

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

Ninety-first Legislative Day

Tuesday, April 8, 2014

1 Prayer by Father Leo Weber, Arrupe Jesuit High School, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Jodie Huapaya, Community College of
6 Denver.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Labuda--1.

12
13 The Speaker declared a quorum present.
14
15

16 On motion of Representative Wright, the reading of the journal of April
17 7, 2014, was declared dispensed with and approved as corrected by the
18 Chief Clerk.
19
20

CONSIDERATION OF MEMORIAL

21
22
23 **HM14-1003** by Representative(s) Rosenthal--Memorializing former
24 Representative Don Friedman.
25

26 Printed and placed in members' files.
27

28 On motion of Representative Rosenthal, the memorial was read at length.
29

30 After a number of House members spoke in favor of the resolution, the
31 Speaker put the House in recess to allow former members to speak:
32 Senator Steve Durham, Representative Bob Kirscht, Representative
33 Richard Gebhardt.
34

35 On motion of Representative Rosenthal, the memorial was **adopted** by
36 the following roll call vote:
37

	YES	63	NO	0	EXCUSED	2	ABSENT	0
39	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
40	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
41	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
42	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
43	Coram	Y	Hullinghorst	E	Moreno	Y	Singer	Y

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

13 Current roll call of the House added as co-sponsors: Representative(s) Becker,
 14 Buck, Buckner, Conti, Coram, Court, DelGrosso, Dore, Duran, Everett, Exum,
 15 Fields, Fischer, Foote, Garcia, Gardner, Gerou, Ginal, Hamner, Holbert,
 16 Humphrey, Joshi, Kagan, Kraft-Tharp, Landgraf, Lawrence, Lebsock, Lee,
 17 May, McCann, McLachlan, McNulty, Melton, Mitsch Bush, Moreno, Murray,
 18 Navarro, Nordberg, Pabon, Peniston, Pettersen, Primavera, Priola, Rankin,
 19 Ryden, Saine, Salazar, Schafer, Scott, Singer, Sonnenberg, Stephens, Swalm,
 20 Szabo, Tyler, Vigil, Waller, Williams, Wilson, Wright, Young, Speaker.

21

22 **HM14-1004** by Representative(s) Tyler--Memorializing former
 23 representative Theodore Eaker.

24

25 Printed and placed in members' files.

26

27 On motion of Representative Tyler, the memorial was read at length and
 28 **adopted** by the following roll call vote:

29

30	YES	62	NO	0	EXCUSED	3	ABSENT	0
31	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
32	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
33	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
34	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
35	Coram	E	Hullinghorst	E	Moreno	Y	Singer	Y
36	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
37	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
38	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
39	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
40	Everett	Y	Labuda	E	Peniston	Y	Tyler	Y
41	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
42	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
43	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
44	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
45	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
46	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
47							Speaker	Y

48 Current roll call of the House added as co-sponsors: Representative(s) Becker,
 49 Buck, Buckner, Conti, Court, DelGrosso, Dore, Duran, Everett, Exum, Fields,
 50 Fischer, Foote, Garcia, Gardner, Gerou, Ginal, Hamner, Holbert, Humphrey,
 51 Joshi, Kagan, Kraft-Tharp, Landgraf, Lawrence, Lebsock, Lee, May, McCann,
 52 McLachlan, McNulty, Melton, Mitsch Bush, Moreno, Murray, Navarro,
 53 Nordberg, Pabon, Peniston, Pettersen, Primavera, Priola, Rankin, Rosenthal,
 54 Ryden, Saine, Salazar, Schafer, Scott, Singer, Sonnenberg, Stephens, Swalm,
 55 Szabo, Vigil, Waller, Williams, Wilson, Wright, Young, Speaker

56

THIRD READING OF BILL(S)--FINAL PASSAGE

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

HB14-1273 by Representative(s) McCann and Wright; also Senator(s) Newell and Schwartz, Kefalas--Concerning human trafficking, and, in connection therewith, making and reducing appropriations.

As shown by the following roll call vote, a majority of all members elected to the House voted in the affirmative, and Representative McCann was given permission to offer a Third Reading amendment:

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

Third Reading amendment No. 1, by Representative McCann.

Amend engrossed bill, page 28, after line 12 insert:

"SECTION 26. In Colorado Revised Statutes, 24-4.1-302, **amend as amended by House Bill 14-1148** (1) (ii) as follows:

24-4.1-302. Definitions. As used in this part 3, and for no other purpose, including the expansion of the rights of any defendant:

(1) "Crime" means any of the following offenses, acts, and violations as defined by the statutes of the state of Colorado, whether committed by an adult or a juvenile:

(ii) HUMAN trafficking in adults, in violation of section 18-3-501, C.R.S.; or trafficking in children, in violation of section 18-3-502, C.R.S.; or coercion of involuntary servitude, in violation of section 18-3-503 OR 18-3-504, C.R.S.;"

Renumber succeeding sections accordingly.

The amendment was declared **passed** by the following roll call vote:

	YES	64	NO	0	EXCUSED	1	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	E	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 The question being, "Shall the bill, as amended, pass?".
 21 A roll call vote was taken. As shown by the following recorded vote, a
 22 majority of those elected to the House voted in the affirmative, and the
 23 bill, as amended, was declared **passed**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
25								
26	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
27	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
28	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
29	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
30	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
31	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
32	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
33	Dore	Y	Kagan	Y	Nordberg	Y	Swalm	Y
34	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
35	Everett	Y	Labuda	E	Peniston	Y	Tyler	Y
36	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
37	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
38	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
39	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
40	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
41	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Becker, Buckner, Conti, Duran, Exum,
 44 Fields, Fischer, Garcia, Gardner, Gerou, Ginal, Hamner, Hullinghorst, Kagan,
 45 Lawrence, Lebsock, Lee, May, Melton, Moreno, Murray, Peniston, Pettersen,
 46 Primavera, Priola, Rosenthal, Saine, Salazar, Schafer, Scott, Singer, Tyler,
 47 Vigil, Williams, Young, Speaker

48
 49
 50 **HB14-1275** by Representative(s) Duran and Coram, McLachlan; also
 51 Senator(s) Jahn and Roberts--Concerning authorization for
 52 the parks and wildlife commission to purchase real
 53 property to build a multi-use shooting facility.

54
 55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
 2 was declared **passed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
5	Becker	N	Gerou	Y	McLachlan	Y	Saine	N
6	Buck	N	Ginal	Y	McNulty	Y	Salazar	Y
7	Buckner	Y	Hamner	Y	Melton	N	Schafer	Y
8	Conti	N	Holbert	N	Mitsch Bush	Y	Scott	Y
9	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	Y
10	Court	Y	Humphrey	N	Murray	N	Sonnenberg	N
11	DelGrosso	N	Joshi	N	Navarro	N	Stephens	N
12	Dore	N	Kagan	Y	Nordberg	N	Swalm	N
13	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	N
14	Everett	N	Labuda	E	Peniston	Y	Tyler	Y
15	Exum	Y	Landgraf	N	Pettersen	Y	Vigil	Y
16	Fields	N	Lawrence	N	Primavera	Y	Waller	N
17	Fischer	Y	Lebsock	Y	Priola	N	Williams	Y
18	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
19	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
20	Gardner	N	McCann	Y	Ryden	Y	Young	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Fischer, Hamner, Hullinghorst,
 23 Lebsock, Mitsch Bush, Pabon, Rankin, Rosenthal, Schafer, Scott, Wright

24
 25 **HB14-1321** by Representative(s) Young--Concerning the membership
 26 of the Colorado task force on drunk and impaired driving.

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**.

	YES	64	NO	0	EXCUSED	1	ABSENT	0
34	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
35	Buck	Y	Ginal	Y	McNulty	Y	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	Y
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	E	Peniston	Y	Tyler	Y
44	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
45	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
46	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
47	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
48	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
49	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Becker, Duran, Fields, Ginal, Kraft-
 52 Tharp, Landgraf, Mitsch Bush, Pabon, Pettersen, Primavera, Rosenthal, Ryden,
 53 Salazar, Schafer

54

1 **SB14-146** by Senator(s) Schwartz; also Representative(s) Wilson--
 2 Concerning information that the department of
 3 transportation may consider when conducting a traffic
 4 investigation for the purpose of determining the
 5 appropriate speed limit for a portion of a state highway for
 6 which a municipality has proposed a speed limit alteration.
 7

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

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

31 Co-sponsor(s) added: Representative(s) Ginal, Kraft-Tharp, Lebsock, Mitsch
 32 Bush, Moreno, Pabon, Priola, Schafer
 33
 34

35
 36 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

37
 38 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

39 After consideration on the merits, the Committee recommends the
 40 following:
 41

42 **HB14-1320** be amended as follows, and as so amended, be referred to
 43 the Committee of the Whole with favorable
 44 recommendation:
 45

46 Amend printed bill, page 2, line 5, strike "TENTH" and substitute
 47 "EIGHTH".
 48

49 Page 2, line 15, strike "TEN" and substitute "EIGHT".
 50

51 Page 3, line 2, strike "applications filed" and substitute "findings made by
 52 the water judge".
 53
 54
 55

1 **SB14-115** be amended as follows, and as so amended, be referred to
2 the Committee on Legislative Council with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 6, line 24, strike everything after
6 "SUBSECTION" and substitute "(5):
7 (I) DO NOT".
8

