

HOUSE JOURNAL
SIXTY-NINTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-second Legislative Day

Wednesday, April 9, 2014

1 Prayer by the Reverend Dr. Cynthia Cearley, Centennial.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Marlie Cohen, Carl Sandberg School,
6 Littleton.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) McNulty, Stephens--2.
12 Absent--Representative(s) Court--1.
13 Present after roll call--Representative(s) Court, McNulty,
14 Stephens.
15
16 The Speaker declared a quorum present.
17 _____
18
19 On motion of Representative Wright, the reading of the journal of April
20 8, 2014, was declared dispensed with and approved as corrected by the
21 Chief Clerk.
22
23 _____
24
25
26 **CONSIDERATION OF MEMORIAL**
27
28 **SJM14-002** by Senator(s) Tochtrop; also Representative(s) Lebsock--
29 Concerning memorializing former Senator Eldon W.
30 "Coop" Cooper.
31
32 Printed and placed in members' files.
33
34 On motion of Representative Lebsock, the memorial was read at length.
35
36 After a number of House members spoke in favor of the resolution, the
37 Speaker put the House in recess to allow former members to speak:
38 Speaker Ruben Valdez
39
40 On motion of Representative Lebsock, the memorial was **adopted** by the
41 following roll call vote:
42

	YES	62	NO	0	EXCUSED	3	ABSENT	0
1								
2	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
3	Buck	Y	Ginal	Y	McNulty	E	Salazar	Y
4	Buckner	Y	Hamner	Y	Melton	E	Schafer	Y
5	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
6	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
7	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
8	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	E
9	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
10	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
11	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
12	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
13	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
14	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
15	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
16	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
17	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
18							Speaker	Y
19								

20 Current roll call of the House added as co-sponsors: Representative(s) Becker,
 21 Buck, Buckner, Conti, Coram, Court, DelGrosso, Dore, Duran, Everett, Exum,
 22 Fields, Fischer, Foote, Garcia, Gardner, Gerou, Ginal, Hamner, Holbert,
 23 Hullinghorst, Humphrey, Joshi, Kagan, Kraft-Tharp, Labuda, Landgraf,
 24 Lawrence, Lee, May, McCann, McLachlan, Mitsch Bush, Moreno, Murray,
 25 Navarro, Nordberg, Pabon, Peniston, Pettersen, Primavera, Priola, Rankin,
 26 Rosenthal, Ryden, Saine, Salazar, Schafer, Scott, Singer, Sonnenberg, Swalm,
 27 Szabo, Tyler, Vigil, Waller, Williams, Wilson, Wright, Young, Speaker.

THIRD READING OF BILL(S)--FINAL PASSAGE

34 The following bill(s) were considered on Third Reading. The title(s)
 35 were publicly read. Reading of the bill at length was dispensed with by
 36 unanimous consent.

38 **HB14-1330** by Representative(s) Williams; also Senator(s) Tochtrop--
 39 Concerning an update of telecommunications terminology
 40 for intrastate telecommunications services.

42 The question being "Shall the bill pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative and the bill
 45 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
48	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
49	Buck	Y	Ginal	Y	McNulty	E	Salazar	Y
50	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
51	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
52	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
53	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
54	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	E
55	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
56	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y

1	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
2	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
3	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
4	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
5	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
6	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
7	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Coram, Hulinghorst, Labuda, Melton,
10 Pabon, Rosenthal, Schafer, Scott, Tyler, Young

11
12 **HB14-1327** by Representative(s) Williams and Murray; also Senator(s)
13 Scheffel and Tochtrop--Concerning measures to expand
14 the deployment of communication networks, and, in
15 connection therewith, enacting the "Broadband
16 Deployment Act".

17
18 The question being "Shall the bill pass?".

19 A roll call vote was taken. As shown by the following recorded vote, a
20 majority of those elected to the House voted in the affirmative and the bill
21 was declared **passed**.

22	YES	57	NO	7	EXCUSED	1	ABSENT	0
24	Becker	Y	Gerou	Y	McLachlan	Y	Saine	N
25	Buck	N	Ginal	Y	McNulty	E	Salazar	Y
26	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
27	Conti	Y	Holbert	N	Mitsch Bush	Y	Scott	Y
28	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
29	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	Y
30	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
31	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
32	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
33	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
34	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
35	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
36	Fischer	Y	Lebsock	Y	Priola	N	Williams	Y
37	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
38	Garcia	Y	May	Y	Rosenthal	Y	Wright	N
39	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Buckner, Coram, Hulinghorst, Labuda,
42 Lee, McLachlan, Melton, Pabon, Pettersen, Rosenthal, Schafer, Stephens,
43 Young

44
45 **HB14-1328** by Representative(s) Williams and Coram, Becker, Dore,
46 Hamner, McLachlan, Mitsch Bush, Scott, Tyler, Wilson,
47 Young; also Senator(s) Nicholson and Crowder, Schwartz-
48 -Concerning the deployment of broadband into unserved
49 areas of Colorado through grant-making from moneys
50 allocated from the Colorado high cost support mechanism,
51 and, in connection therewith, making an appropriation.

52
53 The question being "Shall the bill pass?".

54 A roll call vote was taken. As shown by the following recorded vote, a
55 majority of those elected to the House voted in the affirmative and the bill
56 was declared **passed**.

	YES	47	NO	17	EXCUSED	1	ABSENT	0
1								
2	Becker	Y	Gerou	Y	McLachlan	Y	Saine	N
3	Buck	N	Ginal	Y	McNulty	E	Salazar	Y
4	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
5	Conti	N	Holbert	N	Mitsch Bush	Y	Scott	Y
6	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
7	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	Y
8	DelGrosso	N	Joshi	N	Navarro	Y	Stephens	Y
9	Dore	Y	Kagan	Y	Nordberg	N	Swalm	N
10	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	N
11	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
12	Exum	Y	Landgraf	N	Pettersen	Y	Vigil	Y
13	Fields	Y	Lawrence	N	Primavera	Y	Waller	N
14	Fischer	Y	Lebsock	Y	Priola	N	Williams	Y
15	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
16	Garcia	Y	May	Y	Rosenthal	Y	Wright	N
17	Gardner	N	McCann	Y	Ryden	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Exum, Hullinghorst, Labuda, Lee,
20 Melton, Pabon, Rosenthal, Schafer, Singer, Vigil, Speaker

21

22 **HB14-1329** by Representative(s) Williams and Murray; also Senator(s)
23 Kerr and Scheffel--Concerning the exemption of certain
24 internet-protocol-enabled services from oversight by the
25 public utilities commission, and, in connection therewith,
26 making an appropriation.

27

28 The question being "Shall the bill pass?".

29 A roll call vote was taken. As shown by the following recorded vote, a
30 majority of those elected to the House voted in the affirmative and the bill
31 was declared **passed**.

32

	YES	60	NO	4	EXCUSED	1	ABSENT	0
34	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
35	Buck	Y	Ginal	Y	McNulty	E	Salazar	Y
36	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
37	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
38	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	N
39	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
40	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
41	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
42	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
43	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
44	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
45	Fields	Y	Lawrence	Y	Primavera	N	Waller	Y
46	Fischer	Y	Lebsock	N	Priola	Y	Williams	Y
47	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
48	Garcia	Y	May	Y	Rosenthal	N	Wright	Y
49	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Coram, Gardner, Labuda, McLachlan,
52 Melton, Schafer, Scott, Wright, Young

53

1 **HB14-1331** by Representative(s) Williams and Murray; also Senator(s)
 2 Nicholson and Kerr--Concerning the regulation of basic
 3 local exchange service as it affects effective competition,
 4 and, in connection therewith, making an appropriation.
 5

6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	50	NO	14	EXCUSED	1	ABSENT	0
12	Becker	Y	Gerou	Y	McLachlan	Y	Saine	N
13	Buck	N	Ginal	Y	McNulty	E	Salazar	Y
14	Buckner	Y	Hamner	Y	Melton	N	Schafer	Y
15	Conti	Y	Holbert	N	Mitsch Bush	Y	Scott	Y
16	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
17	Court	N	Humphrey	N	Murray	Y	Sonnenberg	Y
18	DelGrosso	Y	Joshi	N	Navarro	Y	Stephens	Y
19	Dore	Y	Kagan	Y	Nordberg	N	Swalm	Y
20	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
21	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
22	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
23	Fields	Y	Lawrence	Y	Primavera	N	Waller	Y
24	Fischer	Y	Lebsock	N	Priola	Y	Williams	Y
25	Foote	Y	Lee	Y	Rankin	Y	Wilson	N
26	Garcia	Y	May	Y	Rosenthal	N	Wright	N
27	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Coram, Hullinghorst, Labuda

30
 31
 32 **HB14-1127** by Representative(s) Coram; also Senator(s) Hodge--
 33 Concerning disclosure of information for asset recovery,
 34 and, in connection therewith, making an appropriation.
 35

36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
42	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
43	Buck	Y	Ginal	Y	McNulty	E	Salazar	Y
44	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
45	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
46	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
47	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
48	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
49	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
50	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
51	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
52	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
53	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
54	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
55	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
56	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y

1	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
2							Speaker	Y
3	Co-sponsor(s) added: Representative(s) Court, Gardner, Labuda, Schafer, Tyler							

4
5 **HB14-1204** by Representative(s) Wilson, Dore, Sonnenberg; also
6 Senator(s) Grantham--Concerning flexibility regarding the
7 requirements imposed on rural school districts.
8

9 The question being "Shall the bill pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative and the bill
12 was declared **passed**.
13

14	YES	64	NO	0	EXCUSED	1	ABSENT	0
15	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
16	Buck	Y	Ginal	Y	McNulty	E	Salazar	Y
17	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
18	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
19	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
20	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
21	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
22	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
23	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
24	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
25	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
26	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
27	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
28	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
29	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
30	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Becker, Conti, Coram, Duran, Ginal,
33 Hamner, Hullinghorst, Landgraf, May, McLachlan, Mitsch Bush, Murray,
34 Navarro, Pettersen, Rankin, Saine, Salazar, Schafer, Scott, Stephens, Tyler,
35 Williams, Wright, Young
36

37 **HB14-1338** by Representative(s) May and Gerou, Duran; also
38 Senator(s) Hodge and Lambert, Steadman--Concerning
39 planning for the effective use of Colorado's regional
40 centers for persons with intellectual disabilities, and, in
41 connection therewith, making an appropriation.
42

43 The question being "Shall the bill pass?".
44 A roll call vote was taken. As shown by the following recorded vote, a
45 majority of those elected to the House voted in the affirmative and the bill
46 was declared **passed**.
47

48	YES	64	NO	0	EXCUSED	1	ABSENT	0
49	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
50	Buck	Y	Ginal	Y	McNulty	E	Salazar	Y
51	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
52	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
53	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
54	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
55	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
56	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y

1	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
2	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
3	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
4	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
5	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
6	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
7	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
8	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Becker, Conti, Court, Exum, Ginal,
 11 Hulinghorst, Kraft-Tharp, Labuda, Lee, Melton, Moreno, Pettersen, Primavera,
 12 Rosenthal, Ryden, Salazar, Schafer, Scott, Singer, Tyler, Williams, Wright,
 13 Young

14
 15 **HB14-1178** by Representative(s) Ferrandino and DelGrosso, Duran,
 16 Holbert, Kraft-Tharp, Lawrence, May, McNulty, Waller,
 17 Williams, Young; also Senator(s) Hodge and Grantham,
 18 Harvey, Scheffel, Steadman--Concerning a sales and use
 19 tax exemption for qualified property used in space flight,
 20 and, in connection therewith, making and reducing
 21 appropriations.

