

COMMITTEE ON HEWI

BILL 43

A BILL FOR AN ACT

1 CONCERNING RATING FILINGS OF NONPROFIT HOSPITAL AND HEALTH
2 SERVICE CORPORATIONS.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Authorizes the insurance commissioner, on his own motion, to require the filing of rate information. Authorizes the commissioner to waive the public inspection requirements when a refiling is made to remedy defects. Allows more time in which to prepare for a public hearing when such hearing is requested by a corporation.

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

4 SECTION 1. 10-16-126, Colorado Revised Statutes 1973, is
5 amended BY THE ADDITION OF A SUBSECTION to read:

6 10-16-126. Filing of rating information. (4) The
7 commissioner upon his own motion may require a corporation to
8 file with him the information required by subsection (1) of this
9 section.

10 SECTION 2. 10-16-127 (6), Colorado Revised Statutes 1973,
11 is amended to read:

12 10-16-127. Filings - approval and disapproval -

1 publication. (6) If the commissioner disapproves a filing, he
2 shall promptly give notice of such disapproval to the corporation
3 that made the filing, stating the respects in which he finds the
4 filing does not meet the requirements of this article. THE
5 COMMISSIONER MAY DISPENSE WITH THE PUBLIC INSPECTION REQUIREMENTS
6 OF THIS SECTION WHEN A REFILEING IS MADE TO REMEDY DEFECTS FOUND
7 BY THE COMMISSIONER. Once the commissioner approves a filing, he
8 shall give prompt notice thereof to the corporation that made the
9 filing, and the filing shall become effective upon such approval
10 or upon such subsequent date as may be satisfactory to the
11 commissioner and the corporation that made the filing. If the
12 commissioner determines that the filing meets the requirements of
13 this article and during the public inspection period no hearing
14 is requested and subsequently ordered pursuant to subsection (7)
15 of this section, then the filing shall be deemed approved by the
16 commissioner.

17 SECTION 3. 10-16-128 (1), Colorado Revised Statutes 1973,
18 is amended to read:

19 10-16-128. Hearing and judicial review. (1) When a public
20 hearing is held, whether pursuant to section 10-16-127 (3) or
21 (4), the commissioner shall give written notice thereof to the
22 corporation that made the filing. A hearing pursuant to section
23 10-16-127 (3) shall be held within twenty days after termination
24 of the public inspection period provided for in section 10-16-127
25 (2). A hearing pursuant to section 10-16-127 (4) shall be held
26 within ~~twenty~~ FORTY days after placing of the filing for public
27 inspection provided for in section 10-16-127 (4). In any case,

1 the commissioner shall give written notice of a hearing to the
2 corporation that made the filing not less than ten days prior to
3 the date of the hearing. The commissioner may also, in his
4 discretion, give advance public notice of such hearing by
5 publication of notice in one or more daily newspapers of general
6 circulation in this state.

7 SECTION 4. Safety clause. The general assembly hereby
8 finds, determines, and declares that this act is necessary for
9 the immediate preservation of the public peace, health, and
10 safety.

COMMITTEE ON HEWI

BILL 44

A BILL FOR AN ACT

1 CONCERNING PILOT PROGRAMS OF PROSPECTIVE REIMBURSEMENT BY
2 NONPROFIT AND HEALTH SERVICE CORPORATIONS.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Requires that eight hospitals participate in pilot programs for reimbursement on a prospective reimbursement basis.

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

4 SECTION 1. 10-16-131 (1), Colorado Revised Statutes 1973,
5 is amended to read:

6 10-16-131. Pilot programs. (1) The department of health
7 shall select no less than ~~four-nor-more-than~~ eight hospitals and
8 no less than four nor more than eight nursing homes to
9 participate, beginning with each selected hospital or nursing
10 home's fiscal year beginning on or after January 1, 1974, and
11 continuing through their fiscal year ending before July 1, 1977,
12 in contracts to provide for reimbursement on a prospective
13 reimbursement basis as provided in section 10-16-130. The
14 Colorado hospital association and the Colorado health care

1 association shall present a list from which the department may
2 select the participating hospital or nursing home. The
3 participating hospital and nursing home shall be selected so as
4 to represent a cross section of the state's population, various
5 hospital and nursing home sizes operating at under capacity and
6 capacity, and the variety of available hospital and nursing home
7 services.

8 SECTION 2. Safety clause. The general assembly hereby
9 finds, determines, and declares that this act is necessary for
10 the immediate preservation of the public peace, health, and
11 safety.

COMMITTEE ON HEWI

BILL 45

A BILL FOR AN ACT

1 CONCERNING CONTRACTS FOR VENDOR PAYMENTS UNDER THE "COLORADO
2 MEDICAL ASSISTANCE ACT", AND MAKING AN APPROPRIATION
3 THEREFOR.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Requires that an audit be made to determine whether there are financial losses due to overpayment, multiple payments, or fraudulent payment in the administration of claim payments. Makes an appropriation to implement the act.

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

5 SECTION 1. 26-4-110, Colorado Revised Statutes 1973, as
6 amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

7 26-4-110. Vendors - payments - rules. (8) Any contract or
8 other agreement with a corporation which serves as a fiscal agent
9 on behalf of the state for payment of clients under the program
10 shall provide that an audit be made to determine whether
11 financial losses occur due to overpayment, multiple payments, or
12 fraudulent payment in the administration of claim payments.

13 SECTION 2. Appropriation. There is hereby appropriated,

1 out of any moneys in the state treasury not otherwise
2 appropriated, to the department of social services, for the
3 fiscal year commencing July 1, 1976, the sum of _____
4 dollars (\$), or so much thereof as may be necessary, for the
5 implementation of this act.

6 SECTION 3. Safety clause. The general assembly hereby
7 finds, determines, and declares that this act is necessary for
8 the immediate preservation of the public peace, health, and
9 safety.

COMMITTEE ON HEWI

BILL 46

A BILL FOR AN ACT

1 CONCERNING THE BOARD OF DIRECTORS OF NONPROFIT HOSPITAL AND
2 HEALTH SERVICE CORPORATIONS.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Declares it to be the intent of the general assembly that the board of directors of nonprofit hospital and health service corporations include members from all economic levels of the state. Limits the term of office for board members to six years. Requires that the names of prospective board members be submitted to the insurance commissioner for his examination and comment on matters of potential conflict of interest.

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

4 SECTION 1. 10-16-102, Colorado Revised Statutes 1973, is
5 amended to read:

6 10-16-102. Legislative declaration. It is the policy of
7 the general assembly and the intent and purpose of this article,
8 to promote the availability of hospital care, medical-surgical
9 care, and other health services on a voluntary nonprofit prepaid
10 basis, and to thereby promote the health and welfare of the
11 people of the state of Colorado. IT IS ALSO THE INTENT OF THE
12 GENERAL ASSEMBLY THAT MEMBERS OF THE BOARD OF TRUSTEES OR

1 DIRECTORS OF NONPROFIT HOSPITAL AND HEALTH SERVICE CORPORATIONS
2 BE APPOINTED TO INCLUDE REPRESENTATION FROM ALL ECONOMIC INCOME
3 LEVELS IN THIS STATE.