9 Page 6, line 26, strike "(a)." and substitute "(a); AND
10 (II) MAY BE HELD BEFORE THE COLORADO WATER CONSERVATION
11 BOARD SUBMITS THE DOCUMENTS SPECIFIED IN SECTION 37-60-106 (1) (u)
12 (III) (B) OR (1) (u) (III) (D) IF DEEMED APPROPRIATE BY THE CHAIR OF THE
13 COMMITTEE."
14
15
16
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18 **APPROPRIATIONS**

19 After consideration on the merits, the Committee recommends the
20 following:
21

22 **HB14-1119** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:
25

26 Amend printed bill, page 6, before line 2 insert:
27

28 **"SECTION 4. Appropriation - adjustments to 2014 long bill.**
29 (1) For the implementation of this act, the general fund appropriation
30 made in the annual general appropriation act to the controlled
31 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
32 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
33 by \$77,000."
34

35 Renumber succeeding section accordingly.
36

37 Page 1, line 102, strike "**ORGANIZATION.**" and substitute
38 "**ORGANIZATION, AND, IN CONNECTION THEREWITH, REDUCING AN**
39 **APPROPRIATION.**".
40
41
42

43 **HB14-1127** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:
46

47 Amend printed bill, page 5, before line 6 insert:
48

49 **"SECTION 4. Appropriation.** (1) In addition to any other
50 appropriation, there is hereby appropriated, out of any moneys in the
51 judgement debtor disclosure fund created in section 24-1-121 (1.7),
52 Colorado Revised Statutes, not otherwise appropriated, to the department
53 of labor and employment, for the fiscal year beginning July 1, 2014, the
54 sum of \$233,358 and 4.0 FTE, or so much thereof as may be necessary,
55 to be allocated to the division of unemployment insurance for the
56 implementation of this act as follows:

1 (a) \$213,358 and 4.0 FTE for program costs for personal services
 2 and operating expenses;
 3 (b) \$20,000 for the purchase of computer center services.
 4 (2) In addition to any other appropriation, there is hereby
 5 appropriated, out of any moneys in the judicial stabilization cash fund
 6 created in section 13-32-101 (6), Colorado Revised Statutes, not
 7 otherwise appropriated, to the judicial department, for the fiscal year
 8 beginning July 1, 2014, the sum of \$228,738 and 3.0 FTE, or so much
 9 thereof as may be necessary, to be allocated to the trial courts for the
 10 implementation of this act as follows:
 11 (a) \$221,138 and 3.0 FTE for trial court programs for personal
 12 services; and
 13 (b) \$7,600 for trial court programs for operating expenses.
 14 (3) In addition to any other appropriation, there is hereby
 15 appropriated, out of any moneys in the judicial stabilization cash fund
 16 created in section 13-32-101 (6), Colorado Revised Statutes, not
 17 otherwise appropriated, to the judicial department, for the fiscal year
 18 beginning July 1, 2014, the sum of \$70,656, or so much thereof as may
 19 be necessary, to be allocated for courthouse capital expenses related to the
 20 implementation of this act.
 21 (4) In addition to any other appropriation, there is hereby
 22 appropriated to the governor - lieutenant governor - state planning and
 23 budgeting, for the fiscal year beginning July 1, 2014, the sum of \$20,000,
 24 or so much thereof as may be necessary, for allocation to the office of
 25 information technology, for the provision of computer center services for
 26 the department of labor and employment related to the implementation of
 27 this act. Said sum is from reappropriated funds received from the
 28 department of labor and employment out of the appropriation made in
 29 paragraph (b) of subsection (1) of this section."

30
 31 Renumber succeeding section accordingly.

32
 33 Page 1, line 101, strike "**RECOVERY.**" and replace "**RECOVERY, AND, IN**
 34 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

35
 36
 37 **HB14-1159** be amended as follows, and as so amended, be referred to
 38 the Committee of the Whole with favorable
 39 recommendation:

40
 41 Amend the Finance Committee Report, dated February 13, 2014, page 1,
 42 line 3, strike "(c)"" and substitute "(c) ON"".

43
 44 Page 1, strike line 4 and substitute "substitute "**limits - exemption**
 45 **claimed as refund - definitions - repeal.** (1) (c) (I) EXCEPT AS
 46 OTHERWISE PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (c),
 47 ON".

48
 49 Page 1, after line 5 insert:

50
 51 ""(II) (A) THE MAXIMUM AMOUNT OF THE EXEMPTION ALLOWED
 52 UNDER THIS PARAGRAPH (c) FOR COMPONENTS OF ANY SINGLE BIOGAS
 53 PRODUCTION SYSTEM OR GROUP OF BIOGAS PRODUCTION SYSTEMS THAT
 54 ARE INTEGRATED INTO A SINGLE BIOGAS PRODUCTION FACILITY IS
 55 SEVENTY-FIVE THOUSAND DOLLARS. THE MAXIMUM AGGREGATE AMOUNT
 56 OF ALL EXEMPTIONS ALLOWED UNDER THIS PARAGRAPH (c) FOR EACH

1 FISCAL YEAR IS THREE HUNDRED THOUSAND DOLLARS.
2 (B) THE EXEMPTION ALLOWED UNDER THIS PARAGRAPH (c) IS NOT
3 ALLOWED AT THE POINT OF SALE OR USE, BUT MAY INSTEAD BE CLAIMED
4 BY A TAXPAYER ANNUALLY AS A REFUND OF SALES OR USE TAXES PAID. TO
5 CLAIM A REFUND, A TAXPAYER MUST SUBMIT A REFUND APPLICATION TO
6 THE DEPARTMENT OF REVENUE ON A FORM PROVIDED BY THE
7 DEPARTMENT NO EARLIER THAN JULY 1 AND NO LATER THAN OCTOBER
8 1 OF THE FISCAL YEAR FOLLOWING THE FISCAL YEAR FOR WHICH THE
9 REFUND IS CLAIMED. THE APPLICATION MUST INCLUDE PROOF OF
10 PAYMENT BY THE TAXPAYER IN THE IMMEDIATELY PRECEDING FISCAL
11 YEAR OF STATE SALES AND USE TAXES TO WHICH THE EXEMPTION APPLIES
12 AND ANY ADDITIONAL INFORMATION THAT THE DEPARTMENT MAY
13 REQUIRE BY RULES PROMULGATED IN ACCORDANCE WITH ARTICLE 4 OF
14 TITLE 24, C.R.S. IF THE SUM OF ALL REFUNDS TIMELY CLAIMED FOR A
15 FISCAL YEAR EXCEEDS THE ANNUAL LIMIT SPECIFIED IN
16 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II), THE DEPARTMENT
17 SHALL REDUCE ALL REFUNDS ON A PRO RATA BASIS. NO REFUND IS
18 ALLOWED TO A TAXPAYER WHO FAILS TO COMPLY WITH THIS
19 SUB-SUBPARAGRAPH (B).".

20
21 Page 1, line 6, strike ""(II)" and substitute "(III)".

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25 **HB14-1178** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:

28
29

Amend printed bill, page 5, after line 2 insert:

30
31

"SECTION 4. Appropriation. In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 general fund, not otherwise appropriated, to the department of revenue,
34 for the fiscal year beginning July 1, 2013, the sum of \$31,000, or so much
35 thereof as may be necessary, for allocation to the taxation business group
36 for CITA annual maintenance and support related to the implementation
37 of this act.

38

SECTION 5. Appropriation - adjustments to 2014 long bill.

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(1) For the implementation of this act, the general fund appropriation
made in the annual general appropriation act to the controlled
maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
by \$82,077.".

44
45

Renumber succeeding section accordingly.

46
47
48
49

Page 1, line 102, strike "FLIGHT." and substitute "FLIGHT, AND, IN
CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.".

50
51

52 **HB14-1204** be referred to the Committee of the Whole with favorable
53 recommendation.

54
55

56 **HB14-1209** be postponed indefinitely.

1 **HB14-1211** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend the House Public Health Care and Human Services Committee
6 Report, dated March 18, 2014, page 5, after line 22 insert:
7

8 **"SECTION 3. Appropriation - adjustments to 2014 long bill.**

9 (1) For the implementation of this act, the general fund appropriation
10 made in the annual general appropriation act to the controlled
11 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
12 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
13 by \$16,533.

14 (2) In addition to any other appropriation, there is hereby
15 appropriated to the department of health care policy and financing, for the
16 fiscal year beginning July 1, 2014, the sum of \$51,133, or so much
17 thereof as may be necessary, comprised of \$16,533 from the general fund
18 and \$34,600 from federal funds, to be allocated to the executive director's
19 office for the implementation of this act as follows:

20 (a) \$15,000, comprised of \$7,500 general fund and \$7,500 federal
21 funds, for general administration, general professional services and
22 special projects;

23 (b) \$25,200, comprised of \$6,300 general fund and \$18,900 federal
24 funds, for information technology contracts and projects, Medicaid
25 management information system maintenance and projects; and

26 (c) \$10,933, comprised of \$2,733 general fund and \$8,200 federal
27 funds, for utilization and quality review contracts, professional services
28 contracts."
29

30 Renumber succeeding section accordingly.
31

32 Page 5 of the report, after line 31 insert:
33

34 "Page 1 of the bill, line 102, strike **"PROGRAM."** and substitute
35 **"PROGRAM, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING**
36 **APPROPRIATIONS."**."
37

38
39
40 **HB14-1279** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:
43

44 Amend printed bill, page 3, line 4, strike "2014," and substitute "2015,"
45 and strike "2019," and substitute "2020,".
46

47 Page 3, line 14, strike "TWENTY-FIVE" and substitute "FIFTEEN".
48

49 Page 3, line 16, strike "2014," and substitute "2015,".
50

51 Page 3, after line 27 insert:
52

53 "(5) THE DEPARTMENT OF REVENUE SHALL PROVIDE THE JOINT
54 BUDGET COMMITTEE WITH A COPY OF THE PORTION OF THE 2017 TAX
55 PROFILE AND EXPENDITURE REPORT CREATED PURSUANT TO SECTION
56 39-21-303 THAT RELATES TO THE CREDIT CREATED IN THIS SECTION.".