22
 23 The question being "Shall the bill pass?".
 24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative and the bill
 26 was declared **passed**.

27	YES	58	NO	6	EXCUSED	1	ABSENT	0
29	Becker	Y	Gerou	Y	McLachlan	Y	Saine	N
30	Buck	N	Ginal	Y	McNulty	E	Salazar	Y
31	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
32	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
33	Coram	Y	Hulinghorst	Y	Moreno	Y	Singer	Y
34	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	Y
35	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
36	Dore	Y	Kagan	Y	Nordberg	N	Swalm	Y
37	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
38	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
39	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
40	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
41	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
42	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
43	Garcia	Y	May	Y	Rosenthal	Y	Wright	N
44	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Exum, Garcia, Gerou, McLachlan,
 47 Melton, Mitsch Bush, Pabon, Pettersen, Priola, Rosenthal, Salazar, Schafer,
 48 Scott, Singer, Sonnenberg

49
 50
 51 **HB14-1119** by Representative(s) McLachlan, Dore; also Senator(s)
 52 Hodge and Roberts--Concerning an income tax credit for
 53 the donation of food to a hunger-relief charitable
 54 organization, and, in connection therewith, reducing an
 55 appropriation.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	51	NO	13	EXCUSED	1	ABSENT	0
7	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
8	Buck	N	Ginal	Y	McNulty	E	Salazar	Y
9	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
10	Conti	Y	Holbert	N	Mitsch Bush	Y	Scott	N
11	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
12	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	N
13	DelGrosso	N	Joshi	Y	Navarro	Y	Stephens	Y
14	Dore	Y	Kagan	Y	Nordberg	N	Swalm	N
15	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	N
16	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
17	Exum	Y	Landgraf	N	Pettersen	Y	Vigil	Y
18	Fields	Y	Lawrence	N	Primavera	Y	Waller	Y
19	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
20	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
21	Garcia	Y	May	Y	Rosenthal	Y	Wright	N
22	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Becker, Duran, Exum, Garcia, Ginal,
 25 Hamner, Hulinghorst, Kagan, Kraft-Tharp, Lebsock, Lee, May, Mitsch Bush,
 26 Moreno, Pabon, Pettersen, Primavera, Rankin, Rosenthal, Salazar, Schafer,
 27 Tyler, Vigil, Williams, Young, Speaker

28
 29
 30 **HB14-1211** by Representative(s) Young, Ginal, Singer, Tyler; also
 31 Senator(s) Tochtrop--Concerning ensuring access to
 32 quality complex rehabilitation technology in the medicaid
 33 program, and, in connection therewith, making and
 34 reducing appropriations.

35
 36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.

	YES	49	NO	15	EXCUSED	1	ABSENT	0
42	Becker	Y	Gerou	Y	McLachlan	Y	Saine	N
43	Buck	N	Ginal	Y	McNulty	E	Salazar	Y
44	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
45	Conti	Y	Holbert	N	Mitsch Bush	Y	Scott	N
46	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
47	Court	Y	Humphrey	N	Murray	Y	Sonnenberg	N
48	DelGrosso	N	Joshi	N	Navarro	Y	Stephens	Y
49	Dore	Y	Kagan	Y	Nordberg	N	Swalm	N
50	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	N
51	Everett	N	Labuda	Y	Peniston	Y	Tyler	Y
52	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
53	Fields	Y	Lawrence	N	Primavera	Y	Waller	Y
54	Fischer	Y	Lebsock	Y	Priola	N	Williams	Y
55	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
56	Garcia	Y	May	Y	Rosenthal	Y	Wright	N

1	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Duran, Exum, Fields, Kraft-Tharp,
4 Labuda, Lee, May, Melton, Mitsch Bush, Primavera, Rosenthal, Schafer, Vigil,
5 Williams

6
7
8 On motion of Representative Pabon, **HB14-1269, 1159, 1320, 1354,**
9 **1292, 1298** were made Special Orders on April 9, 2014, at 9:39 a.m.

10
11
12 The hour of 9:39 a.m., having arrived, on motion of Representative
13 Exum, the House resolved itself into Committee of the Whole for
14 consideration of Special Orders and he was called to the Chair to act as
15 Chairman.

17 18 SPECIAL ORDERS--SECOND READING OF BILLS

19
20 The Committee of the Whole having risen, the Chairman reported the
21 titles of the following bills had been read (reading at length had been
22 dispensed with by unanimous consent), the bills considered and action
23 taken thereon as follows:

24
25 (Amendments to the committee amendment are to the printed committee
26 report which was printed and placed in the members' bill file.)

27
28 **HB14-1354** by Representative(s) Buckner and Gardner--Concerning
29 the ability of a county clerk and recorder to seek judicial
30 review of final action by the secretary of state relating to
31 elections.

32
33 Ordered engrossed and placed on the Calendar for Third Reading and
34 Final Passage.

35
36 **HB14-1292** by Representative(s) Hamner and Murray, Buckner, Court,
37 DelGrosso, Exum, Ferrandino, Fields, Gardner, Ginal,
38 Hullinghorst, Labuda, Landgraf, Lawrence, McCann,
39 McLachlan, McNulty, Moreno, Navarro, Pabon, Peniston,
40 Pettersen, Primavera, Priola, Rankin, Rosenthal, Salazar,
41 Schafer, Scott, Swalm, Szabo, Tyler, Williams, Wilson,
42 Young; also Senator(s) Johnston--Concerning moneys
43 allocated to the state elementary and secondary public
44 school system, and, in connection therewith, creating the
45 implementation fund, implementing average daily
46 membership as the method for counting enrolled students,
47 requiring increased reporting of the use of public moneys
48 by public schools, increasing the funding for public school
49 capital construction, increasing the funding and
50 expectations for English language learner programs,
51 increasing the funding for the "Colorado READ Act", and
52 making an appropriation.

53
54 Amendment No. 1, Education Report, dated March 19, 2014, and placed
55 in member's bill file; Report also printed in House Journal, March 20,
56 2014, page(s) 645-648.

1 Amendment No. 2, Appropriations Report, dated April 4, 2014, and
2 placed in member's bill file; Report also printed in House Journal, April
3 4, 2014, page(s)812-816 .

4
5 Amendment No. 3, by Representative(s) Hamner.

6
7 Amend the Appropriations Committee Report, dated April 4, 2014, page
8 2, after line 11, insert:

9
10 "(2) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF
11 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, STUDYING THE
12 FEASIBILITY OF A STATEWIDE SYSTEM FOR COLLECTING STUDENT
13 ENROLLMENT COUNTS IS AN IMPORTANT ELEMENT IN IMPLEMENTING
14 ACCOUNTABLE EDUCATION REFORM AND MAY THEREFORE RECEIVE
15 FUNDING FROM THE STATE EDUCATION FUND CREATED IN SECTION 17 (4)
16 OF ARTICLE IX OF THE STATE CONSTITUTION."

17
18 Renumber succeeding subsection accordingly.

19
20 Amendment No. 4, by Representative(s) Hamner.

21
22 Amend the Education Committee Report, dated March 19, 2014, page 2,
23 strike lines 1 through 24 and substitute:

24 "Strike pages 69 through 71 of the printed bill and substitute:

25 "**22-44-105. Budget - contents - mandatory.** (4) (a) ~~Not later~~
26 ~~than July 1, 1998;~~ The state board of education, with input from the
27 financial policies and procedures advisory committee, shall establish, ~~and~~
28 implement, AND MAINTAIN a statewide financial, student management,
29 and human resource electronic data communications and reporting system
30 that is based on a ~~redesigned~~ standard chart of accounts, a standard
31 information system, and a standard personnel classification system. THE
32 REPORTING SYSTEM MUST INCLUDE TO THE FULLEST EXTENT POSSIBLE
33 COMPARABLE REPORTING OF EXPENDITURES AND REVENUES AT THE
34 SCHOOL-SITE LEVEL AS WELL AS AT THE SCHOOL DISTRICT LEVEL, AT THE
35 BOARD OF COOPERATIVE SERVICES LEVEL, AND BY THE STATE CHARTER
36 SCHOOL INSTITUTE. The department of education, THE STATE CHARTER
37 SCHOOL INSTITUTE, and all DISTRICT CHARTER SCHOOLS, INSTITUTE
38 CHARTER SCHOOLS, school districts, and boards of cooperative services
39 in the state shall use the system to report and obtain necessary financial
40 information.

41 (b) In ~~redesigning~~ IMPLEMENTING AND MAINTAINING the financial
42 and human resource reporting system pursuant to paragraph (a) of this
43 section, the state board of education shall adhere to, but is not limited to,
44 the following guidelines:

45 (I) The ~~financial and human resource~~ reporting system ~~shall~~ MUST
46 be based on a ~~redesigned~~ STANDARD chart of accounts that ~~will make~~
47 MAKES school-to-school and school district-to-school district comparisons
48 ~~more~~ accurate and meaningful;

49 (II) THE REPORTING SYSTEM, INCLUDING THE STANDARD CHART OF
50 ACCOUNTS, MUST REQUIRE THE REPORTING OF EXPENDITURES, INCLUDING
51 BUT NOT LIMITED TO SALARY AND BENEFIT EXPENDITURES REPORTED BY
52 JOB CLASSIFICATIONS SPECIFIED IN THE COMMON CHART OF ACCOUNTS, AT
53 THE SCHOOL-SITE LEVEL;

54 (III) THE REPORTING SYSTEM MUST REQUIRE THE REPORTING OF
55 REVENUES RECEIVED AT ALL LEVELS, INCLUDING PUBLIC REVENUES AND
56 REVENUES RECEIVED FROM PRIVATE GIFTS, GRANTS, AND DONATIONS;

1 ~~(H)~~ (IV) The ~~financial and human resource~~ reporting system shall
2 MUST provide standard definitions for employment positions such that
3 full, accurate disclosure of administrative costs is made within the
4 budgets and the financial statements of every school district;

5 ~~(H)~~ (V) The ~~financial~~ reporting system shall MUST make it
6 possible to collect comparable data by program and school site; AND

7 (VI) THE REPORTING SYSTEM MUST REQUIRE EACH CHARTER
8 SCHOOL, EACH SCHOOL DISTRICT, EACH BOARD OF COOPERATIVE SERVICES,
9 AND THE STATE CHARTER SCHOOL INSTITUTE TO REPORT ACTUAL SALARY
10 AND BENEFIT AMOUNTS BY JOB CLASSIFICATION SPECIFIED IN THE COMMON
11 CHART OF ACCOUNTS WHEN REPORTING SALARY AND BENEFITS
12 EXPENDITURES.

13 (c) ~~Nothing in this section shall be interpreted to require~~
14 ~~accounting of salary and benefit costs by school site.~~ A SCHOOL DISTRICT
15 THAT CONSISTS OF ONLY ONE SCHOOL BUILDING THAT HOUSES SEVERAL
16 GRADE LEVELS MAY COMPLY WITH THE REQUIREMENTS OF THIS SECTION
17 BY REPORTING EXPENDITURES, REVENUES, AND OTHER REQUIRED
18 INFORMATION IN TOTAL FOR ALL OF THE GRADE LEVELS HOUSED IN THE
19 BUILDING AND IS NOT REQUIRED TO DISAGGREGATE EXPENDITURES,
20 REVENUES, AND OTHER INFORMATION FOR THE INDIVIDUALLY CODED
21 SCHOOLS LOCATED WITHIN THE BUILDING.