4 SECTION 2. The introductory portion to 10-16-106 (1),
5 Colorado Revised Statutes 1973, is amended to read:

6 10-16-106. Directors. (1) The property and lawful
7 business of every such corporation subject to the provisions of
8 this article shall be held and managed by a board of trustees or
9 directors with such powers and authority as shall be necessary or
10 incidental to the complete execution of the purposes of each such
11 corporation as limited by its articles or the bylaws. No such
12 board shall be composed of less than ten nor more than
13 twenty-four members. THE TERMS OF MEMBERS OF THE BOARD OF every
14 such corporation with annual gross subscription income exceeding
15 one million dollars shall have BE FOR A PERIOD NOT TO EXCEED SIX
16 YEARS AND THERE SHALL BE a majority of ~~its~~ THE board consisting
17 of persons who are not:

18 SECTION 3. 10-16-106, Colorado Revised Statutes 1973, is
19 amended BY THE ADDITION OF A NEW SUBSECTION to read:

20 10-16-106. Directors. (4) Before any appointment to the
21 board of trustees or directors is made, the name of the person
22 under consideration for appointment shall be submitted to the
23 commissioner of insurance, together with such other information
24 as may be requested by the commissioner, for his review and
25 comment on matters of potential conflicts of interest which may
26 be present if the person under consideration were to be appointed
27 to the board.

1 SECTION 4. Safety clause. The general assembly hereby
2 finds, determines, and declares that this act is necessary for
3 the immediate preservation of the public peace, health, and
4 safety.

COMMITTEE ON HEWI

BILL 47

A BILL FOR AN ACT

1 CONCERNING DRUG HISTORIES.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Requires certain institutions to make an effort to obtain drug histories of persons whom they admit.

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

3 SECTION 1. 12-13-109, Colorado Revised Statutes 1973, is
4 amended BY THE ADDITION OF A NEW SUBSECTION to read:

5 12-13-109. Register - drug history. (2) Every holder of a
6 permit or license issued pursuant to the provisions of this
7 article, upon the admittance of each aged person, shall make a
8 reasonable effort to obtain a complete history of all drugs
9 prescribed for the aged person for one year prior to admittance.
10 Such history shall include, but need not be limited to a list of
11 all drugs prescribed, the recommended dosage, and any adverse
12 reaction which may have occurred.

13 SECTION 2. Article 36 of title 12, Colorado Revised
14 Statutes 1973, as amended, is amended BY THE ADDITION OF A NEW

1 SECTION to read:

2 12-36-135. Provision of drug histories. Every person
3 licensed pursuant to the provisions of this article shall provide
4 a complete history of all drugs prescribed for his patient upon
5 the request of an institution pursuant to section 12-13-109,
6 25-3-107, 26-12-105, 27-10.5-104.5, and 27-14-106.

7 SECTION 3. Part 1 of article 3 of title 25, Colorado
8 Revised Statutes 1973, is amended BY THE ADDITION OF A NEW
9 SECTION to read:

10 25-3-107. Drug history of the aged. Every nursing care
11 facility, intermediate care facility, residential care facility,
12 and other institution of a like nature licensed pursuant to the
13 provisions of this part 1, upon the admittance of each person,
14 shall make a reasonable effort to obtain a complete history of
15 all drugs prescribed for the person for one year prior to
16 admittance. Such history shall include, but need not be limited
17 to a list of all drugs prescribed, the recommended dosage, and
18 any adverse reaction which may have occurred.

19 SECTION 4. 26-12-105, Colorado Revised Statutes 1973, is
20 amended to read:

21 26-12-105. Standards - management. (1) Each state home
22 for the aged shall be operated and maintained under standards
23 established for like medical institutions by the department of
24 health. Each state home shall have a manager directly
25 responsible to the state department and such additional
26 employees, including medical and nursing personnel, as may be
27 required to provide proper and adequate care for the aged in such

1 state home.

2 (2) EACH STATE HOME FOR THE AGED, UPON THE ADMISSION OF
3 EACH AGED PERSON, SHALL MAKE A REASONABLE EFFORT TO OBTAIN A
4 COMPLETE HISTORY OF ALL DRUGS PRESCRIBED FOR THE AGED PERSON FOR
5 ONE YEAR PRIOR TO ADMISSION. SUCH HISTORY SHALL INCLUDE, BUT
6 NEED NOT BE LIMITED TO A LIST OF ALL DRUGS PRESCRIBED, THE
7 RECOMMENDED DOSAGE, AND ANY ADVERSE REACTION WHICH MAY HAVE
8 OCCURRED.

9 SECTION 5. Article 10.5 of title 27, Colorado Revised
10 Statutes 1973, as amended, is amended BY THE ADDITION OF A NEW
11 SECTION to read:

12 27-10.5-104.5. Drug history. Upon admittance pursuant to
13 section 27-10.5-103 or 27-10.5-104, a facility shall make a
14 reasonable effort to obtain a complete history of all drugs
15 prescribed for the developmentally disabled person for one year
16 prior to admission. Such history shall include, but need not be
17 limited to a list of all drugs prescribed, the recommended
18 dosage, and any adverse reaction which may have occurred.

19 SECTION 6. 27-14-106, Colorado Revised Statutes 1973, is
20 amended BY THE ADDITION OF A NEW SUBSECTION to read:

21 27-14-106. Admissions - nonresidents - drug histories. (3)
22 Upon admittance of a person, a state home and training school
23 shall make a reasonable effort to obtain a complete history of
24 all drugs prescribed for the person for one year prior to
25 admission. Such history shall include, but need not be limited
26 to a list of all drugs prescribed, the recommended dosage, and
27 any adverse reaction which may have occurred.

1 SECTION 7. Safety clause. The general assembly hereby
2 finds, determines, and declares that this act is necessary for
3 the immediate preservation of the public peace, health, and
4 safety.

COMMITTEE ON HEWI

BILL 48

A BILL FOR AN ACT

1 CONCERNING SPECIALIZED SOCIAL SERVICES, AND RELATING TO COUNTY
2 REIMBURSEMENT THEREFOR, AND MAKING AN APPROPRIATION
3 THEREFOR.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Makes transportation a reimbursable social service. Authorizes 100% state reimbursement for homemaker services where counties can demonstrate that such services are used in place of skilled and intermediate care facilities and hospitals. Requires counties to provide a central information and referral service which may prevent or reduce institutional care. Makes an appropriation to implement the act.

