~~ DEPARTMENT OF ADMINISTRATION. A transcript of any hearing conducted in the investigation of any claim, if deemed necessary by the commission or requested by the claimant, shall be paid by the claimant.

### Division of Purchasing

SECTION 53. 134-4-1, Colorado Revised Statutes 1963, is amended to read:

134-4-1. State agency for surplus property. There is hereby created ~~and-established-within-the-executive-department~~ IN THE DIVISION OF PURCHASING IN THE DEPARTMENT OF ADMINISTRATION, a Colorado state agency for surplus property, the powers and duties of which are provided in this article.

Reflects placement of claims commission under division of accounts and control.

Reflects placement of division of purchasing in department of administration.

## TEXT

## COMMENTS

### Division of Public Works

SECTION 54. 106-1-1, Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

106-1-1. Division created. There is hereby created in the ~~executive~~ department OF ADMINISTRATION ~~of-the-state-govern-~~  
~~ment~~ a division of public works, the powers and duties of which are as provided in this article.

SECTION 55. 106-1-2, Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

106-1-2. Director - staff. The division of public works, hereinafter referred to as the "division", shall consist of a director, who shall be the executive officer of the division and responsible to the ~~governor~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION, and such deputies, assistants, and employees as in the opinion of the director and the ~~governor~~ SAID EXECUTIVE DIRECTOR shall be necessary to carry out the provisions of this article. The ~~governor~~ SAID EXECUTIVE DIRECTOR shall appoint the director and all officers and employees of the division pursuant to section 13 of article XII of the state constitution. The director and officers and employees

SECTIONS 54 - 57 amend laws to reflect placement of division of public works under department of administration.

TEXT

COMMENTS

1 of the division shall receive such compensation and reimburse-  
2 ment for expenses incurred in the performance of their duties  
3 as other officers and employees of the state government are  
4 paid.

5 SECTION 56. 106-1-3, Colorado Revised Statutes 1963 (1965  
6 Supp.), is amended to read:

7 106-1-3. Rules and regulations - contractual services -  
8 office space. The director ~~with-the-approval-of-the-governor,~~  
9 may adopt rules and regulations for the operation of the divi-  
10 sion, and may contract for such services as the division may  
11 require. The division shall be supplied with necessary office  
12 space in the capitol buildings group.

13 SECTION 57. Repeal. 106-1-5, Colorado Revised Statutes  
14 1963 (1965 Supp.), is repealed.

15 Division of State Archives and Public Records

16 SECTION 58. 131-3-2 (1), Colorado Revised Statutes 1963,  
17 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

18 131-3-2. Division created - personnel - duties. (1)  
19 The division of state archives and public records, herein-  
20 after referred to as the "division", shall be a division of

SECTIONS 58 - 59 amend laws to reflect placement of division of archives under department of administration and to repeal obsolete language.

## TEXT

## COMMENTS

1 the department of administration. The division shall succeed  
2 to all records of the state of Colorado or any political sub-  
3 division thereof, as the same are defined in section 131-3-1.  
4 Except as provided in subsections (5), (6), and (7) of this  
5 section, the division shall be the official custodian and  
6 trustee for the state of all public records of whatever kind  
7 which are transferred to it under this article from any public  
8 office of the state or any political subdivision thereof.

9 SECTION 59. Repeal. 131-3-2 (8), Colorado Revised Stat-  
10 utes 1963, is repealed.

### 11 DEPARTMENT OF REVENUE

12 SECTION 60. 3-7-2 (1), Colorado Revised Statutes 1963  
13 (1965 Supp.), is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to  
14 read:

15 3-7-2. Executive director - annual report. (1) There  
16 is hereby created the office of the executive director of  
17 the department of revenue, who shall be the head of the de-  
18 partment. The executive director shall be appointed by the  
19 governor as a confidential employee of the governor pursuant  
20 to section 13 of article XII of the state constitution, and

Reflects the change of name  
of the director of the depart-  
ment of revenue to the executive  
director and deletes the require-  
ment of the ratification by the  
Senate of the appointment of  
the executive director.

## TEXT

1 shall serve at the pleasure of the governor. Whenever any  
2 law of this state refers to the director of revenue, such law  
3 shall be deemed to refer to the executive director of the de-  
4 partment of revenue.

### 5 Ports of Entry Division

6 SECTION 61. 13-19-1, Colorado Revised Statutes 1963, is  
7 amended to read:

8 13-19-1. Declaration of policy. In order to facilitate  
9 enforcement of the laws of the state of Colorado concerning  
10 motor carriers and the owners and operators of motor vehicles,  
11 to equally distribute the payments of any fees, licenses, or  
12 taxes imposed by the laws of this state on motor carriers and  
13 the owners and operators of motor vehicles, and to effect the  
14 collection thereof, and to assist motor carriers and the own-  
15 ers and operators of motor vehicles to comply with all tax  
16 laws, rules, and regulations pertaining to them, it is hereby  
17 declared necessary to establish ~~motor-vehicle-inspection~~  
18 PORTS OF ENTRY stations on the public highways of this state.

19 SECTION 62. 13-19-3, Colorado Revised Statutes 1963, is  
20 amended to read:

## COMMENTS

SECTIONS 61 and 62 reflect the change of the names of the motor vehicle inspection division and motor vehicle inspection stations to ports of entry division and ports of entry stations, respectively, in SECTION 17 (4) of this bill.



TEXT

COMMENTS

1        13-19-3. Ports of entry division. There is hereby cre-  
2 ated within the department of revenue of the state of Colorado,  
3 a ~~motor-vehicle-inspection~~ PORTS OF ENTRY division, which  
4 division shall, acting under the direction of the EXECUTIVE  
5 director of THE DEPARTMENT OF revenue, be responsible for  
6 establishing and operating ~~motor-vehicle-inspection~~ PORTS OF  
7 ENTRY stations at such points on the public highways of this  
8 state as are deemed necessary to carry out the purposes of  
9 this article. The EXECUTIVE director ~~of-revenue~~ shall create  
10 no less than ten permanent ~~inspection~~ PORTS OF ENTRY stations  
11 and no less than four mobile ~~inspection~~ PORTS OF ENTRY sta-  
12 tions within the division. He shall create such additional  
13 stations as are deemed necessary and are within the limits of  
14 the appropriations for that purpose. The location or reloca-  
15 tion of such stationary or movable ~~inspection~~ stations shall  
16 be at the discretion of the EXECUTIVE director. ~~of-revenue.~~  
17 WHENEVER ANY LAW REFERS TO THE MOTOR VEHICLE INSPECTION DI-  
18 VISION OR TO ANY MOTOR VEHICLE INSPECTION STATION UNDER SUCH  
19 DIVISION, SUCH LAW SHALL BE DEEMED TO REFER, RESPECTIVELY,  
20 TO THE PORTS OF ENTRY DIVISION IN THE DEPARTMENT OF REVENUE

## TEXT

1 OR TO A PORT OF ENTRY STATION UNDER SUCH DIVISION.

2           Liquor Enforcement Division

3           SECTION 63. 75-1-3 (1), Colorado Revised Statutes 1963,  
4 is amended to read:

5           75-1-3. Licensing authority - powers and duties. (1)

6 The ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
7 REVENUE shall be the executive in charge of the enforcement of  
8 the terms and provisions of this article and, as the state  
9 licensing authority, his duties and authority shall be as  
10 follows:

11          SECTION 64. 75-1-7 (1) and (6), Colorado Revised Stat-  
12 utes 1963 (1965 Supp.), and 75-1-7 (7), Colorado Revised  
13 Statutes 1963 (1965 Supp.), as amended by section 1 of chap-  
14 ter 14, Session Laws of Colorado 1967, are amended to read:

15          75-1-7. Licenses and permits. (1) All licenses granted  
16 under this article shall be nontransferable and good for one  
17 year from the date of issuance unless revoked and shall be  
18 granted by the ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE  
19 DEPARTMENT OF REVENUE upon receipt of an application upon a  
20 form provided for said purpose by the ~~secretary-of-state~~ SAID

## COMMENTS

SECTIONS 63 through 68 reflect the change from the secretary of state to the executive director of the department of revenue as the state liquor licensing authority in SECTIONS 11 (2) and 17 (3) of this bill.

TEXT

COMMENTS

1 EXECUTIVE DIRECTOR and sworn to before a notary public, ac-  
2 companied by a remittance for the full amount of the license  
3 fee payable to the department of revenue.

4 (6) In the event the place where the license is to be  
5 exercised is changed, a permit for this change must be ob-  
6 tained from the ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE  
7 DEPARTMENT OF REVENUE and conspicuously placed at all times  
8 in the place of business of the licensee.

9 (7) No licenses shall be refused arbitrarily or with-  
10 out good cause, and any such refusal may be reviewed upon  
11 application for a writ of certiorari or other proper method  
12 of review to any district court of the state having jurisdic-  
13 tion of the place where the license is proposed to be exer-  
14 cised. Any person applying to the courts for a review of  
15 any licensing authority's decision shall apply for review  
16 within thirty days after the date of decision and shall be  
17 required to pay the cost of preparing a transcript of pro-  
18 ceedings before the licensing authority whenever such a  
19 transcript is demanded by the person taking the appeal or  
20 when such a transcript is furnished by the licensing

## TEXT

## COMMENTS

1 authority pursuant to court order. Such court shall determine  
2 whether said refusal was arbitrary and without good cause, and  
3 if so finding, then said court shall order the state and local  
4 licensing authorities to issue said license. The state li-  
5 censes as in this article provided for shall be issued by the  
6 ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
7 REVENUE and the licenses required in cities, towns, counties,  
8 or ANY city and county shall be issued by the council, board  
9 of trustees, or licensing authorities of the cities, towns,  
10 or ANY city and county, and by the board of county commis-  
11 sioners of the county.

12 SECTION 65. 75-1-11, Colorado Revised Statutes 1963, is  
13 amended to read:

14 75-1-11. Disposition of funds - expenses. The expenses  
15 of the ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT  
16 OF REVENUE incident to the performance of ~~the-secretary-of~~  
17 ~~state's~~ HIS acts required by this article shall be paid out  
18 of the license fees and excise taxes payable to the department  
19 of revenue as provided by this article. Such expense of ad-  
20 ministration of this article shall not exceed five per cent

TEXT

COMMENTS

1 of the state license fees and excise taxes collected hereunder.  
2 All of the balance of said license fees and excise taxes shall  
3 be credited, distributed, and paid to the old age pension fund  
4 in the manner provided by law.

5 SECTION 66. 75-2-4 (22), Colorado Revised Statutes 1963,  
6 is amended to read:

7 75-2-4. Definitions. (22) "State licensing authority"  
8 means the ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE DEPART-  
9 MENT OF REVENUE.

10 SECTION 67. 75-2-5, Colorado Revised Statutes 1963, is  
11 amended to read:

12 75-2-5. Regulation and control of licensing. For the  
13 purpose of regulation and controlling the licensing of the  
14 manufacture and sale of malt, vinous, and spirituous liquors,  
15 there is hereby created the state licensing authority. The  
16 state licensing authority shall ~~consist-of-the-secretary-of~~  
17 ~~state~~ BE THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE.  
18 For the purpose of the efficient administration of the HIS  
19 duties, the ~~secretary-of-state~~ SAID EXECUTIVE DIRECTOR shall  
20 be the chief administrative officer, and the offices of the

## TEXT

1 ~~secretary-of-state~~ SAID EXECUTIVE DIRECTOR shall be the offi-  
2 ces of the state licensing authority for the transaction of  
3 the business of the state licensing authority. The state li-  
4 censing authority, with the approval of the governor, may  
5 employ, pursuant to article XII, section 13, of the state  
6 constitution, such clerks and inspectors as may be determined  
7 to be necessary. The necessary expenses of the state licens-  
8 ing authority and his employees shall be approved and paid as  
9 provided by law.

10 SECTION 68. 75-2-6 (1), Colorado Revised Statutes 1963,  
11 is amended to read:

12 75-2-6. Duties of licensing authority. (1) The ~~secre-~~  
13 ~~tary-of-state~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REVENUE  
14 shall be the executive in charge of the enforcement of the  
15 terms and provisions of this article, and as the state licens-  
16 ing authority, his duties shall be as follows:

17 DEPARTMENT OF INSTITUTIONS

18 SECTION 69. 3-11-2 (1), Colorado Revised Statutes 1963,  
19 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

20 3-11-2. Executive director - division heads -

## COMMENTS

Reflects the change of name of the director of the department of institutions to executive director and deletes references to the compensation of the executive director and manner of paying same.

## TEXT

## COMMENTS

1 inter-agency council - advisory boards. (1) The governor  
2 shall appoint an executive director of the department of insti-  
3 tutions, who shall be one of the confidential employees of the  
4 governor, shall serve at the pleasure of the governor, and  
5 shall not be within the classified civil service of the state;  
6 and said executive director shall be competent and experienced  
7 in public administration. Whenever any law of this state re-  
8 fers to the director of institutions, said law shall be con-  
9 strued as referring to the executive director of the depart-  
10 ment of institutions.

11 SECTION 70. 3-11-4 (1), Colorado Revised Statutes 1963,  
12 as amended by section 5 of chapter 443, Session Laws of Colo-  
13 rado 1967, is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to  
14 read:

15 3-11-4. Institutions managed, supervised, and controlled.

16 (1) (a) The department shall manage, supervise, and control  
17 the following state institutions:

18 (b) Colorado state penitentiary, at Canon City.

19 (c) Colorado state reformatory, at Buena Vista.

20 (d) Colorado state hospital, at Pueblo.

Consolidates into one place  
the institutions to be super-  
vised by the department of  
institutions.

## TEXT

- 1 (e) State home and training school, at Ridge.  
2 (f) State home and training school, at Grand Junction.  
3 (g) Lookout Mountain school for boys, at Golden.  
4 (h) Mount View girls' school, at Morrison.  
5 (i) Colorado youth center, at Denver.  
6 (j) Fort Logan mental health center, at Denver.  
7 (k) Golden Gate youth camp, in Gilpin county.  
8 (l) Lathrop Park youth camp, in Huerfano county.  
9 (m) Colorado school for deaf and blind, at Colorado  
10 Springs.  
11 (n) Women's correctional institution, at Canon City.  
12 Colorado School for Deaf and Blind  
13 SECTION 71. 16-1-4, Colorado Revised Statutes 1963, is  
14 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:  
15 16-1-4. Board of trustees - name changed - powers  
16 transferred - advisory board. (1) The board of trustees of  
17 the Colorado school for deaf and blind shall, on and after  
18 July 1, 1968, be an advisory board for the Colorado school  
19 for deaf and blind and be known and designated as the  
20 "Advisory Board for the Colorado School for Deaf and Blind".

## COMMENTS

SECTIONS 71 through 73 reflect the change of the board of trustees of the Colorado school for deaf and blind from a managing board to an advisory board and the transfer of the board of trustees' management powers, duties, and functions to the executive director of the department of institutions in SECTION 18 (4) of this bill.



## TEXT

## COMMENTS

1 Said advisory board shall advise and consult with the executive  
2 director of the department of institutions with respect to the  
3 management of the Colorado school for deaf and blind and the  
4 education of the students of said school.

5       (2) The advisory board shall consist of five members to  
6 be appointed by the governor for terms of six years each. The  
7 membership of the board of trustees of the Colorado school for  
8 deaf and blind on July 1, 1968, shall constitute the member-  
9 ship of the first advisory board; appointments made by the  
10 governor before July 1, 1968, of members to the board of trus-  
11 tees shall remain in full force and effect for the terms  
12 originally specified. Thereafter, appointments made shall be  
13 for terms of six years, except that, in the case of a vacancy,  
14 the appointment shall be for the remainder of the unexpired  
15 term. Neither the superintendent of the Colorado school for  
16 deaf and blind nor any other employee of said school shall be  
17 a member of the advisory board. The members of the advisory  
18 board shall serve without compensation, but shall be reim-  
19 bursed for actual and necessary expenses incurred in the per-  
20 formance of their duties.

## TEXT

## COMMENTS

1       (3) Effective July 1, 1968, the executive director of  
2 the department of institutions shall exercise the powers and  
3 perform the duties and functions previously allocated by law  
4 to the board of trustees of the Colorado school for deaf and  
5 blind. Whenever any law of this state refers to the board of  
6 trustees of the Colorado school for deaf and blind, said law  
7 shall be construed as referring to the executive director of  
8 the department of institutions.

9       SECTION 72. 16-1-6, Colorado Revised Statutes 1963, is  
10 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

11       16-1-6. Superintendent and officers - appointment -  
12 compensation. The executive director of the department of  
13 institutions shall have charge of the general interests of  
14 the Colorado school for deaf and blind, and shall, pursuant  
15 to section 13 of article XII of the state constitution,  
16 appoint and fix the compensation of a superintendent and such  
17 other officers and employees as may be necessary. The superin-  
18 tendent of the school shall possess such qualifications that  
19 would in the judgment of the executive director of the depart-  
20 ment of institutions fit him for such office.

1 SECTION 73. Repeal. 16-1-5, 16-1-7, 16-1-8, and 16-1-11,  
2 Colorado Revised Statutes 1963, are repealed.

3 DEPARTMENT OF HEALTH

4 SECTION 74. 66-1-1, Colorado Revised Statutes 1963, is  
5 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

6 66-1-1. Construction of terms. (1) Whenever any law  
7 of this state refers to the executive director of the state  
8 department of public health, said law shall be construed as  
9 referring to the executive director of the department of  
10 health.