22 ~~(d) Repealed.~~

23 (d) (I) NO LATER THAN JULY 1, 2015, THE STATE BOARD, BASED ON
24 RECOMMENDATIONS OF THE FINANCIAL POLICIES AND PROCEDURES
25 ADVISORY COMMITTEE, SHALL ADOPT GUIDELINES AS NECESSARY TO
26 UPDATE THE REPORTING SYSTEM TO REFLECT THE SITE-LEVEL REPORTING
27 REQUIREMENTS AND THE REQUIREMENTS SPECIFIED IN SUBPARAGRAPHS
28 (II), (III), AND (VI) OF PARAGRAPH (b) OF THIS SUBSECTION (4), WHICH
29 REQUIREMENTS WERE ENACTED ON THE EFFECTIVE DATE OF THIS
30 PARAGRAPH (d). BEGINNING IN THE 2015-16 BUDGET YEAR AND IN
31 BUDGET YEARS THEREAFTER, EACH CHARTER SCHOOL, EACH SCHOOL
32 DISTRICT, EACH BOARD OF COOPERATIVE SERVICES, AND THE STATE
33 CHARTER SCHOOL INSTITUTE SHALL COMPLY WITH THE SITE-LEVEL
34 REPORTING REQUIREMENTS AND THE REQUIREMENTS SPECIFIED IN
35 SUBPARAGRAPHS (II), (III), AND (VI) OF PARAGRAPH (b) OF THIS
36 SUBSECTION (4), IN ADDITION TO THE REQUIREMENTS SPECIFIED IN
37 PARAGRAPH (b) OF THIS SUBSECTION (4) BEFORE THE EFFECTIVE DATE OF
38 THIS PARAGRAPH (d).

39 (II) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE STATE
40 BOARD AND THE DEPARTMENT OF EDUCATION WILL IMPLEMENT THE
41 SITE-LEVEL REPORTING REQUIREMENTS AND THE REQUIREMENTS SPECIFIED
42 SUBPARAGRAPHS (II), (III), AND (VI) OF PARAGRAPH (b) OF THIS
43 SUBSECTION (4), WHICH REQUIREMENTS WERE ENACTED ON THE EFFECTIVE
44 DATE OF THIS PARAGRAPH (d), IN A MANNER THAT, TO THE GREATEST
45 EXTENT POSSIBLE, DOES NOT INCREASE THE FINANCIAL AND PERSONNEL
46 COSTS THAT SCHOOL DISTRICTS, BOARDS OF COOPERATIVE SERVICES, THE
47 INSTITUTE, AND CHARTER SCHOOLS INCUR IN COMPLYING WITH THIS
48 SUBSECTION (4).

49 (e) FOR THE 2016-17 BUDGET YEAR AND BUDGET YEARS
50 THEREAFTER, THE DEPARTMENT OF EDUCATION SHALL COLLECT, REVIEW,
51 STANDARDIZE, AND PUBLISH THE DATA REPORTED BY THE STATE CHARTER
52 SCHOOL INSTITUTE, CHARTER SCHOOLS, SCHOOL DISTRICTS, AND BOARDS
53 OF COOPERATIVE SERVICES PURSUANT TO THIS SUBSECTION (4) TO ENSURE
54 THE GREATEST LEVEL OF TRANSPARENCY AND COMPARABILITY OF
55 EXPENDITURES AND REVENUES AMONG SCHOOL SITES, SCHOOL DISTRICTS,
56 THE STATE CHARTER SCHOOL INSTITUTE, AND BOARDS OF COOPERATIVE

1 SERVICES.

2 (f) (I) THE DEPARTMENT SHALL CREATE OR CONTRACT FOR THE
 3 CREATION OF A WEB SITE VIEW THAT, AT A MINIMUM, TRANSLATES THE
 4 EXPENDITURES FOR EACH OF THE MAJOR CATEGORIES SPECIFIED IN THE
 5 CHART OF ACCOUNTS AND REVENUES FOR SCHOOL SITES, SCHOOL
 6 DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, AND BOARDS OF
 7 COOPERATIVE SERVICES INTO A FORMAT THAT IS READABLE BY A
 8 LAYPERSON. THE DEPARTMENT AND THE ENTITY WITH WHICH THE
 9 DEPARTMENT CONTRACTS, IF ANY, SHALL WORK WITH THE FINANCIAL
 10 POLICIES AND PROCEDURES ADVISORY COMMITTEE AND A
 11 REPRESENTATIVE FROM THE OFFICE OF STATE POLICY AND BUDGETING IN
 12 DESIGNING THE PRESENTATION OF DATA ON THE WEB SITE VIEW TO ENSURE
 13 THE GREATEST DEGREE OF CLARITY AND COMPARABILITY BY LAYPERSONS
 14 OF EXPENDITURES AND REVENUES AMONG SCHOOL SITES, SCHOOL
 15 DISTRICTS, THE STATE CHARTER SCHOOL INSTITUTE, AND BOARDS OF
 16 COOPERATIVE SERVICES.

17 (II) THE DEPARTMENT SHALL ENSURE THAT THE WEB SITE CREATED
 18 PURSUANT TO THIS PARAGRAPH (f) IS AVAILABLE TO THE PUBLIC NO LATER
 19 THAN JULY 1, 2017.

20 **SECTION 15.** In Colorado Revised Statutes, 22-44-304, **amend**
 21 (1) (b) and (1) (c) as follows:

22 **22-44-304. Financial reporting - on-line access to information**
 23 **- repeal.** (1) (b) (I) Additionally, commencing July 1, 2011, each local
 24 education provider shall post accounts payable check registers and credit,
 25 debit, and purchase card statements on-line, in a downloadable format, for
 26 free public access.

27 (II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2017.

28 (c) (I) Additionally, commencing July 1, 2012, each local
 29 education provider shall post investment performance reports or
 30 statements on-line, in a downloadable format, for free public access.

31 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2017.".

32

33 Renumber succeeding sections accordingly.

34

35 Page 72 of the printed bill, strike lines 1 through 20."

36

37 Amendment No. 5, by Representative(s) Hamner.

38 Amend the Education Committee Report, dated March 19, 2014, page 2,
 39 strike lines 25 and 26 and substitute:

40

41 "Page 73, line 7, strike "THE" and substitute "FOR THE 2014-15 BUDGET
 42 YEAR AND BUDGET YEARS THEREAFTER, EACH SCHOOL DISTRICT SHALL
 43 REPORT THE TOTAL AMOUNT OF ADDITIONAL LOCAL PROPERTY TAX
 44 REVENUES THE DISTRICT IS AUTHORIZED TO COLLECT IN ADDITION TO THE
 45 DISTRICT'S TOTAL PROGRAM MILL LEVY, BUT NOT INCLUDING AMOUNTS
 46 AUTHORIZED PURSUANT TO SECTION 22-40-110, ARTICLE 42 OF THIS TITLE,
 47 OR ARTICLE 43 OF THIS TITLE, AND THE AMOUNT OF THE ADDITIONAL
 48 LOCAL PROPERTY TAX REVENUES THAT THE SCHOOL DISTRICT DISTRIBUTES
 49 DIRECTLY TO SCHOOLS OF THE SCHOOL DISTRICT, STATED AS A DOLLAR
 50 AMOUNT.

51 (2) THE".

52

53 Renumber succeeding subsections accordingly.

54

55 Page 73, line 9, strike "SECTION 22-44-105 (4) (b) (VI)" and substitute
 56 "SUBSECTION (1) OF THIS SECTION".

1 Amendment No. 6, by Representative(s) Dore.
2
3 Amend printed bill, page 77, strike lines 5 through 14 and substitute
4 "TITLE 39, C.R.S. THE STATE TREASURER SHALL CREDIT TWELVE AND
5 FIVE-TENTHS PERCENT OF THE AMOUNT ANNUALLY TRANSFERRED
6 PURSUANT TO THIS PARAGRAPH (d) TO THE CHARTER SCHOOL".
7
8 Page 78, strike lines 6 through 16 and substitute "assembly; AND
9 (b) THE MONEYS CREDITED TO THE CHARTER SCHOOL FACILITIES
10 ASSISTANCE ACCOUNT PURSUANT TO PARAGRAPH (d) OF SUBSECTION (2)
11 OF THIS SECTION ARE CONTINUOUSLY".
12
13 Page 78, strike lines 23 and 24 and substitute "AMOUNTS CREDITED TO".
14
15 Page 79, strike lines 5 through 27.
16
17 Strike pages 80 through 84.
18
19 Page 85, strike lines 1 through 24 and substitute:
20 "SECTION 19. In Colorado Revised Statutes, add 22-43.7-110.3
21 as follows:
22 **22-43.7-110.3. Department - charter school facilities assistance**
23 **account - distribution - definitions.** (1) THE DEPARTMENT SHALL
24 DISTRIBUTE THE MONEYS CREDITED TO THE CHARTER SCHOOL FACILITIES
25 ASSISTANCE ACCOUNT CREATED IN SECTION 22-43.7-104 (2) (d) AS
26 PROVIDED IN THIS SECTION. A QUALIFIED CHARTER SCHOOL MAY USE
27 MONEYS RECEIVED FROM THE CHARTER SCHOOL FACILITIES ASSISTANCE
28 ACCOUNT FOR CAPITAL CONSTRUCTION PURPOSES."
29
30 Page 85, line 25, strike "(3)" and substitute "(2)".
31
32 Page 87, line 19, strike "SUBSECTION (3):" and substitute "SECTION:".
33
34 Page 88, strike lines 5 through 27.
35
36 Page 89, strike lines 1 through 13.
37
38 Renumber succeeding sections accordingly.
39
40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.
42
43 **HB14-1298** by Representative(s) Hamner and Buckner; also Senator(s)
44 Kerr and Steadman--Concerning the financing of public
45 schools, and, in connection therewith, making an
46 appropriation.
47
48 Amendment No. 1, Education Report, dated March 19, 2014, and placed
49 in member's bill file; Report also printed in House Journal, March 20,
50 2014, page(s) 648
51
52 Amendment No. 2, Appropriations Report, dated April 8, 2014, and
53 placed in member's bill file; Report also printed in House Journal, April
54 8, 2014, page(s) 864-871.
55

1 Amendment No. 3, by Representative(s) Hamner.

2

3 Amend printed bill, page 11, before line 9, insert:

4

5 "SECTION 8. In Senate Bill 14-112, **amend** section 2 as follows:

6 Section 2. **Applicability.** This act applies for ~~fiscal years~~

7 ~~commencing~~ TO AWARDS OF FINANCIAL ASSISTANCE AWARDED on or after

8 July 1, 2014."

9

10 Renumber succeeding sections accordingly.

11

12 Amendment No. 4, by Representative(s) Murray.

13

14 Amend printed bill, page 9, line 5, after the period, add

15 "NOTWITHSTANDING ANY PROVISION OF SUBSECTION (2) OF THIS SECTION

16 TO THE CONTRARY, THE DEPARTMENT SHALL DISTRIBUTE THE

17 INCREMENTAL INCREASE IN THE NUMBER OF POSITIONS AUTHORIZED IN

18 THIS SUBPARAGRAPH (II) TO DISTRICTS AND CHARTER SCHOOLS FIRST FOR

19 THE PURPOSE OF ENROLLING CHILDREN IN A FULL DAY OF THE DISTRICT'S

20 OR CHARTER SCHOOL'S EXISTING FULL-DAY KINDERGARTEN PROGRAM. IF

21 THERE ARE ANY POSITIONS REMAINING AFTER DISTRIBUTING THE

22 POSITIONS REQUESTED FOR EXISTING FULL-DAY KINDERGARTEN

23 PROGRAMS, THE DEPARTMENT SHALL DISTRIBUTE THE REMAINING

24 POSITIONS TO ENROLL CHILDREN IN A HALF-DAY OR FULL-DAY PRESCHOOL

25 PROGRAM."

26

27 As amended, ordered engrossed and placed on the Calendar for Third

28 Reading and Final Passage.

29

30 HB14-1159 by Representative(s) Young and Dore, Fischer, Lebsock,

31 McLachlan, Mitsch Bush, Vigil; also Senator(s) Schwartz

32 and Crowder--Concerning a state sales and use tax

33 exemption for components used in biogas production

34 systems.