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

5 SECTION 1. 26-1-122 (4) (e), Colorado Revised Statutes
6 1973, is amended, and the said 26-1-122 (4) is further amended BY
7 THE ADDITION OF A NEW PARAGRAPH, to read:

8 26-1-122. County appropriations - reimbursement -
9 procedure. (4) (e) When a county department provides or
10 purchases certain specialized social services for public
11 assistance applicants, recipients, or others to accomplish
12 self-support, self-care, or better family life, including but not

1 limited to day care, homemaker services, foster care,
2 TRANSPORTATION, and services to mentally retarded persons, in
3 accordance with state department rules and regulations, the state
4 may reimburse or advance funds to such county department at a
5 rate in excess of eighty percent, within available
6 appropriations, but not to exceed the amount expended by the
7 county department for such services. IN THE CASE OF HOME-MAKER
8 SERVICES, THE STATE SHALL REIMBURSE OR ADVANCE FUNDS TO SUCH
9 COUNTY DEPARTMENT FOR THE ENTIRE AMOUNT EXPENDED BY THE COUNTY
10 DEPARTMENT FOR SUCH SERVICES; EXCEPT THAT SUCH REIMBURSEMENT
11 SHALL BE MADE ONLY WHERE COUNTIES CAN DEMONSTRATE UTILIZATION OF
12 HOME-MAKER SERVICE FOR INDIVIDUALS SERVED IN SUBSTITUTION OF
13 SKILLED AND INTERMEDIATE CARE FACILITIES AND HOSPITALS. Where
14 funds are advanced, adjustment shall be made from subsequent
15 monthly payments for those purposes. The expenses of training
16 personnel to provide these services, as determined and approved
17 by the state department, shall be paid from whatever state and
18 federal funds are available for such training purposes.

19 (f) County departments shall provide or contract to provide
20 a central information and referral service for all available
21 services in the county which may prevent or reduce inappropriate
22 institutional care through the use of community-based or
23 home-based care.

24 SECTION 2. Appropriation. There is hereby appropriated out
25 of any moneys in the state treasury not otherwise appropriated,
26 to the department of social services, for the fiscal year
27 commencing July 1, 1976, the sum of _____ dollars (\$),

1 or so much thereof as may be necessary, for the implementation of
2 this act.

3 SECTION 3. Safety clause. The general assembly hereby
4 finds, determines, and declares that this act is necessary for
5 the immediate preservation of the public peace, health, and
6 safety.

COMMITTEE ON HEWI

BILL 49

A BILL FOR AN ACT

1 CONCERNING HOMES FOR THE AGED, AND DECLARING SUCH HOMES TO BE A
2 RESIDENTIAL USE OF PROPERTY.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Declares that the establishment of group homes for the aged is a matter of statewide concern and that such a home for not more than 8 persons is a residential use of property for zoning purposes. Declares it to be the policy of this state to encourage the development of alternatives to skilled and intermediate care facilities.

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

4 SECTION 1. 31-23-303, Colorado Revised Statutes 1973, as
5 amended, is amended to read:

6 31-23-303. Legislative declaration. (1) Such regulations
7 shall be made in accordance with a comprehensive plan and
8 designed to lessen congestion in the streets; to secure safety
9 from fire, panic, floodwaters, and other dangers; to promote
10 health and general welfare; to provide adequate light and air; to
11 prevent the overcrowding of land; to avoid undue concentration of
12 population; to facilitate the adequate provision of

1 transportation, water, sewerage, schools, parks, and other public
2 requirements. Such regulations shall be made with reasonable
3 consideration, among other things, as to the character of the
4 district and its peculiar suitability for particular uses, and
5 with a view to conserving the value of buildings and encouraging
6 the most appropriate use of land throughout such municipality.

7 (2) THE GENERAL ASSEMBLY DECLARES THAT THE ESTABLISHMENT OF
8 GROUP HOMES FOR THE EXCLUSIVE USE OF PERSONS SIXTY YEARS OF AGE
9 OR OLDER IS A MATTER OF STATEWIDE CONCERN AND THAT A GROUP HOME
10 FOR THE AGED WHICH SERVES NOT MORE THAN EIGHT PERSONS SIXTY YEARS
11 OF AGE OR OLDER IS A RESIDENTIAL USE OF PROPERTY FOR ZONING
12 PURPOSES. THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
13 IT IS THE POLICY OF THIS STATE TO ENCOURAGE THE DEVELOPMENT OF
14 ALTERNATIVES TO SKILLED AND INTERMEDIATE CARE FACILITIES AND TO
15 ASSIST PERSONS SIXTY YEARS OF AGE AND OLDER TO LIVE IN NORMAL
16 RESIDENTIAL SURROUNDINGS. AS USED IN THIS SUBSECTION (2), THE
17 PHRASE "RESIDENTIAL USE OF PROPERTY FOR ZONING PURPOSES" INCLUDES
18 ALL FORMS OF RESIDENTIAL ZONING, AND, SPECIFICALLY, ALTHOUGH NOT
19 EXCLUSIVELY, SINGLE-FAMILY RESIDENTIAL ZONING.

20 SECTION 2. Safety clause. The general assembly hereby
21 finds, determines, and declares that this act is necessary for
22 the immediate preservation of the public peace, health, and
23 safety.

COMMITTEE ON HEWI

BILL 50

A BILL FOR AN ACT

1 CONCERNING ADULT FOSTER CARE FACILITIES.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Requires the department of social services to promulgate rules and regulations relating to the operation of adult foster care facilities.

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

3 SECTION 1. 26-1-111 (2), Colorado Revised Statutes 1973, is
4 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

5 26-1-111. Activities of the state department. (2) (j)
6 Promulgate rules and regulations relating to the operation of
7 adult foster care facilities in cooperation with other state or
8 federal agencies. Adult foster care is that care and service
9 provided to individuals needing to reside in a supervised
10 nonmedical setting on a twenty-four hour basis.

11 SECTION 2. Safety clause. The general assembly hereby
12 finds, determines, and declares that this act is necessary for
13 the immediate preservation of the public peace, health, and
14 safety.

COMMITTEE ON HEWI

BILL 51

A BILL FOR AN ACT

1 CONCERNING GROUP HOMES FOR THE DEVELOPMENTALLY DISABLED, AND
2 RELATING TO THE LICENSING THEREOF.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Requires the department of institutions to license group homes for the developmentally disabled. States that a community based home for the developmentally disabled is a nonmedical residence.

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

4 SECTION 1. 27-10.5-133 (1) (a) and (1) (b), Colorado
5 Revised Statutes 1973, as amended, are amended to read:

6 27-10.5-133. Group homes for the developmentally disabled.

7 (1) (a) "Department" means the department of ~~social--services~~
8 INSTITUTIONS.

9 (b) "Community based group home for the developmentally
10 disabled" means a NON-MEDICAL residence or dwelling unit PROVIDING
11 SUPERVISION AND TRAINING AND capable of housing no more than ten
12 developmentally disabled persons. ~~and-appropriate-staff.~~

13 SECTION 2. Safety clause. The general assembly hereby

1 finds, determines, and declares that this act is necessary for
2 the immediate preservation of the public peace, health, and
3 safety.