1 Renumber succeeding subsection accordingly.

2

3 Page 4, line 1, strike "2021." and substitute "2022."

4

5 Page 4, after line 1 insert:

6

7 **"SECTION 2. Appropriation - adjustments to 2014 long bill.**

8 (1) For the implementation of this act, the general fund appropriation
9 made in the annual general appropriation act to the controlled
10 maintenance trust fund created in section 24-75-302.5 (2) (a), Colorado
11 Revised Statutes, for the fiscal year beginning July 1, 2014, is decreased
12 by \$2,624,842."

13

14 Renumber succeeding section accordingly.

15

16 Page 1, line 103, strike "STATE." and substitute "STATE, AND, IN
17 CONNECTION THEREWITH, REDUCING AN APPROPRIATION."

18

19

20

21 **HB14-1327** be referred to the Committee of the Whole with favorable
22 recommendation.

23

24

25 **HB14-1328** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:

28

29 Amend printed bill, page 16, after line 11 insert:

30

31 **"SECTION 6. Appropriation.** (1) In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 Colorado high cost administration fund created in section 40-15-208 (3)
34 (a), Colorado Revised Statutes, not otherwise appropriated, to the
35 department of regulatory agencies, for the fiscal year beginning July 1,
36 2014, the sum of \$86,518 and 0.7 FTE, or so much thereof as may be
37 necessary, to be allocated for the implementation of this act as follows:

38 (a) \$52,733 and 0.7 FTE to the public utilities commission for
39 personal services;

40 (b) \$5,368 to the public utilities commission for operating
41 expenses and capital outlay; and

42 (c) \$28,417 to the executive director's office and administrative
43 services for the purchase of legal services.

44 (2) In addition to any other appropriation, there is hereby
45 appropriated to the department of law, for the fiscal year beginning July
46 1, 2014, the sum of \$28,417 and 0.2 FTE, or so much thereof as may be
47 necessary, for the provision of legal services for the department of
48 regulatory agencies related to the implementation of this act. Said sum is
49 from reappropriated funds received from the department of regulatory
50 agencies out of the appropriation made in paragraph (c) of subsection (1)
51 of this section.

52 (3) In addition to any other appropriation, there is hereby
53 appropriated to the department of law, for the fiscal year beginning July
54 1, 2014, the sum of \$27,324 and 0.2 FTE, or so much thereof as may be
55 necessary, for the provision of legal services for the department of
56 regulatory agencies related to the implementation of this act. Said sum is

1 from cash funds received from the department of regulatory agencies
2 from the broadband fund created in section 40-15-509.5 (4) (a), Colorado
3 Revised Statutes. The moneys in the fund are appropriated to the
4 broadband deployment board pursuant to section 40-15-509.5 (4) (a),
5 Colorado Revised Statutes."

6
7 Renumber succeeding section accordingly.

8
9 Page 1, line 104, strike "**MECHANISM.**" and substitute "**MECHANISM, AND,
10 IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

11
12
13

14 **HB14-1329** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:

17

18 Amend printed bill, page 6, after line 3 insert:

19

20 **"SECTION 4. Appropriation.** (1) In addition to any other
21 appropriation, there is hereby appropriated, out of any moneys in the
22 public utilities commission fixed utility fund created in section 40-2-114,
23 Colorado Revised Statutes, not otherwise appropriated, to the department
24 of regulatory agencies, for the fiscal year beginning July 1, 2014, the sum
25 of \$39,436 and 0.3 FTE, or so much thereof as may be necessary, to be
26 allocated for the implementation of this act as follows:

27 (a) \$21,220 and 0.3 FTE to the public utilities commission for
28 personal services; and

29 (b) \$18,216 for the purchase of legal services.

30 (2) In addition to any other appropriation, there is hereby
31 appropriated to the department of law, for the fiscal year beginning July
32 1, 2014, the sum of \$18,216 and 0.1 FTE, or so much thereof as may be
33 necessary, for the provision of legal services for the department of
34 regulatory agencies related to the implementation of this act. Said sum is
35 from reappropriated funds received from the department of regulatory
36 agencies out of the appropriation made in paragraph (b) of subsection (1)
37 of this section."

38

39 Renumber succeeding section accordingly.

40

41 Page 1, line 103, strike "**COMMISSION.**" and substitute "**COMMISSION,
42 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

43

44

45

46 **HB14-1331** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49

50 Amend printed bill, page 13, after line 16 insert:

51

52 **"SECTION 12. Appropriation.** (1) In addition to any other
53 appropriation, there is hereby appropriated, out of any moneys in the
54 public utilities commission fixed utility fund created in section 40-2-114,
55 Colorado Revised Statutes, not otherwise appropriated, to the department
56 of regulatory agencies, for the fiscal year beginning July 1, 2014, the sum

1 of \$270,335 and 2.0 FTE, or so much thereof as may be necessary, to be
2 allocated for the implementation of this act as follows:
3 (a) \$153,376 and 2.0 FTE to the public utilities commission for
4 personal services;
5 (b) \$11,306 to the public utilities commission for operating
6 expenses and capital outlay; and
7 (c) \$105,653 to the executive director's office and administrative
8 services for the purchase of legal services.
9 (2) In addition to any other appropriation, there is hereby
10 appropriated to the department of law, for the fiscal year beginning July
11 1, 2014, the sum of \$105,653 and 0.6 FTE, or so much thereof as may be
12 necessary, for the provision of legal services for the department of
13 regulatory agencies related to the implementation of this act. Said sum is
14 from reappropriated funds received from the department of regulatory
15 agencies out of the appropriation made in paragraph (c) of subsection (1)
16 of this section."

17
18 Renumber succeeding section accordingly.

19
20 Page 1, line 102, strike "**COMPETITION.**" and substitute "**COMPETITION,**
21 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

22
23
24
25
26 **EDUCATION**

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

29
30 **HB14-1268** be postponed indefinitely.

31
32
33
34
35 **STATE, VETERANS, & MILITARY AFFAIRS**

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

38
39 **HB14-1354** be referred to the Committee of the Whole with favorable
40 recommendation.

41
42
43 **SB14-158** be referred to the Committee of the Whole with favorable
44 recommendation.

45
46
47 **SB14-161** be referred favorably to the Committee on Appropriations.

48
49
50
51
52 On motion of Representative Pabon, **HB14-1330, 1327, 1328, 1329,**
53 **1331, 1127, 1204, 1269, 1338, 1178, 1119, 1211, 1159, 1320, 1354** were
54 made Special Orders on April 8, 2014, at 10:10 a.m.

55
56

1 The hour of 10:10 a.m., having arrived, on motion of Representative
2 Salazar, the House resolved itself into Committee of the Whole for
3 consideration of Special Orders and he was called to the Chair to act as
4 Chairman.

5

6

7

SPECIAL ORDERS--SECOND READING OF BILLS

8

9 The Committee of the Whole having risen, the Chairman reported the
10 titles of the following bills had been read (reading at length had been
11 dispensed with by unanimous consent), the bills considered and action
12 taken thereon as follows:

13

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

16

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

20

21 Ordered engrossed and placed on the Calendar for Third Reading and
22 Final Passage.

23

24 **HB14-1327** by Representative(s) Williams and Murray; also Senator(s)
25 Scheffel and Tochtrop--Concerning measures to expand
26 the deployment of communication networks, and, in
27 connection therewith, enacting the "Broadband
28 Deployment Act".

29

30 Amendment No. 1, Business, Labor, Economic, & Workforce
31 Development Report, dated March 26, 2014, and placed in member's bill
32 file; Report also printed in House Journal, March 26, 2014, page(s) 691-
33 692.

34

35 Amendment No. 2, Finance Report, dated April 2, 2014, and placed in
36 member's bill file; Report also printed in House Journal, April 3, 2014,
37 page(s) 783-784.

38

39 Amendment No. 3, by Representative(s) Murray and Williams.

40

41 Amend the Business, Labor, Economic, & Workforce Development
42 Committee Report, dated March 25, 2014, page 1, lines 10 and 11, strike
43 "WATER OR WASTEWATER" and substitute "POLITICAL SUBDIVISION'S
44 WATER, WASTEWATER, ELECTRICITY, OR GAS".

45

46 Page 1, lines 11 and 12, strike "WATER OR WASTEWATER" and substitute
47 "POLITICAL SUBDIVISION'S WATER, WASTEWATER, ELECTRICITY, OR GAS".

48

49 Page 1, line 13, strike "WATER OR WASTEWATER" and substitute "A
50 POLITICAL SUBDIVISION'S WATER, WASTEWATER, ELECTRICITY, OR GAS".

51

52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.