11 (2) Whenever any law of this state refers to the state  
12 department of public health, said law shall be construed as  
13 referring to the department of health.

14 SECTION 75. 66-1-2, Colorado Revised Statutes 1963, is  
15 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

16 66-1-2. Department created - executive director -  
17 divisions. (1) There is hereby created a department of  
18 health, hereinafter referred to as the department. The head  
19 of the department shall be the executive director of the  
20 department of health, which office is hereby created, and he

Reflects change in terminology.

Amends law to reflect reorgani-  
zation of department.

## TEXT

1 shall be ex officio the head of the division of administration  
2 within the department. Subject to the provisions of section 13  
3 of article XII of the state constitution, the governor shall  
4 appoint said executive director, except that the initial execu-  
5 tive director shall be the executive director of the state de-  
6 partment of public health. The executive director shall ad-  
7 minister the department, subject to the authority of the state  
8 board of health and the state water pollution control commis-  
9 sion.

10 (2) (a) The department shall consist of the following  
11 divisions:

12 (b) The division of administration, and such sections  
13 and units established as otherwise provided by law;

14 (c) The division of alcoholism;

15 (d) The air pollution variance board.

16 SECTION 76. 66-1-3, Colorado Revised Statutes 1963, is  
17 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

18 66-1-3. State board of health created. There is hereby  
19 created a state board of health, hereinafter referred to as  
20 the board, which shall consist of nine members, of which two

## COMMENTS

Reflects changes in appoint-  
ments of state board of health  
to serve at pleasure of governor.

1 members shall be selected from each congressional district and  
2 one member at large. Each member of the board shall be ap-  
3 pointed by the governor, and shall serve at the pleasure of  
4 the governor, until removed by the governor or his successor  
5 is appointed and qualified. The terms of office of present  
6 members of the state board of health shall expire July 1, 1968,  
7 and prior thereto, the governor shall make appointments to the  
8 state board of health, such appointments to be effective July 1,  
9 1968. Appointments shall be made to the board so that no  
10 business or professional group shall constitute a majority of  
11 the board.

12 SECTION 77. 66-1-5, Colorado Revised Statutes 1963, is  
13 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

14 66-1-5. Qualifications of executive director. The execu-  
15 tive director of the department of health shall have the fol-  
16 lowing qualifications: He shall have a degree of doctor of  
17 medicine from a medical school approved by the council on  
18 medical education and hospitals, or its successor, of the  
19 American medical association, and shall have had at least  
20 one year of graduate study in a school of public health

SECTIONS 77 - 82 change lan-  
guage to conform to reorgani-  
zation.

TEXT

COMMENTS

1 approved by said council; he shall have had not less than  
2 three years' experience in administrative practice as a full  
3 time public health officer. The executive director shall re-  
4 ceive such salary as may be fixed by the board subject to the  
5 constitution and civil service laws of the state and within  
6 the limits of funds made available to the department of health  
7 by appropriation of the general assembly or otherwise. He  
8 shall be allowed traveling and subsistence expenses actually  
9 and necessarily incurred in the performance of his official  
10 duties when absent from his place of residence. He shall  
11 maintain his office at the state capital and shall be cus-  
12 todian of all property and records of the department of health.

13 SECTION 78. 66-1-8, Colorado Revised Statutes 1963, as  
14 amended by section 16 of chapter 217, Session Laws of Colo-  
15 rado 1967, is amended BY THE ADDITION OF A NEW SUBSECTION (9)  
16 to read:

17 66-1-8. Powers and duties of the state board of health.

18 (9) The state board of health shall act only by resolution  
19 adopted at a duly called meeting of the state board, and no  
20 individual member of the state board shall exercise

IXI

COMMENTS

1 individually any administrative authority with respect to the  
2 department of health.

3 State Chemist

4 SECTION 79. 66-16-1, Colorado Revised Statutes 1963, is  
5 amended to read:

6 66-16-1. Office of state chemist created. The professor  
7 of food and drug chemistry in the department of chemistry at  
8 the university of Colorado shall be the state chemist of Colo-  
9 rado. The office and laboratory of the state chemist shall be  
10 in the department of chemistry at the university of Colorado.  
11 The office of state chemist shall be a ~~division~~ SECTION of  
12 the DIVISION OF ADMINISTRATION OF THE ~~state~~ department of  
13 ~~public~~ health.

14 Division of Administration

15 SECTION 80. 142-1-4, Colorado Revised Statutes 1963,  
16 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

17 142-1-4. Examining board of plumbers. (1) The depart-  
18 ment of health is hereby authorized and directed to prescribe,  
19 amend, and enforce rules and regulations consistent with this  
20 article for the examination and licensing of journeyman and

**TEXT**

1 master plumbers.

2 (2) For this purpose, there is hereby established within  
3 the division of administration of the department the examining  
4 board of plumbers whose duties shall be to examine all persons  
5 applying to the state board of health for licenses to engage  
6 in the business, trade, or calling of a journeyman plumber or  
7 master plumber, as to their fitness and qualifications, and to  
8 promptly certify the results thereof to the department of  
9 health.

10 (3) The board shall consist of three members, one of  
11 whom shall be a journeyman plumber, one a master plumber, and  
12 one a member or employee of the department of health. The  
13 department shall appoint, with power of removal, the members  
14 of the board.

15 State Water Pollution Control Commission

16 SECTION 81. Section 3 (1) (a) and (4) of chapter 44,  
17 Session Laws of Colorado 1966, are amended to read:

18 Section 3. State water pollution control commission  
19 created. (1) (a) There is hereby created ~~as a division of~~  
20 ~~the state department of public health established by section~~

**COMMENTS**



TEXT

COMMENTS

1 66-1-2, 6-R:S:-1963, a state water pollution control commis-  
2 sion, which shall consist of eleven members as follows:

3 (4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL  
4 RESOURCES SHALL BE THE PERMANENT CHAIRMAN OF THE COMMISSION.  
5 The commission shall ~~organize-by-the-election-of-a-chairman,~~  
6 ELECT a vice-chairman, and a secretary, from the membership  
7 of the ~~committee,~~ COMMISSION, and shall keep a record of its  
8 proceedings. The commission shall hold regular public quar-  
9 terly meetings each calendar year and may hold special meet-  
10 ings on the call of the chairman or vice-chairman at such  
11 other times as deemed necessary. Written notice of the time  
12 and place of all meetings shall be mailed at least five days  
13 in advance of any such meetings to each member by the secre-  
14 tary.

15 SECTION 82. Repeal. 66-1-8 (4), Colorado Revised  
16 Statutes 1963, is repealed.

17 DEPARTMENT OF SOCIAL SERVICES

18 SECTION 83. Chapter 119, Colorado Revised Statutes 1963,  
19 as amended, is amended BY THE ADDITION OF A NEW ARTICLE 10 to  
20 read:

Repeals authority of state board of health to create subdivisions in department of health. SECTION 7 of this act vests such power in head of department.

TEXT

COMMENTS

ARTICLE 10

DEPARTMENT OF SOCIAL SERVICES

119-10-1. State board of social services. (1) There is hereby created the state board of social services. The board shall consist of nine members, each of whom shall be appointed by the governor, and shall serve at the pleasure of the governor until removed by the governor, or his successor is appointed and qualified. Effective July 1, 1968, the terms of office of the members of the state board of public welfare shall terminate, and prior thereto the governor shall make appointments, effective July 1, 1968, of members of the state board of social services.

(2) No recipient of a pension under the Colorado old age pension statutes shall be eligible to appointment to said board.

(3) The members of the state board of social services shall serve as such without compensation, with the exception of necessary actual traveling expenses.

119-10-2. Duties of the state board. (1) Subject to the approval of the governor, the state board of social

Enacts new article 10 of chapter 119 to set out changes in appointments of state board of social services which takes the place of former state board of welfare. Prescribes relationship of new board with divisions of welfare, rehabilitation, and services for the aged.

## TEXT

## COMMENTS

1 services shall adopt policies, rules, and regulations for the  
2 administration of the department of social services and the  
3 divisions, sections, and units thereof, to the extent not in-  
4 consistent with law. The administrative and executive duties  
5 and responsibilities of the department of social services shall  
6 be discharged by the executive director of the department of  
7 social services.

8       (2) The state board shall have the power, and it shall  
9 be its duty, to fix minimum standards for service and personnel,  
10 and to formulate salary schedules based upon training, experi-  
11 ence, and general ability of persons selected for positions  
12 in the county departments of public welfare, all of which per-  
13 sons shall be residents of the state of Colorado.

14       (3) The state board shall act only by resolution adopted  
15 at a duly called meeting of the state board, and no individual  
16 member of the state board shall exercise individually any  
17 administrative authority with respect to the department of  
18 social services.

19       119-10-3. Annual reports - publications. (1) The  
20 executive director of the department of social services shall

## TEXT

## COMMENTS

1 prepare and transmit annually, in the form and manner pre-  
2 scribed by the controller pursuant to the provisions of sec-  
3 tion 3-3-17, C.R.S. 1963, a report accounting to the governor  
4 and the general assembly for the efficient discharge of all  
5 responsibilities assigned by law or directive to the division  
6 of services for the aged.

7 (2) Publications by the executive director circulated  
8 in quantity outside the executive branch shall be issued in  
9 accordance with fiscal rules promulgated by the controller  
10 pursuant to the provisions of section 3-3-17, C.R.S. 1963.

11 119-10-4. Designated state agency. The department of  
12 social services shall be the sole state agency for administer-  
13 ing the state plan for vocational rehabilitation in coopera-  
14 tion with the federal government, and all other state plans  
15 relating to vocational rehabilitation that requires state  
16 action which is not specifically the responsibility of some  
17 other state department, division, section, board, commission,  
18 or committee under the provisions of federal or state law.

19 SECTION 84. 101-1-7, Colorado Revised Statutes 1963,  
20 as amended by section 1 of chapter 441, Session Laws of

Conforms to requirement of  
federal law for eligibility  
for federal matching funds.

TEXT

COMMENTS

1 Colorado 1967, is amended to read:  
2       101-1-7. Amount of pension. (1) The basic minimum  
3 award payable to those persons qualified to receive an old  
4 age pension shall be one hundred dollars monthly; but the  
5 state board of ~~public-welfare~~, SOCIAL SERVICES is hereby  
6 authorized and shall have the power to adjust the said basic  
7 minimum award above one hundred dollars if, in its discretion,  
8 living costs have changed sufficiently to justify such adjust-  
9 ment. The amount of net income from whatever source, either  
10 in cash or in kind, which any person qualified for an old  
11 age pension may receive shall be deducted from the amount of  
12 monthly pension which such person would otherwise receive,  
13 but in computing said net income the county department shall  
14 not consider the ownership of real estate occupied as a resi-  
15 dence by the recipient as income. Whenever the United States  
16 congress shall provide by law for a retroactive increase in  
17 monthly benefits under the old age, survivors, and disability  
18 provisions of the social security act, and the amount of such  
19 retroactive increase in monthly benefits shall be subsequently  
20 paid to an old age pension recipient in a lump sum, then the

Conforms to requirement of  
state constitution to design-  
ate by law the agency to  
administer old age pensions.

## TEXT

## COMMENTS

1 amount of such lump sum payment shall not be considered as  
2 income, and shall not be deducted from the amount of monthly  
3 pension otherwise payable to such recipient for the month in  
4 which such lump sum payment is received. All moneys deposited  
5 in the old age pension fund shall be first available for pay-  
6 ment of basic minimum awards to qualified recipients, and no  
7 part of said fund shall be transferred to any other fund  
8 until such basic minimum awards shall have been paid.

9       (2) Any moneys remaining in the old age pension fund  
10 after full payment of such basic minimum awards shall be  
11 transferred to a fund to be known as the stabilization fund,  
12 which fund shall be maintained at the amount of five million  
13 dollars, and restored to that amount after any disbursement  
14 therefrom. The state board of ~~public-welfare~~, SOCIAL SERVI-  
15 CES, or such other agency as may be authorized by law to ad-  
16 minister old age pensions, shall use the money in such fund  
17 only to stabilize payments of basic minimum award.

18       (3) Any moneys remaining in the old age pension fund,  
19 after full payment of basic minimum awards and after estab-  
20 lishment and maintenance of the stabilization fund in the

## TEXT

## COMMENTS

1 amount of five million dollars, shall be transferred to a fund  
2 to be known as the health and medical care fund, which is  
3 hereby created. The state board of ~~public-welfare~~, SOCIAL  
4 SERVICES, or such other agency as may be authorized by law to  
5 administer old age pensions, shall establish and promulgate  
6 rules and regulations for administration of a program to pro-  
7 vide health and medical care to persons who qualify to re-  
8 ceive old age pensions and who are not patients in an institu-  
9 tion for tuberculosis or mental diseases; the costs of such  
10 program, not to exceed ten million dollars in any fiscal year,  
11 shall be defrayed from such health and medical care fund, ~~pre-~~  
12 ~~vided~~ BUT all moneys available, accrued or accruing, received  
13 or receivable, in said health and medical care fund, in excess  
14 of ten million dollars in any fiscal year, shall be transferred  
15 to the general fund of the state to be used pursuant to law.

16 (4) WHENEVER ANY LAW OF THIS STATE REFERS TO THE STATE  
17 BOARD OF PUBLIC WELFARE, SAID LAW SHALL BE CONSTRUED AS RE-  
18 FERRING TO THE STATE BOARD OF SOCIAL SERVICES.

### Division of Public Welfare

19  
20 SECTION 85. 119-1-2, Colorado Revised Statutes 1963, is

## INDEX

## COMMENTS

1 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

2 119-1-2. Division created - director - construction of  
3 terms. (1) There is hereby created a division of public wel-  
4 fare within the department of social services. The head of  
5 the division shall be the director of public welfare.

6 (2) Whenever any law of this state refers to the state  
7 department of public welfare or to the director of said de-  
8 partment, said law shall be construed as referring to the divi-  
9 sion of public welfare or to the director of public welfare,  
10 as the case may be.

11 SECTION 86. 119-1-3, Colorado Revised Statutes 1963, is

12 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

13 119-1-3. State board of public welfare. (1) On and  
14 after July 1, 1968, the state board of public welfare shall  
15 be known and designated as the state board of social services  
16 with all the powers, duties, and functions as set forth in  
17 article 11 of this chapter.

18 (2) Whenever any law of this state refers to the state  
19 board of public welfare, said law shall be construed as re-  
20 ferring to the state board of social services.

SECTIONS 85 - 86 change pres-  
ent department of welfare to  
division of welfare and pres-  
ent welfare board to state  
board of social services.



## TEXT

1 SECTION 87. 119-1-7, Colorado Revised Statutes 1963, as  
2 amended, is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

3 119-1-7. Organization of division. (1) (a) There are  
4 hereby created within the division of public welfare the fol-  
5 lowing sections:

6 (b) A public assistance section;

7 (c) A children and youth section;

8 (d) A tuberculosis section;

9 (e) A veterans affairs section, as created by section  
10 144-6-1, C.R.S. 1963, as amended;

11 (f) Such other sections as the executive director of the  
12 department of social services may find necessary for the  
13 effective administration of the division.

14 (2) The executive director of the department of social  
15 services shall have power to allocate and reallocate functions  
16 among sections within the division.

17 (3) Whenever any law of this state refers to the divi-  
18 sion of public assistance, or to the division of children and  
19 youth, or to the division of tuberculosis, said law shall be  
20 construed as referring to the public assistance section, or

## COMMENTS

Reflects changes in organiza-  
tion of division of welfare.

## TEXT

1 the children and youth section, or the tuberculosis section,  
2 as the case may be.

3 SECTION 88. 119-8-9 (1) (a), Colorado Revised Statutes  
4 1963, as enacted by section 3 of chapter 443, Session Laws of  
5 Colorado 1967, is amended to read:

6 119-8-9. Advisory committee - institutes. (1) (a) There  
7 is hereby created an advisory committee ON LICENSING OF CHILD  
8 CARE FACILITIES to advise and consult with the department in  
9 the administration and enforcement of this article. Said com-  
10 mittee shall consist of eleven members to be appointed by the  
11 governor for terms of three years, except that of the members  
12 first appointed, four shall be appointed for three years, four  
13 for two years, and three for one year. Thereafter members  
14 shall be appointed for terms of three years except in the case  
15 of a vacancy which shall be filled for the remainder of the  
16 unexpired term. No member shall be appointed to succeed him-  
17 self.

18 SECTION 89. Repeal. 119-1-4, Colorado Revised Statutes  
19 1963, is repealed.

20

## COMMENTS

Changes name of advisory com-  
mittee.

Repeals duties of old state  
board of welfare.

TEXT

COMMENTS

Colorado Veterans Affairs Section

SECTIONS 90 - 94 amend law to change Colorado department of veterans affairs to a section under the division of welfare.

SECTION 90. 144-6-1, Colorado Revised Statutes 1963, is amended to read:

144-6-1. Veterans affairs section created. (1) There is hereby created and established, WITHIN THE DIVISION OF PUBLIC WELFARE OF THE DEPARTMENT OF SOCIAL SERVICES, the Colorado ~~department-of~~ veterans affairs SECTION to provide assistance and services to veterans, their dependents, and survivors, and for other purposes, as provided in this article.

(2) WHENEVER ANY LAW OF THIS STATE REFERS TO THE COLORADO DEPARTMENT OF VETERANS AFFAIRS, SAID LAW SHALL BE CONSTRUED AS REFERRING TO THE COLORADO VETERANS AFFAIRS SECTION.