LEGISLATIVE COUNCIL
COMMITTEE ON TRANSPORTATION

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COMMITTEE ON TRANSPORTATION

The Committee on Transportation was directed by the General Assembly to study possible legislation relating to the development of a coordinated mass transportation system along the front range corridor of Colorado and possible legislative alterations to the statutes which govern, and define the role of, the Regional Transportation District.

The committee's schedule was divided evenly between the two subject areas: the needs for and impacts of a coordinated multi-modal mass transportation system along Colorado's front range and the necessity for altering the statutes governing the Regional Transportation District. The committee also toured the United States Department of Transportation's High Speed Ground Test Center near Pueblo.

A Coordinated Mass Transportation System for the Front Range Corridor

Until recently, cheap land and energy, strong economic growth, and lack of concern about the environment, combined with relatively high personal income and widespread auto ownership, gave the issues of public transportation and alternative modes of transit a low priority among topics of concern to the public and most state and local officials. Environmental concerns, shortages of oil, inflation, urban congestion, and the threat of economic slowdown have now boosted transportation issues in the public's consciousness and elevated the issues at the decision-making levels of federal, state, and local governments.

State and local governments have considerable influence -- in many instances overriding influence -- over transportation decisions. State government has responsibility for environmental improvement as well as a primary concern for the economic health of the state. It also regulates the movement of people and goods, as well as traffic and public safety.

The interim committee recognizes that the shift in public attitudes about transportation and the debate that has accompanied this shift signal major responsibilities and potentials for decision makers.

The committee's treatment of the front range coordinated mass transportation topic began with an assessment of the general impacts of transportation facilities on land uses, the current patterns and intensities of front range travel, and the projected transportation needs of the corridor area for the future. As a second step in its study, the committee sought to apply its findings to the land use plans of the four front range councils of governments and subsequently

evaluate the modal mix of transportation facilities which would appear appropriate to best serve the desired land use and transportation needs of the corridor. The final step in the process was to implement the committee's findings through specific legislative proposals.

For purposes of the study, the front range corridor was designated as a thirty-mile-wide strip of land extending from Fort Collins to Trinidad and abutting the foothills. The population of the corridor, according to the 1970 census, is 1,646,186 or approximately 75 percent of the state's total population. The distribution of populations in the corridor is:

Greeley - Fort Collins.....	82,239
Loveland - Longmont.....	39,429
Denver SMSA.....	1,229,798
Colorado Springs Area.....	162,252
Pueblo.....	118,238
Trinidad - Walsenburg.....	<u>14,230</u>
Front Range Total.....	1,646,186

Land Use Impacts

The committee received testimony from the staff of the Colorado Land Use Commission and the land use planners of the four front range councils of governments in attempting to define the relationship of transportation to land use. It became apparent to the committee early in the study that land use planning and transportation planning are being conducted in Colorado without substantial consideration of their mutual impacts. Further, the committee discovered that such planning activities are being conducted by each of the front range councils of governments with neither a view toward coordination with planning activities in adjacent regions nor integration within the front range as a whole. As a result, the thrust of testimony presented to the committee was that state and regional land use and transportation planning need to be integrated into a single planning function and need to be coordinated at the state level.

Current Travel and Projected Needs

With the assistance of the Department of Highways, the Division of Planning, councils of governments, and representatives of bus companies and railroads, the committee was able to develop several maps depicting the present general patterns and intensities of travel, by mode, in the corridor, and the point at which the present highway system will reach peak capacity. The Department of Highways also developed a series of maps showing state-wide origins and destinations for trips which include travel in the front range corridor. According to the department's current estimates, 80 percent of all truck trips and 74 percent of all automobile trips in the state have either

origins or destinations in the front range corridor. In addition, the following table, compiled by the department, shows the anticipated numbers of new highway lanes which need to be added to segments of existing highways within the corridor prior to 1995, even if there is a significant increase in the amount of mass transit between cities along the corridor during the period.

<u>Anticipated Number of New Lanes Per Year Group</u>				
<u>Area</u>	<u>1975-80</u>	<u>1981-85</u>	<u>1986-90</u>	<u>1991-95</u>
Corridor from Ft. Collins-Greeley to State Highway 66 (Platteville area)	2	--	2	--
Corridor area between State Highway 66 and State Hwy. 7 (Brighton area)	4	--	2	--
Corridor area between State Highway 7 and 70th Avenue (North of Denver)	--	2	2	2
Corridor area between Arapahoe Road (South of Denver) and Castle Rock	6	--	--	--
Corridor area between Castle Rock and Colorado Springs	2	--	--	--
Corridor area between Colorado Springs and Pueblo	--	--	2	--
Sub Total per year groups	14	2	8	2
Total 1975-1995	26			

As a result of the graphic material and testimony presented, the committee came to the following conclusions regarding front range transportation: (a) presently, there is almost total dependence upon the automobile to transport people along the front range; (b) the transporting of people by train is virtually non-existent, air trans-

port is available but used lightly and primarily as a feeder service for flights to locations outside the state, and bus service is apparently adequate but not heavily used; (c) the capacity of the present highway system along the corridor seems likely to be exceeded by 1990, perhaps along significant stretches by 1980; (d) the alternative modes (bus, air, and renovated rail transportation) seem capable of handling the entire highway overflow, but a major impediment to the use of such alternatives appears to be lack of adequate intra-city public transportation networks to accommodate the mobility needs of those who travel from city to city without the use of a car; (e) there has been a precipitous decline in the use and availability of public and commercial transit over the past decade, but there is now growing public interest in restoring, improving, and expanding public transportation systems because of growing disadvantages of the private auto and deficiencies of existing commercial transit systems; (f) because of the present lack of coordinated interregional land use and transportation planning, transit planning for the next two decades should begin now; (g) any such planning must emphasize a system that is convenient, highly integrated, economical, well planned, and acceptable to the broadest sector of the citizenry; and (h) there is not common agreement among local governmental representatives that alternative modes need to be initiated to serve the transportation needs of the immediate future.

The Appropriate Modal Split

The committee was briefed by officials of the United States Department of Transportation concerning the state-of-the-art of various transportation technologies and their applicability with respect to service demand and objectives, economics, safety, energy efficiency, environmental impacts, and integration with other forms of transportation. They also articulated guidelines for urban area transit and emphasized a need for local areas to closely evaluate their present transportation systems in terms of integration and revitalization before requesting federal assistance for new, alternative transit modes. The federal officials noted that the future focus of federal assistance will probably be on funding completion of the interstate system and transportation planning grants.

The committee concluded that extensive professional transportation and land use planning need to be accomplished before any choice of the most suitable mixture of transportation modes to serve the corridor can be made. Outlined below are the kinds of criteria the committee found as governing the selection of an alternative mode of transportation.

(a) Technological Feasibility and Operational Effectiveness. The concern is over the choice of equipment, the level of technology, the degree of dependence on technology, levels of service, sensitivity to rider needs, safety, and coordination with other transportation capacities.