54

55 **HB14-1328** by Representative(s) Williams and Coram, Becker, Dore,
56 Hamner, McLachlan, Mitsch Bush, Scott, Tyler, Wilson,

1 Young; also Senator(s) Nicholson and Crowder, Schwartz-
2 -Concerning the deployment of broadband into unserved
3 areas of Colorado through grant-making from moneys
4 allocated from the Colorado high cost support mechanism.
5
6 Amendment No. 1, Business, Labor, Economic, & Workforce
7 Development Report, dated March 26, 2014, and placed in member's bill
8 file; Report also printed in House Journal, March 25, 2014, page(s) 692-
9 693
10
11 Amendment No. 2, Appropriations Report, dated April 8, 2014, and
12 placed in member's bill file; Report also printed in House Journal, April
13 8, 2014, page(s) 855-856.
14
15 Amendment No. 3, by Representative(s) Williams and Coram.
16
17 Amend the Business, Labor, and Economic and Workforce Development
18 Committee Report, dated March 25, 2014, page 1, after line 2 insert:
19
20 "Page 3 of the printed bill, line 17 after "NONPROFIT" insert "TELEPHONE
21 COOPERATIVE, INCLUDING ITS AFFILIATES AND SUBSIDIARIES, OR A
22 NONPROFIT".
23
24 Page 3 of the bill, line 19, strike "MAY QUALIFY" and substitute
25 "QUALIFIES".
26
27 Page 1 of the report, strike lines 4 through 6 and substitute:
28
29 "(9.5) "INCUMBENT PROVIDER" MEANS A PROVIDER THAT OFFERS
30 BROADBAND INTERNET SERVICE IN AN UNSERVED AREA, BUT THAT IS NOT
31 PROVIDING A BROADBAND NETWORK IN THAT AREA."
32
33 Page 2 of the report, after line 8 insert:
34
35 "Page 9 of the bill, line 8, strike "ADVANCED AND".
36
37 Page 2 of the report, after line 20 insert:
38
39 "Page 14 of the bill, strike lines 9 and 10 and substitute "NOT PROVIDED
40 IN AREAS OTHER THAN UNSERVED AREAS";".
41
42 Page 14 of the bill, line 20, strike "APPLICANTS DENIED" and substitute
43 "ANY PARTY AGGRIEVED BY AN AWARD OR DENIAL OF".
44
45 Page 14 of the bill, strike line 26 and substitute "PROJECT, AS
46 APPROPRIATE;".
47
48 Amendment No. 4, by Representative(s) Williams and Coram.
49
50 Amend the Business, Labor, and Workforce Development Committee
51 Report, dated March 25, 2014, page 2, after line 9 insert:
52
53 "Page 9 of the printed bill, line 17, strike "THIRTEEN" and substitute
54 "SIXTEEN".
55
56 Page 9 of the bill, line 21, strike "SIX" and substitute "EIGHT".

1 Page 9 of the bill, line 22, strike "SEVEN" and substitute "EIGHT".

2

3 Page 9 of the bill, line 25, strike "SEVEN" and substitute "EIGHT".

4

5 Page 10 of the bill, strike lines 12 and 13 and substitute:

6

7 "(II) THREE VOTING MEMBERS REPRESENTING LOCAL ENTITIES:

8 (A) ONE OF WHOM IS A COUNTY COMMISSIONER, AS APPOINTED BY
9 THE PRESIDENT OF THE SENATE IN CONSULTATION WITH COLORADO
10 COUNTIES, INC.;

11 (B) ONE OF WHOM IS A MAYOR OR CITY COUNCILPERSON, AS
12 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES IN
13 CONSULTATION WITH THE COLORADO MUNICIPAL LEAGUE; AND

14 (C) ONE OF WHOM IS ANY OTHER REPRESENTATIVE OF A LOCAL
15 ENTITY, AS APPOINTED BY THE MINORITY LEADER OF THE SENATE;".

16

17 Page 10 of the bill, line 14, strike "THREE" and substitute "SIX".

18

19 Page 10 of the bill, line 17, strike "SPEAKER OF THE HOUSE OF
20 REPRESENTATIVES;" and substitute "MINORITY LEADER OF THE HOUSE OF
21 REPRESENTATIVES;".

22

23 Page 10 of the bill, lines 19 and 20, strike "HOUSE OF REPRESENTATIVES;
24 AND" and substitute "SENATE;".

25

26 Amendment No. 5, by Representative(s) Williams and Coram.

27

28 Amend the Business, Labor, and Economic and Workforce Development
29 Committee Report, dated March 25, 2014, page 2, after line 10 insert:

30

31 "Page 10 of the bill, line 22, strike "SPEAKER OF THE HOUSE OF
32 REPRESENTATIVES;" and substitute "GOVERNOR;

33

34 (D) ONE OF WHOM REPRESENTS A CABLE PROVIDER, AS APPOINTED
35 BY THE PRESIDENT OF THE SENATE;

36 (E) ONE OF WHOM REPRESENTS A RURAL LOCAL EXCHANGE
37 CARRIER, AS APPOINTED BY THE GOVERNOR; AND

38 (F) ONE OF WHOM REPRESENTS A COMPETITIVE LOCAL EXCHANGE
39 CARRIER, AS APPOINTED BY THE SPEAKER OF THE HOUSE OF
40 REPRESENTATIVES;".

41

42 Page 11 of the bill, line 2, strike "SENATE;" and substitute "HOUSE OF
43 REPRESENTATIVES;".

44

45 Page 11, line 3, before "URBAN" insert "UNSERVED".

46

47 Page 11, line 4, strike "PRESIDENT OF THE SENATE." and substitute
48 "SPEAKER OF THE HOUSE OF REPRESENTATIVES;".

49

50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.

52

53 **HB14-1329** by Representative(s) Williams and Murray; also Senator(s)
54 Kerr and Scheffel--Concerning the exemption of certain
55 internet-protocol-enabled services from oversight by the
56 public utilities commission.

1 Amendment No. 1, Business, Labor, Economic, & Workforce
2 Development Report, dated March 25, 2014, and placed in member's bill
3 file; Report also printed in House Journal, March 26, 2014, page(s) 693
4

5 Amendment No. 2, Appropriations Report, dated April 8, 2014, and
6 placed in member's bill file; Report also printed in House Journal, April
7 8, 2014, page(s) 856.
8

9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.
11

12 **HB14-1331** by Representative(s) Williams and Murray; also Senator(s)
13 Nicholson and Kerr--Concerning the regulation of basic
14 local exchange service as it affects effective competition.
15

16 Amendment No. 1, Business, Labor, Economic, & Workforce
17 Development Report, dated March 25, 2014, and placed in member's bill
18 file; Report also printed in House Journal, March 26, 2014, page(s) 693-
19 694
20

21 Amendment No. 2, Appropriations Report, dated April 8, 2014, and
22 placed in member's bill file; Report also printed in House Journal, April
23 8, 2014, page(s) 856-857.
24

25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27

28 **HB14-1127** by Representative(s) Coram; also Senator(s) Hodge--
29 Concerning disclosure of information for asset recovery.
30

31 Amendment No. 1, Judiciary Report, dated February 18, 2014, and placed
32 in member's bill file; Report also printed in House Journal, February 19,
33 2014, page(s) 330-331.
34

35 Amendment No. 2, Appropriations Report, dated April 8, 2014, and
36 placed in member's bill file; Report also printed in House Journal, April
37 8, 2014, page(s) 851-852.
38

39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.
41

42 **HB14-1204** by Representative(s) Wilson, Dore, Sonnenberg--
43 Concerning flexibility regarding the requirements imposed
44 on rural school districts.
45

46 Amendment No. 1, Education Report, dated February 24, 2014, and
47 placed in member's bill file; Report also printed in House Journal,
48 February 25, 2014, page(s) 395-396
49

50 Amendment No. 2, by Representative(s) Wilson.
51

52 Amend Education Committee report, dated February 24, 2014, printed
53 bill, page 1, line 19, after "THOUSAND" insert "TWO HUNDRED".
54

55 Page 2, line 9, after "THOUSAND" insert "TWO HUNDRED".
56

- 1 Page 2, line 33, after "THOUSAND" insert "TWO HUNDRED".
2
3 As amended, ordered engrossed and placed on the Calendar for Third
4 Reading and Final Passage.
5
6 **HB14-1338** by Representative(s) May and Gerou, Duran; also
7 Senator(s) Hodge and Lambert, Steadman--Concerning
8 planning for the effective use of Colorado's regional
9 centers for persons with intellectual disabilities, and, in
10 connection therewith, making an appropriation.
11
12 Amendment No. 1, Appropriations Report, dated March 25, 2014, and
13 placed in member's bill file; Report also printed in House Journal, March
14 25, 2014, page(s) 684
15
16 Amendment No. 2, Public Health Care & Human Services Report, dated
17 April 2, 2014, and placed in member's bill file; Report also printed in
18 House Journal, April 2, 2014, page(s) 770-771.
19
20 Amendment No. 3, by Representative(s) May.
21
22 Amend the Public Health Care and Human Services Committee Report,
23 dated April 1, 2014, page 1, strike line 2 and substitute "FIFTEEN".
24
25 Page 1 of the report, after line 8 insert:
26
27 "Page 4 of the bill, line 16, strike "AND".
28
29 Page 4 of the bill, line 20, strike "STATE." and substitute "STATE; AND
30 (XI) A REPRESENTATIVE OF A BEHAVIORAL HEALTH
31 ORGANIZATION WITH EXPERTISE IN INTELLECTUAL AND DEVELOPMENTAL
32 DISABILITIES AND CO-OCCURRING DISORDERS, TO BE APPOINTED BY THE
33 EXECUTIVE DIRECTOR."."
34
35 Page 1 of the report, strike lines 11 and 12 and substitute:
36
37 "Page 7 of the bill, strike lines 21 through 24 and substitute:
38
39 "(11) PRIOR TO DECEMBER 31, 2015, THE DEPARTMENT SHALL NOT
40 SELL ANY STATE-OPERATED REGIONAL CENTERS AND SHALL MAINTAIN AN
41 ADEQUATE NUMBER OF BEDS AT THE REGIONAL CENTERS FOR INDIVIDUALS
42 WHO TRANSITIONED TO THE COMMUNITY WITHIN THE PRECEDING SIX
43 MONTHS, BUT WHO HAVE BEEN IDENTIFIED BY A COMMUNITY-CENTERED
44 BOARD AND THE INDIVIDUAL'S LEGAL GUARDIAN AS HAVING HAD AN
45 UNSUCCESSFUL TRANSITION. THE DEPARTMENT SHALL PERMIT THE
46 INDIVIDUAL TO RETURN TO A STATE-OPERATED REGIONAL CENTER BED
47 PURSUANT TO SECTION 27-10.5-110 AND APPLICABLE FEDERAL LAW."."
48
49 As amended, ordered engrossed and placed on the Calendar for Third
50 Reading and Final Passage.
51
52 **HB14-1178** by Representative(s) Ferrandino and DelGrosso, Duran,
53 Holbert, Kraft-Tharp, Lawrence, May, McNulty, Waller,
54 Williams, Young; also Senator(s) Hodge and Grantham,
55 Harvey, Scheffel, Steadman--Concerning a sales and use
56 tax exemption for qualified property used in space flight.