SECTION 91. 144-6-4, Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

144-6-4. Rules and regulations - duties. (1) The Colorado board of veterans affairs shall adopt such rules and regulations, not in conflict with this article or other laws, as it may deem necessary to govern the activities of the Colorado ~~department-of~~ veterans affairs SECTION and THE SECTION shall be vested with all the authority to administer this

1 article.

2       (2) The ~~board~~ COLORADO VETERANS AFFAIRS SECTION shall  
3 be responsible for the proper administration of this article.  
4 It shall be the duty of the board to supervise and to decide  
5 the policies for the operation of the ~~department~~ COLORADO  
6 VETERANS AFFAIRS SECTION. The board shall study the problems  
7 of veterans and based on such study shall formulate and put  
8 into effect, to the extent authorized by law, through the  
9 ~~department~~ SECTION or otherwise, such program or programs as  
10 it may deem advisable or necessary for veterans assistance by  
11 the state of Colorado or political subdivisions thereof. The  
12 board shall make a report to the governor and the general  
13 assembly within five days after its convening in regular or  
14 special session concerning its activities and the activities  
15 of the ~~department~~ COLORADO VETERANS AFFAIRS SECTION, and, in  
16 such report or at any time, may recommend any such program or  
17 programs it deems advisable or necessary to further the pur-  
18 poses of this article, together with drafts of any suggested  
19 executive order or legislation necessary to effect such pro-  
20 gram or programs. The board shall make a continuing study of

1 any program put into effect and make report as above provided  
2 thereon. The board shall perform such other duties as may be  
3 assigned to it by law and shall on request advise and assist  
4 the governor and general assembly or any committee thereof in  
5 regard to veterans matters.

6 (3) Publications of the board circulated in quantity  
7 outside the executive branch shall be issued in accordance  
8 with fiscal rules promulgated by the controller pursuant to  
9 the provisions of section 3-3-17, C.R.S. 1963.

10 SECTION 92. 144-6-7 (1) (f) and (2), Colorado Revised  
11 Statutes 1963, are amended to read:

12 144-6-7. Duties and supervision of the section. (1) (f) TO  
13 PERFORM SERVICES IN THIS STATE FOR THE VETERANS ADMINISTRATION  
14 UNDER A CONTRACTUAL, GRANT, OR OTHER BASIS; AND to perform such  
15 other duties and render such other services ~~as-the-board-may-di-~~  
16 ~~rect~~; in furtherance of the purposes of this article, or any other  
17 law, in providing reasonable and proper assistance to veterans.

18 (2) The director ~~subject-to-the-direction-of-the-board~~;  
19 shall exercise general supervision and direction over the  
20 ~~department~~ SECTION, shall be responsible for the proper per-  
21 formance of the above duties and functions by the ~~department~~

TEXT

COMMENTS

1 SECTION, and shall have all authority and power necessary to  
2 discharge properly such responsibility. The deputy director  
3 shall perform such duties as shall be assigned to him by the  
4 director, and in his absence, shall act in his stead.

5 SECTION 93. 144-6-8, Colorado Revised Statutes 1963, is  
6 amended to read:

7 144-6-8. Employees. Under the direction of the ~~board~~  
8 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES, the  
9 director, pursuant to article XII, section 13 of the STATE  
10 constitution, may employ such expert, technical, legal, cleri-  
11 cal, and other employees as may be necessary to carry out the  
12 functions, powers, and duties of the ~~department~~ COLORADO  
13 VETERANS AFFAIRS SECTION and may rent such space within the  
14 state as is required. The office of the director, which shall  
15 be the main office of the ~~department~~ SECTION, shall be located  
16 in the city and county of Denver. In addition to the director  
17 and the deputy director not more than ten persons shall be  
18 regularly employed by the ~~department~~ SECTION in the office  
19 of the director in the city and county of Denver, and not  
20 more than ten persons shall be regularly employed by the

1 ~~department~~ SECTION for field service or in district offices in  
2 other parts of Colorado. The office of the director shall fur-  
3 nish the board with any requested secretarial, clerical, or  
4 other assistance or facilities, and one person, in addition to  
5 the number of persons above authorized, may be employed in the  
6 office of the director for such purposes.

7 SECTION 94. 144-6-10 (1), Colorado Revised Statutes  
8 1963, is amended to read:

9 144-6-10. Assistance to county veterans' service offi-  
10 cers. (1) ~~Under-the-direction-of-the-board~~ It shall be the  
11 duty of the director to provide satisfactory supervision,  
12 direction, and assistance to all county veterans' service  
13 officers and to provide such services and facilities to the  
14 county veterans' service officers as may be determined by  
15 ~~the-board~~ HIM TO BE NECESSARY. Out of any moneys appropriated  
16 by this article or any other act to the ~~department~~ SECTION,  
17 the director is hereby authorized and directed to issue vou-  
18 chers for the monthly payment to the general fund of each  
19 county, to be disbursed upon the authority of the county com-  
20 missioners thereof, only for the purposes of this article and

## TEXT

1 of sections 144-5-1 to 144-5-5, of an amount equal to the  
2 amount such county commissioners may have authorized to be  
3 disbursed out of other moneys in such county general fund for  
4 such purposes for that month, but in no event shall any such  
5 monthly payment exceed the sum of fifty dollars.

6 SECTION 95. 43-2-17 (1) (a), Colorado Revised Statutes  
7 1963, is amended to read;

8 43-2-17. State information agency. (1) (a) The ~~attor-~~  
9 ~~ney-general~~ DIVISION OF PUBLIC WELFARE OF THE DEPARTMENT OF  
10 SOCIAL SERVICES is hereby designated as the state information  
11 agency under this article, and he IT shall:

12 Division of Rehabilitation

13 SECTION 96. 146-2-1, Colorado Revised Statutes 1963, is  
14 amended to read:

15 146-2-1. Division of rehabilitation created. (1) There  
16 is hereby created within the ~~executive-branch-of-the-state~~  
17 ~~government~~ DEPARTMENT OF SOCIAL SERVICES a ~~department~~ DIVISION  
18 of rehabilitation primarily concerned with vocational rehabili-  
19 tation. ~~which-is-hereby-declared-to-be-the-sole-state-agency~~  
20 ~~to-administer-the-state-plan-for-vocational-rehabilitation-in~~

## COMMENTS

Changes state information agency under reciprocal enforcement of support law from attorney general's office to the division of welfare.

SECTIONS 96 - 98 change department of rehabilitation to a division of the department of social services.



TEXT

COMMENTS

1 ~~in-cooperation-with-the-federal-government.~~ The department  
2 DIVISION is created for the purpose of coordinating and  
3 strengthening programs of rehabilitation for disabled and non-  
4 disabled persons to the end that they may attain their maximum  
5 potential in employment, self-care, and independent living.

6 (2) WHENEVER ANY LAW OF THIS STATE REFERS TO THE DEPART-  
7 MENT OF REHABILITATION, SAID LAW SHALL BE CONSTRUED AS REFER-  
8 RING TO THE DIVISION OF REHABILITATION.

9 SECTION 97. 146-2-2, Colorado Revised Statutes 1963, is  
10 amended to read:

11 146-2-2. Director - sections - personnel. (1) The  
12 ~~governor~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVI-  
13 CES shall appoint the director of the ~~department~~ DIVISION OF  
14 REHABILITATION, WHO SHALL BE THE HEAD OF THE DIVISION, AND  
15 who shall be competent in the field of rehabilitation and pub-  
16 lic administration. Subject to the availability of duly ap-  
17 propriated funds, ~~and-with-the-approval-of-the-governor~~ the  
18 EXECUTIVE director OF THE DEPARTMENT OF SOCIAL SERVICES  
19 shall appoint the heads of such administrative ~~divisions~~  
20 SECTIONS within the ~~department~~ DIVISION and such other

TEXT

COMMENTS

1 personnel as in his opinion are necessary to perform the du-  
2 ties of ~~his office~~ THE DIVISION and to carry out the purposes  
3 of this article. All such appointments shall be made subject  
4 to section 13 of article XII of the state constitution.

5 (2) WHENEVER ANY LAW OF THIS STATE REFERS TO THE DIRECTOR  
6 OF THE DEPARTMENT OF REHABILITATION, SAID LAW SHALL BE CON-  
7 STRUED AS REFERRING TO THE DIRECTOR OF THE DIVISION OF REHABILI-  
8 TATION.

9 SECTION 98. Repeal. 119-2-3, Colorado Revised Statutes  
10 1963, is repealed.

11 Division of Services for the Aged

12 SECTION 99. 133-1-1, Colorado Revised Statutes 1963, is  
13 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

14 133-1-1. State board of control abolished - duties trans-  
15 ferred. (1) The state board of control for state homes for  
16 the aged is abolished, and its powers, duties, and functions  
17 are transferred to the executive director of the department  
18 of social services. Whenever any law of this state refers to  
19 the state board of control for state homes for the aged, said  
20 law shall be construed as referring to the executive director

SECTIONS 99 - 105 transfer  
powers, duties, and functions  
of state board of control for  
homes for aged to the executive  
director of the department of  
social services.

1 of the department of social services.

2       (2) Nothing in this section shall be construed as affect-  
3 ing any right, duty, or liability arising under any action  
4 taken by the state board of control for state homes for the  
5 aged with respect to any anticipation warrant issued by said  
6 state board of control pursuant to sections 133-1-12 and  
7 133-2-5, Colorado Revised Statutes 1963, as amended.

8       SECTION 100. 133-1-2, Colorado Revised Statutes 1963, is  
9 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

10       133-1-2. Duties of executive director - employees -  
11 bonds. (1) The executive director of the department of  
12 social services shall adopt all policies, rules, and regula-  
13 tions for the management, control, and supervision of the  
14 state homes for the aged now or hereafter authorized by the  
15 general assembly so as to accomplish the purposes of this  
16 article. The executive director shall have the final responsi-  
17 bility for admission and discharge of patients in all state  
18 homes for the aged, and such decisions on admission and dis-  
19 charge shall be final. The executive director shall specify  
20 the records to be submitted by the manager of each state home

## TEXT

## COMMENTS

1 for the aged now or hereafter established by the general  
2 assembly.

3       (2) The manager, and such other employees of each state  
4 home for the aged as are designated by the executive director  
5 shall furnish an official bond signed by a surety company  
6 authorized to do business within this state and approved by  
7 the governor and the attorney general in an amount to be  
8 fixed by the executive director conditioned upon the faithful  
9 performance of their duties and the correct accounting and  
10 payment of all moneys received and within their control under  
11 this article.

12       SECTION 101. 133-1-10, Colorado Revised Statutes 1963,  
13 is amended BY THE ADDITION OF A NEW SUBSECTION (6) to read:

14       133-1-10. Declaration of policy - homes to be con-  
15 structed. (6) Any other provision of this chapter notwith-  
16 standing, effective July 1, 1968, the executive director of  
17 the department of social services shall not have the authority  
18 to issue any anticipation warrants, or to otherwise borrow  
19 funds for the construction of additional homes for the aged,  
20 unless such construction of additional homes is specifically

TEXT

COMMENTS

1 authorized by law.

2 SECTION 102. 133-1-12, Colorado Revised Statutes 1963,  
3 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

4 133-1-12. Anticipation warrants. For the purpose of  
5 defraying the cost of construction, erection, or the recon-  
6 struction or improvement of existing facilities, and costs of  
7 maintenance and operation of such facilities, the executive  
8 director of the department of social services may, with the  
9 approval of the governor of the state of Colorado, issue  
10 anticipation warrants which shall be payable solely from the  
11 aforesaid fund described in section 133-1-11, and the payments  
12 and interest on the aforesaid anticipation warrants shall be  
13 a first charge on and shall be payable from said fund which  
14 consists of the fees, and revenues received from residents at  
15 any such home. The Colorado state veterans center shall be  
16 considered a home for the aged under the provisions of this  
17 article.

18 SECTION 103. Repeal. 133-1-9, Colorado Revised Stat-  
19 utes 1963, is repealed.

20 SECTION 104. 144-1-1, Colorado Revised Statutes 1963

## TEXT

## COMMENTS

1 (1965 Supp.), is amended to read:

2       144-1-1. Monte Vista golden age center - change of name -  
3 jurisdiction. (1) The Monte Vista golden age center, formerly  
4 the soldiers' and sailors' home, located near Monte Vista,  
5 Colorado, shall hereafter be designated under the name and  
6 title of "The Colorado State Veterans Center", which shall  
7 hereafter in this article be referred to as the "center". The  
8 legal effect of any statute heretofore designating such insti-  
9 tution as the soldiers' and sailors' home, or the Monte Vista  
10 golden age center, or by any other name, or property rights  
11 heretofore acquired and obligations heretofore incurred under  
12 any other name, shall not be impaired hereby.

13       (2) THE COLORADO STATE VETERANS CENTER SHALL BE UNDER  
14 THE CONTROL AND SUPERVISION OF THE EXECUTIVE DIRECTOR OF THE  
15 DEPARTMENT OF SOCIAL SERVICES, HEREINAFTER REFERRED TO AS THE  
16 "EXECUTIVE DIRECTOR". WHENEVER ANY LAW OF THIS STATE SHALL  
17 REFER TO THE DIRECTOR OF THE COLORADO STATE VETERANS CENTER,  
18 SAID LAW SHALL BE CONSTRUED AS REFERRING TO THE EXECUTIVE  
19 DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES.

20       SECTION 105. 144-1-2 (4), Colorado Revised Statutes 1963,

1 is amended to read:

2       144-1-2. Members' benefit fund - sources - expenditures -  
3 state treasurer, custodian. (4) The ~~director~~ SUPERINTENDENT  
4 OF THE CENTER is hereby authorized to rent to members of the  
5 center the garages heretofore constructed with monies from  
6 said commissioners' fund, the reasonable rental to be fixed by  
7 the ~~commission~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF SOCIAL  
8 SERVICES. In the event that such garages are so rented, all  
9 rentals therefrom shall be transmitted to the state treasurer  
10 to be credited to the members' benefit fund until the sum of  
11 four thousand dollars shall have been credited thereto in  
12 reimbursement and replacement of the money heretofore diverted  
13 from said commissioners' fund to the construction of said  
14 garages and other buildings; that when said reimbursement  
15 shall have taken place and been accomplished, the rentals  
16 from said garages shall be credited to the general operating  
17 fund of the center.

18       SECTION 106. Chapter 119, Colorado Revised Statutes 1963,  
19 as amended, is amended BY THE ADDITION OF A NEW ARTICLE 11  
20 to read:

TEXT

ARTICLE 11

COLORADO COMMISSION ON THE AGING

119-11-1. Commission created. (1) There is hereby created in the division of services for the aged of the department of social services the Colorado commission on the aging, hereinafter referred to as the "commission", which shall consist of eleven members appointed by the governor with the consent of the senate. Two members shall be appointed from each congressional district of the state, one of whom shall be from each major political party, and three shall be appointed from the state at large, not more than two of whom shall be from the same major political party.

(2) All members of the commission shall be appointed for terms of four years each, commencing July 1 in the year of appointment; except, that of the appointments first made, five shall be for terms of two years each, not more than three of whom shall be from the same major political party, and six shall be for terms of four years each, not more than three of whom shall be from the same major political party. Appointments to fill vacancies shall be for the unexpired

COMMENTS

Creates by law the Colorado commission on the aging, heretofore created by executive order, and places it in the division of services for the aged in the department of social services.



TEXT

COMMENTS

1 term of the vacated office, and in the same manner as for  
2 original appointments.

3       119-11-2. Organization of commission. The commission  
4 shall elect from its membership a chairman, a vice-chairman,  
5 and such other officers as it deems necessary. The vice-  
6 chairman shall act as chairman in the absence or disability  
7 of the chairman. The commission shall meet on call of the  
8 chairman, but not less than once every three months. A major-  
9 ity of the members of the commission shall constitute a quorum  
10 for the transaction of business.

11       119-11-3. Compensation - expenses. The members of the  
12 commission shall not receive compensation for their services,  
13 but they shall be reimbursed for expenses incurred by them in  
14 the performance of their official duties.

15       119-11-4. Director - staff. Pursuant to section 13 of  
16 article XII of the state constitution, the executive director  
17 of the department of social services shall appoint the direc-  
18 tor of the commission and such clerical and professional  
19 staff as may be necessary to carry out the purposes of this  
20 article. The director shall be the chief administrative

TEXT

COMMENTS

1 officer for the commission and shall be a person who is pro-  
2 fessionally qualified to assume the responsibilities of the  
3 position. He shall also be the head of the division of servi-  
4 ces for the aged in the department of social services.

5 119-11-5. Duties of commission. (1) (a) The commission,  
6 through its director, shall carry out the following purposes:

7 (b) Conduct, and encourage other organizations to con-  
8 duct, studies of the problems of the state's older people;

9 (c) Assist governmental and private agencies to coordi-  
10 nate their efforts on behalf of the aging and aged in order  
11 that such efforts be effective and that duplication and waste  
12 of effort be eliminated;

13 (d) Promote, and aid in the establishment of, local  
14 programs and services for the aging and aged. The commission  
15 shall assist governmental and private agencies by designing  
16 surveys that may be used locally to determine needs of older  
17 people, by recommending the creation of services; by collec-  
18 tion and distribution of information on aging; and by assist-  
19 ing public and private organizations, in all ways the commis-  
20 sion may deem appropriate;

1 (e) Conduct promotional activities and programs of pub-  
2 lic education on problems of the aging; and

3 (f) Review existing programs for the aging, and make  
4 recommendations to the governor and the general assembly for  
5 improvements in such programs.