In evaluating the function that technology plays in the transportation mode being studied, attention is given to potential over-reliance on technology and the kinds of problems that can result: mistakes in planning and design; failure to apply "systems engineering" to the project so that operational problems can be anticipated; and management and maintenance of a little-tested system.

(b) Economic Feasibility. The common technique used for economic evaluation of alternatives is cost-benefit analysis -- an enumeration and evaluation of all relevant costs and benefits. Economic costs cover all expenses required to acquire, construct, operate, and maintain a system. Economic benefits include construction, maintenance, and capital costs avoided by providing a service in an efficient manner as well as social and environmental benefits.

(c) Environmental Impact. In this area the concern is to measure an alternative mode by at least three standards: the effectiveness of the system to fulfill the regional transportation objectives; the public's expectation of improved transit service; and the effects on people and the environment that would result from the transit alternative and its operation. The major areas of concern include: a) the degree of compatibility with the region's land use plan; b) the degree to which a transportation mode alters the visual environment; c) the impact a mode has upon the social characteristics of communities, including the regional economy; d) how each plan alters the total daily regional air pollution production; e) the degree to which the mode alters the noise environment; and f) the effect of the system on the geology of the area and ecological and resource conservations (hydrology and water quality, historical and archaeological sites).

(d) Political Acceptability. This category covers acceptability at three levels of government: local, state, and national. At each level, bureaucrats as well as elected officials are charged with the responsibility of studying criteria, digesting projections, incorporating public participation, weighing alternatives, assessing demands, evaluating the timing of the decision-making procedures, and considering the financial feasibilities.

Financial considerations form limitations on the amount of capital funds and the total operating budget and deficit that can be accrued. Inflation also has to be considered now as an important part of the capital budget constraints. Each alternative must be evaluated for its impact on various bond issue methods, taxation policies, and federal (primarily Urban Mass Transportation Administration) funding. The best estimate of the future availability of each financing mode must also be evaluated.

Proposed Legislation

In view of the lack of integrated land use and transportation planning at the state level and the lack of coordinated interregional land use and transportation planning, the emphasis of the committee's work was directed toward the establishment of a structure for a comprehensive, coordinated, and continued planning process in lieu of recommending development of any specific transit technology for the front range.

To this end, the committee investigated the transit planning, decision making, and operating structures of the Southern California and Chicago areas. In addition, the committee held a round-table discussion with representatives of the Land Use Commission, the state Highway Department, the Division of Planning, the four front range councils of governments, and the RTD. The Region 12 council of governments, representing many of the state's recreational areas, was also included in the discussion. As a result of these meetings, the need was identified for a lead agency at the state level to coordinate the transportation policy planning of state, regional, and local agencies, and to ensure the progressive implementation of the plans. Also articulated was the need for a state department of transportation to consolidate highway, aviation, mass transit, and land use planning, and to assist coordination between the state's diverse regions, specifically with respect to the front range corridor.

The committee concludes, in view of the many distinct approaches to the funding, organization, and authority of a department of transportation that have characterized debate on this subject during past legislative sessions, that any final bill in this area can only be adopted after extended debate, amendment, and compromise during the 1976 legislative session. The committee also concludes that this subject should be placed on the Governor's call to allow the General Assembly to choose between this concept and the lead agency approach.

With respect to the lead agency concept, it became apparent that a system of cooperation and conflict resolution would be best embodied in a forum comprised of state and regional agencies. As no state agency currently has the expertise, personnel, authority, or funding to act as liaison between state and regional planning agencies and to prepare and revise comprehensive plans for the front range, the committee concluded that a new focal point is needed. It was also concluded that the focal point should be established at the highest policy level of state government and not directly be tied to any principal department.

Due to the advancing state-of-the-art in transportation and land use planning and the need to begin the process with a definite series of steps toward implementation, the committee resolved that the products of the front range planning process should entail a general twenty-year policy plan and a specific five-year implementation plan,

each of which is to be revised and updated annually. The committee's recommended bill is summarized below.

The Committee on Transportation recommends that the subject of the creation of a state department of transportation, to be established as a principal department within the executive branch, be placed on the Governor's call for consideration during the 1976 session.

Front Range Transportation Coordinator -- Bill 52

Bill 52 would provide for the creation of a front range transportation coordinator in the Office of the Governor and a twelve-member front range transportation policy committee to be comprised of the designees of the councils or associations of local governments within planning and management regions 2, 3, 4, 5, 7, and 12, the Departments of Highways, Local Affairs, and Natural Resources, the Land Use Commission, and any special transportation district, and with the coordinator as chairman. The coordinator would be required to act as transportation planning liaison between state and regional agencies and to prepare and annually revise twenty-year transportation policy plans and five-year transportation implementation plans for the front range. The committee would be required to establish front range transportation planning policies, to adopt twenty- and five-year plans prepared by the coordinator, and to make recommendations for resolution of transportation issues of concern to the front range. The bill would provide that its statutory authorization be repealed five years after enactment.

Proposed Changes to the RTD Act

The committee approached its study of possible alterations to the RTD statutes through two methods. First, the committee sought to evaluate the Regional Transportation District (RTD) as a transit operating and planning agency. Second, the committee requested that the RTD itself submit proposed amendments to the act which would augment its viability and effectiveness. The committee's findings resulting from the two procedures would, in a final step, be implemented through specific legislative proposals.

RTD As A Transit Operating and Planning Agency

The committee's evaluation of RTD as a transit operating and planning agency began with a comparison of the RTD system and plan to transit systems and plans in Atlanta, Minneapolis, Seattle, and Edmonton, Toronto, and Vancouver, Canada. The committee learned, in its comparison, that the Canadian systems tend to be significantly more productive than do the systems in American cities in terms of

their percentages of peak-hour passenger trips into the central business district and their revenue/cost ratios. The primary reasons for this difference, as detailed in testimony, are that the Canadian systems have operated continually since the beginning of the twentieth century and Canada has not developed an extensive freeway system in its cities. Both of these factors have caused the transit industry in Canada to grow, provide more thorough coverage geographically, and hence, easier access to and thorough public familiarity with the systems.

In general, American cities, to the contrary, only began to develop transit systems over the past few years. Thus, the coverage, access, and efficiency have been more primitive and initial costs have been greater. In addition, American cities have developed extensive freeway systems. For this reason, the American transit industry has had to compete with the private automobile for its share of the urban transportation market in a fashion that the Canadian systems have not.

In view of the fact that the RTD has only effectively operated an urban transit system since July of 1974, the committee concludes that any comparison to the Canadian systems is premature. The committee notes, however, that RTD compared more favorably with its American counterparts.

The committee's second step in assessing the RTD as a planning and operating agency dealt with the recent improvements and immediate plans of the district for upgrading transit service. In testimony from district representatives, the committee learned that in completion of its Bus Service Improvement Program during 1975, the district acquired 182 new buses to attain an active fleet size of 507. Approximately 80,000 weekly miles of service were added through new routes and increases on many existing routes.

To accommodate the increasing fleet and route mileage during 1975, the bus-related capital development program was expanded, and a major portion was funded through a \$23 million capital grant from the U. S. Department of Transportation. The district acquired several support and service vehicles, completed renovation improvements to its Alameda-Santa Fe maintenance and storage facility, began construction of a \$9 million garage and maintenance/office complex at its Platte Division, and acquired and improved a temporary maintenance/office facility in Boulder County.

Other activities of the district during 1975 included:

- (a) expansion of the "Park and Ride" program by the addition of three new sites;
- (b) expansion of the district's public information campaign, including the acquisition of a downtown information center;

- (c) the initiation of a transportation system management program to improve overall transit efficiency; and
- (d) the amendment of the district's rapid transit plan and the selection by the board of directors of the first useable 28-mile Littleton to Northglenn segment of the system which is estimated in 1974 dollars to cost \$450 million.

The district plans for 1976 include:

- (a) an evaluation of the effectiveness of service improvements added in the past two years;
- (b) replacement of 106 over-age buses;
- (c) addition of new exclusive bus lanes; and
- (d) addition of farebox passenger reporting, maintenance planning, vehicle monitoring, and mechanized revenue retrieval programs.

The final aspect of the committee's evaluation of RTD transit operations and plans concerned community perception of the level of service provided by the district. The consensus of testimony received by the committee from various segments of the community was that RTD has made significant improvements in transit service offered since its purchase of the numerous private operators within the district. Testimony from the handicapped community, however, indicated that although RTD has made a commendable attempt to serve the handicapped through the "landiride" service, such service needs to be greatly expanded if it is to provide a viable means of mobility for handicapped persons. Representatives of Boulder Valley also indicated that the district needs to more rigorously work to solve its legal impasse with Public Service Company so that the district could begin to provide transit service to the area. (As of the writing of this report, agreement between Public Service, Boulder, and the district has been reached.)

Statutory Amendments Suggested By RTD

The amendments suggested by RTD to the "Regional Transportation District Act" (section 32-9-101 et seq., C.R.S., 1973) deal primarily with minor alterations to the bonding provisions of the act. Specific election provisions enacted in 1969 which provide for conduct of an initial bonding election, which was subsequently held in 1973, also would be updated. Another proposed amendment would exempt the district from all state and local taxes while operating within its boundaries. Presently, the district is only exempt from ad valorem taxes.

As a result of the committee's study of proposed changes to the RTD statutes, a resolution and bill are recommended. In public hearings conducted by the committee and in extended committee discussions, no substantive amendments to the RTD legislative article were proposed for committee study or adoption.

Statement to RTD -- Joint Resolution -- Bill 53

Bill 53 is a resolution that would declare that the district has made an important contribution to the transit needs of the metropolitan area, that the General Assembly is concerned with the continuing increase in the district's deficit, that the General Assembly is not likely to increase the district's revenue sources, that the district assume responsibility for coordinating the delivery of transportation to the handicapped by various governmental agencies, that the district work with school districts to eliminate duplication of public expenditures in the area of pupil transportation, and that governmental agencies and businesses cooperate with the district in arranging work schedules to facilitate use of the transit system by their employees.

Amendments to the RTD Article -- Bill 54

Bill 54 would make miscellaneous changes to the bonding and election provisions of Article 9 of Title 32, C.R.S. 1973. In addition, the bill would provide that the district, within its boundaries, be exempt from all state and local taxes.

COMMITTEE ON TRANSPORTATION

BILL 52

A BILL FOR AN ACT

1 CONCERNING TRANSPORTATION PLANNING, AND PROVIDING FOR SUCH
2 PLANNING IN THE FRONT RANGE.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

Provides for the creation of a front range transportation coordinator in the office of the governor and a front range transportation policy committee composed of representatives from certain state and regional agencies. Establishes such coordinator as chairman of such committee.

Requires the coordinator to act as a liaison between ongoing transportation planning of both councils or associations of local governments and state agencies and to prepare and update a twenty-year front range transportation policy plan and a five-year front range transportation implementation plan.

Requires the committee to establish broad policies concerning front range transportation planning, to adopt the transportation plans prepared by the coordinator, and to make recommendations for resolving transportation issues of concern to the front range.

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

4 SECTION 1. Title 24, Colorado Revised Statutes 1973, as
5 amended, is amended BY THE ADDITION OF A NEW ARTICLE to read:

6 ARTICLE 44

7 Front Range Transportation Planning

8 24-44-101. Definitions. As used in this article, unless

1 the context otherwise requires:

2 (1) "Committee" means the front range transportation policy
3 committee.

4 (2) "Coordinator" means the front range transportation
5 planning coordinator.

6 (3) "Council or association of local governments" means any
7 such council or association established pursuant to section
8 29-1-203 or 30-28-105, C.R.S. 1973, which includes governmental
9 members located within the front range.

10 (4) "Front range" means the areas contained within planning
11 and management regions two, three, four, five, seven, and twelve
12 which were created by the executive order dated November 17,
13 1972, as amended on November 13, 1973, and entitled "The
14 Establishment of Planning and Management Districts Within the
15 State of Colorado".

16 24-44-102. Front range transportation planning coordinator
17 - creation - duties. (1) There is hereby created within the
18 office of the governor the front range transportation planning
19 coordinator. The coordinator shall be appointed by the governor,
20 and his term of office shall be coterminous with the tenure of
21 office of the governor making said appointment, but he may be
22 removed at the pleasure of the governor. The governor may
23 appoint the executive director of any principal department within
24 the executive branch or any division director within a principal
25 department to serve as coordinator for front range transportation
26 planning as a duty in addition to all other duties and functions
27 of his office. The coordinator, with the approval of the

1 governor, shall appoint necessary staff in conformance with
2 section 13 of article XII of the state constitution.

3 (2) The coordinator shall:

4 (a) Provide a liaison between the committee and all state
5 agencies involved in transportation planning;

6 (b) Review the transportation systems plan prepared
7 annually by each council or association of local governments;

8 (c) Provide technical support and coordination between such
9 councils or associations and the organizations represented on the
10 committee;

11 (d) Prepare and annually update for the approval of the
12 committee a twenty-year multimodal transportation plan which
13 presents goals, objectives, and policies for transportation in
14 the front range consistent with identifiable regional, state, and
15 national goals, objectives, and policies and which assures
16 consideration of economic, social, and environmental effects of
17 the plan; and

18 (e) Prepare and annually update for the approval of the
19 committee a five-year multimodal transportation plan which
20 details specific programs, including construction priorities, for
21 all modes of transportation and transportation facilities within
22 the front range.

23 24-44-103. Front range transportation policy committee.

24 (1) There is hereby created a front range transportation policy
25 committee consisting of the following individuals or designees:

26 (a) The coordinator;

27 (b) The chairman of each council or association of local

1 governments;

2 (c) The chairman of the state highway commission;

3 (d) The executive director of the state department of
4 highways;

5 (e) The executive director of the department of local
6 affairs;

7 (f) The executive director of the department of natural
8 resources;

9 (g) The chairman of the Colorado land use commission;

10 (h) The chairman of the board of any special transportation
11 district within the front range.