1 Amendment No. 1, Appropriations Report, dated April 8, 2014, and
2 placed in member's bill file; Report also printed in House Journal, April
3 8, 2014, page(s)
4

5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7

8 **HB14-1119** by Representative(s) McLachlan, Dore; also Senator(s)
9 Hodge and Roberts--Concerning an income tax credit for
10 the donation of food to a hunger-relief charitable
11 organization.
12

13 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
14 dated February 10, 2014, and placed in member's bill file; Report also
15 printed in House Journal, February 11, 2014, page(s) 239-240
16

17 Amendment No. 2, Finance Report, dated February 26, 2014, and placed
18 in member's bill file; Report also printed in House Journal, February 27,
19 2014, page(s) 426.
20

21 Amendment No. 3, Appropriations Report, dated April 8, 2014, and
22 placed in member's bill file; Report also printed in House Journal, April
23 8, 2014, page(s) 851.
24

25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27

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

33 Amendment No. 1, Public Health Care & Human Services Report, dated
34 March 18, 2014, and placed in member's bill file; Report also printed in
35 House Journal, March 19, 2014, page(s) 629-632
36

37 Amendment No. 2, Appropriations Report, dated April 8, 2014, and
38 placed in member's bill file; Report also printed in House Journal, April
39 8, 2014, page(s) 854.
40

41 As amended, ordered engrossed and placed on the Calendar for Third
42 Reading and Final Passage.
43

44 **HB14-1159** by Representative(s) Young and Dore, Fischer, Lebsock,
45 McLachlan, Mitsch Bush, Vigil; also Senator(s) Schwartz
46 and Crowder--Concerning a state sales and use tax
47 exemption for components used in biogas production
48 systems.
49

50 Laid over until April 9, retaining place on Calendar.
51
52
53

ARTICLE 24**English Language Proficiency Act**

22-24-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "ENGLISH LANGUAGE PROFICIENCY ACT".

22-24-102. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) THERE IS A SUBSTANTIAL NUMBER OF STUDENTS IN COLORADO WHO ARE ENGLISH LANGUAGE LEARNERS;

(b) LOCAL EDUCATION PROVIDERS MUST PROVIDE EVIDENCE-BASED ENGLISH LANGUAGE PROFICIENCY PROGRAMS FOR ENGLISH LANGUAGE LEARNERS TO ENABLE THEM TO DEVELOP AND ACQUIRE ENGLISH LANGUAGE PROFICIENCY WHILE ACHIEVING AND MAINTAINING GRADE-LEVEL PERFORMANCE IN ACADEMIC CONTENT AREAS;

(c) TO IMPROVE THE EDUCATIONAL AND CAREER OPPORTUNITIES FOR EVERY STUDENT IN COLORADO, THE STATE MUST ENSURE SUPPORT FOR LOCAL EDUCATION PROVIDERS TO ESTABLISH EVIDENCE-BASED ENGLISH LANGUAGE PROFICIENCY PROGRAMS;

(d) THE STATE AND LOCAL EDUCATION PROVIDERS MUST ENHANCE ALL EDUCATORS' EFFECTIVENESS IN SUPPORTING ENGLISH LANGUAGE DEVELOPMENT AND IN ENABLING ENGLISH LANGUAGE LEARNERS TO ACHIEVE AND MAINTAIN GRADE-LEVEL PERFORMANCE IN ACADEMIC CONTENT AREAS;

(e) THE STATE MUST DEVELOP AN EDUCATOR WORKFORCE THAT CAN SUPPORT THE EDUCATIONAL APPROACH AND GOALS OF LOCAL EDUCATION PROVIDERS TO HELP ENSURE THAT ENGLISH LANGUAGE LEARNERS ARE POSTSECONDARY AND WORKFORCE READY AT GRADUATION;

(f) THE STATE MUST APPROPRIATE AND ALLOCATE MONEYS TO LOCAL EDUCATION PROVIDERS TO HELP ENSURE THAT ENGLISH LANGUAGE LEARNERS ARE POSTSECONDARY AND WORKFORCE READY AT GRADUATION;

(g) THE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION MUST HOLD LOCAL EDUCATION PROVIDERS ACCOUNTABLE THROUGH THE "EDUCATION ACCOUNTABILITY ACT OF 2009", ARTICLE 11 OF THIS TITLE, AND BY ENGLISH LANGUAGE DEVELOPMENT MEASURES MANDATED BY THIS ARTICLE FOR MEETING THE ENGLISH LANGUAGE DEVELOPMENT AND ACADEMIC ACHIEVEMENT GOALS FOR ENGLISH LANGUAGE LEARNERS; AND

(h) THE DEPARTMENT OF EDUCATION AND THE STATE BOARD OF EDUCATION MUST RECOGNIZE LOCAL EDUCATION PROVIDERS WHO PROVIDE EFFECTIVE ENGLISH LANGUAGE PROFICIENCY PROGRAMS BY AWARDING GRANTS THROUGH A COMPETITIVE PROGRAM THAT IS SUPPORTED WITH ANNUAL APPROPRIATIONS.

22-24-103. Definitions. AS USED IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "CHARTER SCHOOL" MEANS A CHARTER SCHOOL AUTHORIZED BY A DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE OR AN INSTITUTE CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE.

(2) "DEPARTMENT" MEANS THE DEPARTMENT OF EDUCATION.

(3) "DISTRICT" MEANS A SCHOOL DISTRICT ORGANIZED AND EXISTING PURSUANT TO ARTICLE 30 OF THIS TITLE OR A BOARD OF COOPERATIVE SERVICES ORGANIZED AND EXISTING PURSUANT TO ARTICLE 5 OF THIS TITLE.

(4) "ENGLISH LANGUAGE LEARNER" MEANS A STUDENT WHO IS

1 LINGUISTICALLY DIVERSE AND WHO IS IDENTIFIED PURSUANT TO SECTION
2 22-24-105 (2) AS HAVING A LEVEL OF ENGLISH LANGUAGE PROFICIENCY
3 THAT REQUIRES LANGUAGE SUPPORT TO ACHIEVE STANDARDS IN
4 GRADE-LEVEL CONTENT IN ENGLISH.

5 (5) "ENGLISH LANGUAGE PROFICIENCY PROGRAM" MEANS A
6 PROGRAM IMPLEMENTED BY A LOCAL EDUCATION PROVIDER THAT IS
7 DESIGNED TO DEVELOP ENGLISH LANGUAGE PROFICIENCY FOR AN ENGLISH
8 LANGUAGE LEARNER WHILE ENABLING THE ENGLISH LANGUAGE LEARNER
9 TO ACHIEVE AND MAINTAIN GRADE-LEVEL PERFORMANCE IN ACADEMIC
10 CONTENT AREAS.

11 (6) "EVIDENCE-BASED" MEANS THE INSTRUCTION OR ITEM
12 DESCRIBED IS BASED ON RELIABLE, TRUSTWORTHY, AND VALID EVIDENCE
13 THAT THE INSTRUCTION OR ITEM SHOWS PROMISE OR HAS DEMONSTRATED
14 A RECORD OF SUCCESS IN ACHIEVING OBJECTIVES THAT ARE RELEVANT TO
15 ENGLISH LANGUAGE DEVELOPMENT, ENGLISH LANGUAGE PROFICIENCY,
16 AND ACHIEVEMENT IN GRADE-LEVEL CONTENT FOR ENGLISH LANGUAGE
17 LEARNERS.

18 (7) "FACILITY SCHOOL" MEANS AN APPROVED FACILITY SCHOOL AS
19 DEFINED IN SECTION 22-2-402 (1).

20 (8) "LOCAL EDUCATION PROVIDER" MEANS A DISTRICT, THE STATE
21 CHARTER SCHOOL INSTITUTE, OR A FACILITY SCHOOL.

22 (9) "STATE CHARTER SCHOOL INSTITUTE" MEANS THE STATE
23 CHARTER SCHOOL INSTITUTE CREATED PURSUANT TO PART 5 OF ARTICLE
24 30.5 OF THIS TITLE.

25 **22-24-104. English language proficiency program established**
26 **- funding.** (1) THERE IS ESTABLISHED THE STATE ENGLISH LANGUAGE
27 PROFICIENCY PROGRAM TO ASSIST LOCAL EDUCATION PROVIDERS IN
28 ADMINISTERING AND IMPLEMENTING ENGLISH LANGUAGE PROFICIENCY
29 PROGRAMS FOR ENGLISH LANGUAGE LEARNERS IN KINDERGARTEN AND
30 GRADES ONE THROUGH TWELVE.