6 119-11-6. Designated state agency. The commission shall  
7 constitute the sole state agency for administering the state  
8 plan with respect to the "Older Americans Act of 1965", and all  
9 other state plans relating to the aging, requiring state  
10 action which are not the specific responsibility of another  
11 state department, division, section, board, commission, coun-  
12 cil, or system under the provisions of federal or state law.

13 119-11-7. Gifts - grants. The commission, acting for  
14 and on behalf of the state, may receive and accept title to  
15 any grant or gift from any source, including the federal  
16 government, and all grants, grants-in-aid, and gifts shall  
17 be deposited with the state treasurer and shall be continuously  
18 available to the commission to carry out the purposes of this  
19 article.

20

## TEXT

## COMMENTS

### DEPARTMENT OF LABOR AND EMPLOYMENT

#### Division of Employment

SECTION 107. 82-2-1, Colorado Revised Statutes 1963, is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

#### 82-2-1. Division of employment created - commissioner.

There is hereby created a division of employment within the department of labor and employment, the head of which division shall be the commissioner of employment. Whenever any law of this state refers to the department of employment or to the executive director of employment, said law shall be construed as referring to the division of employment or to the commissioner of employment, as the case may be.

#### Division of Civil Rights

SECTION 108. 80-21-4, Colorado Revised Statutes 1963 (1965 Supp.), is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

80-21-4. Civil rights commission - membership. The Colorado civil rights commission shall be the head of the division of civil rights within the department of labor and employment. The commission shall consist of seven members,

Changes department of employment to division of employment in the department of labor and employment. Changes title of executive director of employment to commissioner of employment to be consistent with other titles.

Reflects placement of civil rights commission in department of labor and employment.

1 who shall be appointed by the governor, with the consent of  
2 the senate, for terms of four years, except that of the first  
3 members appointed, two shall be appointed for terms of two  
4 years and two shall be appointed for terms of three years.  
5 Appointments shall be made to provide geographical area repre-  
6 sentation insofar as may be practicable, and no more than  
7 four members shall belong to the same political party. Vacan-  
8 cies shall be filled by the governor by appointment with the  
9 consent of the senate, and the term of a commissioner so  
10 appointed shall be for the unexpired part of the term for  
11 which he is appointed. Any commissioner may be removed from  
12 office by the governor for cause. Commissioners shall serve  
13 without compensation, but shall be reimbursed for necessary  
14 travel expenses incurred by them while on official commission  
15 business. The commission may adopt, amend, or rescind rules  
16 for governing its meetings, and four commissioners shall  
17 constitute a quorum.

18 DEPARTMENT OF REGULATORY AGENCIES

19 SECTION 109. Chapter 3, Colorado Revised Statutes 1963,  
20 as amended, is amended BY THE ADDITION OF A NEW ARTICLE 27

## TEXT

1 to read:

### 2 ARTICLE 27

#### 3 DEPARTMENT OF REGULATORY AGENCIES

##### 4 3-27-1. Department created - executive director. (1)

5 There is hereby created the department of regulatory agencies,  
6 the head of which shall be the executive director of the de-  
7 partment of regulatory agencies, which office is hereby crea-  
8 ted. The executive director shall be appointed by the gover-  
9 nor pursuant to section 13 of article XII of the state con-  
10 stitution. The executive director shall have those powers,  
11 duties, and functions prescribed for heads of principal  
12 departments in the "Administrative Organization Act of 1968".  
13 The department of regulatory agencies shall be organized as  
14 provided in the "Administrative Organization Act of 1968";  
15 but nothing herein shall be construed to prevent the estab-  
16 lishment, combination, or abolition of divisions, sections,  
17 or units other than those created by law.

18 (2) The executive director shall prepare and transmit  
19 annually, in the form and manner prescribed by the controller

## COMMENTS

Creates department of regulatory agencies and includes provision concerning publication of reports, consistent with provisions for other departments and other agencies.

## TEXT

## COMMENTS

1 pursuant to the provisions of section 3-3-17, C.R.S. 1963,  
2 a report accounting to the governor and the general assembly  
3 for the efficient discharge of all responsibilities assigned  
4 by law or directive to the department of regulatory agencies  
5 and divisions thereof.

6 (3) Publications by the executive director circulated  
7 in quantity outside the executive branch shall be issued in  
8 accordance with fiscal rules promulgated by the controller  
9 pursuant to the provisions of section 3-3-17, C.R.S. 1963.

### Division of Registrations

11 3-27-2. Division of registrations - creation - director -  
12 duties. (1) There is hereby created a division of registra-  
13 tions in the department of regulatory agencies, the head of  
14 which shall be the director of registrations, which office is  
15 hereby created. The executive director of the department of  
16 regulatory agencies shall appoint, pursuant to section 13 of  
17 article XII of the state constitution, the director of the  
18 division of registrations, and such other personnel as may be  
19 necessary for the efficient operation of the division.

20 (2) The division of registration shall have supervision

Reflects transfer of division of registrations and all the examining and licensing boards thereunder from secretary of state to the department of regulatory agencies. Generally, the same language found in section 3-10-2 (3) to (8).

## TEXT

## COMMENTS

1 and control of the examining and licensing boards and agencies  
2 and the registration of licenses thereof, transferred to the  
3 department of regulatory agencies by the "Administrative  
4 Organization Act of 1968".

5       (3) The supervision and control of said examining and  
6 licensing boards and agencies by the department of regulatory  
7 agencies and the division of registrations thereof shall also  
8 include the approval or disapproval of such rules and regula-  
9 tions of said boards and agencies and each thereof as relate  
10 to the examination of applicants and registration of licenses,  
11 to the end that such examinations and registrations shall be  
12 fair and impartial. No licensee of any of said boards and  
13 agencies shall be registered by the division of registrations  
14 unless and until all fees for examination or license or both  
15 have been paid by the licensee to the department of revenue  
16 and receipt therefor delivered to the division of registra-  
17 tions, or paid to the division of registrations under rules  
18 and regulations of the executive director of the department  
19 of revenue.

20       (4) Each of the examining and licensing boards or



TEXT

COMMENTS

1 agencies may employ and pay out of funds received by the state  
2 from the examination and license fees provided by law only  
3 that number of employees and subordinate officers as are certi-  
4 fied by it and approved by the executive director of the depart-  
5 ment of regulatory agencies to be necessary and the necessity  
6 for the employment of whom has been approved in writing by the  
7 governor. All salaries to be paid such employees and sub-  
8 ordinate officers shall be within the appropriation made  
9 therefor by the general assembly.

10       (5) Each of the examining and licensing boards or agen-  
11 cies shall be provided with suitable offices in the capitol  
12 buildings group if space is available in any of such build-  
13 ings; and if not, then in a suitable office building in the  
14 city and county of Denver selected by the state purchasing  
15 agent. It shall be lawful and proper for two or more of such  
16 boards or agencies to be assigned space in the same office  
17 room or suite, if such grouping or joint occupancy, in the  
18 opinion of the executive director of the department of regula-  
19 tory agencies, will not unreasonably interfere with the effi-  
20 cient operation of any of such boards or agencies so grouped

## TEXT

## COMMENTS

1 or joined.

2 (6) Each of the examining and licensing boards or agen-  
3 cies to which office space is provided shall pay into the  
4 general revenue fund of the state out of the fees or other  
5 revenues received by it or for its account a monthly or annual  
6 charge for rental, heat, light, telephone, collection, legal  
7 and other state services made available to such board or  
8 agency as may be fixed by the state purchasing agent with the  
9 approval of the executive director of the department of reve-  
10 nue, such charges to be not less than ten per cent nor more  
11 than twenty-five per cent of such revenues.

12 Colorado State Board of Examiners of Architects

13 SECTION 110. 10-1-4 (4), Colorado Revised Statutes 1963,  
14 is amended to read:

15 10-1-4. Board: Oath - meetings - powers. (4) The  
16 board shall, immediately upon the election of its officers,  
17 and upon the adoption, repeal, or modification of its rules  
18 and regulations, file with the ~~secretary-of-state~~ DEPARTMENT  
19 OF REGULATORY AGENCIES the name and post office address of  
20 each officer and a copy of such rules and regulations, or

SECTIONS 110 - 125 amend laws concerning examining and licensing boards transferred from the department of state to the new department of regulatory agencies.

1 the amendment, repeal, or modification thereof, except as may  
2 otherwise be provided by law.

3 SECTION 111. 10-1-12, Colorado Revised Statutes 1963, is  
4 amended to read:

5 10-1-12. License - recording. The board shall issue a  
6 license signed by the president and secretary whenever an ap-  
7 plicant for license to practice architecture in Colorado suc-  
8 cessfully qualifies therefor as provided in this article. A  
9 copy of such license, certified by the secretary of the board  
10 as a true copy, shall be filed ~~in-the-office-of-the-secretary~~  
11 ~~of-state-of-Colorado~~ WITH THE DEPARTMENT OF REGULATORY AGEN-  
12 CIES by the secretary of the board. Any filing fees in con-  
13 nection with such filing shall be paid, in advance, to the  
14 secretary of the board by the person being licensed.

15 State Athletic Commission of Colorado

16 SECTION 112. 129-1-1 (1), Colorado Revised Statutes  
17 1963, is amended to read:

18 129-1-1. Commission created - members - meetings. (1)  
19 There is hereby established and created, as a part of the  
20 department of ~~state~~ REGULATORY AGENCIES under the division

## TEXT

## COMMENTS

1 of registrations, a commission to be known as "The state ath-  
2 letic commission of Colorado" and referred to in this article  
3 as the commission. The commission shall consist of three mem-  
4 bers to be appointed by the governor of the state upon the  
5 expiration of the respective terms of the incumbent members  
6 of the commission, and the members to be appointed by the  
7 governor after this article becomes effective, as vacancies  
8 occur by expiration of term, shall hold office for terms to  
9 expire on January 1, 1955, January 1, 1957, and January 1,  
10 1959, respectively, and the successors to these members of  
11 the commission shall thereafter be appointed for a term of  
12 six years. The governor, for good cause and after a hearing,  
13 may remove any of the members of said commission. A vacancy  
14 occurring in the office of a member of the commission, other  
15 than by expiration of term, shall be filled in like manner as  
16 appointment for a full term for the remainder of such unex-  
17 pired term. Not less than two of the three members of said  
18 commission shall be honorably discharged from the armed  
19 forces of the United States and such armed forces, for the  
20 purpose of this article, shall mean the army, navy, marine

TEXT

COMMENTS

1 corps, coast guard, or any branch thereof.

2 Board of Examiners, Concerning Barbers, Barbering,  
3 Barbering Schools and Colleges

4 SECTION 113. 15-1-2, Colorado Revised Statutes 1963, is  
5 amended to read:

6 15-1-2. Board of examiners. A board of examiners, to  
7 consist of three persons, is hereby created which shall carry  
8 out the purposes and enforce the provisions of this chapter.

9 Said board shall be appointed by the governor as follows:

10 One member who may be recommended by the several unions of  
11 journeymen barbers in this state which shall have been in  
12 actual existence for at least two years prior to making such  
13 recommendations; one member who has been for at least three  
14 years prior to his appointment an employing barber in this  
15 state and who may be recommended by the several chapters of  
16 the associated master barbers of Colorado; and one member  
17 who is a ~~practical~~ PRACTICING barber who has been for at  
18 least five years prior to his appointment engaged in such  
19 occupation in this state. Each member of said board shall  
20 serve for a term of three years, and until his successor is

## TEXT

1 appointed and qualified, except in the case of the first board  
2 whose members shall serve for one year, two years, and three  
3 years respectively, as specified in their appointments. Each  
4 member of said board shall give a bond in the sum of two thou-  
5 sand five hundred dollars, with sureties to be approved by the  
6 ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
7 REGULATORY AGENCIES, conditioned ~~for~~ UPON the faithful perform-  
8 ance of his duties, and shall take the oath provided by law  
9 for public officers. THE BOND AND OATH SHALL BE FILED IN THE  
10 OFFICE OF THE SECRETARY OF STATE. Vacancies on said board  
11 caused by death, resignation, or expiration of the term of  
12 any member thereof shall be filled by appointment from the  
13 same class of persons to which the deceased or retiring mem-  
14 ber belonged.

### State Cemetery Board

16 SECTION 114. 61-3-2 (2) and (3), Colorado Revised Stat-  
17 utes 1963 (1965 Supp.), is amended to read:

18 61-3-2. License and renewal. (2) The application for  
19 a cemetery license shall be filed with the ~~secretary-of-state~~  
20 DEPARTMENT OF REGULATORY AGENCIES and shall be accompanied by

## COMMENTS

## TEXT

## COMMENTS

1 the annual license fee and by satisfactory evidence that the  
2 appropriate deposit required under section 61-3-5 has been  
3 made, and upon receipt thereof, the ~~secretary-of-state~~ DEPART-  
4 MENT OF REGULATORY AGENCIES shall thereupon issue such license  
5 to the applicant.

6 (3) Each license shall expire at the close of business  
7 on December 31 of the year for which such license is issued.  
8 No less than thirty days prior to the expiration of the annual  
9 license, the licensee shall file an application, in writing,  
10 in the form prescribed by the board for the renewal of the  
11 license, which application shall also specify the number of  
12 interments in the endowment care cemetery of the licensee  
13 during the year ending October 31 last past and shall be  
14 accompanied by the annual license fee and upon receipt of  
15 such application and fee, the ~~secretary-of-state~~ DEPARTMENT  
16 OF REGULATORY AGENCIES shall renew the license for the calen-  
17 dar year for which such fee is paid. If a license expires by  
18 reason of failure to file application for renewal or pay the  
19 renewal fee prior to the expiration of the license, the li-  
20 cense shall be restored upon the filing of a proper

## TEXT

## COMMENTS

1 application and the payment of all delinquent fees and the  
2 annual license fee for the ensuing calendar year.

3 SECTION 115. 61-3-4 (1), (2), and (3), Colorado Revised  
4 Statutes 1963 (1965 Supp.), is amended to read:

5 61-3-4. Suspension, revocation, and reinstatement of  
6 licenses. (1) If the board believes that any cemetery author-  
7 ity or person has violated or has failed to comply with any  
8 provision of this article, it shall make such investigation  
9 as it deems necessary, and if it finds that such cemetery  
10 authority or person has apparently violated or failed to com-  
11 ply with the provisions of this article, it shall file written  
12 charges with the ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE  
13 DEPARTMENT OF REGULATORY AGENCIES for the suspension or revoca-  
14 tion of the license of such authority or person.

15 (2) Upon receipt by the ~~secretary-of-state~~ EXECUTIVE  
16 DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES of written  
17 charges seeking the suspension or revocation of any license  
18 of a cemetery authority or person, the ~~secretary-of-state~~  
19 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES  
20 shall notify the cemetery authority or person of the alleged



## TEXT

## COMMENTS

1 charges and thereafter conduct proceedings in accordance with  
2 the provisions of article 16 of chapter 3, C.R.S. 1963.

3 (3) The ~~secretary-of-state~~ EXECUTIVE DIRECTOR OF THE DE-  
4 PARTMENT OF REGULATORY AGENCIES upon recommendation of the  
5 board, and in accordance with article 16 of chapter 3, C.R.S.  
6 1963, may suspend or revoke any license for violation of any  
7 provision of this article.

### 8 Collection Agency Board

9 SECTION 116. Article 1 of chapter 27, Colorado Revised  
10 Statutes 1963, as amended, is amended BY THE ADDITION OF A  
11 NEW SECTION to read:

12 27-1-28. Board under division of registrations. Any  
13 provision of this article to the contrary notwithstanding,  
14 the collection agency board, created by section 27-1-3, shall  
15 be under the supervision and control of the division of  
16 registrations of the department of regulatory agencies, cre-  
17 ated by section 3-27-2, C.R.S. 1963, as amended, pursuant  
18 to the transfer of said board and said division from the  
19 department of state in the "Administrative Organization Act  
20 of 1968".

IXI

COMMENTS

State Board of Dental Examiners

SECTION 117. 42-1-6 (1), Colorado Revised Statutes 1963,  
is amended to read:

42-1-6. State board of dental examiners. (1) The state  
board of dental examiners, referred to in this article as the  
board, in existence on the effective date of this article, is  
hereby continued as the agency of the state for the regulation  
of the practice of dentistry in the state and to carry out the  
purposes of this article. The board shall be under the super-  
vision and control of the division of registrations as pro-  
vided by section 3-10-2, 3-27-2, C.R.S. 1963, AS AMENDED.  
Such board shall consist of five members, each member to be  
appointed by the governor for a term of five years, one to be  
appointed each year in the first week of January, commencing  
in the year 1962. The Colorado state dental association may  
submit a recommended slate of five qualified dentists for the  
consideration of the governor. No more than two members of  
the board may reside in the same congressional district at the  
same time. Should a vacancy occur in any board membership be-  
fore the expiration of the term thereof, the governor shall  
fill such vacancy by appointment for the remainder of such

1 term in the same manner as in the case of original appoint-  
2 ments. The terms of existing board members shall not be dis-  
3 turbed by the provisions of this subsection.

4 State Electrical Board

5 SECTION 118. 142-2-16, Colorado Revised Statutes 1963,  
6 is amended to read:

7 142-2-16. Board under division of registrations. The  
8 state electrical board created by section 142-2-2 shall be  
9 under the supervision and control of the division of registra-  
10 tions of the department of ~~state~~ REGULATORY AGENCIES as cre-  
11 ated by section ~~3-10-2 (3)~~, 3-27-2, Colorado Revised Statutes  
12 1963, AS AMENDED.

13 State Board of Examiners of Landscape Architects

14 SECTION 119. Section 3 (8) of chapter 300, Session Laws  
15 of Colorado 1967, is amended to read:

16 Section 3. Board of examiners. (8) The secretary-treas-  
17 urer shall file a bond for the penal sum of one thousand dol-  
18 lars with the secretary of state, said bond to be APPROVED BY  
19 THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES  
20 AND accepted ~~and-approved~~ by the secretary of state before the  
21 secretary-treasurer shall enter upon the duties of his office.

TEXT

COMMENTS

Board of Mortuary Science

SECTION 120. Sections 3 (3) and 4 (1) of chapter 413,  
Session Laws of Colorado 1967, are amended to read:

Section 3. Definitions. (3) "Board of mortuary science"  
or "board" means the ~~subdivision-of~~ BOARD UNDER the division  
of ~~registration~~ REGISTRATIONS of the department of ~~state~~  
REGULATORY AGENCIES prescribed in section 4 of this act.

Section 4. Board of mortuary science. (1) There is  
hereby created ~~and-established~~ the board of mortuary science,  
hereinafter referred to as the "board", with the powers and  
duties herein provided. The board shall ~~constitute-a-sub-~~  
~~division-of~~ BE UNDER the division of registrations of the  
department of ~~state~~ REGULATORY AGENCIES and shall consist of  
seven members, including the executive director of the ~~state~~  
department of ~~public~~ health or his designated representative.  
Six members of the board shall be appointed by the governor  
with the consent of the senate. ~~Four~~ of the members so  
appointed shall have had at least five consecutive years of  
experience immediately preceding their appointment as licensed  
practitioners in mortuary science as defined in this act,

TEXT

COMMENTS

1 and no more than one of said four licensed practitioners shall  
2 be appointed from each congressional district. Two members  
3 of the board shall be persons who have been duly ordained or  
4 are otherwise officially designated or selected as clergymen  
5 of a church or other organization operated exclusively for  
6 religious purposes in accordance with the disciplines of such  
7 church or organization and who, at the time of their appoint-  
8 ment, are engaged as such clergymen on a full-time basis. The  
9 appointed members of the board shall hold office for a term  
10 of four years, or until their successors are appointed and  
11 qualify. Vacancies of appointed members of said board shall  
12 be filled by appointment by the governor for the unexpired  
13 portion of the term with the consent of the senate. Members  
14 of the board may be removed by the governor for incompetence  
15 or improper conduct.

16 State Board of Optometric Examiners

17 SECTION 121. 102-1-6 (1), Colorado Revised Statutes  
18 1963, is amended to read:

19 102-1-6. State board of optometric examiners. (1) The  
20 state board of optometric examiners, referred to in the

## TEXT

1 article as the board, in existence on the effective date of  
2 this article, is hereby continued as the agency of the state  
3 of Colorado to carry out the provisions of this article. The  
4 members of such board shall constitute the initial board under  
5 this article and the respective terms of such members shall  
6 expire on the date their respective terms would have expired  
7 under the prior law. The said board shall be under the super-  
8 vision and control of the division of ~~registration~~ REGISTRA-  
9 TIONS as provided by section 3-10-2, 3-27-2, C.R.S. 1963, AS  
10 AMENDED. Such board shall consist of five optometrists to  
11 be appointed by the governor for terms of five years, each  
12 of whom shall be a citizen of the United States and of the  
13 state of Colorado and who shall have been actually engaged  
14 in the practice of optometry as defined in section 102-1-4  
15 for the five years next preceding his appointment, and each  
16 of whom shall have received, prior to his appointment, a li-  
17 cense as provided in this article. Any three members of said  
18 board shall constitute a quorum for the purpose of holding  
19 examinations, granting licenses, or transacting any business  
20 connected with the board. Vacancies in the membership of

## COMMENTS

TEXT

COMMENTS

1 said board shall be filled by the governor for the remainder  
2 of the unexpired term.

3 State Board of Physical Therapy

4 SECTION 122. 91-6-24, Colorado Revised Statutes 1963,  
5 is amended to read:

6 91-6-24. Board under division of registrations. The  
7 state board of physical therapy created by section 91-6-2  
8 shall be under the supervision and control of the division of  
9 registrations of the department of ~~state~~ REGULATORY AGENCIES  
10 as created by section 3-10-2-~~(3)~~; 3-27-2, C.R.S. 1963, AS  
11 AMENDED.

12 State Board of Registration for Professional Engineers  
13 and Land Surveyors

14 SECTION 123. 51-1-6 (13) (g), Colorado Revised Statutes  
15 1963 (1965 Supp.), is amended to read:

16 51-1-6. Powers and duties of the board. (13) (g) The  
17 roster shall be filed with the ~~secretary-of-state~~ EXECUTIVE  
18 DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES and each  
19 county recorder during the month of May each year. The roster  
20 shall be mailed to each professional engineer and each engineer

## TEXT

## COMMENTS

1 in-training listed therein, and made available to the public  
2 on request.

### 3 Colorado State Board of Psychologist Examiners

4 SECTION 124. 108-1-17, Colorado Revised Statutes 1963,  
5 is amended to read:

6 108-1-17. Division of registrations to supervise. The  
7 board created by section 108-1-3 shall be under the super-  
8 vision and control of the division of registrations of the  
9 department of ~~state~~ REGULATORY AGENCIES as created by section  
10 ~~3-10-2-(3)~~; 3-27-2, C.R.S. 1963, AS AMENDED.

### 11 Real Estate Commission

12 SECTION 125. Article 1 of chapter 117, Colorado Revised  
13 Statutes 1963, as amended, is amended BY THE ADDITION OF A  
14 NEW SECTION to read:

15 117-1-20. Commission under division of registrations.  
16 Any provision of this article to the contrary notwithstanding,  
17 the real estate commission, created by section 117-1-3, shall  
18 be under the supervision and control of the division of regis-  
19 trations of the department of regulatory agencies, created  
20 by section 3-27-2, C.R.S. 1963, as amended, pursuant to the



TEXT

COMMENTS

1 transfer of said commission and said division from the depart-  
2 ment of state in the "Administrative Organization Act of 1968".

3 Division of Insurance

4 SECTION 126. 72-1-3 (1), Colorado Revised Statutes 1963,  
5 is amended to read:

6 72-1-3. Division of insurance. (1) There shall be  
7 established a ~~department-known-as-the-insurance-department-of~~  
8 ~~the-state-of-Colorado~~ DIVISION OF INSURANCE WITHIN THE DEPART-  
9 MENT OF REGULATORY AGENCIES. This ~~department~~ DIVISION shall  
10 be charged with the execution of the laws relating to insur-  
11 ance now and which may hereafter be enacted, and shall have a

Reflects transfer of insurance  
department to division of in-  
surance in the new department  
of regulatory agencies.

TEXT

COMMENTS

1 supervising authority over the business of insurance in this  
2 state. Offices of the ~~insurance-department~~ DIVISION OF INSUR-  
3 ANCE shall be provided in the capitol ~~building~~ BUILDINGS GROUP  
4 at Denver, Colorado. WHENEVER ANY LAW OF THIS STATE REFERS TO  
5 THE INSURANCE DEPARTMENT OF THE STATE OF COLORADO, SAID LAW  
6 SHALL BE CONSTRUED AS REFERRING TO THE DIVISION OF INSURANCE.

7 SECTION 127. 72-1-4 (1), Colorado Revised Statutes 1963,  
8 is amended to read:

9 72-1-4. Commissioner of insurance. (1) The ~~chief~~  
10 ~~executive-officer-shall-be-the~~ commissioner of insurance  
11 SHALL BE THE HEAD OF THE DIVISION OF INSURANCE. He shall be  
12 appointed by the ~~governor~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT  
13 OF REGULATORY AGENCIES pursuant to article XII, section 13,  
14 of the constitution of Colorado. He shall be a person well  
15 versed in insurance, and an elector of the state of Colorado,  
16 and shall have no pecuniary interest in any insurance company  
17 or agency directly or indirectly other than as a policyholder.

18 Division of Savings and Loan

19 SECTION 128. 122-5-1, Colorado Revised Statutes 1963,  
20 is amended to read:

Reflects change in appointment  
of commissioner, consistent  
with other division head appoint-  
ments.

## TEXT

1        122-5-1. Division of savings and loan created. There is  
2 hereby created a ~~savings-and-loan-department-of-the-state-of~~  
3 ~~Colorado~~ DIVISION OF SAVINGS AND LOAN WITHIN THE DEPARTMENT OF  
4 REGULATORY AGENCIES, which shall be administered by the state  
5 commissioner of savings and loan associations. ~~This-department~~  
6 ~~is-classified-in-the-division-of-commerce-of-the-executive-de-~~  
7 ~~partment-of-the-state.~~ WHENEVER ANY LAW OF THIS STATE REFERS  
8 TO THE SAVINGS AND LOAN DEPARTMENT OF THE STATE OF COLORADO,  
9 SAID LAW SHALL BE CONSTRUED AS REFERRING TO THE DIVISION OF  
10 SAVINGS AND LOAN.

11        SECTION 129. 122-5-2 (1), Colorado Revised Statutes 1963,  
12 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

13        122-5-2. Commissioner - duties - employees. (1) The  
14 head of the division of savings and loan shall be the state  
15 commissioner of savings and loan associations, hereinafter re-  
16 ferred to as the "commissioner". The commissioner shall not  
17 be interested directly or indirectly, either as a shareholder,  
18 stockholder, officer, employee, or borrower in any savings  
19 and loan association. He shall be an accountant, and shall  
20 have had at least five years practical experience in the

## COMMENTS

SECTIONS 128 - 129 reflect transfer of savings and loan department to division of savings and loan in new department of regulatory agencies.

## TEXT

1 savings and loan business. The commissioner shall be appointed  
2 by the executive director of the department of regulatory  
3 agencies, pursuant to article XII, section 13, of the state  
4 constitution.

### Division of Banking

6 SECTION 130. 14-2-1 (1), Colorado Revised Statutes 1963,  
7 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

8 14-2-1. Division of banking - officers and personnel.

9 (1) There is hereby created a division of banking within the  
10 department of regulatory agencies. The division shall be  
11 charged with functions provided by law. Whenever any law of  
12 this state refers to the banking department, said law shall be  
13 construed as referring to the division of banking.

14 SECTION 131. 14-13-1, Colorado Revised Statutes 1963,  
15 is amended to read:

16 14-13-1. Bank commissioner - qualifications. Pursuant  
17 to section 13 of article XII of the constitution, the ~~governor~~  
18 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF REGULATORY AGENCIES  
19 shall appoint a state bank commissioner who SHALL BE THE HEAD  
20 OF THE DIVISION OF BANKING AND shall administer and enforce

## COMMENTS

SECTIONS 130 - 131 reflect  
transfer of banking department  
to the division of banking in  
new department of regulatory  
agencies.

## TEXT

1 the provisions of this chapter. Neither the state bank com-  
2 missioner nor any deputy state bank commissioner shall be  
3 interested directly or indirectly, except as a depositor, in  
4 any bank or industrial bank in Colorado, or in any other  
5 institution over which the state bank commissioner exercises  
6 any supervision.

### Division of Securities

8 SECTION 132. Article 1 of chapter 125, Colorado Revised  
9 Statutes 1963, as amended, is amended BY THE ADDITION OF A NEW  
10 SECTION 125-1-29 to read:

11 125-1-29. Division of securities - creation - powers and  
12 duties. There is hereby created a division of securities  
13 within the department of regulatory agencies, the head of  
14 which shall be the commissioner of securities, who shall be  
15 appointed by the executive director of the department of  
16 regulatory agencies, pursuant to the provisions of section 13  
17 of article XII of the state constitution. The division shall  
18 be responsible for the administration of the provisions of  
19 this chapter, and shall perform such other duties as are now  
20 or hereafter imposed upon it by law, except that the division

## COMMENTS

SECTIONS 132 - 134 create division of securities in department of regulatory agencies and repeal similar language in article on department of law, to reflect the transfer of securities division from the department of law to new department of regulatory agencies.

## TEXT

## COMMENTS

1 shall not have and shall not exercise any tax, license, or  
2 revenue functions whatsoever, all of which functions shall be  
3 performed by the department of revenue. Nothing in this sec-  
4 tion shall be construed to repeal, alter, or impair the right  
5 and duty of the division or of the commissioner of securities  
6 to fix and determine the amount of any tax or license fee or  
7 revenue due to the state under this chapter, or arising in  
8 connection with matters under the jurisdiction and control of  
9 the division, but when such tax, license fee, or revenue is so  
10 determined, the same shall be certified by the commissioner of  
11 securities to the department of revenue for collection.

12 SECTION 133. 125-1-12 (1), Colorado Revised Statutes  
13 1963, is amended to read:

14 125-1-12. Definitions. (1) "Securities commissioner"  
15 means the commissioner of securities. ~~appointed-by-the-attor-~~  
16 ~~ney-general;-as-provided-in-section-3-9-2;-C.R.S.-1963.~~

17 SECTION 134. Repeal. 3-9-2 (1) (c), Colorado Revised  
18 Statutes 1963, is repealed.

19 Division of Racing Events

20 SECTION 135. 129-2-2, Colorado Revised Statutes 1963, is

TEXT

COMMENTS

1 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

2       129-2-2. Commission created - appointment, qualifications,  
3 terms. The Colorado racing commission is hereby created, and it  
4 shall be the head of the division of racing events within the  
5 department of regulatory agencies. The commission shall consist  
6 of three commissioners, each of whom shall be a qualified elec-  
7 tor of the state of Colorado. On or before December 31, 1948,  
8 the governor shall appoint the three commissioners, one to  
9 serve for a term of two years to expire on the thirty-first  
10 day of December, 1950; one to serve for a term of four years  
11 to expire on the thirty-first day of December, 1952; and one  
12 to serve for a term of six years to expire on the thirty-first  
13 day of December, 1954. Upon the expiration of the term of  
14 any member, the governor shall appoint a successor for the  
15 full term of six years. Each member shall hold office until  
16 his successor is appointed and qualified. Vacancies in the  
17 office of any commissioner shall be filled by appointment  
18 to be made by the governor for the unexpired term. Any  
19 commissioner may be removed by the governor for cause after  
20 a public hearing.

Reflects transfer of racing  
commission to new department  
of regulatory agencies.

## TEXT

## COMMENTS

### DEPARTMENT OF AGRICULTURE

SECTION 136. 6-1-3, Colorado Revised Statutes 1963, is amended to read:

Reflects the change of name of the state department of agriculture to the department of agriculture by SECTION 23 of this bill.

6-1-3. Department of agriculture. There is hereby

~~created as an administrative department in the executive~~

~~branch of the state government~~; a state department of agri-

culture, hereinafter referred to as the "department". WHEN-

EVER ANY LAW OF THIS STATE REFERS TO THE STATE DEPARTMENT OF

AGRICULTURE, SAID LAW SHALL BE CONSTRUED AS REFERRING TO THE

DEPARTMENT OF AGRICULTURE.

SECTION 137. 6-1-5 (1) (a), Colorado Revised Statutes 1963 (1965 Supp.), and 6-1-5 (1) (b), Colorado Revised Statutes 1963, are REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

Changes the term of office of the members of the agricultural commission from four years to "at the pleasure of the governor".

6-1-5. State agricultural commission. (1) (a) There is hereby created the state agricultural commission, hereinafter referred to as the "commission", which shall consist of eight members, each of whom shall be appointed by the governor and shall serve at the pleasure of the governor until removed by the governor, or his successor is appointed and



## TEXT

## COMMENTS

1 qualified. Two of such members shall be appointed from each  
2 agricultural district, as defined in paragraph (c) of this  
3 subsection, and of said two members, one shall be appointed  
4 from each major political party. Effective July 1, 1968,  
5 the terms of office of the existing members of the state  
6 agricultural commission shall terminate, and prior thereto,  
7 the governor shall make appointments, effective July 1, 1968,  
8 of successor members of the commission in accordance with  
9 the provisions of this subsection (1), as amended.

10 (b) The members of said commission shall be appointed  
11 from persons actively engaged in the business of agriculture  
12 and allied activities, but a majority of the commission shall  
13 be appointed from persons actively engaged in the business  
14 of agriculture in a manner that representation of no agri-  
15 cultural commodity organization shall constitute a majority  
16 of the commission. A vacancy on the commission shall be  
17 filled by the governor by the appointment of a qualified  
18 person.

19 SECTION 138. 6-1-6 (1), Colorado Revised Statutes 1963,  
20 as amended, is amended BY THE ADDITION OF A NEW PARAGRAPH (p)

Clarifies the law that the commis-  
sion may exercise its prescribed  
statutory duties only as a unit.

## TEXT

1 to read:

2 6-1-6. Powers and duties of commission. (1) (p) The  
3 commission shall act only by resolution adopted at a duly  
4 called meeting of the commission, and no individual member of  
5 the commission shall exercise individually any administrative  
6 authority with respect to the department of agriculture.

7 DEPARTMENT OF NATURAL RESOURCES

8 SECTION 139. 3-15-1, Colorado Revised Statutes 1963,  
9 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

10 3-15-1. Department of natural resources. (1) There is  
11 hereby created the department of natural resources, the head  
12 of which is the executive director of the department of  
13 natural resources.

14 (2) Whenever any law of this state refers to the divi-  
15 sion of natural resources, said law shall be construed as  
16 referring to the department of natural resources, and when-  
17 ever any law of this state refers to the natural resources  
18 coordinator, said law shall be construed as referring to the  
19 executive director of the department of natural resources.