35

36 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,

37 dated January 27, 2014, and placed in member's bill file; Report also

38 printed in House Journal, January 28, 2014, page(s) 117

39

40 Amendment No. 2, Finance Report, dated February 13, 2014, and placed

41 in member's bill file; Report also printed in House Journal, February 14,

42 2014, page(s) 287-288.

43

44 Amendment No. 3, Appropriations Report, dated April 8, 2014, and

45 placed in member's bill file; Report also printed in House Journal, April

46 8, 2014, page(s) 852-853.

47

48 Amendment No. 4, by Representative(s) Young.

49

50 Amend Appropriations Committee Report, dated April 8, 2014, page 1,

51 strike lines 8 through 12 and substitute:

52 ""(II) (A) THE MAXIMUM AGGREGATE AMOUNT".

53

54 As amended, ordered engrossed and placed on the Calendar for Third

55 Reading and Final Passage.

56

1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2
3 Representative Wilson moved to amend the Report of the Committee of
4 the Whole to reverse the action taken by the Committee in not adopting
5 the following Wilson amendment, to HB 14-1292, to show that said
6 amendment, as amended by the following Szabo amendment, to
7 HB14-1292, passed, that the Amendment No. 4, by Representative
8 Hamner (printed in House Journal, page 884, line 20-56, page 885, lines
9 1-56, and on page 886, line 1-35), to HB 14-1292, lost, and that
10 HB 14-1292, as amended, passed.

11
12 **Amendment moved by Representative Wilson:**

13 Amend the Education Committee Report, dated March 19, 2014, page 2,
14 strike lines 1 through 26 and substitute:

15
16 "Page 68 of the printed bill, strike lines 26 and 27.

17
18 Strike pages 69 through 73 of the printed bill.

19
20 Page 74 of the printed bill, strike lines 1 through 7 and substitute:

21 "SECTION 14. In Colorado Revised Statutes, **add** 22-44-305 as
22 follows:

23 **22-44-305. Summary of school financial information - public**
24 **access.** (1) BEGINNING WITH THE 2014-15 BUDGET YEAR, THE
25 DEPARTMENT SHALL COLLECT AND REVIEW FINANCIAL DATA AND REPORTS
26 RECEIVED FROM LOCAL EDUCATION PROVIDERS PURSUANT TO THIS TITLE
27 AND DESIGN A STANDARD SUMMARY FORMAT AND VISUAL
28 REPRESENTATION OF THE REVENUE AND PRIMARY EXPENDITURES OF EACH
29 LOCAL EDUCATION PROVIDER. THE DEPARTMENT SHALL DISAGGREGATE
30 THE SUMMARY AND VISUAL REPRESENTATION BY ELEMENTARY, MIDDLE,
31 AND SECONDARY SCHOOL LEVELS. THE DEPARTMENT SHALL ENSURE THAT
32 THE INFORMATION SUMMARIZED AND PRESENTED FOR EACH LOCAL
33 EDUCATION PROVIDER IS UNIFORM AND CONSISTENT SO THAT MEMBERS OF
34 THE PUBLIC CAN EASILY COMPARE REVENUE AND EXPENDITURES ACROSS
35 LOCAL EDUCATION PROVIDERS. THE DEPARTMENT SHALL DESIGN THE
36 SUMMARY INFORMATION AND VISUAL REPRESENTATION TO BE READABLE
37 AND UNDERSTANDABLE BY A LAYPERSON.

38 (2) WITH INPUT FROM THE FINANCIAL POLICIES AND PROCEDURES
39 COMMITTEE, THE DEPARTMENT SHALL:

40 (a) DETERMINE THE DATA SOURCES FOR THE REVENUE AND
41 EXPENDITURE INFORMATION AND THE RELEVANT INFORMATION TO BE
42 CONTAINED IN THE SUMMARY;

43 (b) DETERMINE THE NUMBER AND DESCRIPTION OF THE PRIMARY
44 EXPENDITURE ITEMS INCLUDED IN THE VISUAL REPRESENTATION;

45 (c) CREATE A STYLE AND FORMAT FOR THE VISUAL
46 REPRESENTATION THAT ALLOWS FOR VISUAL COMPARISON OF THE
47 REVENUE AND PRIMARY EXPENDITURES OF DIFFERENT LOCAL EDUCATION
48 PROVIDERS; AND

49 (d) DESIGNATE ANY ADDITIONAL DATA OR CHANGES TO EXISTING
50 DATA PROVIDED BY LOCAL EDUCATION PROVIDERS THAT WOULD
51 FACILITATE THE IMPLEMENTATION OF THIS SECTION. HOWEVER, IT IS THE
52 INTENT OF THE GENERAL ASSEMBLY THAT LOCAL EDUCATION PROVIDERS
53 WILL NOT BE REQUIRED TO PROVIDE ADDITIONAL DATA OR TO REFORMAT
54 THE REPORTING OF DATA PROVIDED TO THE DEPARTMENT AS OF THE
55 EFFECTIVE DATE OF THIS SECTION IF DOING SO WOULD BE UNDULY
56 BURDENSOME TO LOCAL EDUCATION PROVIDERS.

1 (3) THE DEPARTMENT SHALL CREATE A WEB SITE VIEW THAT
2 CONTAINS THE ANNUAL REVENUE AND EXPENDITURE SUMMARIES AND
3 VISUAL REPRESENTATIONS FOR ALL LOCAL EDUCATION PROVIDERS.

4 (4) (a) EACH LOCAL EDUCATION PROVIDER SHALL POST ANNUALLY
5 ON THE LOCAL EDUCATION PROVIDER'S WEB SITE, OR IN THE ON-LINE
6 LOCATION WHERE THE LOCAL EDUCATION PROVIDER POSTS REQUIRED
7 FINANCIAL DATA AND REPORTS, THE REVENUE AND EXPENDITURE
8 SUMMARY AND VISUAL REPRESENTATION THAT THE DEPARTMENT
9 PREPARES FOR THE LOCAL EDUCATION PROVIDER.

10 (b) ALONG WITH THE REVENUE AND EXPENDITURE SUMMARY AND
11 VISUAL REPRESENTATION, THE LOCAL EDUCATION PROVIDER SHALL
12 INCLUDE A LINK TO THE DEPARTMENT'S WEB SITE WITH NOTICE TO THE
13 PUBLIC THAT ALL OF THE LOCAL EDUCATION PROVIDER'S REVENUE AND
14 EXPENDITURE SUMMARIES AND VISUAL REPRESENTATIONS ARE VIEWABLE
15 ON THE DEPARTMENT'S WEB SITE."

16
17 Renumber succeeding sections accordingly."

18
19 **Amendment moved by Representative Szabo:**
20 Amend the Wilson floor amendment as printed in House Journal page
21 889, line 18, strike "73" and substitute "71".

22
23 Page 889 of the floor amendment, line 20, strike "Page 74 of the printed
24 bill, strike lines 1 through 7" and substitute "Page 72 of the printed bill,
25 strike lines 1 through 20".

26
27 Page 890 of the floor amendment, strike line 17 and substitute:
28 "Renumber succeeding sections accordingly."

29
30 Page 73 of the printed bill, line 7, strike "THE" and substitute "FOR THE
31 2014-15 BUDGET YEAR AND BUDGET YEARS THEREAFTER, EACH SCHOOL
32 DISTRICT SHALL REPORT THE TOTAL AMOUNT OF ADDITIONAL LOCAL
33 PROPERTY TAX REVENUES THE DISTRICT IS AUTHORIZED TO COLLECT IN
34 ADDITION TO THE DISTRICT'S TOTAL PROGRAM MILL LEVY, BUT NOT
35 INCLUDING AMOUNTS AUTHORIZED PURSUANT TO SECTION 22-40-110,
36 ARTICLE 42 OF THIS TITLE, OR ARTICLE 43 OF THIS TITLE, AND THE AMOUNT
37 OF THE ADDITIONAL LOCAL PROPERTY TAX REVENUES THAT THE SCHOOL
38 DISTRICT DISTRIBUTES DIRECTLY TO SCHOOLS OF THE SCHOOL DISTRICT,
39 STATED AS A DOLLAR AMOUNT.

40 (2) THE".

41
42 Renumber succeeding subsections accordingly.

43
44 Page 73 of the printed bill, line 9, strike "SECTION 22-44-105 (4) (b) (VI)"
45 and substitute "SUBSECTION (1) OF THIS SECTION"."

46
47 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
50	Becker	N	Gerou	Y	McLachlan	Y	Saine	Y
51	Buck	Y	Ginal	N	McNulty	Y	Salazar	N
52	Buckner	N	Hamner	N	Melton	N	Schafer	N
53	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
54	Coram	Y	Hullinghorst	N	Moreno	N	Singer	N
55	Court	N	Humphrey	Y	Murray	Y	Sonnenberg	Y
56	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y

1	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
2	Duran	N	Kraft-Tharp	N	Pabon	N	Szabo	Y
3	Everett	Y	Labuda	N	Peniston	N	Tyler	N
4	Exum	N	Landgraf	Y	Pettersen	N	Vigil	N
5	Fields	N	Lawrence	Y	Primavera	N	Waller	Y
6	Fischer	N	Lebsock	N	Priola	N	Williams	N
7	Foote	Y	Lee	N	Rankin	Y	Wilson	Y
8	Garcia	N	May	N	Rosenthal	N	Wright	Y
9	Gardner	Y	McCann	N	Ryden	N	Young	N
10							Speaker	N

11
12
13

14 Representative Priola moved to amend the Report of the Committee of
15 the Whole to reverse the action taken by the Committee in not adopting
16 the following Priola amendment, to HB 14-1298, to show that said
17 amendment passed, and that HB 14-1298, as amended, passed.

18

19 Amend the Appropriations Committee Report, dated April 8, 2014, page
20 1, strike lines 1 through 5 and substitute:

21

22 "Amend printed bill, page 6, strike lines 6 and 7 and substitute "HUNDRED
23 SEVENTY-ONE MILLION ONE HUNDRED EIGHTEEN THOUSAND
24 SEVENTY-TWO DOLLARS (\$5,771,118,072); except that the department of".

25

26 Page 7 of the bill, strike lines 14 and 15 and substitute "NINE HUNDRED
27 TWENTY-FIVE MILLION THREE HUNDRED THIRTY-THREE THOUSAND EIGHT
28 HUNDRED EIGHT DOLLARS (\$5,925,333,808); except that the".

29

30 Page 9 of the bill, line 2, strike "FIVE THOUSAND" and substitute "THREE
31 THOUSAND EIGHT HUNDRED TWENTY-FOUR".

32

33 Page 9 of the bill, line 4, strike "TWENTY-EIGHT THOUSAND THREE
34 HUNDRED SIXTY" and substitute "TWENTY-SEVEN THOUSAND ONE
35 HUNDRED NINETY".

36

37 Page 11 of the bill, before line 9 insert:

38 "SECTION 8. In Colorado Revised Statutes, **add** article 95 to
39 title 22 as follows:

40

ARTICLE 95

41

Highly Effective Teacher Incentives Program

42

43 **22-95-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY
44 BE CITED AS THE "GREATEST RESOURCES FOR EDUCATION ARE TEACHERS
45 ACT".