31 (2) (a) A STUDENT WHO IS IDENTIFIED FOR INCLUSION IN AN
32 ENGLISH LANGUAGE PROFICIENCY PROGRAM MAY RECEIVE FUNDING
33 PURSUANT TO THIS SECTION FOR UP TO A TOTAL OF FIVE BUDGET YEARS
34 REGARDLESS OF WHETHER THE STUDENT TRANSFERS ENROLLMENT AMONG
35 LOCAL EDUCATION PROVIDERS DURING THE FIVE YEARS. THE FIVE BUDGET
36 YEARS IN WHICH A STUDENT RECEIVES FUNDING PURSUANT TO THIS
37 SECTION ARE NOT REQUIRED TO BE CONSECUTIVE IF A STUDENT EXITS AN
38 ENGLISH LANGUAGE PROFICIENCY PROGRAM AND IS SUBSEQUENTLY
39 RE-IDENTIFIED FOR INCLUSION IN AN ENGLISH LANGUAGE PROFICIENCY
40 PROGRAM. A STUDENT IS NOT ELIGIBLE FOR FUNDING IN A SCHOOL YEAR
41 IN WHICH THE STUDENT DOES NOT RECEIVE EDUCATIONAL SUPPORT
42 THROUGH AN ENGLISH LANGUAGE PROFICIENCY PROGRAM. THE
43 DEPARTMENT SHALL ALLOCATE STATE MONEYS PURSUANT TO THIS
44 SECTION ON THE STUDENT'S BEHALF TO THE LOCAL EDUCATION PROVIDER
45 THAT ENROLLS THE STUDENT.

46 (b) IF A STUDENT WAS IDENTIFIED FOR INCLUSION IN AN ENGLISH
47 LANGUAGE PROFICIENCY PROGRAM BEFORE THE EFFECTIVE DATE OF THE
48 REPEAL AND REENACTMENT OF THIS ARTICLE AND RECEIVED STATE
49 FUNDING PURSUANT TO THIS ARTICLE AS IT EXISTED BEFORE THE
50 EFFECTIVE DATE OF THE REPEAL AND REENACTMENT OF THIS ARTICLE, THE
51 DEPARTMENT MUST INCLUDE THE BUDGET YEARS FOR WHICH THE STUDENT
52 RECEIVED FUNDING BEFORE THE EFFECTIVE DATE OF THE REPEAL AND
53 REENACTMENT OF THIS ARTICLE IN CALCULATING THE FIVE-YEAR LIMIT ON
54 FUNDING FOR THE STUDENT.

55 (3) (a) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
56 MONEYS TO THE DEPARTMENT TO IMPLEMENT THIS SECTION. THE

1 DEPARTMENT SHALL ALLOCATE THE MONEYS ANNUALLY APPROPRIATED
2 TO LOCAL EDUCATION PROVIDERS ON A PER-PUPIL BASIS USING THE
3 NUMBER OF ENGLISH LANGUAGE LEARNERS CERTIFIED PURSUANT TO
4 SECTION 22-24-105, SUBJECT TO THE TIME LIMIT SPECIFIED IN SUBSECTION
5 (2) OF THIS SECTION.

6 (b) (I) THE DEPARTMENT SHALL DISTRIBUTE SEVENTY-FIVE
7 PERCENT OF THE AMOUNT ANNUALLY APPROPRIATED TO THE DEPARTMENT
8 PURSUANT TO THIS SUBSECTION (3) TO LOCAL EDUCATION PROVIDERS TO
9 PROVIDE SERVICES TO ENGLISH LANGUAGE LEARNERS WHO:

10 (A) SPEAK A LANGUAGE OTHER THAN ENGLISH AND DO NOT
11 COMPREHEND OR SPEAK ENGLISH; AND

12 (B) COMPREHEND OR SPEAK SOME ENGLISH BUT WHOSE PRIMARY
13 COMPREHENSION OR SPEECH IS IN A LANGUAGE OTHER THAN ENGLISH.

14 (II) A STUDENT SHALL NOT BE FUNDED PURSUANT TO THIS
15 PARAGRAPH (b) FOR MORE THAN FOUR HUNDRED DOLLARS PER YEAR OR
16 AN AMOUNT EQUAL TO TWENTY PERCENT OF THE STATE AVERAGE PER
17 PUPIL REVENUES, AS DEFINED IN SECTION 22-54-103 (12), FOR THE
18 PRECEDING BUDGET YEAR AS DETERMINED BY THE DEPARTMENT,
19 WHICHEVER IS GREATER.

20 (c) (I) THE DEPARTMENT SHALL DISTRIBUTE THE REMAINDER OF
21 THE AMOUNT ANNUALLY APPROPRIATED PURSUANT TO THIS SUBSECTION
22 (3) TO LOCAL EDUCATION PROVIDERS TO PROVIDE SERVICES TO ENGLISH
23 LANGUAGE LEARNERS WHO COMPREHEND AND SPEAK ENGLISH AND ONE
24 OR MORE OTHER LANGUAGES BUT WHOSE ENGLISH LANGUAGE
25 DEVELOPMENT AND COMPREHENSION IS:

26 (A) AT OR BELOW THE MEAN OF STUDENTS ENROLLED IN THE
27 LOCAL EDUCATION PROVIDER OR BELOW THE MEAN OR EQUIVALENT ON A
28 NATIONALLY STANDARDIZED TEST; OR

29 (B) BELOW THE ACCEPTABLE PROFICIENCY LEVEL BASED ON THE
30 ASSESSMENTS IDENTIFIED BY THE DEPARTMENT PURSUANT TO SECTION
31 22-24-106 (1) (a).

32 (II) A STUDENT SHALL NOT BE FUNDED PURSUANT TO THIS
33 PARAGRAPH (c) FOR MORE THAN TWO HUNDRED DOLLARS PER YEAR OR AN
34 AMOUNT EQUAL TO TEN PERCENT OF THE STATE AVERAGE PER PUPIL
35 REVENUES, AS DEFINED IN SECTION 22-54-103 (12), FOR THE PRECEDING
36 BUDGET YEAR AS DETERMINED BY THE DEPARTMENT, WHICHEVER IS
37 GREATER.

38 (4) EACH LOCAL EDUCATION PROVIDER SHALL PROVIDE ENGLISH
39 LANGUAGE PROFICIENCY PROGRAMS FOR ENGLISH LANGUAGE LEARNERS
40 WHO ARE ENROLLED IN THE PUBLIC SCHOOLS OPERATED BY THE LOCAL
41 EDUCATION PROVIDER; EXCEPT THAT LOCAL EDUCATION PROVIDERS MAY
42 COOPERATE IN CARRYING OUT THE PROVISIONS OF THIS ARTICLE.

43 (5) THIS ARTICLE DOES NOT PROHIBIT A LOCAL EDUCATION
44 PROVIDER FROM USING THE MONEYS ALLOCATED PURSUANT TO THIS
45 ARTICLE FOR BILINGUAL PROGRAMS, ENGLISH-AS-A-SECOND-LANGUAGE
46 PROGRAMS, OR ANY OTHER METHOD OF ACHIEVING THE PURPOSES OF THIS
47 ARTICLE. A LOCAL EDUCATION PROVIDER THAT ADMINISTERS ANY OF
48 THESE PROGRAMS SHALL RECEIVE MONEYS PURSUANT TO THIS ARTICLE
49 ONLY ON THE BASIS OF THE NUMBER OF ENGLISH LANGUAGE LEARNERS
50 ENROLLED IN THE PROGRAMS.

51 **22-24-105. Local education provider - duties.** (1) EACH LOCAL
52 EDUCATION PROVIDER SHALL PROVIDE AN ENGLISH LANGUAGE
53 PROFICIENCY PROGRAM FOR ALL ENGLISH LANGUAGE LEARNERS WHO ARE
54 ENROLLED IN THE PUBLIC SCHOOLS OF THE LOCAL EDUCATION PROVIDER.

55 (2) EACH LOCAL EDUCATION PROVIDER SHALL IDENTIFY ENGLISH
56 LANGUAGE LEARNERS WHO ARE ENROLLED IN THE PUBLIC SCHOOLS OF THE

1 LOCAL EDUCATION PROVIDER USING THE STATE-APPROVED ASSESSMENT
2 FOR ENGLISH LANGUAGE PROFICIENCY. THE LOCAL EDUCATION PROVIDER
3 SHALL ANNUALLY CERTIFY TO THE DEPARTMENT THE NUMBER OF ENGLISH
4 LANGUAGE LEARNERS WHO ARE ENROLLED IN THE PUBLIC SCHOOLS OF THE
5 LOCAL EDUCATION PROVIDER AND ARE ELIGIBLE FOR FUNDING PURSUANT
6 TO SECTION 22-24-104 (2).

7 (3) EACH LOCAL EDUCATION PROVIDER SHALL ANNUALLY REPORT
8 TO THE DEPARTMENT THE NUMBER OF ENGLISH LANGUAGE LEARNERS WHO
9 EXIT THE ENGLISH LANGUAGE PROFICIENCY PROGRAM.

10 **22-24-106. Department of education - powers - duties - state**
11 **board of education - rules.** (1) THE DEPARTMENT SHALL:

12 (a) IDENTIFY THE ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS
13 THAT LOCAL EDUCATION PROVIDERS MUST USE TO IDENTIFY STUDENTS
14 WHO ARE ELIGIBLE FOR INCLUSION IN ENGLISH LANGUAGE PROFICIENCY
15 PROGRAMS, WHICH MAY INCLUDE THE ASSESSMENTS IN USE PRIOR TO THE
16 EFFECTIVE DATE OF THE REPEAL AND REENACTMENT OF THIS ARTICLE;

17 (b) ANNUALLY REVIEW THE STATEWIDE LEVELS OF PROFICIENCY
18 ON THE STATEWIDE ASSESSMENTS ADMINISTERED PURSUANT TO SECTION
19 22-7-1006 FOR THOSE ENGLISH LANGUAGE LEARNERS WHO ARE REQUIRED
20 TO TAKE THE STATEWIDE ASSESSMENT;

21 (c) ESTABLISH, BY GUIDELINES, ANY ACCOMMODATIONS THAT A
22 LOCAL EDUCATION PROVIDER MUST ALLOW AND THE CIRCUMSTANCES IN
23 WHICH A LOCAL EDUCATION PROVIDER MUST ALLOW THE
24 ACCOMMODATIONS FOR ENGLISH LANGUAGE LEARNERS WHO ARE TAKING
25 ASSESSMENTS PURSUANT TO SECTION 22-7-409 OR 22-7-1006;

26 (d) PROVIDE GUIDANCE DOCUMENTS AND TECHNICAL ASSISTANCE
27 TO ASSIST LOCAL EDUCATION PROVIDERS IN IDENTIFYING AND ASSESSING
28 ENGLISH LANGUAGE LEARNERS AND IN DEVELOPING, IMPLEMENTING, AND
29 EVALUATING ENGLISH LANGUAGE PROFICIENCY PROGRAMS;

30 (e) IDENTIFY, BASED ON THE CERTIFICATIONS RECEIVED FROM
31 LOCAL EDUCATION PROVIDERS, THE STUDENTS WHO ARE COUNTED AS
32 ENGLISH LANGUAGE LEARNERS FOR PURPOSES OF CALCULATING EACH
33 LOCAL EDUCATION PROVIDER'S ALLOCATION OF MONEYS PURSUANT TO
34 SECTION 22-24-104 (3);

35 (f) ANNUALLY ALLOCATE THE MONEYS APPROPRIATED FOR
36 IMPLEMENTATION OF THIS ARTICLE, INCLUDING ALLOCATING THE MONEYS
37 SPECIFIED IN SECTION 22-24-104 (3) ON A PER-PUPIL BASIS, USING THE
38 NUMBER OF ENGLISH LANGUAGE LEARNERS IDENTIFIED PURSUANT TO
39 PARAGRAPH (e) OF THIS SUBSECTION (1) AND PARTICIPATING IN THE
40 ENGLISH LANGUAGE PROFICIENCY PROGRAM;

41 (g) FOR EACH LOCAL EDUCATION PROVIDER, MONITOR AND REPORT
42 THROUGH THE DATA PORTAL OPERATED PURSUANT TO SECTION 22-11-502,
43 THE NUMBER OF ENGLISH LANGUAGE LEARNERS WHO EXIT THE ENGLISH
44 LANGUAGE PROFICIENCY PROGRAM, THE LENGTH OF TIME ENGLISH
45 LANGUAGE LEARNERS REMAIN IN THE ENGLISH LANGUAGE PROFICIENCY
46 PROGRAM, AND THE NUMBER OF ENGLISH LANGUAGE LEARNERS WHO
47 REENTER THE ENGLISH LANGUAGE PROFICIENCY PROGRAM;

48 (h) DISAGGREGATE THE DATA RECEIVED THROUGH THE STATEWIDE
49 ASSESSMENT PROGRAM PURSUANT TO SECTION 22-7-409 OR 22-7-1006
50 AND REPORT THE ENGLISH LANGUAGE PROFICIENCY AND ACADEMIC
51 ACHIEVEMENT OF ENGLISH LANGUAGE LEARNERS, WHILE THEY ARE
52 RECEIVING SERVICES THROUGH THE ENGLISH LANGUAGE PROFICIENCY
53 PROGRAM AND AFTER THEY EXIT THE ENGLISH LANGUAGE PROFICIENCY
54 PROGRAM THROUGH HIGH SCHOOL GRADUATION, AS PROVIDED IN PART 5
55 OF ARTICLE 11 OF THIS TITLE; AND

56 (i) ADMINISTER THE ENGLISH LANGUAGE PROFICIENCY ACT

1 EXCELLENCE AWARD PROGRAM CREATED IN SECTION 22-24-107.

2 (2) IN IMPLEMENTING THE PROVISIONS OF THIS ARTICLE, THE
3 DEPARTMENT SHALL NOT REQUIRE LOCAL EDUCATION PROVIDERS TO
4 SUBMIT REPORTS OR OTHERWISE PROVIDE DATA THAT IS REQUIRED BY OR
5 THAT THE DEPARTMENT COLLECTS UNDER OTHER STATE OR FEDERAL
6 DATA-COLLECTION OR REPORTING STATUTORY OR REGULATORY
7 REQUIREMENTS.

8 (3) THE STATE BOARD RULES THAT ARE IN EFFECT TO IMPLEMENT
9 THIS ARTICLE PRIOR TO THE EFFECTIVE DATE OF THE REPEAL AND
10 REENACTMENT OF THIS ARTICLE MAY CONTINUE IN EFFECT AFTER THAT
11 DATE TO THE EXTENT THE STATE BOARD FINDS THAT THE RULES CONTINUE
12 TO BE APPROPRIATE, AND THE STATE BOARD SHALL PROMULGATE
13 PURSUANT TO THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE
14 4 OF TITLE 24, C.R.S., SUCH ADDITIONAL RULES AS MAY BE NECESSARY TO
15 IMPLEMENT THIS ARTICLE. THE STATE BOARD BY RULE MAY IDENTIFY
16 MEASURES THAT ARE SPECIFIC TO THE ENGLISH LANGUAGE PROFICIENCY
17 ASSESSMENT, WHICH MEASURES THE DEPARTMENT MUST USE TO
18 DETERMINE A LOCAL EDUCATION PROVIDER'S LEVEL OF ACHIEVEMENT IN
19 MEETING THE ENGLISH LANGUAGE DEVELOPMENT AND ACADEMIC
20 ACHIEVEMENT GOALS FOR ENGLISH LANGUAGE LEARNERS.

21 **22-24-107. English language proficiency act excellence award**
22 **program - excellence awards fund - created - rules - legislative**
23 **declaration.** (1) THERE IS CREATED IN THE DEPARTMENT THE ENGLISH
24 LANGUAGE PROFICIENCY ACT EXCELLENCE AWARD PROGRAM TO AWARD
25 GRANTS TO LOCAL EDUCATION PROVIDERS AND CHARTER SCHOOLS THAT
26 ACHIEVE THE HIGHEST ENGLISH LANGUAGE AND ACADEMIC GROWTH
27 AMONG ENGLISH LANGUAGE LEARNERS AND THE HIGHEST ACADEMIC
28 ACHIEVEMENT FOR ENGLISH LANGUAGE LEARNERS WHO TRANSITION OUT
29 OF THE ENGLISH LANGUAGE PROFICIENCY PROGRAM. THE DEPARTMENT
30 SHALL ADMINISTER THE PROGRAM BY ANNUALLY IDENTIFYING, BASED ON
31 RULES OF THE STATE BOARD, THE LOCAL EDUCATION PROVIDERS AND
32 CHARTER SCHOOLS THAT QUALIFY FOR GRANTS AND DISTRIBUTING THE
33 MONEYS APPROPRIATED TO THE EXCELLENCE AWARDS FUND CREATED IN
34 SUBSECTION (4) OF THIS SECTION. THE STATE BOARD BY RULE SHALL SET
35 THE GRANT AMOUNT BASED ON THE STUDENT ENROLLMENT OF THE LOCAL
36 EDUCATION PROVIDERS AND CHARTER SCHOOLS THAT QUALIFY FOR
37 GRANTS AND THE CONCENTRATION OF ENGLISH LANGUAGE LEARNERS
38 ENROLLED BY THE LOCAL EDUCATION PROVIDERS AND CHARTER SCHOOLS
39 AS A PERCENTAGE OF THE TOTAL STUDENT ENROLLMENT. SUBJECT TO
40 AVAILABLE APPROPRIATIONS, THE DEPARTMENT SHALL DISTRIBUTE THE
41 MONEYS IN ACCORDANCE WITH THE RULES TO THE LOCAL EDUCATION
42 PROVIDERS AND CHARTER SCHOOLS THAT QUALIFY FOR THE GRANTS.

43 (2) THE STATE BOARD SHALL PROMULGATE RULES THAT CREATE
44 THE CRITERIA OR MEASURES THAT THE DEPARTMENT MUST APPLY TO
45 IDENTIFY THE LOCAL EDUCATION PROVIDERS AND CHARTER SCHOOLS THAT
46 ACHIEVE THE HIGHEST ENGLISH LANGUAGE AND ACADEMIC GROWTH
47 AMONG ENGLISH LANGUAGE LEARNERS AND THAT ACHIEVE THE HIGHEST
48 ACADEMIC ACHIEVEMENT FOR ENGLISH LANGUAGE LEARNERS WHO
49 TRANSITION OUT OF THE ENGLISH LANGUAGE PROFICIENCY PROGRAM.

50 (3) (a) EACH LOCAL EDUCATION PROVIDER AND CHARTER SCHOOL
51 THAT RECEIVES A GRANT PURSUANT TO THIS SECTION, AT THE CONCLUSION
52 OF EACH SCHOOL YEAR FOR WHICH IT RECEIVES A GRANT, MUST SUBMIT TO
53 THE DEPARTMENT:

54 (I) A DATA ANALYSIS AND SUMMARY OF THE LOCAL EDUCATION
55 PROVIDER'S OR CHARTER SCHOOL'S ENGLISH LANGUAGE PROFICIENCY
56 PROGRAM; AND

1 (II) A REPORT OF THE LOCAL EDUCATION PROVIDER'S OR CHARTER
2 SCHOOL'S USE OF THE GRANT MONEYS RECEIVED.

3 (b) THE DEPARTMENT SHALL PROVIDE THE INFORMATION RECEIVED
4 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3) TO LOCAL
5 EDUCATION PROVIDERS AND SHALL MAKE THE INFORMATION AVAILABLE
6 TO THE PUBLIC THROUGH THE DATA PORTAL OPERATED PURSUANT TO
7 SECTION 22-11-502.

8 (4) (a) THERE IS CREATED IN THE STATE TREASURY THE
9 EXCELLENCE AWARDS FUND, REFERRED TO IN THIS SUBSECTION (4) AS THE
10 "FUND", CONSISTING OF SUCH MONEYS AS THE GENERAL ASSEMBLY MAY
11 APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND ARE SUBJECT TO
12 ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE
13 DEPARTMENT FOR DISTRIBUTION TO LOCAL EDUCATION PROVIDERS AND
14 CHARTER SCHOOLS AS PROVIDED IN THIS SECTION.

15 (b) THE STATE TREASURER MAY INVEST ANY MONEYS IN THE FUND
16 NOT EXPENDED FOR THE PURPOSE OF THIS SECTION AS PROVIDED BY LAW.
17 THE STATE TREASURER SHALL CREDIT ALL INTEREST AND INCOME DERIVED
18 FROM THE INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND TO THE
19 FUND. ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN
20 THE FUND AT THE END OF A FISCAL YEAR MUST REMAIN IN THE FUND AND
21 SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
22 ANOTHER FUND.

23 (5) THE GENERAL ASSEMBLY FINDS THAT, FOR PURPOSES OF
24 SECTION 17 OF ARTICLE IX OF THE STATE CONSTITUTION, THE ENGLISH
25 LANGUAGE PROFICIENCY ACT EXCELLENCE AWARD PROGRAM IS AN
26 IMPORTANT COMPONENT OF AN ACCOUNTABLE PROGRAM TO MEET STATE
27 ACADEMIC STANDARDS AND, THEREFORE, MAY BE FUNDED FROM MONEYS
28 IN THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX
29 OF THE STATE CONSTITUTION."

30

31 Renumber succeeding sections accordingly.

32

33 Page 11, after line 16 insert:

34

35 "(b) The cash funds appropriation from the state education fund
36 created in section 17 (4) (a) of article IX of the state constitution, for
37 public school finance administration, is increased by \$63,607 and 0.7
38 FTE.

39 (c) The cash funds appropriation from the state education fund
40 created in section 17 (4) (a) of article IX of the state constitution, for the
41 English language proficiency program, is increased by \$30,000,000.

42 (2) For the implementation of this act, the general fund
43 appropriation made in the annual general appropriation act to the
44 controlled maintenance trust fund created in section 24-75-302.5 (2) (a),
45 Colorado Revised Statutes, for the fiscal year beginning July 1, 2014, is
46 decreased by \$68,084.

47 **SECTION 9. Appropriation - adjustments to 2014 long bill.**

48 (1) For the implementation of this act, appropriations made in the annual
49 general appropriation act to the department of education for the fiscal
50 year beginning July 1, 2014, are adjusted as follows:

51 (a) The cash funds appropriation from the state education fund
52 created in section 17 (4) (a) of article IX of the state constitution, for the
53 state share of districts' total program funding, is increased by \$16,996,593
54 to support additional Colorado preschool program participants authorized
55 in section 22-28-104.3 (2) (a) (II), Colorado Revised Statutes.

56 **SECTION 10. Appropriation - adjustments to 2014 long bill.**

1 (1) For the implementation of this act, appropriations made in the annual
2 general appropriation act to the department of education for the fiscal
3 year beginning July 1, 2014, are adjusted as follows:

4 (a) The cash funds appropriation from the state education fund
5 created in section 17 (4) (a) of article IX of the state constitution, for the
6 state share of districts' total program funding, is increased by \$18,485,659
7 to support additional Colorado preschool program participants authorized
8 in section 22-28-104.3 (2) (a) (II), Colorado Revised Statutes.

9 **SECTION 11. Appropriation.** (1) In addition to any other
10 appropriation, for the fiscal year beginning July 1, 2014, there is hereby
11 appropriated, out of any moneys in the state education fund created in
12 section 17(4) of article IX of the Colorado constitution not otherwise
13 appropriated, to the excellence awards fund created in section 22-24-107
14 (4), Colorado Revised Statutes, the sum of \$500,000, and said sum, or so
15 much thereof as may be necessary, is further appropriated to the
16 department of education, for the implementation of the English language
17 proficiency act excellence award program created in section 22-24-107,
18 Colorado Revised Statutes.

19 (2) In addition to any other appropriation, there is hereby
20 appropriated, out of any moneys in the general fund, not otherwise
21 appropriated, to the department of human services, for the fiscal year
22 beginning July 1, 2014, the sum of \$68,084 and 1.1 FTE, or so much
23 thereof as may be necessary, to be allocated to the division of early care
24 and learning for child care licensing and administration activities."

25
26 Renumber succeeding sections accordingly.

27
28 Page 11, line 19, strike "Section 3 of this act takes" and substitute
29 "Sections 3 and 9 of this act take".

30
31 Page 11, line 21, strike "Section 4 of this act takes" and substitute
32 "Sections 4 and 10 of this act take".

33
34 Page 11, line 22, strike "section 4 of this act takes" and substitute
35 "sections 4 and 10 of this act take".

36
37 Page 1, line 102, strike "AN APPROPRIATION." and substitute "AND
38 REDUCING APPROPRIATIONS."

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41 **PRINTING REPORT**

42
43 The Chief Clerk reports the following bills have been correctly printed:
44 **HB14-1361, 1362.**

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48 **DELIVERY OF BILLS TO GOVERNOR**

49
50 The Chief Clerk of the House of Representatives reports the following
51 bills have been delivered to the Office of the Governor: **HB14-1100,**
52 **1186, 1254** at 3:05 p.m. on April 8, 2014.

MESSAGE(S) FROM THE SENATE1
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Mr. Speaker:

The Senate has passed on Third Reading and returns herewith:
HB14-1057 and HB14-1176.

The Senate has adopted and returns herewith: HJR14-1010.

The Senate has adopted and returns herewith: HJR14-1015.

The Senate has adopted the First Report of the First Conference
Committee on HB14-1193, as printed in Senate Journal, April 7, 2014,
page 654, and repassed the bill as amended. The bill is returned herewith.

**INTRODUCTION OF BILLS
First Reading**

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

HB14-1363 by Representative(s) Gardner, Foote, Kagan, Labuda,
Scott; also Senator(s) Roberts, Brophy, Guzman,
Steadman--Concerning the nonsubstantive revision of
statutes in the Colorado Revised Statutes, as amended,
and, in connection therewith, amending or repealing
obsolete, imperfect, and inoperative law to preserve the
legislative intent, effect, and meaning of the law.

Committee on Judiciary

HB14-1364 by Representative(s) Singer, Lebsock, Becker, Ginal,
Melton, Moreno, Pabon, Ryden, Salazar--Concerning the
addition of post-traumatic stress disorder to the list of
debilitating medical conditions for the purposes of medical
marijuana use.

Committee on Health, Insurance, & Environment

HB14-1365 by Representative(s) Hamner and Wilson--Concerning
junior college boards of trustees, and, in connection
therewith, modifying the time within which a junior
college board of trustees must select its officers following
an election and directing the attorney general to serve as
legal advisor to Colorado mountain college upon request
from its board of trustees.

Committee on State, Veterans, & Military Affairs

HB14-1366 by Representative(s) Singer and McNulty, Dore, Becker,
Gardner, Ginal, Lawrence, McCann, Melton, Murray,
Rankin, Ryden, Stephens, Szabo; also Senator(s) Johnston
and King--Concerning reasonable restrictions on the sale
of edible retail marijuana products.

Committee on Health, Insurance, & Environment

1 **HB14-1367** by Representative(s) Tyler--Concerning the exemption of
2 autocycles from regulation as motorcycles, and, in
3 connection therewith, defining autocycle, exempting
4 autocycles from motorcycle statutes, and requiring
5 autocycles be issued license plates similar to motorcycle
6 license plates.
7 Committee on Transportation & Energy

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11 **INTRODUCTION OF RESOLUTION**

12
13 The following resolution was read by title and laid over until April 22,
14 2014 under the rules:

15
16 **HR14-1005** by Representative(s) Garcia--Concerning the 100th
17 anniversary of the Ludlow Massacre in southern Colorado.

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22 On motion of Representative Melton, **HB14-1269, 1159, 1320, 1354**
23 were moved from the Special Orders Calendar to the top of the General
24 Orders Calendar for April 9, 2014.

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29 **LAY OVER OF CALENDAR ITEM(S)**

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31 On motion of Representative Melton, the following item(s) on the
32 Calendar were laid over until April 9, retaining place on Calendar:

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34 Consideration of General Orders--**HB14-1292**.
35 Consideration of Senate Amendment(s)--**HB14-1149**.
36 Consideration of Governor's Veto--**HB14-1108**.

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41 On motion of Representative Melton, the House adjourned until
42 9:00 a.m., April 9, 2014.

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Approved:
MARK FERRANDINO,
Speaker

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Attest:
MARILYN EDDINS,
Chief Clerk

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