20 SECTION 140. 3-15-2, Colorado Revised Statutes 1963

## COMMENTS

Reflects the change of name of the  
division of natural resources to  
the department of natural resources  
by SECTION 24 of this bill.

## TEXT

## COMMENTS

1 (1965 Supp.), is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to  
2 read:

3 3-15-2. Executive director of the department of natural  
4 resources. (1) The commissioner of mines, who shall be  
5 appointed and acting pursuant to section 92-32-3, C.R.S. 1963,  
6 shall be the executive director of the department.

7 (2) The executive director shall require of the head of  
8 each subordinate agency, now or hereafter assigned to the  
9 department of natural resources, an annual report containing  
10 such information and submitted at such time as the executive  
11 director shall decide. The executive director shall prepare  
12 and transmit annually, in the form and manner prescribed by  
13 the controller pursuant to the provisions of section 3-3-17,  
14 C.R.S. 1963, as amended, a report accounting to the governor  
15 and the general assembly for the efficient discharge of all  
16 responsibilities assigned by law or directive to the depart-  
17 ment or to any division thereof.

18 (3) The executive director shall exercise control over  
19 publications of the department and division thereof. He  
20 shall cause such publications as are approved for circulation

Reflects the designation of the commissioner of mines as the executive director of the department of natural resources and deletes the references to his salary.

## TEXT

1 in quantity outside the executive branch to be issued in  
2 accordance with fiscal rules promulgated by the controller  
3 pursuant to the provisions of section 3-3-17, C.R.S. 1963,  
4 as amended.

5 (4) The executive director may request from the board  
6 of agriculture such information and statistics concerning  
7 forests and forestry in the state, <sup>other</sup> and reports at such times  
8 and on such matters as the executive director may require.

9 SECTION 141. 3-15-3, Colorado Revised Statutes 1963,  
10 is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

11 3-15-3. Policy. The state policy shall be to encourage,  
12 by every appropriate means, the full development of the state's  
13 natural resources to the benefit of all of the citizens of  
14 Colorado, and shall include, but not be limited to, creation  
15 of a resource management plan to integrate the state's ef-  
16 forts to implement and encourage full utilization of each of  
17 the natural resources consistent with realistic conserva-  
18 tion principles. The governor, through the executive direc-  
19 tor of the department of natural resources, shall develop  
20 and direct the resource management plan and shall be

## COMMENTS

Correlative law to section 112-7-14  
(1) (e) and (g), C.R.S. 1963, as  
amended. (SECTION 40 of this bill.)

Deletes subsections (2) and (3)  
of section 3-15-3, C.R.S. 1963,  
which are superseded by SECTIONS 4,  
7, and 8 of this bill.

## TEXT

## COMMENTS

1 responsible for negotiations with the federal government in  
2 all resource and conservation matters.

3 SECTION 142. 3-15-4, Colorado Revised Statutes 1963, as  
4 amended by section 13 of chapter 335 and section 2 of chapter  
5 385, Session Laws of Colorado 1967, is REPEALED AND RE-ENACTED,  
6 WITH AMENDMENTS, to read:

7 3-15-4. Divisions under the department. (1) (a) The  
8 department of natural resources shall consist of the follow-  
9 ing divisions:

10 (b) The Colorado water conservation board;

11 (c) The state soil conservation board;

12 (d) The state board of land commissioners, subject to  
13 the provisions of sections 9 and 10 of article IX of the  
14 state constitution;

15 (e) (i) The division of mines, the head of which shall  
16 be the commissioner of mines. The division shall consist of  
17 the following sections:

18 (ii) The bureau of mines of the state of Colorado and  
19 the office of commissioner of mines;

20 (iii) The chief inspector of coal mines, the district

Reflects the organization of the  
department of natural resources by  
SECTION 24 of this bill.

## TEXT

## COMMENTS

1 directors of coal mines, and the board of examiners;  
2 (iv) The mining industrial development board fund and  
3 the board of directors thereof;  
4 (f) (i) The division of water resources, the head of  
5 which shall be the state engineer. The division shall consist  
6 of the following sections:  
7 (ii) The office of the state engineer;  
8 (iii) The irrigation division engineers;  
9 (iv) The water commissioners;  
10 (v) The ground water commission;  
11 (vi) The state board of examiners of water well and  
12 pump installation contractors;  
13 (vii) The irrigation district commission.  
14 (g) The oil and gas conservation commission of the  
15 state of Colorado;  
16 (h) The Colorado geological survey and the office of  
17 the state geologist;  
18 (i) The division of game, fish, and parks, and the game,  
19 fish, and parks commission.  
20

## TEXT

### Division of Water Resources

SECTION 143. Section 3 (1) of chapter 335, Session Laws of Colorado 1967, is amended to read:

Section 3. State board of examiners of water well and pump installation contractors. (1) There is hereby created, under the division of water resources in the ~~executive~~ department of ~~the state government~~; NATURAL RESOURCES, a state board of examiners of water well and pump installation contractors, of five members, comprised of the following persons: The state engineer or a representative designated by him; a representative of the ~~state~~ department of ~~public~~ health designated by the executive director of the department; and three members appointed by the governor, two of whom shall be water well contractors, each with a minimum of ten years' experience in the water well contracting business preceding his appointment; and one of whom shall be an engineer or geologist with a minimum of ten years' experience in water supply and water well construction preceding his appointment.

SECTION 144. 150-2-16 (1), Colorado Revised Statutes 1963, is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

## COMMENTS

Reflects the transfer of the state board of water well and pump installation contractors to the department of natural resources as a section of the division of water resources by SECTION 24 (4) (e) of this bill.

## TEXT

1       150-2-16. Irrigation district commission created. (1)  
2       There is hereby created "the irrigation district commission",  
3       which shall consist of the state engineer, the attorney gen-  
4       eral, and the state bank commissioner, which commission shall  
5       be a section of the division of water resources in the depart-  
6       ment of natural resources. Said division of water resources  
7       shall render such administrative and technical assistance as  
8       the commission may require to conduct its business.

### Division of Mines

10       SECTION 145. 92-2-1, Colorado Revised Statutes 1963, is  
11       amended to read:

12       92-2-1. Inspector and district inspectors. There shall  
13       be appointed as provided in sections 92-2-10, 92-2-13, and  
14       92-2-14, a chief inspector of coal mines, and not more than  
15       six district inspectors. District inspectors shall perform  
16       such duties as assigned by the chief inspector under the law.  
17       THE OFFICES OF THE CHIEF INSPECTOR AND THE SEVERAL DISTRICT  
18       INSPECTORS, AND THE BOARD OF EXAMINERS CREATED BY SECTION  
19       92-2-2, SHALL COMPRISE A PART OF THE DIVISION OF MINES  
20       IN THE DEPARTMENT OF NATURAL RESOURCES.

## COMMENTS

Reflects the transfer of the irrigation district commission to the department of natural resources as a section of the division of water resources by SECTION 24 (4) (f) of this bill.

Reflects the transfer of the chief inspector of coal mines and district inspectors to the department of natural resources as a section of the division of mines by SECTION 24 (3) (f) (iii) of this bill.



## TEXT

1 SECTION 146. 92-32-1, Colorado Revised Statutes 1963, is  
2 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

3 92-32-1. Bureau of mines created. There is hereby  
4 created a part of the division of mines in the department  
5 of natural resources to be known as the "bureau of mines of  
6 the state of Colorado", the principal office of which shall  
7 be maintained at the state capital.

8 Oil and Gas Conservation Commission  
9 of the State of Colorado

10 SECTION 147. 100-6-2 (1) (a), Colorado Revised Statutes  
11 1963 (1965 Supp.), is amended to read:

12 100-6-2. Conservation commission - report - publication.

13 (1) (a) There is hereby created in the ~~division~~ DEPARTMENT  
14 of natural resources, the oil and gas conservation commission  
15 of the state of Colorado. ~~as-successor-to-the-gas-conserva-~~  
16 ~~tion-commission-as-constituted-prior-to-the-enactment-of-this~~  
17 ~~amended-article.~~

18 Colorado Geological Survey

19 SECTION 148. 64-1-1, Colorado Revised Statutes 1963, as  
20 amended by section 1 of chapter 385, Session Laws of Colorado

## COMMENTS

Reflects the transfer of the bureau of mines to the department of natural resources as a part of the division of mines by SECTION 34 (3) (f) (ii) of this bill.

Reflects the transfer of the oil and gas commission to the department of natural resources by SECTION 24 (3) (g) of this bill.

Reflects the transfer of the Colorado geological survey to the department of natural resources by SECTION 24 (3) (h) of this bill.

## TEXT

1 1967, is amended to read:

2 64-1-1. Geological survey created - purpose. There is  
3 hereby established the Colorado geological survey, which shall  
4 be a division under the ~~coordinator~~ DEPARTMENT of natural re-  
5 sources. The purpose of the survey shall be to coordinate and  
6 encourage by use of appropriate means the full development of  
7 the state's natural resources, as the same are related to the  
8 geological processes that affect realistic development of  
9 human and mineral utilization and conservation practices and  
10 needs in the state of Colorado, all of which are designed to  
11 result in an ultimate benefit to the citizens of the state.

### 12 Division of Game, Fish, and Parks

13 SECTION 149. 62-2-1, Colorado Revised Statutes 1963, as  
14 amended by section 1 of chapter 39, Session Laws of Colorado  
15 1967, is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

16 62-2-1. Game, fish, and parks commission. (1) (a) The  
17 game, fish, and parks division of the department of natural  
18 resources shall be under the jurisdiction of a commission to  
19 be known as the game, fish, and parks commission, hereinafter  
20 referred to as the "commission". The commission shall consist

## COMMENTS

Changes the term of office of the members of the game, fish, and parks commission from four-year terms to terms "at the pleasure of the governor".

## TEXT

## COMMENTS

1 of eleven members, one of whom shall be the executive direc-  
2 tor of the department of natural resources as an ex officio  
3 member thereof, eight members who shall be chosen from the  
4 districts provided for in this section, and two members who  
5 shall be chosen from the state at large. The members of the  
6 game, fish, and parks commission shall be appointed by the  
7 governor; each member shall serve at the pleasure of the gov-  
8 ernor until removed by the governor, or his successor is  
9 appointed and qualified. For the purposes of this chapter,  
10 the state of Colorado is divided into eight game, fish, and  
11 parks districts, to be numbered from one to eight.

12 (b) District no. 1 shall comprise the following counties:  
13 Denver, Jefferson, Gilpin, Clear Creek, Douglas, Park, Lake,  
14 Chaffee, and Teller.

15 (c) District no. 2 shall comprise the following counties:  
16 Larimer, Boulder, Weld, Morgan, Logan, Sedgwick, and Phillips.

17 (d) District no. 3 shall comprise the following counties:  
18 Adams, Arapahoe, Washington, Yuma, Elbert, Lincoln, Kit Car-  
19 son, El Paso, and Cheyenne.

20 (e) District no. 4 shall comprise the following counties:

TEXT

COMMENTS

1 Pueblo, Crowley, Kiowa, Otero, Bent, Prowers, Huerfano, Las  
2 Animas, and Baca.

3 (f) District no. 5 shall comprise the following counties:  
4 Fremont, Custer, Saguache, Mineral, Rio Grande, Alamosa, Cone-  
5 jos, and Costilla.

6 (g) District no. 6 shall comprise the following counties:  
7 San Miguel, Dolores, Ouray, Hinsdale, San Juan, Montezuma, La  
8 Plata, and Archuleta.

9 (h) District no. 7 shall comprise the following counties:  
10 Eagle, Mesa, Delta, Pitkin, Gunnison, and Montrose.

11 (i) District no. 8 shall comprise the following counties:  
12 Moffat, Routt, Jackson, Rio Blanco, Grand, Summit, and Gar-  
13 field.

14 (2) (a) Of the eight appointed district members of the  
15 commission, not more than four shall be of the same political  
16 party. Each district provided for in this section shall be  
17 represented by a member of the commission, who shall, at the  
18 time of his appointment and at all times during his appoint-  
19 ment, be a bona fide resident of the district for which he  
20 is appointed. No person shall be appointed a district member

## TEXT

## COMMENTS

1 of the commission unless he shall be well informed on the sub-  
2 jects of wildlife conservation and restoration, and outdoor  
3 recreation.

4 (b) At least one member of the commission shall be a  
5 landowner who is actively engaged in the business of raising  
6 livestock in the district from which he is appointed.

7 (c) No person shall be appointed a member from the  
8 state at large unless he shall be well informed on the sub-  
9 jects of parks and outdoor recreation. Of the members ap-  
10 pointed from the state at large, not more than one shall be  
11 affiliated with the same political party.

12 (3) The terms of office of present members of the game,  
13 fish, and parks commission shall expire July 1, 1968, and  
14 prior thereto the governor shall make appointments to the  
15 game, fish, and parks commission, such appointments to be  
16 effective July 1, 1968.

17 (4) The members of the commission shall receive no com-  
18 pensation for their services as members thereof, except that  
19 each commissioner shall be entitled to reimbursement for  
20 actual and necessary traveling and other expenses and

## TEXT

## COMMENTS

1 disbursements incurred or made by him in the discharge of  
2 his official duties, to be paid from the game cash fund.

3 (5) A majority of the commission shall constitute a  
4 quorum for the transaction of any business or the performance  
5 of any duty, or for the exercise of any power.

6 (6) The commission shall have its principal office in  
7 the office provided for the game, fish, and parks division.

8 . SECTION 150. 62-2-4, Colorado Revised Statutes 1963  
9 (1965 Supp.), is REPEALED AND RE-ENACTED, WITH AMENDMENTS,  
10 to read:

11 62-2-4. Organization of division - publications - reports.

12 (1) The commission may, with the consent of the executive  
13 director of the department of natural resources, create such  
14 sections under the division of game, fish, and parks, and may  
15 authorize the director to employ such experts and other em-  
16 ployees as the commission and executive director may deem  
17 necessary for the conduct of the work of the game, fish, and  
18 parks division subject to the provisions of article XII, sec-  
19 tion 13, of the state constitution. The compensation of such  
20 employees shall be paid out of the game cash fund.

Reflects the change in the law on the internal organization of departments and the appointment of subordinate officers and employees by SECTIONS 7 and 8 of this bill and the change in the name of the game, fish, and parks department to the game, fish, and parks division.

TEXT

COMMENTS

1       (2) The commission shall authorize such scientific and  
2 other studies as may be deemed necessary to its work, and  
3 shall collect and classify and disseminate such statistics,  
4 data, and information as in its discretion will tend to pro-  
5 mote the objects of this chapter.

6       (3) The commission shall report to the executive direc-  
7 tor of the department of natural resources at such times and  
8 on such matters as the executive director may require. Pub-  
9 lications of the commission circulated in quantity outside  
10 the division shall be subject to the approval and control of  
11 the executive director of the department of natural resources.

12       (4) Whenever any law of this state refers to the depart-  
13 ment of game, fish, and parks, said law shall be construed as  
14 referring to the division of game, fish, and parks.

15       DEPARTMENT OF STATE AND LOCAL GOVERNMENT SERVICES

16               Division of Local Government

17       SECTION 151. Section 3 of chapter 35, Session Laws of  
18 Colorado 1966, is amended to read:

19       Section 3. Division created. There is hereby created,  
20 as a division of the executive-department-as-set-forth-in

Reflects the transfer of the divi-  
sion of local government to the  
department of state and local govern-  
ment services by SECTION 25 (2) (b)  
of this bill.

EDI

COMMENTS

1 ~~section-3-2-1;-6-R-S--1963~~; DEPARTMENT OF STATE AND LOCAL GOV-  
2 ERNMENT SERVICES, the division of local government. The divi-  
3 sion shall be in charge of a director who shall be appointed  
4 by the ~~governor~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT. The  
5 director, and any assistants and employees of the division,  
6 shall be appointed pursuant to article XII, section 13, of  
7 the state constitution.

8 SECTION 152. Section 6 (1) (a) of chapter 35, Session  
9 Laws of Colorado 1966, is amended to read:

10 Section 6. Powers of the director. (1) (a) In order  
11 to perform the functions and duties of the division expressly  
12 set forth in this act, the director, acting under the author-  
13 ity of the ~~governor~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
14 STATE AND LOCAL GOVERNMENT SERVICES, shall have the following  
15 powers:

16 Division of Commerce and Development

17 SECTION 153. 3-18-1, Colorado Revised Statutes 1963, is  
18 amended to read:

19 3-18-1. Creation of division - director - assistants.

20 There is hereby created a division, ~~in-the-executive-department~~

Reflects the transfer of the divi-  
sion of commerce and development  
to department of state and local  
government services by SECTION 25  
(2) (d) of this bill.



## TEXT

## COMMENTS

1 IN THE DEPARTMENT OF STATE AND LOCAL GOVERNMENT SERVICES, ~~of~~  
2 ~~the-state-government~~; to be known as the division of commerce  
3 and development, hereinafter referred to as the "division".  
4 The division shall be in charge of a director, who shall be  
5 appointed by the ~~governor~~ EXECUTIVE DIRECTOR OF THE DEPART-  
6 MENT. The EXECUTIVE director OF THE DEPARTMENT shall ALSO  
7 appoint such assistants and clerical employees as may be  
8 deemed necessary to effectively administer this article. The  
9 director and such assistants and employees shall be appointed  
10 pursuant to article XII, section 13 of the state constitution.

### Colorado Bureau of Investigation

12 SECTION 154. Section 1 of chapter 239, Session Laws of  
13 Colorado 1967, is amended to read:

14 Section 1. Colorado bureau of investigation. There is  
15 hereby created an agency of state government which shall be  
16 known as the Colorado bureau of investigation, herein called  
17 the bureau, and which is placed under the ~~office-of-the-attor-~~  
18 ~~ney-general~~ DEPARTMENT OF STATE AND LOCAL GOVERNMENT SERVICES  
19 of the state of Colorado AS A DIVISION THEREOF.

20 SECTION 155. Section 2 of chapter 239, Session Laws of

Reflects the transfer of the Colo-  
rado bureau of investigation to  
the department of state and local  
government services by SECTION  
25 (2) (e) of this bill.

SECTIONS 155 through 160 reflect the  
substitution of the executive direc-  
tor of the department of state and  
local government services for the  
attorney general as appointing head  
pursuant to provisions of SECTION 8

## TEXT

1 Colorado 1967, is amended to read:

2       Section 2. Director - appointment. Subject to the pro-  
3 visions of article XII, section 13, of the constitution of  
4 the state of Colorado, the ~~attorney-general~~ EXECUTIVE DIREC-  
5 TOR OF THE DEPARTMENT OF STATE AND LOCAL GOVERNMENT SERVICES  
6 shall appoint a director of the bureau.

7       SECTION 156. Section 3 of chapter 239, Session Laws of  
8 Colorado 1967, is amended to read:

9       Section 3. Qualifications. The director shall be exper-  
10 ienced in scientific methods for the detection of crime and  
11 in the enforcement of law and order. The director shall pos-  
12 sess such other qualifications as may be specified by the  
13 civil service commission after consultation with the ~~attorney~~  
14 ~~general~~ EXECUTIVE DIRECTOR OF THE DEPARTMENT OF STATE AND  
15 LOCAL GOVERNMENT SERVICES.

16       SECTION 157. Section 4 of chapter 239, Session Laws of  
17 Colorado 1967, is amended to read:

18       Section 4. Duties of the director. The director shall  
19 be the chief administrative officer of the bureau and shall  
20 also be an agent. He shall supervise and direct the adminis-

## COMMENTS

of this bill, and reflect the transfer of the C.B.I. to the department of state and local government services by SECTION 25 (2) (e) of this bill.

1 tration and all other activities of the bureau. The director  
2 shall ~~subject-to-the-written-approval-of-the-attorney-general~~;  
3 prescribe rules and regulations, not inconsistent with law,  
4 for the operation of the bureau and the conduct of its per-  
5 sonnel and the distribution and performance of their duties.

6 SECTION 158. Section 5 of chapter 239, Session Laws of  
7 Colorado 1967, is amended to read:

8 Section 5. Deputy director - appointment. Subject to  
9 the provisions of article XII, section 13, of the constitution  
10 of the state of Colorado, ~~and-subject-to-the-approval-of-the~~  
11 ~~attorney-general~~ the EXECUTIVE director OF THE DEPARTMENT OF  
12 STATE AND LOCAL GOVERNMENT SERVICES may appoint a deputy  
13 director, whose qualifications shall be those for an agent.

14 SECTION 159. Section 7 of chapter 239, Session Laws of  
15 Colorado 1967, is amended to read:

16 Section 7. Bureau personnel - appointment. Subject to  
17 the provisions of article XII, section 13, of the constitu-  
18 tion of the state of Colorado, ~~and-subject-to-the-approval-of~~  
19 ~~the-attorney-general~~ the EXECUTIVE director OF THE DEPARTMENT  
20 OF STATE AND LOCAL GOVERNMENT SERVICES shall appoint agents

## TEXT

1 and other employees necessary to conduct an efficient bureau.

2 SECTION 160. Section 8 of chapter 239, Session Laws of  
3 Colorado 1967, is amended to read:

4 Section 8. Agents - qualifications. The EXECUTIVE direc-  
5 tor OF THE DEPARTMENT OF STATE AND LOCAL GOVERNMENT SERVICES  
6 shall appoint persons of honesty, integrity, and outstanding  
7 ability as agents. Minimum qualifications of an agent shall  
8 be an age of twenty-six years, with at least five years' ex-  
9 perience in law enforcement and the detection and investiga-  
10 tion of criminal activities. Agents shall possess such other  
11 qualifications as may be specified by the state civil service  
12 commission after consultation with the EXECUTIVE director  
13 ~~and the attorney-general~~ OF THE DEPARTMENT OF STATE AND LOCAL  
14 GOVERNMENT SERVICES.

### STATE DEPARTMENT OF HIGHWAYS

16 SECTION 161. 120-2-3 (4), Colorado Revised Statutes  
17 1963, is REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

18 120-2-3. State highway commission. (4) Each member  
19 of the state highway commission shall be appointed by the  
20 governor and shall serve at the pleasure of the governor

## COMMENTS

SECTIONS 161 and 164 change the terms of the members of the state highway commission from four-year terms to serving "at the pleasure of the governor".

## TEXT

## COMMENTS

1 until removed by the governor, or his successor is appointed  
2 and qualified. Effective July 1, 1968, the terms of office  
3 of the existing members of the state highway commission shall  
4 terminate, and prior thereto, the governor shall make appoint-  
5 ments, effective July 1, 1968, of successor members of the  
6 commission in accordance with the provisions of this section,  
7 as amended.

8 SECTION 162. 120-2-10, Colorado Revised Statutes 1963,  
9 is amended to read:

10 120-2-10. Terminology. Whenever in any law relating to  
11 public highways reference is made to the state highway depart-  
12 ment, the highway advisory board, or the state highway en-  
13 gineer, such terms shall respectively be deemed to refer to  
14 the ~~department~~ DIVISION of highways, the state highway com-  
15 mission, and the chief engineer, as established by this  
16 article.

17 SECTION 163. 120-2-5, Colorado Revised Statutes 1963,  
18 is amended BY THE ADDITION OF A NEW SUBSECTION (3) to read:

19 120-2-5. Powers and duties of the commission. (3) The  
20 commission shall act only by resolution adopted at a duly

Reflects the change of names of the state highway department, the highway advisory board and the state highway engineer to the division of highways, state highway commission and chief engineer, respectively.

Clarifies the law that the state highway commission may only exercise its prescribed statutory powers, duties, and functions as a unit.

## TEXT

1 called meeting of the commission, and no individual member of  
2 the commission shall exercise individually any administrative  
3 authority with respect to the state department of highways.

4 SECTION 164. Repeal. 120-2-3 (5), Colorado Revised  
5 Statutes 1963, is repealed.

### 6 Division of Highways

7 SECTION 165. 120-2-2 (1), Colorado Revised Statutes 1963,  
8 is amended to read:

9 120-2-2. Division of highways. (1) There is hereby  
10 created ~~as-an-administrative-department-in-the-executive~~  
11 ~~branch-of-the-state-government;~~ a DIVISION OF HIGHWAYS WITHIN  
12 THE STATE department of highways, hereinafter referred to as  
13 the department;~~-which-shall-consist-of-a-state-highway-commis-~~  
14 ~~sion-and-a~~ "DIVISION", THE HEAD OF WHICH SHALL BE THE chief  
15 engineer, with such ~~divisiens;-subdivisiens;-and~~ sections  
16 AND UNITS as may be created by law or as may be established  
17 by administrative action, together with all other officers  
18 and employees of the ~~department~~ DIVISION. WHENEVER ANY LAW  
19 OF THIS STATE REFERS TO THE DEPARTMENT OF HIGHWAYS, SAID LAW  
20 SHALL BE CONSTRUED AS REFERRING TO THE DIVISION OF HIGHWAYS.

## COMMENTS

Reflects the change of name of the state highway department to division of highways and its transfer to state department of highways as a division by SECTION 26 (3) (b) of this bill.

## TEXT

### State Patrol Division

SECTION 166. 120-10-1, Colorado Revised Statutes 1963, is amended to read:

120-10-1. Colorado state patrol created. There is hereby created a ~~department-of-the-state-government~~ DIVISION OF THE STATE DEPARTMENT OF HIGHWAYS which shall be known and designated as "the Colorado state patrol" and shall consist of a chief as its executive head and of such officers and employees as may be appointed under the provisions of this article. The policies and procedures of the Colorado state patrol shall be approved by the ~~Colorado-state-patrol-board~~ STATE HIGHWAY COMMISSION. WHENEVER ANY LAW OF THIS STATE REFERS TO THE COLORADO STATE PATROL BOARD, SAID LAW SHALL BE CONSTRUED AS REFERRING TO THE STATE HIGHWAY COMMISSION.

SECTION 167. Repeal. 120-10-2 (1), 120-10-3, and 120-10-4, Colorado Revised Statutes 1963, are repealed.

### Highway Safety Council

SECTION 168. 3-5-1, Colorado Revised Statutes 1963, is amended to read:

3-5-1. Council established. There is hereby established,

## COMMENTS

SECTIONS 166 and 167 reflect the transfer of the Colorado state patrol to the state department of highways and the abolition of the Colorado state patrol board and the transfer of its powers, duties, and functions to the state highway commission by SECTION 26 (3) (c) and (4) of this bill.

Reflects the transfer of the highway safety council to the state department of highways as a section of the division of highways by SECTION 26 (5) of this bill.

## TEXT

## COMMENTS

1 ~~as-a-division-of-the-executive-department;-as-established-by~~  
2 ~~section-3-2-1~~ IN THE DIVISION OF HIGHWAYS OF THE STATE DEPART-  
3 MENT OF HIGHWAYS, the Colorado highway safety council, here-  
4 inafter referred to as the "council".

### DEPARTMENT OF MILITARY AFFAIRS

6 SECTION 169. 94-1-6 (1), Colorado Revised Statutes 1963,  
7 is amended to read:

8 94-1-6. Powers and duties of adjutant general. (1) The  
9 adjutant general shall be the chief of staff to the commander  
10 in chief and the administrative head of the ~~military~~ depart-  
11 ment OF MILITARY AFFAIRS. WHENEVER ANY LAW OF THIS STATE  
12 REFERS TO THE MILITARY DEPARTMENT, SAID LAW SHALL BE CONSTRUED  
13 AS REFERRING TO THE DEPARTMENT OF MILITARY AFFAIRS.

### Colorado Division of Civil Air Patrol

15 SECTION 170. 5-2-1, Colorado Revised Statutes 1963 (1965  
16 Supp.), is amended to read:

17 5-2-1. Colorado division of civil air patrol - report -  
18 publication. (1) There is hereby created and established  
19 WITHIN THE DEPARTMENT OF MILITARY AFFAIRS, the Colorado ~~depart-~~  
20 ~~ment~~ DIVISION of civil air patrol, the head of which shall

Reflects the change of name of  
the military department to the  
department of military affairs.

Reflects the change of name of  
the Colorado department of civil  
air patrol to the Colorado divi-  
sion of civil air patrol.



TEXT

COMMENTS

1 be the duly appointed commanding officer of the civil air  
2 patrol, Colorado wing. Warrants shall be drawn against appro-  
3 priations made for the ~~department~~ DIVISION upon vouchers  
4 issued and signed by the commanding officer of said civil air  
5 patrol, Colorado wing.

6 (2) The commanding officer of the civil air patrol,  
7 Colorado wing, being head of the ~~state-department~~ COLORADO  
8 DIVISION of civil air patrol, shall prepare and transmit  
9 annually, in the form and manner prescribed by the controller  
10 pursuant to the provisions of section 3-3-17, C.R.S. 1963, a  
11 report accounting to the governor and the general assembly  
12 for the efficient discharge of all responsibilities assigned  
13 by law or directive to the ~~state-department~~ COLORADO DIVISION  
14 of civil air patrol.

15 (3) Publications of the ~~department~~ DIVISION circulated  
16 in quantity outside the executive branch to be paid for in  
17 whole or in part out of state appropriated funds, shall be  
18 issued in accordance with fiscal rules promulgated by the  
19 controller pursuant to the provisions of section 3-3-17,  
20 C.R.S. 1963.

## TEXT

## COMMENTS

### Division of Civil Defense

SECTION 171. 24-1-4 (1), Colorado Revised Statutes 1963 (1965 Supp.), is amended to read:

24-1-4. Civil defense agency. (1) There is hereby created within the ~~executive~~ department OF MILITARY AFFAIRS ~~of the state government~~ a division of civil defense, hereinafter called the "civil defense agency", and a director, hereinafter called the "director", who shall be the adjutant general of the state, and who shall be the head thereof.

### ADMINISTRATIVE CODE OF 1941

SECTION 172. 3-1-4 (1), (2), and (3), Colorado Revised Statutes 1963, are amended to read:

3-1-4. Appointment of officers, assistants, and employees.

(1) Except as otherwise provided by law such officers, assistants, and employees as may be necessary in each PRINCIPAL department shall be appointed by the ~~chief-executive-officer~~ HEAD of EACH such department in conformity with article XII, section 13, of the constitution of the state, and the laws enacted in accordance therewith. Before any such appointment shall be ~~and-become~~ effective, the ~~chief-executive-officer~~

Reflects the transfer of the division of civil defense to the department of military affairs by SECTION 27 (3) (d) of this bill.

Reflects the provisions of SECTION 8 of this bill that the heads of the principal departments shall appoint all subordinate officers and employees and in accordance with section 3-1-4, C.R.S. 1963.

TEXT

COMMENTS

1 HEAD OF THE PRINCIPAL DEPARTMENT making the appointment shall  
2 make and sign a certificate stating the position to be thus  
3 filled by appointment and the necessity for each such appoint-  
4 ment, which certificate shall be delivered to the governor,  
5 who within ten days thereafter shall approve or disapprove  
6 the same in writing. It shall not be necessary for ~~any-chief~~  
7 ~~executive-officer~~ THE HEAD of any such department to reveal  
8 the name or party affiliation in such certificate of any  
9 appointee, the approval or disapproval of the governor being  
10 limited expressly to the necessity for such appointment in  
11 the public service. In the event such appointment be dis-  
12 approved by the governor in writing within said ten day per-  
13 iod, such disapproval shall be final. The failure of the  
14 governor to approve or disapprove any such appointment with-  
15 in said period shall be deemed a disapproval thereof and  
16 shall be in all respects as final as if ~~disapproval~~ DIS-  
17 APPROVED in writing.

18 (2) Thirty days prior to the commencement of each fis-  
19 cal year, ~~or-December-first-of-each-year-if-the-ealendar~~  
20 ~~year-is-the-fiscal-year~~; the head of each PRINCIPAL department

TEXT

COMMENTS

1 ~~board;-bureau-or-agency-of-the-state-government~~ shall certify  
2 to the governor the number of employees needed or required  
3 for the operation of his department ~~board;-bureau-or-agency~~  
4 for the ensuing twelve months period. The governor within  
5 said thirty day period in his discretion shall approve or  
6 disapprove said certified list, and if he shall disapprove  
7 the same shall certify in writing the number of employees  
8 deemed by him to be necessary or advisable for the efficient  
9 operation of the department ~~board;-bureau-or-agency~~; and no  
10 employees in excess of the number so certified by the gover-  
11 nor shall be appointed or so employed.

12 (3) If, after appointments have been made to any PRIN-  
13 CIPAL department ~~or-position~~, the governor shall be of the  
14 opinion that the appointed personnel of any such department  
15 ~~board;-bureau-or-agency-of-the-state-government~~ is in excess  
16 of its needs, the governor may require the dismissal of any  
17 of said appointees, ~~provided-that~~ IF ten days prior notice  
18 of the proposed action be given by the governor to the head  
19 of any such department ~~board;-bureau-or-agency~~ affected and  
20 opportunity given to such head within said ten day period

## TEXT

## COMMENTS

1 to be heard as to the necessity for the retention of all or  
2 any of said appointees proposed to be dismissed. Any appoint-  
3 ees so dismissed shall be dismissed in the reverse order of  
4 their appointments. The decision of the governor after such  
5 hearing shall be final and conclusive.

6 SECTION 173. 3-1-5, Colorado Revised Statutes 1963, is  
7 REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

8 3-1-5. Compensation of heads of departments and other  
9 officers and employees. The heads of principal departments  
10 and other officers and employees, if exempt from the classi-  
11 fied civil service, shall receive such compensation as fixed  
12 by legislative enactment, or in the absence of such enact-  
13 ment, as fixed by the governor in the case of heads of prin-  
14 cipal departments, and as fixed by the head of the principal  
15 department, with the approval of the governor, in the case  
16 of officers and employees under the department. Such heads  
17 of principal departments and other officers and employees,  
18 if under the classified service, shall receive such compen-  
19 sation as fixed pursuant to the provisions of section 13 of  
20 article XII of the state constitution. In any case where a

Rewords section 3-1-5 to re-  
flect the changes in terminol-  
ogy by SECTIONS 1 through 36  
of this bill.

## TEXT

1 head of a principal department or other officer or employee  
2 receives compensation as fixed pursuant to law, such head or  
3 other officer or employee shall receive no compensation or  
4 fees in addition thereto, nor shall he receive compensation  
5 or fees from more than one department, institution, or agency,  
6 or in more than one capacity.

