

University of Colorado Law School

## Colorado Law Scholarly Commons

---

Session Laws 1951-2000

Colorado Session Laws

---

1963

### Amending "The Administrative Code of 1941", and Abolishing the Statutory Executive Department.

Colorado General Assembly

Follow this and additional works at: <https://scholar.law.colorado.edu/session-laws-1951-2000>

---

#### Recommended Citation

Colorado General Assembly, "Amending "The Administrative Code of 1941", and Abolishing the Statutory Executive Department." (1963). *Session Laws 1951-2000*. 3178.

<https://scholar.law.colorado.edu/session-laws-1951-2000/3178>

This Act is brought to you for free and open access by the Colorado Session Laws at Colorado Law Scholarly Commons. It has been accepted for inclusion in Session Laws 1951-2000 by an authorized administrator of Colorado Law Scholarly Commons. For more information, please contact [rebecca.ciota@colorado.edu](mailto:rebecca.ciota@colorado.edu).

## CHAPTER 32

## ADMINISTRATIVE CODE

## EXECUTIVE DEPARTMENT

(House Bill No. 23. By Representatives Dines and Burch; also Senators Oliver and McCulloch.)

## AN ACT

AMENDING "THE ADMINISTRATIVE CODE OF 1941", AND  
ABOLISHING THE STATUTORY EXECUTIVE DEPARTMENT.

*Be It Enacted by the General Assembly of the State of Colorado:*

Section 1. 3-2-1, Colorado Revised Statutes 1953, as amended, is hereby **REPEALED AND RE-ENACTED, WITH AMENDMENTS**, to read:

3-2-1.—**Offices, boards, etc. under executive department.**—In addition to the administrative departments created by section 3-1-1, the executive department, as defined by section 1, article IV of the state constitution, shall include, but not be limited to, the following offices, boards, divisions, and agencies, which shall be responsible to the governor as the supreme executive power of the state. The governor shall also have and may exercise, with respect to these offices, boards, divisions, and agencies, full administrative powers of supervision, approval, direction, and appointment:

- (1) Office of the governor;
- (2) Division of accounts and control;
- (3) Division of purchasing;
- (4) Division of planning;
- (5) Colorado national guard, including the Colorado state guard;
- (6) State board of stock inspection commissioners;

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

- (7) Industrial commission of Colorado;
- (8) Public utilities commission;
- (9) Banking department, commissioner of banking, and banking board;
- (10) Insurance department and the commissioner of insurance;
- (11) Savings and loan department and the state commissioner of savings and loan associations;
- (12) Civil service commission;
- (13) State inspector of oils;
- (14) Colorado highway safety council;
- (15) Division of civil defense;
- (16) Department of rehabilitation;
- (17) Division of state archives and public records;
- (18) Division of natural resources.

Section 2. 3-2-2, Colorado Revised Statutes 1953, is hereby amended to read:

**3-2-2.—Restriction of number of employees.**—It shall be the duty of the governor as chief officer of the executive department ~~THE SUPREME EXECUTIVE POWER OF THE STATE~~ to restrict the number of employees in the various divisions OFFICES, BOARDS, DIVISIONS, AND AGENCIES of said THE EXECUTIVE department to the lowest number required for efficient operation thereof. ~~and In making any appointment or in approving the appointments of any subordinate head of any such division~~ ANY APPOINTMENT MADE BY ANY OTHER OFFICIAL OF THE EXECUTIVE DEPARTMENT, the governor shall certify in writing that he deems such appointments APPOINTMENT necessary and for the best interests of the public service. IN THE EXERCISE OF HIS RESPONSIBILITY, THE GOVERNOR MAY DELEGATE IN WRITING TO SOME OTHER OFFICIAL THE POWER TO APPROVE OR DISAPPROVE APPOINTMENTS MADE BY OTHER OFFICIALS OF THE EXECUTIVE DEPARTMENT, SUBJECT ALWAYS TO FINAL REVIEW BY THE GOVERNOR AT HIS OPTION.

Section 3. 3-2-3., Colorado Revised Statutes 1953, is hereby amended to read:

**3-2-3.—Transfer of employees.**—For the purpose of providing necessary flexibility to meet working conditions and seasonal demands, the governor shall have power, when he shall be of the opinion and shall so certify in writ-

ing that it is necessary or desirable so to do, to transfer any employee of any OFFICE, board, DIVISION, OR AGENCY ~~commission or bureau~~ of the state government to any OTHER office, department, board, DIVISION, OR AGENCY ~~commission or bureau~~ of the state government for such time as in the opinion of the governor shall be necessary. The governor shall also have power and authority, if and when he shall deem it necessary and shall so certify in writing, giving his reasons therefor, to transfer from the contingent and incidental fund of any department, board or bureau having a surplus therein to any department, board or bureau having a deficit in its contingent and incidental fund such sums as he may deem necessary.

Section 4. Article 3 of chapter 3, Colorado Revised Statutes 1953, as amended, is hereby amended by the addition of a NEW SECTION to read:

3-3-15.—**Controller head of division — bond.**—The controller shall be the head of the division of accounts and control and shall be responsible to the governor. He shall be bonded in such sum as the governor may fix.

Section 5. Article 4 of chapter 3, Colorado Revised Statutes 1953, as amended, is hereby amended by the addition of a NEW SECTION to read:

3-4-12.—**State purchasing agent.**—The state purchasing agent shall be one of the three confidential employees of the governor's office as provided by article XII, section 13, of the state constitution. He shall be appointed by the governor, and his term of office shall be coterminous with the tenure of office of the governor making said appointment, but he may be removed at the pleasure of the governor. He shall be qualified by education and experience to conduct the division of purchasing.

Section 6.—**Repeal.**—3-1-1 (1) is hereby repealed.

Section 7.—**Safety clause.**—The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 27, 1963.