46

47 **22-95-102. Legislative declaration.** (1) THE GENERAL ASSEMBLY

48

49 FINDS THAT:
50 (a) RESEARCH DEMONSTRATES THAT ONE OF THE MOST IMPORTANT

51

52 FACTORS IN INCREASING STUDENT LEARNING IS THE PRESENCE OF AN
53 EFFECTIVE TEACHER IN THE CLASSROOM;

54

55 (b) ALTHOUGH THERE ARE EXCEPTIONS, LOW-PERFORMING
56 SCHOOLS ARE MORE LIKELY TO HAVE MORE INEFFECTIVE AND
57 INEXPERIENCED TEACHERS;

58

59 (c) THE STATE AND SCHOOL DISTRICTS HAVE ADOPTED A MORE
60 RIGOROUS PROCESS FOR EVALUATING TEACHER EFFECTIVENESS, WHICH,
61 WHEN FULLY IMPLEMENTED, WILL IDENTIFY TEACHERS WHO ARE HIGHLY
62 EFFECTIVE IN THE CLASSROOM AND MORE LIKELY TO BE SUCCESSFUL IN

1 INCREASING THE ACADEMIC ACHIEVEMENT OF THEIR STUDENTS;
2 (d) HIGHLY EFFECTIVE TEACHERS TEACHING IN LOW-PERFORMING
3 SCHOOLS ARE ESSENTIAL TO CLOSING THE ACHIEVEMENT GAP FOR
4 LOW-INCOME STUDENTS AND RACIAL MINORITY STUDENT GROUPS AND FOR
5 ENSURING THAT STUDENTS IN LOW-PERFORMING SCHOOLS ATTAIN
6 POSTSECONDARY AND WORKFORCE READINESS BY THE TIME THEY
7 GRADUATE FROM HIGH SCHOOL; AND

8 (e) PROVIDING RESOURCES TO SCHOOL DISTRICTS AND CHARTER
9 SCHOOLS TO ENABLE THEM TO OFFER MONETARY INCENTIVES FOR HIGHLY
10 EFFECTIVE TEACHERS WHO CHOOSE TO TEACH IN LOW-PERFORMING
11 SCHOOLS IS AN EFFECTIVE WAY TO INCREASE THE NUMBER OF HIGHLY
12 EFFECTIVE TEACHERS WHO TEACH IN LOW-PERFORMING SCHOOLS.

13 (2) THE GENERAL ASSEMBLY FINDS, THEREFORE, THAT IT IS IN THE
14 BEST INTERESTS OF THE STATE TO CREATE A GRANT PROGRAM TO PROVIDE
15 MONEYS TO SCHOOL DISTRICTS AND CHARTER SCHOOLS TO ENABLE THEM
16 TO ATTRACT AND RETAIN GREATER NUMBERS OF HIGHLY EFFECTIVE
17 TEACHERS IN LOW-PERFORMING SCHOOLS, THEREBY RAISING THE
18 ACADEMIC ACHIEVEMENT OF THE STUDENTS ENROLLED IN THOSE SCHOOLS.

19 **22-95-103. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
20 CONTEXT OTHERWISE REQUIRES:

21 (1) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION
22 CREATED AND EXISTING PURSUANT TO SECTION 24-1-115, C.R.S.

23 (2) "FUND" MEANS THE HIGHLY EFFECTIVE TEACHER INCENTIVES
24 FUND CREATED IN SECTION 22-95-106.

25 (3) "HIGHLY EFFECTIVE TEACHER" MEANS A TEACHER WHO, IN HIS
26 OR HER MOST RECENT PERFORMANCE EVALUATION, RECEIVED A RATING
27 OF HIGHLY EFFECTIVE, AS DESCRIBED IN RULES ADOPTED BY THE STATE
28 BOARD PURSUANT TO SECTION 22-9-104.

29 (4) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
30 BOARD OF COOPERATIVE SERVICES CREATED PURSUANT TO ARTICLE 5 OF
31 THIS TITLE THAT OPERATES A PUBLIC SCHOOL, A CHARTER SCHOOL
32 AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5
33 OF THIS TITLE, OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE
34 STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5
35 OF THIS TITLE.

36 (5) "LOW-PERFORMING" MEANS THAT A PUBLIC SCHOOL, AS A
37 RESULT OF THE MOST RECENT PERFORMANCE EVALUATION BY THE
38 DEPARTMENT, IS REQUIRED PURSUANT TO SECTION 22-11-210 TO
39 IMPLEMENT A SCHOOL PRIORITY IMPROVEMENT PLAN, AS DESCRIBED IN
40 SECTION 22-11-405, OR A SCHOOL TURNAROUND PLAN, AS DESCRIBED IN
41 SECTION 22-11-406.

42 (6) "STATE BOARD" MEANS THE STATE BOARD OF EDUCATION
43 CREATED IN SECTION 1 OF ARTICLE IX OF THE STATE CONSTITUTION.

44 (7) "TRANSFER TEACHER" MEANS A HIGHLY EFFECTIVE TEACHER
45 WHO, IN THE FIRST YEAR OF A GRANT CYCLE:

46 (a) IS NEWLY EMPLOYED BY THE LOCAL EDUCATION PROVIDER
47 THAT RECEIVES A GRANT PURSUANT TO THIS ARTICLE, HAVING BEEN MOST
48 RECENTLY EMPLOYED BY:

49 (I) A SCHOOL DISTRICT OR BOARD OF COOPERATIVE SERVICES THAT
50 HELD THE STATUS OF ACCREDITED WITH DISTINCTION, AS DESCRIBED IN
51 SECTION 22-11-207, FOR THE PRECEDING SCHOOL YEAR; OR

52 (II) A CHARTER SCHOOL OR INSTITUTE CHARTER SCHOOL THAT
53 IMPLEMENTED A PERFORMANCE PLAN, AS DESCRIBED IN SECTION
54 22-11-403, FOR THE PRECEDING SCHOOL YEAR; OR

55 (b) IS A RETURNING EMPLOYEE OF A LOCAL EDUCATION PROVIDER
56 THAT RECEIVES A GRANT PURSUANT TO THIS ARTICLE BUT HAS

1 TRANSFERRED FROM A PUBLIC SCHOOL THAT IMPLEMENTED A
2 PERFORMANCE PLAN, AS DESCRIBED IN SECTION 22-11-403, FOR THE
3 PRECEDING SCHOOL YEAR.

4 **22-95-104. Highly effective teacher incentives program -**
5 **created - grant awards - rules.** (1) (a) THERE IS CREATED IN THE
6 DEPARTMENT THE HIGHLY EFFECTIVE TEACHER INCENTIVES PROGRAM TO
7 ENABLE LOCAL EDUCATION PROVIDERS TO OFFER MONETARY INCENTIVES
8 TO ATTRACT HIGHLY EFFECTIVE TEACHERS TO WORK IN LOW-PERFORMING
9 SCHOOLS. LOCAL EDUCATION PROVIDERS MAY USE THE GRANT MONEYS
10 ONLY TO PROVIDE NONBASE-BUILDING SALARY BONUSES TO HIGHLY
11 EFFECTIVE TEACHERS WHO CHOOSE TO WORK IN LOW-PERFORMING
12 SCHOOLS AND MEET THE QUALIFICATIONS SPECIFIED IN SECTION 22-95-105
13 (2).

14 (b) DURING THE 2014-15 BUDGET YEAR, THE DEPARTMENT SHALL
15 PUBLICIZE TO LOCAL EDUCATION PROVIDERS AND TEACHERS THE
16 EXISTENCE AND GOALS OF THE PROGRAM, INCLUDING THE ELIGIBILITY
17 REQUIREMENTS AND QUALIFICATIONS FOR LOCAL EDUCATION PROVIDERS
18 AND HIGHLY EFFECTIVE TEACHERS.

19 (2) SUBJECT TO AVAILABLE APPROPRIATIONS AND TO THE
20 LIMITATIONS SPECIFIED IN SECTION 22-95-106 (2), THE STATE BOARD
21 SHALL AWARD GRANTS PURSUANT TO THIS ARTICLE IN TWO-YEAR CYCLES
22 BEGINNING WITH THE 2015-16 BUDGET YEAR. THE STATE BOARD SHALL
23 AWARD THE GRANTS FROM THE MONEYS APPROPRIATED TO THE HIGHLY
24 EFFECTIVE TEACHER INCENTIVES FUND CREATED IN SECTION 22-95-106.
25 A LOCAL EDUCATION PROVIDER MAY APPLY FOR A GRANT AT THE
26 BEGINNING OF EACH CYCLE. THE AMOUNT OF EACH GRANT IS BASED ON
27 THE NUMBER OF ELIGIBLE HIGHLY EFFECTIVE TEACHERS THAT THE LOCAL
28 EDUCATION PROVIDER EMPLOYS AND THE BONUS AMOUNTS THAT THE
29 ELIGIBLE HIGHLY EFFECTIVE TEACHERS MAY RECEIVE AS DESCRIBED IN
30 SECTION 22-95-105.

31 (3) THE DEPARTMENT SHALL REVIEW THE GRANT APPLICATIONS
32 RECEIVED PURSUANT TO THIS SECTION TO ENSURE THAT THE LOCAL
33 EDUCATION PROVIDER AND EACH OF THE HIGHLY EFFECTIVE TEACHERS
34 THAT THE LOCAL EDUCATION PROVIDER EMPLOYS OR EXPECTS TO EMPLOY
35 MEETS THE QUALIFICATIONS SPECIFIED IN THIS ARTICLE. BASED ON THE
36 DEPARTMENT'S REVIEW, THE STATE BOARD SHALL AWARD GRANTS TO
37 EACH LOCAL EDUCATION PROVIDER THAT QUALIFIES, SUBJECT TO
38 AVAILABLE APPROPRIATIONS AND THE LIMITATIONS SPECIFIED IN SECTION
39 22-95-106 (2).

40 (4) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO
41 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
42 C.R.S., AS NECESSARY TO IMPLEMENT THIS ARTICLE.

43 **22-95-105. Highly effective teacher incentives program -**
44 **qualifications - bonus amounts.** (1) A LOCAL EDUCATION PROVIDER
45 MAY APPLY FOR A GRANT PURSUANT TO THIS ARTICLE IF IT OPERATES OR
46 IS A LOW-PERFORMING ELEMENTARY, MIDDLE, OR JUNIOR HIGH SCHOOL.
47 A LOCAL EDUCATION PROVIDER THAT APPLIES FOR A GRANT PURSUANT TO
48 THIS ARTICLE MUST SPECIFY IN THE APPLICATION THE NUMBER OF ELIGIBLE
49 HIGHLY EFFECTIVE TEACHERS THAT IT EMPLOYS OR THAT IT EXPECTS TO
50 EMPLOY IN LOW-PERFORMING ELEMENTARY, MIDDLE, OR JUNIOR HIGH
51 SCHOOLS AS OF THE BEGINNING OF THE GRANT CYCLE FOR WHICH THE
52 LOCAL EDUCATION PROVIDER IS APPLYING. THE DEPARTMENT SHALL
53 ADJUST THE AMOUNT OF THE LOCAL EDUCATION PROVIDER'S GRANT IF THE
54 LOCAL EDUCATION PROVIDER EMPLOYS FEWER ELIGIBLE HIGHLY
55 EFFECTIVE TEACHERS DURING THE GRANT CYCLE THAN ARE INCLUDED IN
56 THE GRANT APPLICATION.