12 (2) The coordinator shall serve as chairman of the
13 committee.

14 (3) The committee shall:

15 (a) Establish broad policies concerning front range
16 transportation issues;

17 (b) Provide overall program direction to the coordinator;

18 (c) Direct the coordinator in the preparation and annual
19 updating of the twenty-year and five-year multimodal
20 transportation plans, as specified in section 24-44-102;

21 (d) Adopt, no later than December 1, 1976, said twenty-year
22 and five-year multimodal transportation plans and adopt, prior to
23 December 1 of each succeeding year, revisions, if any, to said
24 plans;

25 (e) Propose transportation-related legislation to the
26 governor and the general assembly; and

27 (f) Make alternative recommendations for resolving

1 transportation issues of concern to the front range.

2 24-44-104. Status of the plans. The plans adopted by the
3 committee shall govern the decisions of all state agencies in any
4 manner relating to modes of transportation or transportation
5 facilities within the front range. However, the general assembly
6 may act to amend, reject, or otherwise revise the plans adopted
7 by the committee.

8 SECTION 2. Effective date - repeal. This act shall take
9 effect July 1, 1976, and shall be repealed effective July 1,
10 1981.

11 SECTION 3. Safety clause. The general assembly hereby
12 finds, determines, and declares that this act is necessary for
13 the immediate preservation of the public peace, health, and
14 safety.

COMMITTEE ON TRANSPORTATION

BILL 53

HOUSE JOINT RESOLUTION NO.

1 WHEREAS, The Regional Transportation District was
2 established by the General Assembly to develop, operate, and
3 maintain a public transportation system for the benefit of the
4 District's residents; and

5 WHEREAS, By virtue of its creation of the District, the
6 General Assembly is responsible to the citizens of this state for
7 providing policy oversight with respect to the operation of the
8 transit system by the Regional Transportation District; now,
9 therefore,

10 Be It Resolved by the House of Representatives of the
11 Fiftieth General Assembly of the State of Colorado, the Senate
12 concurring herein:

13 (1) That the efforts of the Board of Directors of the
14 Regional Transportation District, the District's administrative
15 staff, and all other employees of the District be recognized as
16 making an important and continuing contribution to the
17 transportation needs of the metropolitan area and the general
18 health and welfare of its citizens in helping to reduce not only
19 highway and street congestion but air, noise, and visual
20 pollution, the consumption of scarce resources, and inconvenience
21 to people who do not have use of an automobile.

1 (2) That the Regional Transportation District be commended
2 for making a valuable contribution to the mobility of its
3 handicapped citizens, providing access for these persons to
4 employment and educational and recreational activities and, in so
5 doing, reducing the state's expenditure in the provision of these
6 transportation services, and helping to increase the contribution
7 of the District's handicapped citizens to the economic vitality
8 of this state.

9 (3) That it is important the directors, administrators, and
10 other employees of the District be apprised of the General
11 Assembly's concern with the continuing increase in the District's
12 deficit and the improbability of any acceptance by the General
13 Assembly of broadened or increased revenue sources for support of
14 the District.

15 (4) That the District board and administrators are to be
16 applauded for setting, as their primary objective in 1976, an
17 evaluation of the effectiveness of service improvements added in
18 the past two years, and for making adjustments to provide a
19 higher quality of service to the citizens of the District in an
20 efficient and cost-effective manner.

21 (5) That the General Assembly desires to assist the
22 District in every phase of its program and urges the District's
23 board and administrators to communicate their needs to the
24 General Assembly on a continuing basis.

25 (6) That the District use every effort to resolve the
26 present legal impediments which now block new and expanded
27 transit service for Boulder Valley, and that as increased service

1 is developed for the area there be significant consultation with
2 citizens and local governmental officials including
3 transportation and planning experts.

4 (7) That the District assume the responsibility for
5 coordinating the delivery of transportation services to the
6 handicapped currently offered within the District by various
7 governmental agencies.

8 (8) That the District increase its efforts in providing an
9 aggressive program of service to the handicapped and, in
10 addition, cooperate with the State Advisory Council on the
11 Handicapped by providing and developing any information which the
12 Council requests relative to the transportation of handicapped
13 persons within the District.

14 (9) That school districts within the District work with the
15 District's administrative staff to eliminate the duplication of
16 public expenditures where the District can provide adequate pupil
17 transportation, and that said school districts and the District
18 report to the General Assembly suggesting methods for alleviating
19 this problem.

20 (10) That the District continue to encourage business and
21 governmental agencies to cooperate with the District in arranging
22 work schedules to facilitate use of the transit system by their
23 employees.

24 Be It Further Resolved, that a copy of this Resolution be
25 transmitted to the Chairman of the Board of Directors and the
26 Executive Director of the Regional Transportation District for
27 broad distribution to employees of the District.

COMMITTEE ON TRANSPORTATION

BILL 54

A BILL FOR AN ACT

1 CONCERNING THE REGIONAL TRANSPORTATION DISTRICT.

Bill Summary

(NOTE: This summary applies to this bill as introduced and does not necessarily reflect any amendments which may be subsequently adopted.)

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

3 SECTION 1. 32-9-103 (6), (7) (a), and (12), Colorado
4 Revised Statutes 1973, are amended, and the said 32-9-103 is
5 further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS,
6 to read:

7 32-9-103. Definitions. (6) "Dominant eminent domain"
8 means that the right of the district to condemn public property,
9 real and personal, shall be superior in public necessity to that
10 of any city, town, city and county, county, or other public
11 corporation except a school district, but such right shall be
12 superior only for the purpose of ~~acquiring-existing~~ CONSTRUCTING
13 PUBLIC mass transportation facilities. ~~and--related--real--or~~
14 ~~personal-property.~~ .

15 (6.3) "Elector" means a person who, at the designated time

1 or event, is qualified to vote in general elections in this state
2 and is a resident of the district.

3 (6.7) "Federal securities" means direct obligations of, or
4 obligations the principal of and the interest on which are
5 unconditionally guaranteed by the United States of America.

6 (7) (a) "Mass transportation system" or "system" means any
7 system of the district which transports the general public by
8 bus, rail, air, or any other means of conveyance, or any
9 combination thereof ~~along-prescribed-routes~~ within the district,
10 except any railroad subject to the "Federal Railway Labor Act",
11 Title 45, U.S.C.

12 (10.5) "Premium" means any prior redemption premium for the
13 payment of which the net revenues or sales tax revenues are or
14 shall be pledged.