7 SECTION 174. 3-1-6, Colorado Revised Statutes 1963, is  
8 amended to read:

9 3-1-6. Bonds. ~~Each-chief-executive-officer~~ THE HEAD OF  
10 EACH PRINCIPAL DEPARTMENT or any subordinate officer OR EM-  
11 PLOYEE under the same who may be required to handle state  
12 funds, shall give bond executed by a responsible surety com-  
13 pany, authorized to do business within the state, in such sum  
14 as may be fixed by law, or in the absence of any such law,  
15 such as shall be fixed by the governor, and as shall be deemed  
16 by him to be adequate to safeguard the state funds. All such  
17 bonds shall be conditioned upon the faithful performance by  
18 such HEAD OF DEPARTMENT, officer, OR EMPLOYEE of his duties,  
19 and when approved by the governor shall be filed in the  
20 office of the secretary of state. The premiums on all such  
21 bonds shall be paid as an ordinary expense of the PRINCIPAL

## COMMENTS

SECTIONS 174 and 175 reflect the change in terminology by SECTIONS 1 through 36 of this bill.

## TEXT

1 department or ~~agency~~ THE DIVISION, SECTION, OR UNIT UNDER THE  
2 DEPARTMENT, to which such ~~officer-or~~ HEAD OF DEPARTMENT, of-  
3 ficers, OR EMPLOYEES are appointed, and due appropriation  
4 therefor shall be made by the legislature.

5 SECTION 175. 3-1-7, Colorado Revised Statutes 1963, is  
6 amended to read:

7 3-1-7. Rules and regulations. The ~~chief-executive-of-~~  
8 ~~fiere~~ HEAD of each PRINCIPAL department is hereby empowered,  
9 subject to the written approval of the governor, to prescribe  
10 rules and regulations, not inconsistent with law, for the  
11 government of his department, the conduct of its employees,  
12 the distribution and performance of its business, and the  
13 custody, use, and preservation of the records, papers, books,  
14 documents, and property pertaining thereto.

15 SECTION 176. Repeal. 3-1-1, 3-1-2 (1), 3-1-3, 3-2-1,  
16 3-2-8 and 3-2-9, articles 12 and 13 of chapter 3, 3-14-1  
17 through 3-14-4, and 56-1-3 (1) (j) and (k), Colorado Revised  
18 Statutes 1963, as amended, are repealed.

19 COORDINATOR OF STATE PLANNING

20 SECTION 177. Section 4 (1) of chapter 248, Session Laws

## COMMENTS

Repeals those sections superseded by SECTIONS 1 through 36 of this bill.

Changes the coordinator from a confidential employee of the governor to a member of staff of the governor.

## TEXT

## COMMENTS

1 of Colorado 1967, is amended to read:

2       Section 4. Coordinator of state planning. (1) There is  
3 hereby created within the office of the governor a coordinator  
4 of state planning. The coordinator of state planning shall be  
5 ~~one-of-the-confidential-employees-of-the-governor's-office-as~~  
6 ~~provided-by-section-13-of-article-XII-of-the-state-constitu-~~  
7 ~~tion.--He-shall-be~~ appointed by the governor AS A MEMBER OF  
8 THE STAFF OF THE EXECUTIVE OFFICE OF THE GOVERNOR, and his  
9 term of office shall be coterminous with the tenure of office  
10 of the governor making said appointment, but he may be removed  
11 at the pleasure of the governor. The coordinator shall be  
12 qualified by training or experience in planning and capital  
13 programming. The coordinator shall appoint the necessary  
14 clerical staff of his office in conformance with section 13  
15 of article XII of the state constitution.

### LEGISLATIVE DRAFTING OFFICE

16  
17       SECTION 178. Article 3 of chapter 63, Colorado Revised  
18 Statutes 1963, is REPEALED AND RE-ENACTED, WITH AMENDMENTS,  
19 to read:

20       63-3-1. Legislative declaration - office created. In

SECTION 178 abolishes the legis-  
lative reference office under the  
executive branch of the state  
government and creates a legis-  
lative drafting office under the  
legislative branch to perform  
the functions of the abolished  
legislative reference office.



## TEXT

## COMMENTS

1 order to provide a service to promote the careful considera-  
2 tion of bills before their presentation to the general assem-  
3 bly by making the best technical advice and information more  
4 readily available to legislators, the governor and others;  
5 and to improve the statement of laws by bringing about pro-  
6 fessional preparation and drafting of laws, a legislative  
7 drafting office, hereinafter referred to as the "office",  
8 is hereby established as a part of the legislative department  
9 of the state government.

10 63-3-2. Legislative drafting committee - creation. (1)  
11 There is hereby created a legislative drafting committee,  
12 hereinafter referred to as the "committee", which shall super-  
13 vise and direct the operation of the office. The membership  
14 of the committee shall consist of eight members of the general  
15 assembly, to wit: The president pro tempore of the senate,  
16 majority leader of the senate, minority leader of the senate,  
17 speaker of the house of representatives, majority leader of  
18 the house of representatives, minority leader of the house  
19 of representatives, one member from the minority party of  
20 the senate to be appointed by the president of the senate,

## TEXT

## COMMENTS

1 and one member from the minority party of the house of repre-  
2 sentatives to be appointed by the speaker of the house of  
3 representatives. Except for the members of the initial com-  
4 mittee, appointments of the two appointive members of the  
5 committee shall be made no later than ten days after the con-  
6 vening of the first regular session of the general assembly  
7 held in each odd-numbered year. Membership on the committee  
8 of each appointive member shall terminate with the appoint-  
9 ment of his successor or upon the termination of his term of  
10 office in the general assembly, whichever occurs first, and  
11 such member may be appointed to succeed himself on the com-  
12 mittee. Vacancies in the committee's membership shall be  
13 filled in the same manner as original appointments.

14 (2) The committee shall select a chairman and vice-  
15 chairman from among its membership. The committee may meet  
16 as often as may be necessary, but it shall meet at least  
17 twice in each calendar year.

18 (3) Members of the committee shall be reimbursed for  
19 necessary expenses in connection with the performance of  
20 their duties, and shall be paid the same per diem as other

TEXT

COMMENTS

1 members of interim committees in attendance at meetings.

2 63-3-3. Function of committee. (1) (a) It shall be  
3 the function of the committee:

4 (b) To appoint a director of the office who shall be an  
5 attorney at law, and who shall be responsible to the commit-  
6 tee for the administration of the office. The director,  
7 with the approval of the committee, may appoint such attor-  
8 neys at law, technical, and clerical personnel as may be nec-  
9 essary for the efficient operation of the office. The direc-  
10 tor and all employees of the office shall be appointed with-  
11 out regard to party affiliation, and solely on the basis of  
12 their ability to perform their duties. The committee shall  
13 fix the compensation of all personnel so employed.

14 (c) To continually review the operation and activities  
15 of the office; to coordinate the functions of the office  
16 with other legislative service agencies of the state; and  
17 to permit any member of the general assembly to attend any  
18 of the meetings of the committee and to present his views on  
19 any of the activities of the office.

20 63-3-4. Duties of office. (1) (a) The office shall:

## TEXT

## COMMENTS

1       (b) Upon the request of any member of the general assem-  
2 bly or the governor, draft or aid in drafting legislative  
3 bills, resolutions, memorials, amendments thereto, conference  
4 reports, and such other legislative documents and papers as  
5 may be required in the legislative process;

6       (c) Prepare a digest of laws enacted by the general  
7 assembly, and approved or vetoed by the governor, immediately  
8 upon the adjournment of any regular or special session;

9       (d) In interims between sessions of the general assem-  
10 bly, prepare drafts of proposed legislation for legislative  
11 interim committees appointed by the legislative council or  
12 otherwise;

13       (e) Prepare, at the request of any legislative commit-  
14 tee, summaries of existing laws affected by proposed legis-  
15 lation, compilations of laws in other states relating to the  
16 subject matter of such legislation, and statements on the  
17 operation and effect of such laws;

18       (f) Keep on file records concerning legislative bills  
19 and the proceedings of the general assembly with respect to  
20 such bills; subject indexes of bills introduced at each

## TEXT

## COMMENTS

1 session of the general assembly; files on each bill prepared  
2 for members of the general assembly and the governor; and such  
3 documents, pamphlets, or other literature relating to proposed  
4 or pending legislation, without undue duplication of material  
5 contained in the office of the legislative council or in the  
6 supreme court library. All such records and documents shall  
7 be made available in the office at reasonable times to the  
8 public for reference purposes, unless such records shall be  
9 classed as confidential under this article;

10 (g) Cooperate with legislative drafting offices or  
11 corresponding services of other states, and with other legis-  
12 lative drafting service agencies, either public or private.

13 63-3-5. Requests for drafting bills - confidential  
14 nature thereof - lobbying for bills. All requests made to  
15 the office for the drafting of bills shall be submitted,  
16 either in writing or orally, by the legislator, or the gov-  
17 ernor or his representative, making the request, with a gen-  
18 eral statement respecting the policies and purposes which the  
19 person making the request desires the bill to accomplish.  
20 The office shall draft each bill to conform to the purposes

## TEXT

## COMMENTS

1 so stated or to supplementary instructions of the person mak-  
2 ing the original request. Prior to the introduction of a  
3 bill in the general assembly, no employee of the office shall  
4 reveal to any person outside the office the contents or nature  
5 of such bill except with the consent of the person making the  
6 request, nor shall any employee of the office lobby, person-  
7 ally or in any other manner, directly or indirectly, for or  
8 against any pending legislation before the general assembly.

9       63-3-6. Use of supreme court library. The librarian  
10 of the supreme court library shall facilitate the work of  
11 the office by permitting the liberal withdrawal of materials  
12 and data therefrom, subject to such reasonable rules as may  
13 be necessary for the proper operation of the library.

14       63-3-7. Office space in capitol - office hours. (1)  
15 The office shall be provided with suitable office space in  
16 the state capitol, so situated as to be convenient for the  
17 members of the general assembly. Throughout the year, the  
18 office shall be kept open during the hours prevailing in  
19 other offices in the state capitol, and at such other times  
20 in order to efficiently serve the general assembly.

## TEXT

## COMMENTS

1       (2) Adequate appropriations shall be made to carry out  
2 the purposes of this article, to be included in the appro-  
3 priation to the legislative department. The state controller  
4 is authorized and directed to draw warrants monthly in payment  
5 of the salaries of personnel, and in payment of expenditures  
6 of the office, on vouchers signed by the chairman of the  
7 committee.

8       SECTION 179. Initial legislative drafting committee -  
9 duties. (1) The president pro tempore of the senate, the  
10 majority leader of the senate, the minority leader of the  
11 senate, the speaker of the house of representatives, the  
12 majority leader of the house of representatives, the minority  
13 leader of the house of representatives, one member of the  
14 minority party of the senate appointed by the president of  
15 the senate, and one member of the minority party of the  
16 house of representatives appointed by the speaker of the  
17 house of representatives, shall constitute the initial  
18 legislative drafting committee to serve as such until the  
19 convening of the first regular session of the forty-seventh  
20 general assembly in January, 1969. Thereafter, the membership

Provides for an interim legis-  
lative drafting committee and  
its powers, duties, and functions.  
This section takes effect upon  
passage of this bill.

## TEXT

1 of the said committee shall be as provided in section 63-3-2,  
2 C.R.S. 1963, as amended. Appointments pursuant to this sub-  
3 section (1) shall be made within thirty days after the effec-  
4 tive date hereof.

5 (2) Not later than July 1, 1968, the committee shall  
6 appoint, as of July 1, 1968, a director of the legislative  
7 drafting office created by this act, hereinafter referred to  
8 as the "director". The director shall be an attorney at law  
9 and shall be responsible to the committee for the administra-  
10 tion of the legislative drafting office. Subject to section  
11 164 of this act, the director, with the approval of the com-  
12 mittee, may appoint, as of July 1, 1968, or thereafter, such  
13 attorneys at law, and such technical and clerical personnel,  
14 as may be necessary to efficiently perform the functions of  
15 the office. The director and all employees of the office  
16 shall be appointed without regard to party affiliation, and  
17 solely on the basis of their ability to perform their duties  
18 in the office. The committee shall fix the compensation of  
19 all personnel so employed. Members of the committee shall  
20 receive such allowances and reimbursements for necessary

## COMMENTS



## TEXT

## COMMENTS

1 expenses incurred in the performance of their duties as are  
2 provided by law for members of other legislative committees.

3 (3) On and after July 1, 1968, the functions of the  
4 committee shall be as prescribed in section 63-3-3, C.R.S.  
5 1963, as amended.

6 (4) This section shall take effect on the passage of  
7 this act.

8 SECTION 180. Transfer of employees and property of  
9 legislative reference office - name change. (1) On July 1,  
10 1968, all employees of the legislative reference office who  
11 were employed in said office on an annual or permanent basis  
12 shall be transferred to the legislative drafting office, to  
13 perform such duties and functions as shall be assigned to  
14 them by the committee. Such employees shall retain all  
15 accrued rights to retirement and annual and sick leave bene-  
16 fits under the laws of the state and their service shall be  
17 deemed to have been continuous in such transfer.

18 (2) On July 1, 1968, all property, including office  
19 furniture and fixtures, books, documents, and records of  
20 the legislative reference office shall be transferred to the

Provides for the transfer of the personnel, books, records, furniture, etc. from the legislative reference office to the legislative drafting office.

## TEXT

## COMMENTS

1 legislative drafting office.

2 (3) Whenever any law of this state refers to the legisla-  
3 tive reference office, said law shall be construed as referring  
4 to the legislative drafting office, it being the intent of the  
5 general assembly to substitute the legislative drafting office  
6 for the legislative reference office.

7 SECTION 181. Repeals. (1) 3-9-2 (1) (d), Colorado Re-  
8 vised Statutes 1963, is repealed.

9 (2) Effective February 1, 1969, section 179 of this act is  
10 repealed, but such repeal shall not invalidate or otherwise af-  
11 fect any action taken pursuant thereto prior to such date.

12 SECTION 182. Chapter 63, Colorado Revised Statutes 1963,  
13 as amended, is amended BY THE ADDITION OF A NEW ARTICLE 7 to read:

### ARTICLE 7

#### COLORADO COMMISSION ON UNIFORM STATE LAWS

16 63-7-1. Commission on uniform state laws - creation.

17 (1) There is hereby created the Colorado commission on uni-  
18 form state laws which shall consist of four members who  
19 shall be appointed for terms of two years each, and until  
20 their successors are appointed, and in addition thereto any  
21 citizen of this state, who because of long service in the  
22 cause of the uniformity of state legislation, shall have

Repeals paragraph listing  
legislative reference office as  
part of the department of law.

Transfers the Colorado commis-  
sion on uniform state laws from  
executive department of state  
government to the legislative  
department, and establishes the  
director of the drafting office  
as the secretary to the commis-  
sion.

## TEXT

## COMMENTS

1 been elected a life member of the national conference of com-  
2 missioners on uniform state laws.

3       (2) The four members shall be appointed or reappointed  
4 by joint resolution of the general assembly no later than ten  
5 days after the convening of the first regular session of the  
6 general assembly held in each odd-numbered year. Two commis-  
7 sioners shall be appointed from the general assembly and two  
8 commissioners from the public at large. Appointments to fill  
9 vacancies shall be made by the legislative drafting committee  
10 for the unexpired term of the vacant office.

11       (3) The four members of the commission shall be attor-  
12 neys admitted to practice law in the state of Colorado.

13       63-7-2. Compensation - expenses. The members of the  
14 commission shall receive a per diem of twenty dollars for  
15 each day actually spent in the transaction of official busi-  
16 ness of the commission in the state of Colorado. In addition  
17 thereto, each member shall be reimbursed for expenses in-  
18 curred in the performance of official duties.

19       63-7-3. Meetings - organization. The commissioners  
20 shall meet at least once a year and shall organize by the

## TEXT

1 election of a chairman who shall hold office for a term of  
2 one year and until his successor is elected. The director  
3 of the legislative drafting office shall be ex officio the  
4 secretary of the commission.

5       63-7-4. Duties of commissioners. Each commissioner  
6 shall attend the meeting of the national conference of com-  
7 missioners on uniform state laws, and both in and out of  
8 such national conference shall do all in his power to promote  
9 uniformity in state laws where uniformity may be deemed de-  
10 sirable and practicable; said commission shall prepare and  
11 transmit a report and their recommendations to the general  
12 assembly on or before January 1 of each year concerning sub-  
13 jects of legislation upon which uniformity among the states  
14 may be deemed desirable, and concerning the proceedings and  
15 recommendations of the most recent meeting of the national  
16 conference of commissioners on uniform state laws.

17       63-7-5. Terms of present commissioners extended. The  
18 commissioners for the promotion of uniform state laws, ap-  
19 pointed pursuant to article 2 of chapter 135, C.R.S. 1963,  
20 shall, on the effective date of this article, constitute

## COMMENTS

## TEXT

## COMMENTS

1 the initial commissioners under this article, to serve until  
2 the convening of the first regular session of the forty-seventh  
3 general assembly; but nothing in this article shall be con-  
4 strued to prevent the reappointment of any such commissioner  
5 by the general assembly pursuant to section 63-7-1.

6 SECTION 183. Repeal. Article 2 of chapter 135, Colorado  
7 Revised Statutes 1963, as amended, is repealed.

### 8 GENERAL PROVISIONS

9 SECTION 184. Repeals. Effective July 1, 1969, sections  
10 31 and 34 of this act are repealed.

Repeals sections of this act  
with temporary effects.

11 SECTION 185. Effective date. This act shall take effect  
12 July 1, 1968, except that sections 31 and 179 of this act  
13 and provisions authorizing gubernatorial appointments prior  
14 to such date shall take effect on the passage of this act.

Makes effective immediately  
those provisions of this act  
concerned with the transition  
to the new organizational struc-  
ture created by this act.

15 SECTION 186. Safety clause. The general assembly  
16 hereby finds, determines, and declares that this act is neces-  
17 sary for the immediate preservation of the public peace,  
18 health, and safety.

19

20

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