- 1 (2) TO BE ELIGIBLE TO RECEIVE A SALARY BONUS PURSUANT TO
2 THIS SECTION, A TEACHER MUST:
- 3 (a) BE A HIGHLY EFFECTIVE TEACHER;
- 4 (b) IN EACH SCHOOL YEAR IN WHICH THE TEACHER RECEIVES THE
5 SALARY BONUS, BE EMPLOYED IN A LOW-PERFORMING ELEMENTARY,
6 MIDDLE, OR JUNIOR HIGH SCHOOL; AND
- 7 (c) MAINTAIN A PERFORMANCE EVALUATION RATING OF EFFECTIVE
8 OR HIGHER, AS DESCRIBED IN STATE BOARD RULES ADOPTED PURSUANT TO
9 SECTION 22-9-104, FOR THE PERIOD DURING WHICH THE TEACHER
10 RECEIVES THE SALARY BONUS.
- 11 (3) IN EACH SCHOOL YEAR IN WHICH A HIGHLY EFFECTIVE TEACHER
12 MEETS THE QUALIFICATIONS SPECIFIED IN SUBSECTION (2) OF THIS SECTION
13 AND IS EMPLOYED BY A LOCAL EDUCATION PROVIDER THAT RECEIVES A
14 GRANT PURSUANT TO THIS ARTICLE, THE HIGHLY EFFECTIVE TEACHER
15 RECEIVES A NONBASE-BUILDING SALARY BONUS IN ONE OF THE FOLLOWING
16 AMOUNTS:
- 17 (a) TWELVE THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE
18 TEACHER IS A TRANSFER TEACHER WHO IS TEACHING IN A
19 LOW-PERFORMING ELEMENTARY SCHOOL;
- 20 (b) EIGHT THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE TEACHER
21 IS A TRANSFER TEACHER WHO IS TEACHING IN A LOW-PERFORMING MIDDLE
22 OR JUNIOR HIGH SCHOOL;
- 23 (c) SIX THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE TEACHER IS
24 NOT A TRANSFER TEACHER BUT IS TEACHING IN A LOW-PERFORMING
25 ELEMENTARY SCHOOL FOR THE SECOND OR SUBSEQUENT CONSECUTIVE
26 SCHOOL YEAR; OR
- 27 (d) THREE THOUSAND DOLLARS IF THE HIGHLY EFFECTIVE
28 TEACHER IS NOT A TRANSFER TEACHER BUT IS TEACHING IN A
29 LOW-PERFORMING MIDDLE OR JUNIOR HIGH SCHOOL FOR THE SECOND OR
30 SUBSEQUENT CONSECUTIVE SCHOOL YEAR.
- 31 (4) NOTWITHSTANDING ANY PROVISION OF SUBSECTION (3) OF THIS
32 SECTION TO THE CONTRARY, IF A LOCAL EDUCATION PROVIDER RECEIVES
33 A GRANT FOR A SECOND GRANT CYCLE, A HIGHLY EFFECTIVE TEACHER
34 WHO RECEIVED A SALARY BONUS AS A TRANSFER TEACHER IN THE FIRST
35 GRANT CYCLE WILL CONTINUE TO RECEIVE THE SALARY BONUS AMOUNT
36 FOR A TRANSFER TEACHER IN THE SECOND GRANT CYCLE SO LONG AS THE
37 HIGHLY EFFECTIVE TEACHER IS EMPLOYED BY THE LOCAL EDUCATION
38 PROVIDER AND CONTINUES TO MEET THE QUALIFICATIONS FOR RECEIVING
39 A SALARY BONUS SPECIFIED IN SUBSECTION (2) OF THIS SECTION.
- 40 (5) A TEACHER WHO CHANGES EMPLOYMENT TO ANOTHER LOCAL
41 EDUCATION PROVIDER TO QUALIFY FOR A SALARY BONUS PURSUANT TO
42 THIS ARTICLE RETAINS THE YEARS OF SERVICE THE TEACHER
43 ACCUMULATED AS AN EMPLOYEE OF THE PREVIOUS LOCAL EDUCATION
44 PROVIDER FOR PURPOSES OF PLACEMENT ON THE SALARY SCHEDULE OR
45 WITHIN THE SALARY POLICY OF THE HIRING LOCAL EDUCATION PROVIDER.
- 46 (6) A LOCAL EDUCATION PROVIDER THAT RECEIVES A GRANT
47 PURSUANT TO THIS ARTICLE AND THAT WAS PAYING INCENTIVES TO
48 HIGHLY EFFECTIVE TEACHERS WHO TEACH IN LOW-PERFORMING SCHOOLS
49 BEFORE RECEIVING THE GRANT MUST PAY THE BONUS AMOUNTS SPECIFIED
50 IN THIS SECTION IN ADDITION TO THE OTHER INCENTIVES IT PROVIDES.
- 51 **22-95-106. Highly effective teacher incentives fund - created**
52 **- legislative declaration.** (1) (a) THERE IS CREATED IN THE STATE
53 TREASURY THE HIGHLY EFFECTIVE TEACHER INCENTIVES FUND, WHICH
54 CONSISTS OF A ONE-TIME APPROPRIATION OF FOUR MILLION DOLLARS IN
55 THE 2014-15 BUDGET YEAR FROM THE STATE EDUCATION FUND CREATED
56 IN SECTION 17(4) OF ARTICLE IX OF THE STATE CONSTITUTION. THE

1 MONEYS IN THE FUND ARE CONTINUOUSLY APPROPRIATED TO THE
2 DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH
3 IMPLEMENTING THIS ARTICLE. THE DEPARTMENT MAY EXPEND UP TO TWO
4 PERCENT OF THE MONEYS APPROPRIATED TO THE FUND TO OFFSET THE
5 COSTS INCURRED IN IMPLEMENTING THIS ARTICLE.

6 (b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND
7 NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE AS PROVIDED BY LAW.
8 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED
9 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE
10 FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN
11 THE FUND AT THE END OF A FISCAL YEAR REMAIN IN THE FUND AND SHALL
12 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER
13 FUND.

14 (2) SUBJECT TO RECEIVING APPLICATIONS FROM LOCAL EDUCATION
15 PROVIDERS THAT MEET THE REQUIREMENTS OF THIS ARTICLE, THE STATE
16 BOARD SHALL AWARD UP TO TWO MILLION DOLLARS IN GRANTS TO LOCAL
17 EDUCATION PROVIDERS PURSUANT TO THIS ARTICLE IN THE FIRST GRANT
18 CYCLE, WHICH BEGINS IN THE 2015-16 BUDGET YEAR. SUBJECT TO
19 RECEIVING APPLICATIONS FROM LOCAL EDUCATION PROVIDERS THAT MEET
20 THE REQUIREMENTS OF THIS ARTICLE, THE STATE BOARD SHALL AWARD
21 THE AMOUNT REMAINING IN THE FUND AS OF JUNE 30, 2017, AS GRANTS TO
22 LOCAL EDUCATION PROVIDERS PURSUANT TO THIS ARTICLE IN THE SECOND
23 GRANT CYCLE, WHICH BEGINS IN THE 2017-18 BUDGET YEAR.

24 (3) THE GENERAL ASSEMBLY DECLARES THAT, FOR PURPOSES OF
25 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE HIGHLY
26 EFFECTIVE TEACHER INCENTIVES PROGRAM IS AN IMPORTANT ELEMENT IN
27 IMPLEMENTING ACCOUNTABLE EDUCATION REFORM AND FOR
28 ACCOUNTABLE PROGRAMS TO MEET STATE ACADEMIC STANDARDS AND
29 MAY THEREFORE RECEIVE FUNDING FROM THE STATE EDUCATION FUND
30 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

31 **22-95-107. Report.** (1) NO LATER THAN DECEMBER 15, 2019, THE
32 DEPARTMENT SHALL PREPARE AND SUBMIT TO THE EDUCATION
33 COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR
34 ANY SUCCESSOR COMMITTEES, A REPORT ON THE IMPLEMENTATION OF
35 THIS ARTICLE. AT A MINIMUM, THE REPORT MUST INCLUDE:

36 (a) A LIST OF THE LOCAL EDUCATION PROVIDERS THAT RECEIVED
37 GRANTS PURSUANT TO THIS ARTICLE, THE AMOUNT OF THE BONUSES PAID
38 BY EACH LOCAL EDUCATION PROVIDER, AND THE PUBLIC SCHOOLS IN
39 WHICH THE HIGHLY EFFECTIVE TEACHERS TAUGHT;

40 (b) THE NUMBER OF HIGHLY EFFECTIVE TEACHERS THAT RECEIVED
41 BONUSES PURSUANT TO THIS ARTICLE, THE SUBJECT AREAS IN WHICH THE
42 HIGHLY EFFECTIVE TEACHERS TAUGHT, THE NUMBER OF STUDENTS WHO
43 WERE TAUGHT BY HIGHLY EFFECTIVE TEACHERS THAT RECEIVED BONUSES,
44 AND THE ACADEMIC GROWTH OF THE STUDENTS WHO WERE TAUGHT BY
45 HIGHLY EFFECTIVE TEACHERS THAT RECEIVED BONUSES;

46 (c) THE NUMBER OF HIGHLY EFFECTIVE TEACHERS THAT RECEIVED
47 BONUSES PURSUANT TO THIS ARTICLE IN BOTH OF THE GRANT CYCLES AND
48 TAUGHT AT THE SAME LOW-PERFORMING SCHOOL FOR THE DURATION OF
49 BOTH GRANT CYCLES; AND

50 (d) FOR EACH PUBLIC SCHOOL IN WHICH A HIGHLY EFFECTIVE
51 TEACHER WHO RECEIVED BONUSES TAUGHT, THE TYPE OF PERFORMANCE
52 PLAN THAT THE PUBLIC SCHOOL IMPLEMENTED IN EACH SCHOOL YEAR
53 BEGINNING WITH THE SCHOOL YEAR BEFORE A HIGHLY EFFECTIVE TEACHER
54 TEACHING IN THE SCHOOL RECEIVED A BONUS AND CONTINUING THROUGH
55 EACH YEAR IN WHICH THE HIGHLY EFFECTIVE TEACHER RECEIVED A
56 BONUS.

1 **SECTION 9.** In Colorado Revised Statutes, 24-51-101, **amend**
2 (42) (b) as follows:

3 **24-51-101. Definitions.** As used in this article, unless the context
4 otherwise requires and except as otherwise defined in part 17 of this
5 article:

6 (42) (b) "Salary" does not include: Commissions; compensation
7 for unused sick leave converted at any time to cash payments;
8 compensation for unused sick, annual, vacation, administrative, or other
9 accumulated paid leave contributed to a health savings account as defined
10 in 26 U.S.C. sec. 223, as amended, or a retirement health savings
11 program; housing allowances; uniform allowances; automobile usage;
12 insurance premiums; dependent care assistance; reimbursement for
13 expenses incurred; tuition or any other fringe benefits, regardless of
14 federal taxation; A HIGHLY EFFECTIVE TEACHER SALARY BONUS RECEIVED
15 PURSUANT TO SECTION 22-95-105, C.R.S.; bonuses for services not
16 actually rendered, including, but not limited to, early retirement
17 inducements, Christmas bonuses, cash awards, honorariums and
18 severance pay, damages, except for retroactive salary payments paid
19 pursuant to court orders or arbitration awards or litigation and grievance
20 settlements, or payments beyond the date of a member's death.

21
22 **SECTION 10.** In Colorado Revised Statutes, **repeal and**
23 **reenact,"."**

24
25 Page 10 of the committee report, line 16, strike "activities." and
26 substitute "activities."

27 (3) In addition to any other appropriation, there is hereby
28 appropriated, out of any moneys in the state education fund created in
29 section 17 (4) of article IX of the state constitution not otherwise
30 appropriated, to the highly effective teacher incentives fund created in
31 section 22-95-106, Colorado Revised Statutes, for the fiscal year
32 beginning July 1, 2014, the sum of \$4,000,000, or so much thereof as may
33 be necessary, for implementation of article 95 of title 22, Colorado
34 Revised Statutes."