15 (12) "Publication" means the publication once a week for
16 three consecutive weeks in at least one newspaper having general
17 circulation in the district. Publication need not be made on the
18 same day of the week in each of the three weeks. ~~but--not--less~~
19 ~~than--fourteen--days--shall--intervene--between--the--first--day--of~~
20 ~~publication--and--the--last--day--of--publication.~~

21 SECTION 2. 32-9-107 (1), Colorado Revised Statutes 1973, is
22 amended to read:

23 32-9-107. Mass transportation system - adoption of
24 comprehensive plan. (1) The district, acting by and through the
25 board, is authorized ~~subject--to--section-32-9-108~~ to develop,
26 maintain, and operate a mass transportation system for the
27 benefit of the inhabitants of the district.

1 SECTION 3. 32-9-109, Colorado Revised Statutes 1973, is
2 amended to read:

3 32-9-109. Board of directors. The governing body of the
4 district shall be a board of directors consisting of twenty-one
5 electors of the district as follows: Ten directors from the city
6 and county of Denver, two directors each from the counties of
7 Adams, Arapahoe, Jefferson, and Boulder, one director from the
8 county of Douglas, and two at-large directors. The board of
9 directors shall be appointed as provided in sections 32-9-110 to
10 32-9-112. All powers, duties, functions, rights, and privileges
11 vested in the district shall be exercised and performed by the
12 board; except that the exercise of any executive, administrative,
13 or ministerial powers may be delegated by the board to officers
14 and employees of the district. Except for the first board of
15 directors appointed pursuant to section 32-9-110, and except for
16 any director appointed to fill a vacancy pursuant to section
17 32-9-112, the term of office of each director shall commence on
18 July 1 next following his appointment or as soon thereafter as he
19 may qualify and shall be for four years, OR UNTIL A SUCCESSOR IS
20 APPOINTED AND APPROVED UNDER SECTION 32-9-110.

21 SECTION 4. 32-9-110 (1) (c), Colorado Revised Statutes
22 1973, is amended to read:

23 32-9-110. Initial board. (1) (c) Initial and subsequent
24 appointments to the district board by the individual boards of
25 county commissioners shall require approval of a majority of the
26 governing bodies of the cities and towns located within or
27 partially within ~~the county~~ THAT PORTION OF THE COUNTY WITHIN THE

1 DISTRICT.

2 SECTION 5. 32-9-115, Colorado Revised Statutes 1973, is
3 amended to read:

4 32-9-115. Records of board. All resolutions and orders
5 shall be recorded and authenticated by the signature of the
6 presiding officer of the board and the secretary. Every
7 legislative act of the board of a general or permanent nature
8 shall be by resolution. The book of resolutions and orders shall
9 be a public record. A record shall also be made of all other
10 proceedings of the board, minutes of the meetings, certificates,
11 contracts, bonds given by officers, employees, and any other
12 agents of the district, and all corporate acts, which record
13 shall also be a public record. The ~~treasurer~~ DISTRICT shall keep
14 an account of all moneys received by and disbursed on behalf of
15 the district, which shall also be a public record. Any public
16 record of the district shall be open for inspection by any
17 elector of the district, or by any representative of the state,
18 or of any county, city and county, city, or town within the
19 district. All records are subject to audit as provided by law
20 for political subdivisions.

21 SECTION 6. 32-9-119 (1) (n) and (2), Colorado Revised
22 Statutes 1973, are amended to read:

23 32-9-119. Additional powers of district. (1) (n) To
24 deposit any moneys of the district in any banking institution
25 within or without the district WHICH, IN THE CASE OF TIME
26 DEPOSITS, MAY BE EVIDENCED BY CERTIFICATES OF DEPOSIT INSURED BY
27 THE FEDERAL GOVERNMENT;

1 (2) To provide revenue to finance the operations of the
2 district, to defray the cost of construction of capital
3 improvements and acquisition of capital equipment INCLUDING THE
4 ESTABLISHMENT OF CAPITAL RESERVES THEREFOR, and to pay the
5 interest and principal on securities of the district, the board
6 ~~for-and-on-behalf-of-the-district-after-approval-by-election-held~~
7 ~~pursuant--to--section--32-9-108~~; shall have the power to levy
8 uniformly throughout the district a sales tax at the rate of
9 one-half of one percent upon every transaction or other incident
10 with respect to which a sales tax is now levied by the state,
11 pursuant to the provisions of article 26 of title 39, C.R.S.
12 1973. Such sales tax shall be collected, administered, and
13 enforced as follows:

14 SECTION 7. 32-9-149, Colorado Revised Statutes 1973, is
15 REPEALED AND REENACTED, WITH AMENDMENTS, to read:

16 32-9-149. Elections for bonds or other indebtedness. Bond
17 or other indebtedness elections may be held separately at a
18 special election or may be held concurrently with any primary or
19 general election held under the laws of the state; but no
20 election shall be held at the same time as any regular election
21 of any city, town, or school district within the district.

22 SECTION 8. 32-9-150 (1) (a), Colorado Revised Statutes
23 1973, is amended to read:

24 32-9-150. Election resolution. (1) (a) The objects and
25 purposes ~~of--the-election~~ for which the indebtedness is proposed
26 to be incurred;

27 SECTION 9. 32-9-151 (1) and (5), Colorado Revised Statutes

1 1973, are amended to read:

2 32-9-151. Conduct of election. (1) Except as otherwise
3 provided in this article ~~an--election--held--pursuant--to--this~~
4 ~~section~~ AND IN SECTIONS 32-1-106 AND 32-1-107, DISTRICT ELECTIONS
5 shall be ~~opened-and~~ conducted in the manner then provided by the
6 laws of the state for the conduct of general elections.
7 Registration pursuant to the general election or any other
8 statutes is not required.

9 (5) Application may be made for an absent voter's ballot no
10 more than twenty nor less than ~~three~~ FOUR days before the
11 election.

12 SECTION 10. 32-9-156, Colorado Revised Statutes 1973, is
13 amended to read:

14 32-9-156. District, tax exempted. WITHIN ITS BOUNDARIES
15 the district shall be exempted from any ~~general-ad-valorem~~ AND
16 ALL STATE AND LOCAL taxes upon any property of the district
17 ~~acquired--and--used~~ for purposes of this article AND UPON ANY
18 SERVICES PROVIDED IN AND UNDER THIS ARTICLE.

19 SECTION 11. 32-9-161 (1), Colorado Revised Statutes 1973,
20 is amended to read:

21 32-9-161. Eminent domain. (1) ~~Subsequent-to-approval-of~~
22 ~~incurrence-of-debt-and-issuance-of-securities-in-an-election-held~~
23 ~~pursuant-to-section-32-9-108~~; The power of eminent domain vested
24 in the district shall include, but not be limited to, the power
25 to condemn, in the name of the district:

26 SECTION 12. Repeal. 32-9-103 (15), 32-9-108, 32-9-113,
27 32-9-150 (1) (d), 32-9-151 (7), and 32-9-157, Colorado Revised

1 Statutes 1973, are repealed.

2 SECTION 13. Safety clause. The general assembly hereby
3 finds, determines, and declares that this act is necessary for
4 the immediate preservation of the public peace, health, and
5 safety.