35
36 The amendment was declared **lost** by the following roll call vote:

	YES	14	NO	51	EXCUSED	0	ABSENT	0
39	Becker	N	Gerou	N	McLachlan	N	Saine	Y
40	Buck	N	Ginal	N	McNulty	Y	Salazar	N
41	Buckner	N	Hamner	N	Melton	N	Schafer	N
42	Conti	N	Holbert	Y	Mitsch Bush	N	Scott	N
43	Coram	N	Hullinghorst	N	Moreno	N	Singer	N
44	Court	N	Humphrey	Y	Murray	Y	Sonnenberg	Y
45	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	N
46	Dore	N	Kagan	N	Nordberg	Y	Swalm	N
47	Duran	N	Kraft-Tharp	N	Pabon	N	Szabo	Y
48	Everett	Y	Labuda	N	Peniston	N	Tyler	N
49	Exum	N	Landgraf	N	Pettersen	N	Vigil	N
50	Fields	N	Lawrence	Y	Primavera	N	Waller	N
51	Fischer	N	Lebsock	N	Priola	Y	Williams	N
52	Foote	N	Lee	N	Rankin	N	Wilson	N
53	Garcia	N	May	N	Rosenthal	N	Wright	N
54	Gardner	N	McCann	N	Ryden	N	Young	N
55							Speaker	N

56

1 Representative Priola moved to amend the Report of the Committee of
 2 the Whole to reverse the action taken by the Committee in not adopting
 3 the following Priola amendment, to HB 14-1298, to show that said
 4 amendment passed, that Amendment No. 4, by Representative Murray
 5 (printed in House Journal page 888, lines 12-25), to HB 14-1298, lost,
 6 and that HB 14-1298, as amended, passed.

7
 8 Amend the Appropriations Committee Report, dated April 8, 2014, page
 9 1, after line 3, insert:

10
 11 "Page 8 of the printed bill, strike lines 17 through 27.

12
 13 Page 9 of the printed bill, strike lines 1 through 8.

14
 15 Renumber succeeding sections accordingly."

16
 17 Page 9 of the committee report, strike lines 21 through 38.

18
 19 Page 10 of the committee report, line 1, strike "**11.**" and substitute "**9.**".

20
 21 Page 10 of the committee report, strike lines 18 through 23.

22
 23 The amendment was declared **lost** by the following roll call vote:

	YES	22	NO	43	EXCUSED	0	ABSENT	0
26	Becker	N	Gerou	N	McLachlan	N	Saine	Y
27	Buck	N	Ginal	N	McNulty	Y	Salazar	N
28	Buckner	N	Hamner	N	Melton	N	Schafer	N
29	Conti	Y	Holbert	Y	Mitsch Bush	N	Scott	Y
30	Coram	Y	Hullinghorst	N	Moreno	N	Singer	N
31	Court	N	Humphrey	Y	Murray	N	Sonnenberg	Y
32	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
33	Dore	Y	Kagan	N	Nordberg	Y	Swalm	Y
34	Duran	N	Kraft-Tharp	N	Pabon	N	Szabo	Y
35	Everett	Y	Labuda	N	Peniston	N	Tyler	N
36	Exum	N	Landgraf	Y	Pettersen	N	Vigil	N
37	Fields	N	Lawrence	N	Primavera	N	Waller	N
38	Fischer	N	Lebsock	N	Priola	Y	Williams	N
39	Foote	N	Lee	N	Rankin	N	Wilson	Y
40	Garcia	N	May	N	Rosenthal	N	Wright	Y
41	Gardner	Y	McCann	N	Ryden	N	Young	N
42							Speaker	N

43
 44
 45
 46 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

47
 48 Passed Second Reading: **HB14-1354, 1292 amended, 1298 amended,**
 49 **1159 amended.**

50
 51 The Chairman moved the adoption of the Committee of the Whole
 52 Report. As shown by the following roll call vote, a majority of those
 53 elected to the House voted in the affirmative, and the Report was
 54 **adopted.**

55

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
3	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
4	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
5	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
6	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
7	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
8	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
9	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
10	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
11	Everett	Y	Labuda	Y	Peniston	Y	Tyler	Y
12	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
13	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
14	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
15	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
16	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
17	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
18							Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

BUSINESS, LABOR, ECONOMIC, & WORKFORCE DEVELOPMENT

After consideration on the merits, the Committee recommends the following:

HB14-1344 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, line 24, strike "FEES, CONDITIONS," and substitute "CONDITIONS".

Page 4, line 5, strike "(A)".

Page 4, strike line 8.

Page 7, line 22, strike "**property and casualty**" and substitute "**insurance**".

Page 7, line 25, strike "PROPERTY AND CASUALTY".

JUDICIARY

After consideration on the merits, the Committee recommends the following:

HB14-1322 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 15, strike lines 15 through 25 and substitute:

2

3 "(d) LIFE INSURANCE, ACCIDENT INSURANCE, PENSION, PROFIT
4 SHARING, RETIREMENT, AND OTHER BENEFIT PLANS PAYABLE TO PERSONS
5 OTHER THAN THE DECEDENT'S SURVIVING SPOUSE OR THE DECEDENT'S
6 ESTATE ARE EXCLUDED FROM THE AUGMENTED ESTATE."
7

8 Page 19, strike line 4 and substitute "SECTION 15-12-904, BUT INTEREST
9 SHALL COMMENCE TO RUN ONE YEAR AFTER DETERMINATION OF THE
10 ELECTIVE SHARE AMOUNT BY THE COURT. THIS SUBSECTION (4) APPLIES
11 ONLY TO ESTATES OF DECEDENTS WHO DIE ON OR AFTER THE EFFECTIVE
12 DATE OF THIS ACT."
13

14 Page 31, after line 11 insert:

15

16 "SECTION 7. In Colorado Revised Statutes, 15-14-724, **amend**
17 (1) (g) (I) as follows:

18 **15-14-724. Authority that requires specific grant - grant of**
19 **general authority.** (1) An agent under a power of attorney may do the
20 following on behalf of the principal or with the principal's property only
21 if the power of attorney expressly grants the agent the authority and
22 exercise of the authority is not otherwise prohibited by another agreement
23 or instrument to which the authority or property is subject:

24 (g) Exercise:

25 (I) A power held by the principal in a fiduciary capacity THAT THE
26 PRINCIPAL HAS THE AUTHORITY TO DELEGATE;"

27

28 Renumber succeeding sections accordingly.

29

30

31

32 **SB14-163** be referred to the Committee of the Whole with favorable
33 recommendation.
34

35

36

37

38

PUBLIC HEALTH CARE & HUMAN SERVICES

39 After consideration on the merits, the Committee recommends the
40 following:

41

42 **HB14-1323** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:
45

46

46 Amend printed bill, strike everything below the enacting clause and
47 substitute:

48

49 "SECTION 1. In Colorado Revised Statutes, **add** part 6 to article
50 72 of title 24 as follows:

51

PART 6

52

LIMITS ON GOVERNMENT ACCESS TO PERSONAL MEDICAL INFORMATION

53

54 **24-72-601. Definitions.** AS USED IN THIS PART 6, UNLESS THE
55 CONTEXT OTHERWISE REQUIRES:

56

(1) "DEPARTMENT" MEANS THE DEPARTMENT OF REVENUE.

1 (2) "MEDICAL INFORMATION" MEANS ANY INFORMATION
2 CONTAINED IN THE MEDICAL RECORD OR ANY INFORMATION PERTAINING
3 TO THE MEDICAL, MENTAL HEALTH, OR HEALTH CARE SERVICES
4 PERFORMED AT THE DIRECTION OF A PHYSICIAN OR OTHER LICENSED
5 HEALTH CARE PROVIDER THAT IS PROTECTED BY THE PHYSICIAN-PATIENT
6 PRIVILEGE ESTABLISHED BY SECTION 13-90-107 (1) (d), C.R.S.

7 (3) (a) "MEDICAL RECORD" MEANS THE WRITTEN OR GRAPHIC
8 DOCUMENTATION, SOUND RECORDING, OR COMPUTER RECORD PERTAINING
9 TO MEDICAL, MENTAL HEALTH, AND HEALTH CARE SERVICES, INCLUDING
10 MEDICAL MARIJUANA SERVICES, PERFORMED AT THE DIRECTION OF A
11 PHYSICIAN OR OTHER LICENSED HEALTH CARE PROVIDER ON BEHALF OF A
12 PATIENT BY A PHYSICIAN, DENTIST, NURSE, SERVICE PROVIDER,
13 EMERGENCY MEDICAL SERVICE PROVIDER, MENTAL HEALTH
14 PROFESSIONAL, PREHOSPITAL PROVIDER, OR OTHER HEALTH CARE
15 PERSONNEL.

16 (b) "MEDICAL RECORD" INCLUDES DIAGNOSTIC DOCUMENTATION
17 SUCH AS X RAYS, ELECTROCARDIOGRAMS, ELECTROENCEPHALOGRAMS,
18 AND OTHER TEST RESULTS AND DATA ENTERED INTO THE PRESCRIPTION
19 DRUG MONITORING PROGRAM UNDER SECTION 12-42.5-403, C.R.S.

20 (4) "PERSONAL MEDICAL INFORMATION OR MEDICAL RECORD"
21 MEANS AN INDIVIDUAL'S MEDICAL INFORMATION OR A MEDICAL RECORD:

22 (a) THAT IDENTIFIES THE INDIVIDUAL; OR

23 (b) WITH RESPECT TO WHICH THERE IS A REASONABLE BASIS TO
24 BELIEVE THE INFORMATION CAN BE USED TO IDENTIFY THE INDIVIDUAL.

25 **24-72-602. Access to personal medical information prohibited**

26 - **exceptions.** (1) THE DEPARTMENT SHALL NEITHER ACCESS NOR
27 DISTRIBUTE AN INDIVIDUAL'S PERSONAL MEDICAL INFORMATION OR
28 MEDICAL RECORD WITHOUT THE INDIVIDUAL'S CONSENT CONCURRENT
29 WITH A REQUEST FOR ACCESS.

30 (2) WHEN THE DEPARTMENT REQUESTS ACCESS TO THE PERSONAL
31 MEDICAL INFORMATION OR MEDICAL RECORD OF AN EMPLOYEE OF THE
32 DEPARTMENT IN CONNECTION WITH ONE OF THE FOLLOWING
33 EMPLOYMENT-RELATED REQUESTS, OCCURRENCES, OR CLAIMS, THE
34 EMPLOYEE'S CONSENT APPLIES THROUGHOUT THE DURATION OF THE
35 EMPLOYMENT-RELATED REQUEST, OCCURRENCE, OR CLAIM FOR WHICH
36 THE ACCESS TO THE EMPLOYEE'S PERSONAL MEDICAL INFORMATION OR
37 MEDICAL RECORD IS REQUESTED:

38 (a) FAMILY MEDICAL LEAVE;

39 (b) A REQUEST FOR A WORKPLACE ACCOMMODATION UNDER THE
40 FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC.
41 12101 ET SEQ., AS AMENDED;

42 (c) A REQUEST FOR SHORT- OR LONG-TERM DISABILITY BENEFITS;

43 (d) DETERMINING FITNESS TO RETURN TO WORK AFTER A LENGTHY
44 ABSENCE;

45 (e) PHYSICIAN VERIFICATION OF AN ABSENCE EXCEEDING THREE
46 DAYS;

47 (f) A REQUEST BY A JOB APPLICANT FOR AN ACCOMMODATION
48 THROUGH THE APPLICATION PROCESS;

49 (g) A WORKERS' COMPENSATION CLAIM; OR

50 (h) DISABILITY RETIREMENT.

51 (3) THIS SECTION DOES NOT:

52 (a) PROHIBIT THE DEPARTMENT FROM ACCESSING AN INVOICE, A
53 SALES RECEIPT, OR OTHER DOCUMENTATION OF A SALE NECESSARY TO
54 SUBSTANTIATE AN EXEMPTION FROM STATE SALES TAX UNDER SECTION
55 39-26-717, C.R.S., AS LONG AS:

56 (I) NO PERSONAL MEDICAL INFORMATION OR MEDICAL RECORD IS

1 CONTAINED IN THE DOCUMENTATION; AND

2 (II) ANY INFORMATION IN THE DOCUMENTATION THAT IDENTIFIES
3 OR COULD BE USED TO IDENTIFY AN INDIVIDUAL PATIENT OR THAT
4 INDICATES A PATIENT DIAGNOSIS OR TREATMENT PLAN HAS BEEN
5 REDACTED FROM THE DOCUMENTATION; OR

6 (b) OVERRIDE THE AUTHORITY OF THE DEPARTMENT TO OBTAIN
7 AND USE A WRITTEN MEDICAL OPINION IN ACCORDANCE WITH SECTION
8 42-2-112, C.R.S.

9 **24-72-603. Government access to personal medical**
10 **information task force - creation - membership - duties - report -**
11 **repeal.** (1) THERE IS HEREBY CREATED THE GOVERNMENT ACCESS TO
12 PERSONAL MEDICAL INFORMATION TASK FORCE. THE TASK FORCE SHALL
13 REVIEW, ANALYZE, AND MAKE RECOMMENDATIONS REGARDING THE
14 ABILITY OF STATE AND LOCAL GOVERNMENT DEPARTMENTS AND AGENCIES
15 TO ACCESS, USE, AND DISTRIBUTE PERSONAL MEDICAL INFORMATION AND
16 MEDICAL RECORDS.

17 (2) (a) THE GOVERNOR SHALL APPOINT TO THE TASK FORCE
18 REPRESENTATIVES FROM EACH STATE DEPARTMENT AND UNIVERSITY THAT
19 ACCESSES, USES, OR DISTRIBUTES PERSONAL MEDICAL INFORMATION AND
20 MEDICAL RECORDS. THE GOVERNOR MAY APPOINT A REPRESENTATIVE
21 FROM THE GOVERNOR'S OFFICE TO SERVE ON THE TASK FORCE.

22 (b) THE GOVERNOR SHALL REQUEST PARTICIPATION ON THE TASK
23 FORCE FROM REPRESENTATIVES OF QUASI-GOVERNMENTAL ENTITIES THAT
24 ACCESS, USE, OR DISTRIBUTE PERSONAL MEDICAL INFORMATION OR
25 MEDICAL RECORDS AND FROM STATEWIDE ORGANIZATIONS REPRESENTING:
26 COUNTY GOVERNMENTS; MUNICIPAL GOVERNMENTS; HEALTH CARE
27 PROVIDERS; HEALTH PLANS; MENTAL HEALTH CARE CONSUMERS;
28 CONSUMER ADVOCACY GROUPS; CONSUMERS WITH CHRONIC ILLNESSES
29 SUCH AS DIABETES AND HIV/AIDS; CONSUMERS WITH CANCER; AND
30 PATIENT PRIVACY RIGHTS.

31 (c) THE GOVERNOR SHALL ALSO INVITE THE STATE AUDITOR OR HIS
32 OR HER DESIGNEE TO PARTICIPATE ON THE TASK FORCE.

33 (3) (a) THE TASK FORCE SHALL SELECT A CHAIR AND VICE-CHAIR
34 FROM AMONG ITS MEMBERSHIP.

35 (b) MEMBERS OF THE TASK FORCE SERVE WITHOUT COMPENSATION
36 AND ARE NOT ENTITLED TO REIMBURSEMENT FOR THEIR EXPENSES
37 INCURRED IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

38 (c) THE TASK FORCE SHALL HOLD ITS FIRST MEETING NO LATER
39 THAN JULY 15, 2014, AND SHALL HOLD AT LEAST ONE BUT NOT MORE
40 THAN THREE ADDITIONAL MEETINGS ON OR BEFORE NOVEMBER 1, 2014.

41 (4) THE TASK FORCE SHALL EXAMINE AT LEAST THE FOLLOWING
42 TOPICS:

43 (a) WHY AND TO WHAT EXTENT STATE AND LOCAL GOVERNMENT
44 DEPARTMENTS OR AGENCIES HAVE ACCESS TO AND THE ABILITY TO USE OR
45 DISTRIBUTE AN INDIVIDUALS' PERSONAL MEDICAL INFORMATION OR
46 MEDICAL RECORD WITH AND WITHOUT THE INDIVIDUAL'S CONSENT,
47 INCLUDING:

48 (I) THE EXTENT OF GOVERNMENT ACCESS TO THE PERSONAL
49 MEDICAL INFORMATION OR MEDICAL RECORD OF AN EMPLOYEE OF A STATE
50 OR LOCAL GOVERNMENT DEPARTMENT OR AGENCY IN CONNECTION WITH
51 AN EMPLOYMENT-RELATED REQUEST, OCCURRENCE, OR CLAIM; WHETHER
52 THE EMPLOYEE'S CONSENT IS REQUIRED; AND THE DURATION OF THE
53 EMPLOYEE'S CONSENT;

54 (II) THE EXTENT OF GOVERNMENT ACCESS TO THE PERSONAL
55 MEDICAL INFORMATION OR MEDICAL RECORD OF AN INDIVIDUAL
56 RECEIVING HEALTH CARE SERVICES FROM THE STATE OR LOCAL

1 GOVERNMENT, WHETHER THE INDIVIDUAL'S CONSENT IS REQUIRED, AND
2 THE DURATION OF THE INDIVIDUAL'S CONSENT;

3 (III) THE SPECIFIC STATE OR FEDERAL LAWS, RULES, OR
4 REGULATIONS AUTHORIZING A STATE OR LOCAL GOVERNMENT
5 DEPARTMENT OR AGENCY TO ACCESS AN INDIVIDUAL'S PERSONAL MEDICAL
6 INFORMATION OR MEDICAL RECORD WITHOUT THE INDIVIDUAL'S CONSENT
7 AND THE CIRCUMSTANCES UNDER WHICH ACCESS TO PERSONAL MEDICAL
8 INFORMATION OR MEDICAL RECORDS WITHOUT CONSENT IS NECESSARY
9 FOR A GOVERNMENT DEPARTMENT OR AGENCY TO FULFILL ITS STATUTORY
10 OR OTHER OBLIGATIONS;

11 (b) WHETHER GOVERNMENT ACCESS, USE, OR DISTRIBUTION OF AN
12 INDIVIDUAL'S PERSONAL MEDICAL INFORMATION SHOULD BE RESTRICTED
13 TO PROTECT PATIENT PRIVACY AND ENSURE COMPLIANCE WITH HIPAA;
14 AND

15 (c) ANY OTHER MATTERS RELATED TO GOVERNMENT ACCESS TO
16 AND USE OR DISTRIBUTION OF AN INDIVIDUAL'S PERSONAL MEDICAL
17 INFORMATION AND MEDICAL RECORDS, THE CIRCUMSTANCES WHEN
18 ACCESS IS ALLOWED WITHOUT THE INDIVIDUAL'S CONSENT AND WHEN
19 CONSENT IS REQUIRED, PUBLIC AWARENESS OF GOVERNMENT ACCESS AND
20 USE OF PERSONAL MEDICAL INFORMATION AND MEDICAL RECORDS, THE
21 PROTECTION OF PATIENT PRIVACY, AND RECOMMENDATIONS TO
22 IMPLEMENT ANY CHANGES TO CURRENT LAW, ADMINISTRATIVE RULES, OR
23 GOVERNMENT PRACTICES NECESSARY TO PROTECT PATIENT PRIVACY AND
24 ENSURE HIPAA COMPLIANCE.

25 (5) BY NOVEMBER 1, 2014, THE TASK FORCE SHALL SUBMIT A
26 REPORT TO THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC
27 HEALTH CARE AND HUMAN SERVICES AND THE SENATE COMMITTEE ON
28 HEALTH AND HUMAN SERVICES, OR THEIR SUCCESSOR COMMITTEES,
29 DETAILING ITS ANALYSIS, FINDINGS, AND RECOMMENDATIONS. THE TASK
30 FORCE SHALL PRESENT ITS REPORT TO THE COMMITTEES DURING THE
31 COMMITTEES' HEARINGS HELD UNDER THE "STATE MEASUREMENT FOR
32 ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART)
33 GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2, C.R.S., BETWEEN
34 NOVEMBER 1, 2014, AND THE START OF THE FIRST REGULAR SESSION OF
35 THE SEVENTIETH GENERAL ASSEMBLY.

36 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015.

37 **SECTION 2. No appropriation.** The general assembly has
38 determined that this act can be implemented within existing
39 appropriations, and therefore no separate appropriation of state moneys
40 is necessary to carry out the purposes of this act.

41 **SECTION 3. Safety clause.** The general assembly hereby finds,
42 determines, and declares that this act is necessary for the immediate
43 preservation of the public peace, health, and safety."
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47 **SB14-143** be referred favorably to the Committee on Appropriations.

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50 **SB14-160** be referred to the Committee of the Whole with favorable
51 recommendation.
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PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB-14-1363, 1364, 1365, 1366, 1367.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

HB14-1299 amended on Third Reading, April 9, 2014, as printed in the Senate Journal.

The Senate voted to concur in House amendments to SB14-027 and repassed the bill as so amended.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
without comment, as amended, **HB14-1299.**

INTRODUCTION OF BILLS First Reading

The following bills were read by title and referred to the committees indicated:

HB14-1368 by Representative(s) May and Gerou, Duran; also Senator(s) Hodge, Steadman, Lambert--Concerning the transition of youth ages eighteen through twenty-one who have intellectual and developmental disabilities to the adult program of services for persons with intellectual and developmental disabilities, and, in connection therewith, making and reducing appropriations.

Committee on Public Health Care & Human Services

HB14-1369 by Representative(s) Young, Pabon; also Senator(s) Crowder and Jahn--Concerning required licensure for durable medical equipment suppliers.

Committee on Public Health Care & Human Services

INTRODUCTION OF RESOLUTION

The following resolution was read by title and referred to the committee indicated:

HJR14-1016 by Representative(s) Saine, Humphrey, Joshi, Priola, Swalm, Murray, Wilson, Everett, Landgraf, Scott, Wright, Stephens, Dore, Conti, DelGrosso, Lawrence, Nordberg,

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Rankin, Szabo--Concerning an application to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States to provide that an increase in the federal debt requires approval from a majority of the legislatures of the separate states.

Committee on State, Veterans, & Military Affairs

APPOINTMENT

The Speaker announced the following temporary appointments:

APPROPRIATIONS

Representatives Szabo, Joshi, Landgraf to replace Representatives Sonnenberg, Dore, Rankin for the committee meeting on April 11, 2014.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Gardner, the following item(s) on the Calendar were laid over until April 10, retaining place on Calendar:

- Consideration of Special Orders--**HB14-1269, 1320.**
- Consideration of Conference Committee Report(s)--**HB14-1193.**
- Consideration of Senate Amendment(s)--**HB14-1149.**
- Consideration of Governor's Veto--**HB14-1108.**

On motion of Representative Gardner, the House adjourned until 9:00 a.m., April 10, 2014.

Approved:
MARK FERRANDINO,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk