

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

Ninety-ninth Legislative Day

Wednesday, April 16, 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 Jacahri Lawson, Denver School of Science
6 and Technology, Jada Lawson, Westerly Creek Elementary, Denver.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) McNulty, Sonnenberg, Stephens--3.
12 Present after roll call--Representative(s) McNulty, Sonnenberg,
13 Stephens.
14

15 The Speaker declared a quorum present.
16
17

18 On motion of Representative Becker, the reading of the journal of April
19 15, 2014, was declared dispensed with and approved as corrected by the
20 Chief Clerk.
21
22

THIRD READING OF BILL(S)--FINAL PASSAGE

23
24
25 The following bill(s) were considered on Third Reading. The title(s)
26 were publicly read. Reading of the bill at length was dispensed with by
27 unanimous consent.
28

29 **HB14-1037** by Representative(s) Landgraf, Gardner, Murray,
30 Stephens; also Senator(s) Baumgardner, Aguilar--
31 Concerning enforcement of laws against designer drugs,
32 and, in connection therewith, making and reducing
33 appropriations.
34

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
41	Becker	Y	Gerou	Y	McLachlan	Y	Saine	Y
42	Buck	Y	Ginal	Y	McNulty	E	Salazar	Y
43	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y

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

15 Co-sponsor(s) added: Representative(s) Conti, Duran, Exum, Fields, Garcia,
16 Gerou, Ginal, Kagan, Labuda, Lawrence, McLachlan, Melton, Pabon, Pettersen,
17 Primavera, Rosenthal, Saine, Salazar, Vigil, Williams, Young, Speaker

18
19

20 On motion of Representative Pabon, the House resolved itself into
21 Committee of the Whole for consideration of General Orders, and he was
22 called to the Chair to act as Chairman.

23
24

25 GENERAL ORDERS--SECOND READING OF BILLS

26

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

31

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

34

35 **HB14-1015** by Representative(s) Kraft-Tharp; also Senator(s) Kerr--
36 Concerning an extension of the transitional jobs program.

37

38 Amendment No. 1, Business, Labor, Economic, & Workforce
39 Development Report, dated January 22, 2014, and placed in member's bill
40 file; Report also printed in House Journal, January 22, 2014, page(s) 85.

41

42 Amendment No. 2, Appropriations Report, dated April 11, 2014, and
43 placed in member's bill file; Report also printed in House Journal, April
44 11, pages 956-957.

45

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

48

49 **HB14-1102** by Representative(s) Peniston, Buckner, Court, Fields,
50 Lebsock, Melton, Pettersen, Rosenthal, Salazar; also
51 Senator(s) Kerr--Concerning gifted education programs in
52 public schools.

53

54 Amendment No. 1, Education Report, dated February 11, 2014, and
55 placed in member's bill file; Report also printed in House Journal,
56 February 11, 2014, page(s) 241.

1 Amendment No. 2, Appropriations Report, dated April 10, 2014, and
 2 placed in member's bill file; Report also printed in House Journal, April
 3 10, 2014, page(s) 911.

4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8 **SB14-158** by Senator(s) Steadman and Jones; also Representative(s)
 9 Hullinghorst--Concerning the harmonization of statutory
 10 recall election provisions with the recall provisions in the
 11 state constitution to reflect the manner in which
 12 contemporary elections are conducted, and, in connection
 13 therewith, aligning circulator regulation and petition
 14 requirements with initiative and referendum circulator and
 15 petition requirements.

16
 17 Amendment No. 1, by Representative(s) Hullinghorst.

18
 19 Amend reengrossed bill, page 7, line 8, strike "GOVERNOR," and substitute
 20 "GOVERNOR OR DESIGNATED ELECTION OFFICIAL, AS APPROPRIATE,".

21
 22 Page 10, strike line 25 and substitute "SECTION 1-12-111,".

23
 24 Page 11, strike line 1 and substitute "GENERAL ELECTION ARE THE SAME
 25 AS THOSE PRESCRIBED UNDER SECTION 1-5-102.9, EXCEPT THAT ONE
 26 VOTER SERVICE AND POLLING CENTER MUST BE OPEN IN ACCORDANCE
 27 WITH THE TIME ESTABLISHED IN SECTION 1-12-114 (2) (a).".

28
 29 Page 11, strike lines 6 through 9 and substitute "THAT ARE SENT BY MAIL,
 30 AVAILABLE AT VOTER SERVICE AND POLLING CENTERS, OR OTHERWISE
 31 DELIVERED TO AN ELECTOR AS PERMITTED BY LAW, FROM THE DATE FOR
 32 HOLDING THE ELECTION THROUGH THE LAST DAY OF VOTING IN A GENERAL
 33 ELECTION PURSUANT TO SECTION 1-4-201. NOTWITHSTANDING THIS
 34 DEFINITION, TO MAXIMIZE PARTICIPATION OF VOTERS COVERED BY THE
 35 FEDERAL "UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING
 36 ACT", 42 U.S.C. SEC. 1973ff ET SEQ., ALL CANDIDATE RACES, BALLOT
 37 ISSUES, AND BALLOT QUESTIONS THAT A COVERED VOTER IS ELIGIBLE TO
 38 VOTE ON SHALL BE INCLUDED ON THE BALLOTS REQUIRED TO BE SENT
 39 PURSUANT TO THAT ACT, AND RECALL-RELATED BALLOT QUESTIONS SHALL
 40 BE SENT SEPARATELY ON BALLOTS THAT ADHERE TO THE DEADLINES SET
 41 FORTH IN THIS SECTION.".

42
 43 As amended, laid over until later in the day.

44
 45
 46 A motion by Representative Hullinghorst that the Committee rise, report
 47 progress and beg leave to sit again later in the day, was adopted by
 48 unanimous consent. (General Orders continued on page 1053.)

49
 50
 51 House reconvened.

52
 53 The Committee of the Whole reported it had risen, reported progress and
 54 would sit again later in the day

55
 56

1 House in recess. House reconvened.
2
3
4

5 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

6
7 **BUSINESS, LABOR, ECONOMIC, & WORKFORCE DEVELOPMENT**

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

10
11 **HB14-1346** be postponed indefinitely.
12
13
14
15

16 **HEALTH, INSURANCE & ENVIRONMENT**

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

19
20 **HB14-1359** be referred to the Committee of the Whole with favorable
21 recommendation.
22
23

24 **HB14-1361** be referred favorably to the Committee on Appropriations.
25
26
27
28

29 **JUDICIARY**

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

32
33 **HB14-1355** be amended as follows, and as so amended, be referred to
34 the Committee on Appropriations with favorable
35 recommendation:
36

37 Amend printed bill, page 7, line 26, strike "2018," and substitute "2016,".

38
39 Page 8, strike line 11 and substitute "September 1, 2018:".
40
41
42

43 **SB14-092** be referred favorably to the Committee on Appropriations.
44
45
46
47

48 **PUBLIC HEALTH CARE & HUMAN SERVICES**

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

51
52 **HB14-1357** be amended as follows, and as so amended, be referred to
53 the Committee on Appropriations with favorable
54 recommendation.
55

- 1 Amend printed bill, page 5, strike lines 4 and 5 and substitute
2 "DETERMINE THE LEVEL OF IN-HOME SUPPORT SERVICES AGENCY
3 SUPPORT."
4
- 5 Page 5, line 18, strike "NURSE".
6
- 7 Page 5, line 19, strike "NEEDED, IF ANY," and substitute "NEEDED".
8
- 9 Page 6, line 8, strike "November 1, 2014;" and substitute "March 1,
10 2015;".
11
- 12 Page 6, line 14, after "on" insert "March 1, 2015, or".
13
- 14 Page 6, line 15, strike "governor." and substitute "governor, whichever is
15 later."
16
- 17
- 18
- 19 **HB14-1358** be referred favorably to the Committee on Appropriations.
20
- 21
- 22 **HB14-1360** be amended as follows, and as so amended, be referred to
23 the Committee on Finance with favorable
24 recommendation:
25
- 26 Amend printed bill, page 3, line 1, strike "(3) (b) (VIII) and (3) (b) (IX);"
27 and substitute "(1.5), (3) (b) (VIII), (3) (b) (IX), (4), and (6.7);".
28
- 29 Page 3, after line 7 insert:
30
- 31 "(1.5) "Community-centered board" ~~has the meaning set forth~~
32 MEANS A COMMUNITY-CENTERED BOARD, AS DEFINED in section
33 25.5-10-202, C.R.S., THAT IS DESIGNATED PURSUANT TO SECTION
34 25.5-10-209, C.R.S., BY THE DEPARTMENT OF HEALTH CARE POLICY AND
35 FINANCING."
36
- 37 Page 3, after line 18 insert:
38
- 39 "(4) "Home care consumer" means a person who receives skilled
40 home health services or personal care services in his or her temporary or
41 permanent home or place of residence from a home care agency or FROM
42 A PROVIDER REFERRED BY A home care placement agency."
43
- 44 Page 3, line 21, strike "AGENCY." and substitute "AGENCY OR HOME CARE
45 PLACEMENT AGENCY."
46
- 47 Page 3, line 25, strike "WHO:" and substitute "WHO HAS AT LEAST A FIFTY-
48 PERCENT OWNERSHIP INTEREST IN THE BUSINESS ENTITY."
49
- 50 Page 3, strike lines 26 and 27.
51
- 52 Page 4, strike lines 1 and 2.
53
- 54 Page 4, after line 13 insert:
55
- 56 "(6.7) "Service agency" ~~has the meaning set forth~~ MEANS A

1 SERVICE AGENCY, AS DEFINED in section 25.5-10-202, C.R.S., THAT HAS
 2 RECEIVED PROGRAM APPROVAL FROM THE DEPARTMENT OF HEALTH CARE
 3 POLICY AND FINANCING AS A DEVELOPMENTAL DISABILITIES SERVICE
 4 AGENCY UNDER RULES PROMULGATED BY THE MEDICAL SERVICES BOARD
 5 AND IS PROVIDING SERVICES PURSUANT TO THE SUPPORTED LIVING
 6 SERVICES WAIVER OR THE CHILDREN'S EXTENSIVE SUPPORT WAIVER OF THE
 7 HOME- AND COMMUNITY-BASED SERVICES WAIVERS ADMINISTERED BY
 8 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING UNDER PART
 9 4 OF ARTICLE 6 OF TITLE 25.5, C.R.S.

10 **SECTION 2.** In Colorado Revised Statutes, 25-27.5-103, amend
 11 (1.5) and (2) as follows:

12 **25-27.5-103. Home care agency license required - home care**
 13 **placement agency registration required - civil and criminal penalties.**

14 (1.5) (a) ~~Notwithstanding any provision of law to the contrary, by March~~
 15 ~~1, 2011, the following providers of skilled home health services or~~
 16 ~~in-home personal care services shall apply for licensure as a home care~~
 17 ~~agency to the department:~~

18 ~~(I) Community-centered boards designated pursuant to section~~
 19 ~~25.5-10-209, C.R.S.; and~~

20 ~~(H) Service agencies that have received program approval from~~
 21 ~~the department of human services as a developmental disabilities service~~
 22 ~~agency under rules promulgated by the department of human services that~~
 23 ~~are providing services pursuant to the supported living services waiver or~~
 24 ~~the children's extensive support waiver of the home- and~~
 25 ~~community-based services waivers administered by the department of~~
 26 ~~health care policy and financing and the department of human services~~
 27 ~~under part 4 of article 6 of title 25.5, C.R.S.~~

28 ~~(b) On or after September 1, 2011, It is unlawful for any~~
 29 ~~community centered~~ A COMMUNITY-CENTERED board that is directly
 30 providing home care services or any A service agency as described in
 31 paragraph (a) of this subsection (1.5), to conduct or maintain a home care
 32 agency that provides skilled home health services or in-home personal
 33 care services without having obtained a license therefor from the
 34 department. Any person who violates this provision SUBSECTION (1.5) is
 35 guilty of a misdemeanor and is subject to the civil and criminal penalties
 36 described in paragraphs (a) and (b) of subsection (1) of this section.
 37 Nothing in this section relieves an entity that contracts or arranges with
 38 a ~~community centered~~ COMMUNITY-CENTERED board or service agency
 39 and that meets the definition of a "home care agency" ~~under section~~
 40 ~~25-27.5-102~~, from the entity's obligation to apply for and operate under
 41 a license in accordance with this article.

42 (2) (a) (I) On or after June 1, 2009, ~~any home care placement~~
 43 ~~agency shall notify the department in writing that it provides referrals for~~
 44 ~~skilled home health services or personal care services and shall annually~~
 45 ~~update such notice:~~ 2015, IT IS UNLAWFUL FOR A PERSON TO CONDUCT OR
 46 MAINTAIN A HOME CARE PLACEMENT AGENCY UNLESS THE PERSON HAS
 47 SUBMITTED A COMPLETED APPLICATION FOR REGISTRATION AS A HOME
 48 CARE PLACEMENT AGENCY TO THE DEPARTMENT, INCLUDING EVIDENCE OF
 49 GENERAL LIABILITY INSURANCE COVERAGE AS REQUIRED IN
 50 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a). ON OR AFTER JANUARY 1,
 51 2016, IT IS UNLAWFUL FOR A PERSON TO CONDUCT OR MAINTAIN A HOME
 52 CARE PLACEMENT AGENCY WITHOUT A VALID, CURRENT HOME CARE
 53 PLACEMENT AGENCY REGISTRATION ISSUED BY THE DEPARTMENT. The
 54 department shall maintain a list REGISTRY of all REGISTERED home care
 55 placement agencies and shall make the list REGISTRY accessible to the
 56 public. WHILE A HOME CARE PLACEMENT AGENCY MUST BE REGISTERED

1 BY THE DEPARTMENT, a home care placement agency is not licensed or
 2 certified by the department and shall not claim or assert that the
 3 department licenses or certifies the home care placement agency.

4 (II) AS A CONDITION OF OBTAINING AN INITIAL OR RENEWAL HOME
 5 CARE PLACEMENT AGENCY REGISTRATION PURSUANT TO THIS SUBSECTION
 6 (2), A PERSON APPLYING FOR INITIAL OR RENEWAL REGISTRATION SHALL
 7 SUBMIT TO THE DEPARTMENT, IN THE FORM AND MANNER REQUIRED BY
 8 THE DEPARTMENT, PROOF THAT THE PERSON HAS OBTAINED AND IS
 9 MAINTAINING GENERAL LIABILITY INSURANCE COVERAGE THAT COVERS
 10 THE HOME CARE PLACEMENT AGENCY AND THE PROVIDERS IT REFERS TO
 11 HOME CARE CONSUMERS IN AN AMOUNT DETERMINED BY THE STATE
 12 BOARD BY RULE PURSUANT TO SECTION 25-27.5-104 (1) (h).

13 (b) A HOME CARE PLACEMENT AGENCY SHALL PROVIDE TO ITS
 14 HOME CARE CONSUMER CLIENTS, BEFORE REFERRING A PROVIDER TO THE
 15 CLIENT, A WRITTEN DISCLOSURE CONTAINING THE INFORMATION REQUIRED
 16 IN SECTION 25-27.5-104 (1) (c) AND IN STATE BOARD RULES ADOPTED
 17 PURSUANT TO THAT SECTION.

18 ~~(b)~~ (c) A person who violates this ~~section~~ SUBSECTION (2):

19 (I) IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION
 20 THEREOF, SHALL BE PUNISHED BY A FINE OF NOT LESS THAN FIFTY
 21 DOLLARS NOR MORE THAN FIVE HUNDRED DOLLARS; AND

22 (II) ~~May be subject to a civil penalty assessed by the department~~
 23 ~~that is not less than five hundred dollars per year or more than one~~
 24 ~~thousand dollars per year for failure to register with the department or for~~
 25 ~~claiming to be licensed or certified by the department~~ OF UP TO TEN
 26 THOUSAND DOLLARS FOR EACH VIOLATION. The department shall assess,
 27 enforce, and collect the penalty in accordance with article 4 of title 24,
 28 C.R.S. ~~Any moneys~~ THE DEPARTMENT SHALL TRANSFER ANY PENALTIES
 29 ~~collected shall be deposited~~ IT COLLECTS TO THE STATE TREASURER FOR
 30 DEPOSIT in the home care agency cash fund created in section
 31 25-27.5-105."

32
 33 Renumber succeeding sections accordingly.

34
 35 Page 4, line 15, strike "portion;" and substitute "portion, (1) (c), (1) (g),
 36 and (1) (h);".

37
 38 Page 4, line 17, after "agencies" insert "**and home care placement**
 39 **agencies**".

40
 41 Page 4, line 20, after "agencies" insert "AND HOME CARE PLACEMENT
 42 AGENCIES" and strike "Colorado." and substitute "Colorado THAT APPLY
 43 REGARDLESS OF THE SOURCE OF PAYMENT FOR THE HOME CARE SERVICES
 44 OR THE DIAGNOSIS OF THE HOME CARE CONSUMER.".

45
 46 Page 5, after line 12 insert:

47
 48 "(c) Requirements for disclosure notices to be provided by home
 49 care agencies and home care placement agencies to home care consumers
 50 concerning the duties and employment status of the individual providing
 51 services. WITH REGARD TO HOME CARE PLACEMENT AGENCIES, THE RULES
 52 MUST REQUIRE A HOME CARE PLACEMENT AGENCY TO DISCLOSE IN
 53 WRITING, AT A MINIMUM, THE FOLLOWING TO EACH HOME CARE CONSUMER
 54 CLIENT IN THE FORM AND MANNER PRESCRIBED BY THE DEPARTMENT
 55 BEFORE REFERRING A PROVIDER TO THE CLIENT:

56 (I) THAT THE HOME CARE PLACEMENT AGENCY IS NOT THE

1 EMPLOYER OF ANY PROVIDER IT REFERS TO A HOME CARE CONSUMER; AND
 2 (II) THAT THE HOME CARE PLACEMENT AGENCY DOES NOT DIRECT,
 3 CONTROL, SCHEDULE, OR TRAIN ANY PROVIDER IT REFERS;

4 (g) (I) Fees for home care agency licensure, which ~~shall not~~
 5 CANNOT exceed one thousand five hundred dollars per year for two years
 6 ~~from~~ AFTER the effective date of fees established by rule for home care
 7 agencies that are certified providers through the federal centers for
 8 medicare and medicaid services or the Colorado department of health care
 9 policy and financing. Home care agency fees ~~shall be~~ ARE payable to the
 10 home care agency cash fund. The annual fee ~~shall~~ MUST include a
 11 component that reflects whether a survey is planned for the year based on
 12 the agency's compliance history. The STATE BOARD SHALL ESTABLISH A
 13 TIERED fee schedule ~~shall also be tiered~~ to reflect the differences in type
 14 and volume of services of various home care agencies, including ~~but not~~
 15 ~~limited to~~ their volume of medicaid and medicare services, ~~The fee~~
 16 ~~schedule shall also provide~~ AND THAT ALLOWS for reduced fees for home
 17 care agencies that are certified prior to initial license application. The
 18 department of public health and environment shall not charge a duplicate
 19 fee for survey work conducted pursuant to its role as state survey agency
 20 for the federal centers for medicare and medicaid services or the Colorado
 21 department of health care policy and financing. ~~No later than January 1,~~
 22 ~~2011, the department of public health and environment shall issue an~~
 23 ~~independent report detailing the direct and indirect costs associated with~~
 24 ~~the administration of home care agency licensure.~~

25 (II) WITH REGARD TO HOME CARE LICENSURE FEES, IN ADDITION
 26 TO THE REQUIREMENTS IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (g), THE
 27 STATE BOARD SHALL DEVELOP A METHODOLOGY FOR ESTABLISHING
 28 DIFFERENTIATING FEES FOR LICENSURE OF COMMUNITY-CENTERED BOARDS
 29 AND SERVICES AGENCIES, CONSIDERING THE SCOPE OF SERVICES PROVIDED
 30 UNDER LICENSURE. NOTWITHSTANDING SECTION 25-3-105 (1) (a) (I) (B),
 31 THE STATE BOARD MAY SET AND ADJUST LICENSURE FEES FOR
 32 COMMUNITY-CENTERED BOARDS AND SERVICE AGENCIES AS APPROPRIATE.

33 (h) Requirements for home care agencies to provide evidence of
 34 and maintain either liability insurance coverage or a surety bond in lieu
 35 of liability insurance coverage AND FOR HOME CARE PLACEMENT
 36 AGENCIES TO PROVIDE EVIDENCE OF AND MAINTAIN LIABILITY INSURANCE
 37 COVERAGE AS REQUIRED IN SECTION 25-27.5-103 (2) (a) (II) in amounts
 38 set through rules of the state board;"

39
 40 Page 7, after line 11 insert:

41
 42 "SECTION 4. In Colorado Revised Statutes, **amend** 25-27.5-105
 43 as follows:

44 **25-27.5-105. Home care agency cash fund created.** The
 45 DEPARTMENT SHALL TRANSMIT THE fees collected pursuant to section
 46 25-27.5-104 (1), plus any civil penalty collected pursuant to section
 47 25-27.5-103 (1) (b) ~~shall be transmitted~~ AND (2) (c) (II), to the state
 48 treasurer, who shall credit the ~~same~~ FEES AND PENALTIES to the home care
 49 agency cash fund, which fund is hereby created. The moneys in the fund
 50 ~~shall be~~ ARE subject to annual appropriation by the general assembly for
 51 the direct and indirect costs of the department in performing its duties
 52 under this article. At the end of any fiscal year, all unexpended and
 53 unencumbered moneys in the fund ~~shall~~ remain in the fund and ~~shall~~
 54 MUST not be credited or transferred to the general fund or any other
 55 fund."

56

1 Renumber succeeding sections accordingly.

2

3 Page 7, strike line 13 and substitute "(1), (2), (3), (4), and (5) as follows:".

4

5 Page 7, strike lines 14 and 15 and substitute:

6

7 **"25-27.5-106. License or registration - application - inspection**

8 **- issuance - repeal.** (1) A PERSON APPLYING FOR A HOME CARE AGENCY
9 LICENSE OR A HOME CARE PLACEMENT AGENCY REGISTRATION SHALL
10 SUBMIT an application for a license to operate a home care agency shall
11 ~~be submitted~~ to the department annually upon such A form and in such A
12 manner as prescribed by the department.

13 (2) (a) (I) The department shall investigate and review each
14 original application and each renewal application for a HOME CARE
15 AGENCY license OR HOME CARE PLACEMENT AGENCY REGISTRATION. The
16 department shall determine an applicant's compliance with THIS ARTICLE
17 AND the rules adopted pursuant to section 25-27.5-104 before THE
18 DEPARTMENT ISSUES a license ~~is issued or renewed~~ OR REGISTRATION. ~~A~~
19 ~~certified home care agency that applies for a license by June 1, 2009, shall~~
20 ~~be exempt from licensure inspection prior to issuance of the initial~~
21 ~~license.~~

22 (II) EXCEPT AS PROVIDED IN PARAGRAPH (a.5) OF THIS SUBSECTION
23 (2), the department shall make ~~such~~ inspections as it deems necessary to
24 ensure that the health, safety, and welfare of the home care agency's OR
25 HOME CARE PLACEMENT AGENCY'S home care consumers are being
26 protected. Inspections of a home care consumer's home ~~shall be~~ ARE
27 subject to the consent of the home care consumer to access the property.
28 The home care agency OR HOME CARE PLACEMENT AGENCY shall submit
29 in writing, in a form prescribed by the department, a plan detailing the
30 measures that will be taken to correct any violations found by the
31 department as a result of inspections undertaken pursuant to this
32 subsection (2).

33 (III) THE DEPARTMENT MAY INSPECT, AS IT DEEMS NECESSARY, A
34 HOME CARE PLACEMENT AGENCY'S RECORDS ON WEEKDAYS BETWEEN 9
35 A.M. AND 5 P.M. TO ENSURE THAT THE HOME CARE PLACEMENT AGENCY IS
36 IN COMPLIANCE WITH THE CRIMINAL HISTORY RECORD CHECK, GENERAL
37 LIABILITY INSURANCE, AND DISCLOSURE REQUIREMENTS SET FORTH IN
38 SECTIONS 25-27.3-103 (2) (b), 25-27.5-104 (1) (c) AND (1) (h), AND
39 25-27.5-107.

40 (a.5) (I) (A) ON OR AFTER JULY 1, 2014, A COMMUNITY-CENTERED
41 BOARD OR SERVICE AGENCY THAT HAS BEEN CERTIFIED OR RECERTIFIED BY
42 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING WITHIN THE
43 LAST TWELVE MONTHS AND THAT IS CURRENTLY IN COMPLIANCE WITH
44 CERTIFICATION REQUIREMENTS MAY APPLY FOR AND OBTAIN AN INITIAL
45 HOME CARE AGENCY LICENSE TO PROVIDE IN-HOME PERSONAL CARE
46 SERVICES IF THE COMMUNITY-CENTERED BOARD OR SERVICE AGENCY
47 SATISFIES THE REQUIREMENTS FOR HOME CARE AGENCY LICENSURE
48 ADOPTED BY THE STATE BOARD THAT EXCEED OR DIFFER FROM THE
49 REQUIREMENTS FOR CERTIFICATION APPLICABLE TO
50 COMMUNITY-CENTERED BOARDS AND SERVICE AGENCIES THAT RELATE TO
51 PROTECTING THE HEALTH, SAFETY, OR WELFARE OF HOME CARE
52 CONSUMERS.

53 (B) BETWEEN JULY 1, 2014, AND JULY 1, 2016, THE DEPARTMENT
54 SHALL NOT CONDUCT INSPECTIONS IN CONNECTION WITH A LICENSE
55 RENEWAL APPLICATION SUBMITTED BY A COMMUNITY-CENTERED BOARD
56 OR SERVICE AGENCY THAT PROVIDES IN-HOME PERSONAL CARE SERVICES

1 EXCLUSIVELY TO CONSUMERS WHO ARE RECIPIENTS OF SERVICES
2 PURSUANT TO THE SUPPORTED LIVING SERVICES WAIVER OR THE
3 CHILDREN'S EXTENSIVE SUPPORT WAIVER OF THE HOME- AND
4 COMMUNITY-BASED SERVICES WAIVERS ADMINISTERED BY THE
5 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING. DURING THIS
6 PERIOD, COMMUNITY-CENTERED BOARDS AND SERVICE AGENCIES WHO ARE
7 LICENSED HOME CARE AGENCIES SHALL COMPLY WITH THE
8 DEVELOPMENTAL DISABILITIES SERVICES RULES ADOPTED BY THE MEDICAL
9 SERVICES BOARD. THE DEPARTMENTS OF PUBLIC HEALTH AND
10 ENVIRONMENT AND HEALTH CARE POLICY AND FINANCING MAY SHARE
11 INFORMATION REGARDING COMMUNITY-CENTERED BOARDS AND SERVICE
12 AGENCIES AND THEIR COMPLIANCE WITH THE APPLICABLE RULES.

13 (C) NOTWITHSTANDING SECTION 25-27.5-104 (1) (g) AND STATE
14 BOARD RULES ADOPTED PURSUANT TO THAT SECTION THE DEPARTMENT
15 SHALL NOT ASSESS FEES BETWEEN JULY 1, 2014, AND JULY 1, 2016, FOR A
16 NEW OR RENEWAL HOME CARE AGENCY LICENSE ISSUED TO A
17 COMMUNITY-CENTERED BOARD OR SERVICE AGENCY, AND THE
18 DEPARTMENT'S COSTS INCURRED IN CONNECTION WITH ISSUING NEW OR
19 RENEWAL HOME CARE AGENCY LICENSES TO COMMUNITY-CENTERED
20 BOARDS AND SERVICE AGENCIES IS PAYABLE FROM THE INTELLECTUAL
21 AND DEVELOPMENTAL DISABILITIES SERVICES CASH FUND, CREATED IN
22 SECTION 25.5-10-207 (1), C.R.S., AS PART OF A SYSTEM OF CAPACITY
23 EXPANSION FOR HOME- AND COMMUNITY-BASED INTELLECTUAL AND
24 DEVELOPMENTAL DISABILITIES PROGRAMS, SERVICES, AND SUPPORTS
25 PURSUANT TO SECTION 25.5-10-207 (3) (c), C.R.S., ENACTED IN HOUSE
26 BILL 14-1252 IN 2014.

27 (D) AT THE TIME A COMMUNITY-CENTERED BOARD OR SERVICE
28 AGENCY COMMENCES IN-HOME PERSONAL CARE SERVICES FOR A RECIPIENT
29 OF THE SERVICES PROVIDED PURSUANT TO THE SUPPORTED LIVING
30 SERVICES WAIVER OR THE CHILDREN'S EXTENSIVE SUPPORT WAIVER OF THE
31 HOME- AND COMMUNITY-BASED SERVICES WAIVERS ADMINISTERED BY
32 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING, THE
33 COMMUNITY-CENTERED BOARD OR SERVICE AGENCY SHALL GIVE THE
34 SERVICES RECIPIENT THE DEPARTMENT'S CONTACT INFORMATION IN
35 WRITING TO ALLOW THE RECIPIENT TO REPORT ANY COMPLAINTS THAT
36 MAY ARISE OUT OF THE RECIPIENT'S IN-HOME PERSONAL CARE SERVICES.
37 THE DEPARTMENT SHALL UNDERTAKE ANY INVESTIGATION ARISING FROM
38 THE COMPLAINT, OTHER THAN ALLEGATIONS OF MATTERS THAT ARE
39 OUTSIDE THE DEPARTMENT'S LICENSING AUTHORITY.

40 (II) (A) DURING THE PERIOD DESCRIBED IN SUB-SUBPARAGRAPH
41 (B) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (a.5), THE DEPARTMENT
42 SHALL ESTABLISH A WORK GROUP COMPOSED OF REPRESENTATIVES FROM
43 OR OF: THE DEPARTMENT; THE DEPARTMENT OF HEALTH CARE POLICY
44 AND FINANCING; COMMUNITY-CENTERED BOARDS; SERVICE AGENCIES;
45 AND RECIPIENTS OF SUPPORTED LIVING SERVICES OR CHILDREN'S
46 EXTENSIVE SUPPORT UNDER THE HOME- AND COMMUNITY-BASED SERVICES
47 WAIVERS ADMINISTERED BY THE DEPARTMENT OF HEALTH CARE POLICY
48 AND FINANCING. THE WORK GROUP SHALL: EXAMINE THE
49 DEVELOPMENTAL DISABILITIES SERVICES RULES ADOPTED BY THE MEDICAL
50 SERVICES BOARD TO DETERMINE IF THE RULES CONTAIN SUFFICIENT
51 SAFEGUARDS TO PROTECT THE HEALTH, SAFETY, AND RIGHTS OF THE
52 SERVICE RECIPIENTS; IDENTIFY GAPS OR CONFLICTS BETWEEN THE LICENSE
53 REQUIREMENTS UNDER THIS ARTICLE AND RULES ADOPTED BY THE STATE
54 BOARD UNDER THIS ARTICLE AND THE REQUIREMENTS FOR STATE
55 CERTIFICATION AS A PROVIDER OF SERVICES UNDER THE SUPPORTED
56 LIVING SERVICES WAIVER OR THE CHILDREN'S EXTENSIVE SUPPORT WAIVER

1 OF THE HOME- AND COMMUNITY-BASED SERVICES WAIVERS IMPOSED BY
2 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING AND RULES
3 ADOPTED BY THE MEDICAL SERVICES BOARD; AND DEVELOP A PLAN TO
4 ELIMINATE CONFLICTS AND GAPS BETWEEN THE REQUIREMENTS OF THE
5 DEPARTMENTS AND BOARDS. THE WORK GROUP SHALL REQUEST SERVICE
6 PROVIDERS TO PROVIDE A COMPREHENSIVE LIST OF THE GAPS OR
7 CONFLICTS IN THE REQUIREMENTS IMPOSED BY EACH DEPARTMENT AND
8 BOARD OR SHALL SURVEY PROVIDERS TO ASCERTAIN ANY GAPS AND
9 CONFLICTS IN THE REQUIREMENTS. THE SERVICE PROVIDERS SHALL
10 PROVIDE THE COMPREHENSIVE LIST OR RESPOND TO THE SURVEY BY
11 SEPTEMBER 1, 2014.

12 (B) ONCE THE DEPARTMENT HAS A COMPREHENSIVE LIST OF
13 CONFLICTING REQUIREMENTS AND GAPS IN THE REQUIREMENTS, THE WORK
14 GROUP SHALL ANALYZE THE INFORMATION AND DEVELOP A PLAN FOR
15 RESOLVING THE CONFLICTS AND ADDRESSING GAPS IN THE REQUIREMENTS.
16 BY SEPTEMBER 1, 2015, THE WORK GROUP SHALL SUBMIT ITS
17 RECOMMENDATIONS FOR RESOLVING THE CONFLICTS AND GAPS IN THE
18 REQUIREMENTS, INCLUDING PROPOSED RULE CHANGES OR ADDITIONS, TO
19 THE STATE BOARD AND THE MEDICAL SERVICES BOARD. THE
20 RECOMMENDATIONS MUST SPECIFY THE PARTICULAR RULES OF EACH
21 BOARD THAT NEED TO BE MODIFIED OR ADDED TO RESOLVE ANY
22 CONFLICTS AND ADDRESS GAPS IN REQUIREMENTS.

23 (C) NO LATER THAN JULY 1, 2016, THE STATE BOARD AND THE
24 MEDICAL SERVICES BOARD SHALL ADOPT RULES AS NECESSARY TO
25 ELIMINATE ANY CONFLICTS BETWEEN AND GAPS IN THEIR RESPECTIVE
26 RULES PERTAINING TO THE REQUIREMENTS IMPOSED ON
27 COMMUNITY-CENTERED BOARD AND SERVICE AGENCIES THAT PROVIDE
28 IN-HOME PERSONAL CARE SERVICES EXCLUSIVELY TO CONSUMERS WHO
29 ARE RECIPIENTS OF SERVICES PURSUANT TO THE SUPPORTED LIVING
30 SERVICES WAIVER OR THE CHILDREN'S EXTENSIVE SUPPORT WAIVER OF THE
31 HOME- AND COMMUNITY-BASED SERVICES WAIVERS ADMINISTERED BY
32 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING.

33 (D) AS PART OF THEIR ANNUAL PRESENTATIONS TO THE JOINT
34 COMMITTEE OF REFERENCE TO WHICH EACH DEPARTMENT IS ASSIGNED
35 UNDER THE "STATE MEASUREMENTS FOR ACCOUNTABLE, RESPONSIBLE,
36 AND TRANSPARENT (SMART) ACT", PART 2 OF ARTICLE 7 OF TITLE 2,
37 C.R.S., THE DEPARTMENTS OF PUBLIC HEALTH AND ENVIRONMENT AND
38 HEALTH CARE POLICY AND FINANCING SHALL REPORT THEIR PROGRESS IN
39 ANALYZING AND DEVELOPING A PLAN TO RESOLVE CONFLICTS AND GAPS
40 IN THE REQUIREMENTS APPLICABLE TO COMMUNITY-CENTERED BOARDS
41 AND SERVICE AGENCIES THAT PROVIDE IN-HOME PERSONAL CARE
42 SERVICES. THE DEPARTMENTS SHALL INDICATE WHETHER THEY ARE
43 MEETING THE DEADLINES SPECIFIED IN THIS SUBPARAGRAPH (II), AND IF
44 NOT, DETAIL THE REASONS FOR FAILING TO MEET THE DEADLINES. IN THEIR
45 PRESENTATIONS MADE IN THE INTERIM BETWEEN NOVEMBER 1, 2015, AND
46 THE START OF THE 2016 REGULAR LEGISLATIVE SESSION, THE
47 DEPARTMENTS SHALL REPORT PROGRESS ON: THE ADOPTION OF RULES BY
48 THE STATE BOARD AND THE MEDICAL SERVICES BOARD AND SHALL
49 PROVIDE THE JOINT COMMITTEES COPIES OF DRAFT RULES, IF AVAILABLE;
50 AND ANY PROGRAM EFFICIENCIES THAT COULD IMPACT LICENSURE FEE
51 AMOUNTS. IF THE DEPARTMENTS ARE NOT MEETING THE DEADLINES
52 OUTLINED IN THIS SUBPARAGRAPH (II), THE JOINT COMMITTEE OF
53 REFERENCE SHALL CONSIDER WHETHER FURTHER LEGISLATION IS NEEDED,
54 INCLUDING LEGISLATION TO MODIFY THE DEADLINES, EXTEND THE PERIOD
55 SPECIFIED IN SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF THIS
56 PARAGRAPH (a.5) DURING WHICH THE DEPARTMENT IS NOT ALLOWED TO

1 CONDUCT RELICENSURE INSPECTIONS, COMPEL THE DEPARTMENTS TO
2 COMPLETE THEIR TASKS, OR MODIFY THE MANNER IN WHICH
3 COMMUNITY-CENTERED BOARDS AND SERVICES AGENCIES PROVIDING
4 IN-HOME PERSONAL CARE SERVICES ARE REGULATED BY THE STATE OR THE
5 ABILITY OF THE DEPARTMENT TO SET AND IMPOSE LICENSURE FEES.

6 (III) THIS PARAGRAPH (a.5) DOES NOT LIMIT THE ABILITY OF THE
7 DEPARTMENT TO INVESTIGATE COMPLAINTS AND OCCURRENCES
8 INVOLVING, AND ISSUE ANY ASSOCIATED ENFORCEMENT AGAINST,
9 COMMUNITY-CENTERED BOARDS AND SERVICE AGENCIES.

10 (IV) THIS PARAGRAPH (a.5) IS REPEALED, EFFECTIVE JULY 1, 2017.

11 (b) The department shall keep all medical ~~records~~ INFORMATION
12 OR DOCUMENTS obtained during an inspection or investigation of a home
13 care agency, HOME CARE PLACEMENT AGENCY, OR HOME CARE
14 CONSUMER'S HOME confidential. ~~and the medical~~ ALL records, ~~shall be~~
15 INFORMATION, OR DOCUMENTS SO OBTAINED ARE exempt from disclosure
16 pursuant to sections 24-72-204, C.R.S., and 25-1-124.

17 (3) (a) With the submission of an application for a license OR
18 REGISTRATION granted".

19

20 Page 7, line 16, strike "article," and substitute "article OR WITHIN TEN
21 DAYS AFTER A CHANGE IN THE OWNER, MANAGER, OR ADMINISTRATOR,".

22

23 Page 8, strike lines 7 through 24 and substitute:

24

25 "~~(b) The DEPARTMENT SHALL USE THE information shall be used~~
26 ~~by the department~~ FROM THE CRIMINAL HISTORY RECORD CHECK in
27 ascertaining whether the person applying for licensure OR REGISTRATION
28 has been convicted of a felony or of a misdemeanor, which felony or
29 misdemeanor ~~involves moral turpitude or~~ involves conduct that the
30 department determines could pose a risk to the health, safety, or welfare
31 of home care consumers of the home care agency OR HOME CARE
32 PLACEMENT AGENCY. The department shall maintain information obtained
33 in accordance with this section.

34 (4) ~~No license shall be issued or renewed by~~ The department
35 SHALL NOT ISSUE A LICENSE OR REGISTRATION if the owner, ~~applicant, or~~
36 ~~licensee~~ MANAGER, OR ADMINISTRATOR of the home care agency OR HOME
37 CARE PLACEMENT AGENCY has been convicted of a felony or of a
38 misdemeanor, which felony or misdemeanor ~~involves moral turpitude or~~
39 involves conduct that the department determines could pose a risk to the
40 health, safety, or welfare of the home care consumers of the home care
41 agency OR HOME CARE PLACEMENT AGENCY.

42 (5) Except as otherwise provided in subsections (6) and (7) of this
43 section, the department shall issue or renew a license OR REGISTRATION
44 when it is satisfied that the applicant, ~~or licensee,~~ OR REGISTRANT is in
45 compliance with the requirements set out in this article and the rules
46 promulgated pursuant to this article. Except for provisional licenses
47 issued in accordance with subsections (6) and (7) of this section, a license
48 OR REGISTRATION issued or renewed pursuant to this section ~~shall expire~~
49 EXPIRES one year after the date of issuance or renewal.".

50

51 Page 8, line 27, after "**Employee**" insert "**or referred service provider**".

52

53 Page 9, line 9, after "employment" insert "OR PLACEMENT".

54

55 Page 10, after line 3 insert:

56

1 **"SECTION 7.** In Colorado Revised Statutes, **amend** 25-27.5-108
2 as follows:

3 **25-27.5-108. License or registration denial - suspension -**
4 **revocation.** (1) Upon denial of an application for an original license OR
5 REGISTRATION, the department shall notify the applicant in writing of
6 ~~such~~ THE denial by mailing a notice to the applicant at the address shown
7 on his or her application. Any applicant ~~believing himself or herself~~
8 aggrieved by ~~such~~ THE denial may pursue the remedy for review provided
9 in article 4 of title 24, C.R.S., if the applicant, within thirty days after
10 receiving ~~such~~ THE notice OF DENIAL, petitions the department to set a
11 date and place for hearing, affording the applicant an opportunity to be
12 heard in person or by counsel. All hearings on the denial of original
13 licenses ~~shall~~ OR REGISTRATIONS MUST be conducted in conformity with
14 the provisions and procedures specified in article 4 of title 24, C.R.S.

15 (2) (a) The department may suspend, revoke, or refuse to renew
16 the license OR REGISTRATION of ~~any~~ A home care agency OR HOME CARE
17 PLACEMENT AGENCY that is out of compliance with the requirements of
18 this article or the rules promulgated pursuant to this article. ~~Such~~
19 ~~suspension, revocation, or refusal shall be done after~~ BEFORE TAKING
20 FINAL ACTION TO SUSPEND, REVOKE, OR REFUSE TO RENEW A LICENSE OR
21 REGISTRATION, THE DEPARTMENT SHALL CONDUCT a hearing ~~thereon and~~
22 ON THE MATTER in conformance with the provisions and procedures
23 specified in article 4 of title 24, C.R.S.; except that the department may
24 implement a summary suspension prior to a hearing in accordance with
25 article 4 of title 24, C.R.S. IF THE DEPARTMENT SUSPENDS, REVOKES, OR
26 REFUSES TO RENEW A HOME CARE PLACEMENT AGENCY REGISTRATION,
27 THE DEPARTMENT SHALL REMOVE THE HOME CARE PLACEMENT AGENCY
28 FROM THE REGISTRY MAINTAINED BY THE DEPARTMENT PURSUANT TO
29 SECTION 25-27.3-103 (2) (a) (I).

30 (b) (I) The department may impose intermediate restrictions or
31 conditions on a ~~licensee~~ LICENSED HOME CARE AGENCY OR REGISTERED
32 HOME CARE PLACEMENT AGENCY that may include at least one of the
33 following:

- 34 (A) Retaining a consultant to address corrective measures;
35 (B) Monitoring by the department for a specific period;
36 (C) Providing additional training to employees, owners, or
37 operators of the home care agency OR HOME CARE PLACEMENT AGENCY;
38 (D) Complying with a directed written plan to correct the
39 violation; or
40 (E) Paying a civil fine not to exceed ten thousand dollars per
41 calendar year for all violations.

42 (II) (A) If the department imposes an intermediate restriction or
43 condition that is not a result of a serious and immediate threat to health
44 or welfare, the ~~licensee shall receive~~ DEPARTMENT SHALL PROVIDE written
45 notice of the restriction or condition TO THE LICENSED HOME CARE
46 AGENCY OR REGISTERED HOME CARE PLACEMENT AGENCY. No later than
47 ten days after the date the notice is received from the department, the
48 ~~licensee~~ LICENSED HOME CARE AGENCY OR REGISTERED HOME CARE
49 PLACEMENT AGENCY shall submit a written plan that includes the time
50 frame for completing the plan and addresses the restriction or condition
51 specified.

52 (B) If the department imposes an intermediate restriction or
53 condition that is the result of a serious and immediate threat to health,
54 safety, or welfare, the department shall notify the ~~licensee~~ LICENSED
55 HOME CARE AGENCY OR REGISTERED HOME CARE PLACEMENT AGENCY in
56 writing, by telephone, or in person during an on-site visit. The ~~licensee~~

1 LICENSED HOME CARE AGENCY OR REGISTERED HOME CARE PLACEMENT
2 AGENCY shall remedy the circumstances creating harm or potential harm
3 immediately upon receiving notice of the restriction or condition. If the
4 department provides notice of a restriction or condition by telephone or
5 in person, the department shall send written confirmation of the
6 restriction or condition to the ~~licensee~~ LICENSED HOME CARE AGENCY OR
7 REGISTERED HOME CARE PLACEMENT AGENCY within two business days.

8 (III) (A) After submission of an approved written plan, a ~~licensee~~
9 LICENSED HOME CARE AGENCY OR REGISTERED HOME CARE PLACEMENT
10 AGENCY may first appeal any intermediate restriction or condition on its
11 license OR REGISTRATION to the department through an informal review
12 process as established by the department.

13 (B) If the restriction or condition requires payment of a civil fine,
14 the ~~licensee~~ LICENSED HOME CARE AGENCY OR REGISTERED HOME CARE
15 PLACEMENT AGENCY may request, and the department shall grant, a stay
16 in payment of the fine until final disposition of the restriction or
17 condition.

18 (C) If a ~~licensee~~ LICENSED HOME CARE AGENCY OR REGISTERED
19 HOME CARE PLACEMENT AGENCY is not satisfied with the result of the
20 informal review or chooses not to seek informal review, ~~no~~ THE
21 DEPARTMENT SHALL NOT IMPOSE AN intermediate restriction or condition
22 on the ~~licensee shall be imposed~~ LICENSED HOME CARE AGENCY OR
23 REGISTERED HOME CARE PLACEMENT AGENCY until after THE LICENSED
24 HOME CARE AGENCY OR REGISTERED HOME CARE PLACEMENT AGENCY IS
25 AFFORDED an opportunity for a hearing ~~has been afforded the licensee~~
26 pursuant to section 24-4-105, C.R.S.

27 (IV) If the department assesses a civil fine pursuant to this
28 paragraph (b), THE DEPARTMENT SHALL TRANSMIT ~~moneys received by the~~
29 ~~department shall be transmitted~~ THE FINES to the state treasurer, who shall
30 credit the ~~same~~ FINES to the home care agency cash fund created in
31 section 25-27.5-105.

32 (V) THE DEPARTMENT SHALL USE civil fines collected pursuant to
33 this paragraph (b) ~~shall be used~~ for expenses related to:

34 (A) Continuing monitoring required pursuant to this paragraph
35 (b);

36 (B) Education for ~~licensee~~ LICENSED HOME CARE AGENCY OR
37 REGISTERED HOME CARE PLACEMENT AGENCY to avoid restrictions or
38 conditions or facilitate the application process or the change of ownership
39 process;

40 (C) Education for home care consumers and their families about
41 resolving problems with a home care agency OR HOME CARE PLACEMENT
42 AGENCY, rights of home care consumers, and responsibilities of home
43 care agencies AND HOME CARE PLACEMENT AGENCIES;

44 (D) Providing technical assistance to any home care agency OR
45 HOME CARE PLACEMENT AGENCY for the purpose of complying with
46 changes in rules or state or federal law;

47 (E) Monitoring and assisting in the transition of home care
48 consumers to other home care agencies OR HOME CARE PLACEMENT
49 AGENCIES, when the transition is a result of the revocation of a license OR
50 REGISTRATION, or TO other appropriate medical services; or

51 (F) Maintaining the operation of a home care agency OR HOME
52 CARE PLACEMENT AGENCY pending correction of violations, as determined
53 necessary by the department.

54 (3) The department shall revoke or refuse to renew the license of
55 a home care agency OR THE REGISTRATION OF A HOME CARE PLACEMENT
56 AGENCY where the owner, ~~or~~ licensee, OR REGISTRANT has been convicted

1 of a felony or misdemeanor ~~involving moral turpitude or involving~~
 2 conduct that the department determines could pose a risk to the health,
 3 safety, or welfare of the home care consumers of ~~such~~ THE home care
 4 agency ~~Such revocation or refusal shall be made~~ OR HOME CARE
 5 PLACEMENT AGENCY. THE DEPARTMENT MAY REVOKE OR REFUSE TO
 6 RENEW A LICENSE OR REGISTRATION only after CONDUCTING a hearing ~~is~~
 7 ~~provided~~ ON THE MATTER in accordance with article 4 of title 24, C.R.S.".

8
 9 Renumber succeeding sections accordingly.

10
 11 Page 10, line 10, after "reviewed" insert "AND THE REGISTERING OF HOME
 12 CARE PLACEMENT AGENCIES" and after "24-34-104, C.R.S." add "IN
 13 CONDUCTING ITS REVIEW AND COMPILING ITS REPORT PURSUANT TO
 14 SECTION 24-34-104 (8), C.R.S., THE DEPARTMENT OF REGULATORY
 15 AGENCIES SHALL SEGREGATE THE DATA IN THE REPORT BASED ON THE
 16 TYPE OF AGENCY, SPECIFYING WHETHER THE AGENCY IS:

17 (a) A HOME CARE AGENCY THAT PROVIDES SKILLED HOME HEALTH
 18 SERVICES;

19 (b) A HOME CARE AGENCY THAT ONLY PROVIDES PERSONAL CARE
 20 SERVICES; OR

21 (c) A HOME CARE PLACEMENT AGENCY.".

22
 23 Page 10, line 21, strike "THE" and substitute "NOTWITHSTANDING
 24 PARAGRAPH (a) OF SUBSECTION (11) OF THIS SECTION, THE FUNCTIONS OF
 25 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT RELATING TO
 26 THE" and after "AGENCIES" insert "AND THE REGISTERING OF HOME CARE
 27 PLACEMENT AGENCIES".

28
 29
 30

31 **HB14-1362** be referred to the Committee of the Whole with favorable
 32 recommendation.

33
 34

35 **HB14-1368** be referred favorably to the Committee on Appropriations.

36
 37

PRINTING REPORT

38
 39

40 The Chief Clerk reports the following bill has been correctly printed:
 41 **HB14-1379**.

42
 43
 44

MESSAGE(S) FROM THE SENATE

45
 46

47 Mr. Speaker:

48
 49

50 The Senate failed to pass HB14-1285, on Second Reading. The bill is
 51 returned herewith.

52
 53

54 The Senate has passed on Third Reading and transmitted to the Revisor
 55 of Statutes:
 56 SB14-168 and SB14-173.

1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes:
3 SB14-002 amended in General Orders as printed in Senate Journal,
4 April 15, 2014, page 764.
5 SB14-073 amended in General Orders as printed in Senate Journal,
6 April 15, 2014, page 765.
7 SB14-087 amended in General Orders as printed in Senate Journal,
8 April 15, 2014, page 764.
9 SB14-127 amended in General Orders as printed in Senate Journal,
10 April 15, 2014, page 764.
11 SB14-144 amended in General Orders as printed in Senate Journal,
12 April 15, 2014, page 756.
13 SB14-150 amended in General Orders as printed in Senate Journal,
14 April 15, 2014, page 756.
15 SB14-157 amended in General Orders as printed in Senate Journal,
16 April 15, 2014, page 755.
17 SB14-166 amended in General Orders as printed in Senate Journal,
18 April 15, 2014, page 755.
19 SB14-167 amended in General Orders as printed in Senate Journal,
20 April 15, 2014, pages 754-755.
21 SB14-174 amended in General Orders as printed in Senate Journal,
22 April 15, 2014, page 754.
23

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

26
27 HB14-1017 amended in General Orders as printed in Senate Journal,
28 April 15, 2014, page 754.
29 HB14-1123 amended in General Orders as printed in Senate Journal,
30 April 15, 2014, pages 753-754, and amended on Third
31 Reading, April 16, 2014.
32 HB14-1290 amended in General Orders as printed in Senate Journal,
33 April 15, 2014, page 754.
34 HB14-1345 amended in General Orders as printed in Senate Journal,
35 April 15, 2014, page 753.
36

37 The Senate has postponed indefinitely HB14-1054. The bill is returned
38 herewith.
39

40
41

42 MESSAGE(S) FROM THE REVISOR

43
44
45 We herewith transmit:
46 without comment, **SB14-168, 173.**
47 without comment, as amended, **HB14-1017, 1123, 1290, 1345.**
48 without comment, as amended, **SB14-002, 073, 087, 127, 144, 150, 157,**
49 **166, 167, 174.**
50

51
52
53

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over until April 21, 2014 under the rules:

HJM14-1001 by Representative(s) Rankin and Ferrandino; also Senator(s) Baumgardner--Memorializing former Governor John Vanderhoof.

House in recess. House reconvened.

On motion of Representative Moreno, the House resolved itself into Committee of the Whole for continuation of consideration of General Orders, and he returned to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS
(Continued from page 1039)

SB14-158 by Senator(s) Steadman and Jones; also Representative(s) Hullinghorst--Concerning the harmonization of statutory recall election provisions with the recall provisions in the state constitution to reflect the manner in which contemporary elections are conducted, and, in connection therewith, aligning circulator regulation and petition requirements with initiative and referendum circulator and petition requirements.

As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.
(For change in action, see Amendments to Report, page 1058.)

HB14-1287 by Representative(s) Young, Foote, Singer, Sonnenberg, DelGrosso; also Senator(s) Nicholson and Lambert, Renfroe--Concerning the use of moneys in the public school capital construction assistance fund to provide emergency financial assistance to public school facilities that are damaged in a declared disaster emergency.

Amendment No. 1, Education Report, dated April 14, 2014, and placed in member's bill file; Report also printed in House Journal, April 15, 2014, page(s) 1033

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

HB14-1335 by Representative(s) Moreno--Concerning campaign contribution limits that are applicable to candidate committees for candidates who are not affiliated with a major political party.

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 April 14, 2014, and placed in member's bill file; Report also printed in
3 House Journal, April 15, 2014, page(s) 1033-1034

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB14-1297** by Representative(s) Ginal, Becker, Fischer, Foote,
9 Hullinghorst, Salazar, Schafer, Singer; also Senator(s)
10 Aguilar, Jones, Kefalas--Concerning an analysis to
11 determine whether oil and gas operations have an impact
12 on human health along the front range.

13
14 Amendment No. 1, Appropriations Report, dated April 11, 2014, and
15 placed in member's bill file; Report also printed in House Journal, April
16 11, 2014, page(s) 964-965.

17
18 Amendment No. 2, by Representative(s) Ginal.

19
20 Strike the Health, Insurance, and Environment Committee Report, dated
21 April 1, 2014, and substitute:

22
23 "Amend printed bill, page 3, line 6, strike "AND ADAMS." and substitute
24 "ARAPAHOE, AND ADAMS AND THE CITY AND COUNTY OF BROOMFIELD."

25
26 Page 5, strike lines 7 through 27.

27 Page 6, strike lines 1 through 3 and substitute "COMMITTEE CONSISTS OF
28 THE FOLLOWING SIXTEEN MEMBERS, EACH OF WHOM IS APPOINTED BY THE
29 EXECUTIVE DIRECTOR OF THE DEPARTMENT, MUST BE A RESIDENT OF AND
30 BE REGISTERED TO VOTE IN COLORADO, AND MUST NOT BE A MEMBER OF
31 THE GENERAL ASSEMBLY:

32 (I) EIGHT VOTING MEMBERS WHO MEET THE CRITERIA SPECIFIED IN
33 PARAGRAPH (b) OF THIS SUBSECTION (4). THE EXECUTIVE DIRECTOR SHALL
34 GIVE A PREFERENCE TO APPOINTEES WHO RESIDE IN ONE OF THE COUNTIES
35 SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION.

36 (II) THE CHIEF MEDICAL OFFICER OF THE DEPARTMENT, OR HIS OR
37 HER DESIGNEE, WHO MUST BE A PHYSICIAN AND WHO IS A VOTING MEMBER
38 AND CHAIR OF THE COMMITTEE; AND

39 (III) IN ORDER TO ENSURE THE PROFESSIONAL INPUT OF
40 INTERESTED PARTIES AND TO PROVIDE GUIDANCE ON POTENTIAL IMPACTS,
41 SEVEN NONVOTING MEMBERS AS FOLLOWS:

42 (A) A REPRESENTATIVE OF THE COLORADO OIL AND GAS
43 INDUSTRY;

44 (B) A REPRESENTATIVE OF THE COLORADO ENVIRONMENTAL
45 COMMUNITY;

46 (C) THREE REPRESENTATIVES OF THE PUBLIC, WHO MUST RESIDE
47 IN EITHER LARIMER, WELD, BOULDER, ARAPAHOE, OR ADAMS COUNTY OR
48 THE CITY AND COUNTY OF BROOMFIELD, MUST NOT RESIDE IN THE SAME
49 COUNTY, AND MUST BE AT LEAST TWENTY-FIVE YEARS OF AGE; AND

50 (D) A STATISTICIAN AND AN ECONOMIST."

51
52 Page 6, line 5, strike "APPOINTEES TO" and substitute "VOTING MEMBERS
53 OF".

54
55 Page 6, line 6, strike "APPOINTEES" and substitute "VOTING MEMBERS".

56

1 Page 6, line 14, strike "HAVE".

2

3 Page 6, strike lines 15 through 20 and substitute "BE EMPLOYED BY AN OIL
4 AND GAS OPERATOR.

5 (d) (I) THE EXECUTIVE DIRECTOR SHALL MAKE THE APPOINTMENTS
6 BY JULY 1, 2014, AND SHALL ENSURE THAT EACH OF THE FIELDS SPECIFIED
7 IN PARAGRAPH (b) OF THIS SUBSECTION (4) IS REPRESENTED BY AT LEAST
8 ONE VOTING MEMBER OF THE COMMITTEE. THE".

9

10 Page 6, line 22, strike "AN APPOINTING AUTHORITY" and substitute "THE
11 EXECUTIVE DIRECTOR".

12

13 Amendment No. 3, by Representative(s) Joshi.

14

15 Amend Amendment No. 2 by Representative Ginal, page 1054, line 29,
16 strike "SIXTEEN" and substitute "NINETEEN".

17

18 Page 1054, line 47, strike "THREE" and substitute "SIX".

19

20 Amendment No. 4, by Representative(s) Ginal.

21

22 Amend printed bill, page 2, line 6, strike "**oversight**" and substitute
23 "**advisory**".

24

25 Page 2, line 7, strike "OVERSIGHT" and substitute "ADVISORY".

26

27 Page 3, line 7, strike "SHALL" and substitute "SHALL, IN CONSULTATION
28 WITH THE SCIENTIFIC ADVISORY COMMITTEE,".

29

30 Page 3, lines 20 and 21, strike "CASE STUDIES" and substitute
31 "CASE-CONTROL REVIEWS".

32

33 Page 3, line 26, after "BE" insert "RANDOMLY DISSEMINATED AND".

34

35 Page 4, line 8, strike "STUDIES ON" and substitute "REVIEWS OF".

36

37 Page 4, line 10, strike "OVERSIGHT" and substitute "ADVISORY".

38

39 Page 4, line 16, strike "OVERSIGHT" and substitute "ADVISORY".

40

41 Page 5, line 3, strike "OVERSIGHT" and substitute "ADVISORY".

42

43 Page 5, line 6, after the period add "THE COMMITTEE MEMBERS ARE EACH
44 ENTITLED TO A PER DIEM AND REIMBURSEMENT FOR ACTUAL AND
45 NECESSARY EXPENSES AS SPECIFIED IN SECTION 24-34-102 (13), C.R.S.".

46

47 Page 6, after line 26 insert:

48

49 "(e) THE DEPARTMENT SHALL POST PUBLIC NOTICE OF EACH
50 COMMITTEE MEETING ON ITS WEB SITE AT LEAST TWO WEEKS BEFORE THE
51 MEETING. THE COMMITTEE'S MEETINGS ARE OPEN TO THE PUBLIC AND THE
52 COMMITTEE SHALL PROVIDE THE PUBLIC WITH AN OPPORTUNITY TO SUBMIT
53 WRITTEN AND ORAL COMMENTS AT EACH MEETING.".

54

1 Page 7, line 8, strike "OVERSIGHT" and substitute "ADVISORY".
 2
 3 Page 7, line 9, strike "OVERSIGHT" and substitute "ADVISORY".
 4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.
 7
 8 **HB14-1304** by Representative(s) Williams, Labuda, Melton, Pettersen,
 9 Salazar; also Senator(s) King--Concerning the designation
 10 of the Palisade peach as the state fruit.
 11
 12 Laid over until May 9, **deemed lost**.

13
 14
 15 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

16
 17 Representative Rankin moved to amend the Report of the Committee of
 18 the Whole to reverse the action taken by the Committee in not adopting
 19 the following Rankin amendment, to SB 14-158, to show that said
 20 amendment passed, and that SB 14-158, as amended, passed.
 21

22 Amend reengrossed bill, page 15, strike lines 14 through 20 and
 23 substitute:

24 **"SECTION 16. Applicability.** This act applies to recall elections
 25 conducted on or after February 1, 2015.

26 **SECTION 17. Refer to people under referendum.** This act shall
 27 be submitted to a vote of the registered electors of the state of Colorado
 28 at the next biennial regular general election, for their approval or
 29 rejection, under the provisions of the referendum as provided for in
 30 section 1 of article V of the state constitution, and in article 40 of title 1,
 31 Colorado Revised Statutes. Each elector voting at said election and
 32 desirous of voting for or against said act shall cast a vote as provided by
 33 law either "Yes/For" or "No/Against" on the proposition: "Shall the state
 34 of Colorado attempt to harmonize statutory recall election provisions with
 35 the recall provisions in the Colorado constitution by amending the statute
 36 rather than the constitution, and, in connection therewith, redefine the
 37 constitutional term "date for holding the election" to mean the day on
 38 which county clerk and recorders make ballots available at voter service
 39 and polling centers rather than election day and require recall petition
 40 circulators to comply with requirements for initiative and referendum
 41 petition circulators notwithstanding a federal court ruling declaring some
 42 of the circulator requirements unconstitutional?" The votes cast for the
 43 adoption or rejection of said act shall be canvassed and the result
 44 determined in the manner provided by law for the canvassing of votes for
 45 representatives in Congress."
 46

47 The amendment was declared **lost** by the following roll call vote:
 48

	YES	24	NO	35	EXCUSED	6	ABSENT	0
50	Becker	N	Gerou	Y	McLachlan	N	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	N	Scott	Y
54	Coram	Y	Hullinghorst	N	Moreno	N	Singer	N
55	Court	N	Humphrey	E	Murray	Y	Sonnenberg	E
56	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y

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

11

12

13 Representative Saine moved to amend the Report of the Committee of the
14 Whole to reverse the action taken by the Committee in not adopting the
15 following Saine amendment, to SB 14-158, to show that said amendment
16 passed, and that SB 14-158, as amended, passed.

17

18 Amend reengrossed bill, page 14, before line 9 insert:

19

20 **"SECTION 13.** In Colorado Revised Statutes, 1-8.3-113, **amend**
21 **(2)** as follows:

22

23 **1-8.3-113. Transmission and receipt of ballot.** (2) (a) EXCEPT
24 AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (2), a valid ballot
25 cast in accordance with section 1-8.3-111 shall be counted if it is received
26 by the close of business on the eighth day after an election at the address
27 that the appropriate state or local election office has specified.

28

29 (b) A VALID BALLOT FOR A RECALL ELECTION CONDUCTED UNDER
30 ARTICLE 12 OF THIS CODE THAT IS CAST IN ACCORDANCE WITH SECTION
31 1-8.3-111 SHALL BE COUNTED IF IT IS RECEIVED BY THE CLOSE OF
32 BUSINESS ON THE SIXTEENTH DAY AFTER AN ELECTION AT THE ADDRESS
33 THAT THE APPROPRIATE STATE OR LOCAL ELECTION OFFICE HAS
34 SPECIFIED."

35

36 Renumber succeeding sections accordingly.

37

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

39

	YES	26	NO	36	EXCUSED	3	ABSENT	0
39	Becker	N	Gerou	Y	McLachlan	N	Saine	Y
40	Buck	Y	Ginal	N	McNulty	Y	Salazar	N
41	Buckner	N	Hamner	N	Melton	N	Schafer	N
42	Conti	Y	Holbert	Y	Mitsch Bush	N	Scott	Y
43	Coram	Y	Hullinghorst	N	Moreno	N	Singer	N
44	Court	N	Humphrey	Y	Murray	Y	Sonnenberg	E
45	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
46	Dore	Y	Kagan	N	Nordberg	Y	Swalm	Y
47	Duran	N	Kraft-Tharp	N	Pabon	N	Szabo	Y
48	Everett	Y	Labuda	N	Peniston	N	Tyler	N
49	Exum	N	Landgraf	Y	Pettersen	N	Vigil	N
50	Fields	N	Lawrence	Y	Primavera	N	Waller	Y
51	Fischer	N	Lebsock	N	Priola	E	Williams	N
52	Foote	N	Lee	N	Rankin	Y	Wilson	Y
53	Garcia	N	May	N	Rosenthal	N	Wright	Y
54	Gardner	Y	McCann	E	Ryden	N	Young	N
55							Speaker	N

56

1 Representatives Nordberg and Hulinghorst moved to amend the Report
2 of the Committee of the Whole to reverse the action taken by the
3 Committee in not adopting the following Nordberg amendment, to
4 SB 14-158, to show that said amendment passed, and that SB 14-158, as
5 amended, passed.

6
7 Amend reengrossed bill, page 14, after line 8 insert:

8
9 **"SECTION 13.** In Colorado Revised Statutes, 1-8.3-113, **amend**
10 (1) as follows:

11 **1-8.3-113. Transmission and receipt of ballot.** (1) A covered
12 voter who requested and received ballot materials by electronic
13 transmission may also return the ballot by electronic transmission:

14 (a) In circumstances where another more secure method, such as
15 returning the ballot by mail, is not available or feasible, as specified in
16 rules promulgated by the secretary of state; OR

17 (b) IF THE BALLOT IS FOR A RECALL ELECTION CONDUCTED UNDER
18 ARTICLE 12 OF THIS CODE."

19
20 Renumber succeeding sections accordingly.

21
22 The amendment was declared **passed** by the following roll call vote:

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

42
43
44 Representative Dore moved to amend the Report of the Committee of the
45 Whole to reverse the action taken by the Committee in not adopting the
46 following Dore amendment, to SB 14-158, to show that said amendment
47 passed, and that SB 14-158, as amended, passed.

48
49 Amend reengrossed bill, page 4, strike lines 7 through 9 and substitute
50 "state constitution; and".

51
52 Page 4, line 26, strike "(3.5),".

53
54 Page 5, strike lines 6 through 12.

55
56 The amendment was declared **lost** by the following roll call vote:

	YES	26	NO	36	EXCUSED	3	ABSENT	0
1								
2	Becker	N	Gerou	Y	McLachlan	N	Saine	N
3	Buck	Y	Ginal	N	McNulty	Y	Salazar	N
4	Buckner	N	Hamner	N	Melton	N	Schafer	N
5	Conti	Y	Holbert	Y	Mitsch Bush	N	Scott	Y
6	Coram	Y	Hullinghorst	N	Moreno	N	Singer	N
7	Court	N	Humphrey	Y	Murray	Y	Sonnenberg	E
8	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
9	Dore	Y	Kagan	N	Nordberg	Y	Swalm	Y
10	Duran	N	Kraft-Tharp	N	Pabon	N	Szabo	Y
11	Everett	Y	Labuda	N	Peniston	N	Tyler	N
12	Exum	N	Landgraf	Y	Pettersen	N	Vigil	N
13	Fields	N	Lawrence	Y	Primavera	N	Waller	Y
14	Fischer	N	Lebsock	N	Priola	E	Williams	N
15	Foote	N	Lee	N	Rankin	Y	Wilson	Y
16	Garcia	N	May	Y	Rosenthal	N	Wright	Y
17	Gardner	Y	McCann	E	Ryden	N	Young	N
18							Speaker	N
19								
20								

21 Representative Buck moved to amend the Report of the Committee of the
 22 Whole to reverse the action taken by the Committee in not adopting the
 23 following Buck amendment, to HB 14-1297, to show that said
 24 amendment passed, that Amendment No. 2 by Representative Ginal
 25 (printed in House Journal page(s) 1054, lines 18-56, page(s) 1055, lines
 26 1-53, and also page(s) 1056, lines 1-3, to HB 14-1297, passed, and that
 27 HB 14-1297, as amended, passed.

28
 29 Amend Amendment No. 2 by Representative Ginal printed in House
 30 Journal page 1054, line 24, after "ARAPAHOE," insert "DENVER,
 31 JEFFERSON, DOUGLAS, ELBERT, PARK, CLEAR CREEK, GILPIN, EL PASO,
 32 TELLER, FREMONT, PUEBLO,".

33
 34
 35 Page 1054, line 47, after "ARAPAHOE," insert "DENVER, JEFFERSON,
 36 DOUGLAS, ELBERT, PARK, CLEAR CREEK, GILPIN, EL PASO, TELLER,
 37 FREMONT, PUEBLO,".

38
 39 The amendment was declared **lost** by the following roll call vote:

	YES	26	NO	37	EXCUSED	2	ABSENT	0
41								
42	Becker	N	Gerou	Y	McLachlan	N	Saine	Y
43	Buck	Y	Ginal	N	McNulty	Y	Salazar	N
44	Buckner	N	Hamner	N	Melton	N	Schafer	N
45	Conti	Y	Holbert	Y	Mitsch Bush	N	Scott	Y
46	Coram	Y	Hullinghorst	N	Moreno	N	Singer	N
47	Court	N	Humphrey	Y	Murray	Y	Sonnenberg	E
48	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
49	Dore	Y	Kagan	N	Nordberg	Y	Swalm	Y
50	Duran	N	Kraft-Tharp	N	Pabon	N	Szabo	Y
51	Everett	Y	Labuda	N	Peniston	N	Tyler	N
52	Exum	N	Landgraf	Y	Pettersen	N	Vigil	N
53	Fields	N	Lawrence	Y	Primavera	N	Waller	Y
54	Fischer	N	Lebsock	N	Priola	E	Williams	N
55	Foote	N	Lee	N	Rankin	Y	Wilson	Y
56	Garcia	N	May	N	Rosenthal	N	Wright	Y

1	Gardner	Y	McCann	N	Ryden	N	Young	N
2							Speaker	N
3								

4
5 Representative Swalm moved to amend the Report of the Committee of
6 the Whole to reverse the action taken by the Committee in not adopting
7 the following Swalm amendment, to HB 14-1297, to show that said
8 amendment passed, and that HB 14-1297, as amended, passed.

9
10 Amend printed bill, page 4, line 9, strike "IDENTIFIED" and substitute
11 "IDENTIFIED, IF ANY,".

12
13 Page 4, line 10, after "COMMITTEE;" insert "IF THE STUDY DOES NOT
14 IDENTIFY ANY RELEVANT CONDITIONS OF INTEREST IN REGARD TO HEALTH
15 OR QUALITY OF LIFE, THE DEPARTMENT SHALL NOT CONDUCT TIER 2;".

16
17 The amendment was declared **lost** by the following roll call vote:

19	YES	27	NO	36	EXCUSED	2	ABSENT	0
20	Becker	N	Gerou	Y	McLachlan	N	Saine	Y
21	Buck	Y	Ginal	N	McNulty	Y	Salazar	N
22	Buckner	N	Hamner	N	Melton	N	Schafer	N
23	Conti	Y	Holbert	Y	Mitsch Bush	N	Scott	Y
24	Coram	Y	Hullinghorst	N	Moreno	N	Singer	N
25	Court	N	Humphrey	Y	Murray	Y	Sonnenberg	E
26	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
27	Dore	Y	Kagan	N	Nordberg	Y	Swalm	Y
28	Duran	N	Kraft-Tharp	N	Pabon	N	Szabo	Y
29	Everett	Y	Labuda	N	Peniston	N	Tyler	N
30	Exum	N	Landgraf	Y	Pettersen	N	Vigil	N
31	Fields	N	Lawrence	Y	Primavera	N	Waller	Y
32	Fischer	N	Lebsock	Y	Priola	E	Williams	N
33	Foote	N	Lee	N	Rankin	Y	Wilson	Y
34	Garcia	N	May	N	Rosenthal	N	Wright	Y
35	Gardner	Y	McCann	N	Ryden	N	Young	N
36							Speaker	N

37
38
39 Representative Scott moved to amend the Report of the Committee of the
40 Whole to reverse the action taken by the Committee in not adopting the
41 following Scott amendment, to HB 14-1297, to show that said
42 amendment passed, and that HB 14-1297, as amended, passed.

43
44 Amend printed bill, page 2, line 9, after "(a)" insert "(I)".

45
46 Page 3, after line 2 insert:

47 "(II) FOR THE PURPOSES OF THIS SECTION, "QUALITY OF LIFE" IS
48 NOT EXCLUSIVELY RELATED TO A RESIDENT'S PROXIMITY TO AN OIL AND
49 GAS WELL, BUT ALSO INCLUDES THE RESIDENT'S ACCESS TO JOBS,
50 AFFORDABLE HEAT AND ENERGY, ACCESS TO MEDICINE AND HEALTH CARE,
51 AND THE BENEFITS OF OIL AND GAS PRODUCTION IN THE SURVEY
52 COUNTIES, INCLUDING MOBILITY, HOUSING, RECREATION, AND EMERGENCY
53 CARE.".

54
55 The amendment was declared **lost** by the following roll call vote:

56

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

6
7 **HB14-1332** be amended as follows, and as so amended, be referred to
8 the Committee on Appropriations with favorable
9 recommendation:

10
11 Amend printed bill, strike everything below the enacting clause and
12 substitute:

13
14 **"SECTION 1.** In Colorado Revised Statutes, 37-60-115, **add** (9)
15 and (10) as follows:

16 **37-60-115. Water studies - rules - repeal. (9) South Platte**
17 **river alluvial aquifer study - additional study authorized - study**
18 **advisory board - creation - definitions.** (a) THE BOARD SHALL, IN
19 CONSULTATION WITH THE STATE ENGINEER AND THE INSTITUTE, CONDUCT
20 A COMPREHENSIVE STUDY BUILDING UPON THE CONCLUSIONS AND
21 RECOMMENDATIONS OF THE STUDY COMPLETED IN ACCORDANCE WITH
22 SUBSECTION (7) OF THIS SECTION FOR THE PURPOSE OF IMPLEMENTING THE
23 RECOMMENDATIONS SET FORTH IN THE HB 12-1278 STUDY.

24 (b) AS USED IN THIS SUBSECTION (9), "HB 12-1278 STUDY" MEANS
25 THE REPORT ENTITLED "HB 1278 STUDY OF THE SOUTH PLATTE RIVER
26 ALLUVIAL AQUIFER", AS PREPARED BY THE INSTITUTE AND DATED
27 DECEMBER 31, 2013.

28 (c) IN CONDUCTING THE STUDY, THE BOARD, IN CONSULTATION
29 WITH THE INSTITUTE, SHALL:

30 (I) FURTHER STUDY THE MOVEMENT OF WATER IN THE ALLUVIAL
31 AQUIFER OF THE SOUTH PLATTE RIVER, OR PORTIONS OF THE ALLUVIAL
32 AQUIFER, AND THE TIME, LOCATION, AND AMOUNT OF ANY CONTRIBUTIONS
33 THAT THE ALLUVIAL AQUIFER MAKES TO SURFACE FLOWS. TO EXAMINE
34 THE ALLUVIAL AQUIFER'S CONTRIBUTIONS TO SURFACE FLOWS, THE BOARD
35 AND INSTITUTE SHALL:

36 (A) PERFORM A STUDY OF HISTORICAL DATA REGARDING ALLUVIAL
37 AQUIFER LEVELS AND STREAM GAIN IN WATER DISTRICT 2 TO ESTABLISH
38 RELATIONSHIPS BETWEEN AQUIFER LEVELS AND STREAM FLOWS; AND

39 (B) IN COORDINATION WITH ONGOING EFFORTS FOR THE SOUTH
40 PLATTE DECISION SUPPORT SYSTEM TO DEVELOP GROUNDWATER
41 MODELING, DEVELOP CALIBRATED NUMERICAL GROUNDWATER MODELS TO
42 TEST AGAINST ANALYTICAL METHODS THAT HAVE BEEN HISTORICALLY
43 APPLIED TO WELLS IN THE AREAS IDENTIFIED IN THE HB12-1278 STUDY AS
44 EXPERIENCING DAMAGING HIGH GROUNDWATER LEVELS IN GILCREST,
45 COLORADO; LASALLE, COLORADO; AND STERLING, COLORADO. THE
46 BOARD AND THE INSTITUTE SHALL CONDUCT ADDITIONAL FIELD STUDIES
47 TO SUPPORT THE DEVELOPMENT OF THE NUMERICAL GROUNDWATER
48 MODELS, INCLUDING FIELD STUDIES TO MONITOR AND MEASURE AQUIFER
49 LEVELS IN RESPONSE TO GROUNDWATER WITHDRAWALS WITHIN THE
50 STUDY AREA.

51 (II) COORDINATE WITH THE STATE ENGINEER, THE DIVISION
52 ENGINEER, THE DIVISION OF WATER RESOURCES, OTHER INTERESTED
53 AGENCIES, AND INTERESTED WATER USERS TO DESIGN AND INITIATE A
54 MONITORING WELL NETWORK, BUILDING UPON RECOMMENDATION 3B OF
55 THE HB12-1278 STUDY.

56 (d) THE BOARD SHALL ENTER INTO A CONTRACT WITH THE

1 INSTITUTE, USING EXISTING PROCUREMENT MECHANISMS AND
2 AGREEMENTS BETWEEN THE BOARD AND THE INSTITUTE, TO CONDUCT,
3 OVERSEE, AND COORDINATE ALL ASPECTS OF THE STUDY. THE BOARD
4 SHALL FUND THE STUDY FROM EXISTING RESEARCH RESOURCES AT LEVELS
5 AGREED TO BETWEEN THE BOARD AND THE INSTITUTE. IN ADDITION, TO
6 IMPLEMENT THE ACTIVITIES OF THE STUDY, THE BOARD SHALL
7 COORDINATE WITH WATER USERS AND WATER ORGANIZATIONS TO
8 IDENTIFY AND SECURE ADDITIONAL FUNDING FROM SOURCES INCLUDING
9 STATE AND FEDERAL GRANTS AND THIRD-PARTY GIFTS, GRANTS, AND
10 DONATIONS.

11 (e) (I) THE INSTITUTE SHALL PERFORM THE STUDY
12 INDEPENDENTLY, UNDER THE DIRECTION OF A STUDY ADVISORY BOARD,
13 CREATED IN THIS PARAGRAPH (e) AND REFERRED TO IN THIS SUBSECTION
14 (9) AS THE "ADVISORY BOARD". THE ADVISORY BOARD CONSISTS OF ONE
15 REPRESENTATIVE APPOINTED BY EACH OF THE FOLLOWING ENTITIES:

- 16 (A) THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT;
- 17 (B) THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT;
- 18 (C) THE LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT;
- 19 (D) THE SOUTH PLATTE ROUNDTABLE;
- 20 (E) THE METRO ROUNDTABLE;
- 21 (F) THE BOARD; AND
- 22 (G) THE STATE ENGINEER'S OFFICE.

23 (II) THE INSTITUTE, WITH THE ADVISORY BOARD'S APPROVAL,
24 SHALL APPOINT AN ENGINEERING SUBCOMMITTEE, CONSISTING OF AT
25 LEAST FIVE INDIVIDUALS WITH EXPERIENCE AND QUALIFICATIONS SPECIFIC
26 TO THE SOUTH PLATTE RIVER BASIN, TO ASSIST THE INSTITUTE IN AN
27 ADVISORY CAPACITY WITH TECHNICAL MATTERS.

28 (III) THE INSTITUTE, WITH THE ADVISORY BOARD'S APPROVAL AND
29 WITH THE AGREEMENT OF THE AFFECTED ENTITY, MAY CONTRACT WITH
30 EMPLOYEES OF THE NORTHERN COLORADO WATER CONSERVANCY
31 DISTRICT, THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT, OR
32 THE LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT TO PERFORM
33 REASONABLE AND NECESSARY TASKS AND ANALYSIS FOR COMPLETION OF
34 THE STUDY'S GOALS.

35 (f) THE BOARD SHALL COMMISSION THE STUDY AS SOON AS
36 PRACTICABLE.

37 (g) (I) ON OR BEFORE OCTOBER 1 OF 2014, 2015, AND 2016, THE
38 INSTITUTE SHALL REPORT TO THE WATER RESOURCES REVIEW COMMITTEE,
39 CREATED IN SECTION 37-98-102, ON THE PROGRESS OF THE STUDY. THE
40 INSTITUTE SHALL PREPARE A FINAL REPORT, INCLUDING ITS CONCLUSIONS,
41 AND SHALL PRESENT IT TO THE WATER RESOURCES REVIEW COMMITTEE NO
42 LATER THAN NOVEMBER 1, 2017, AND, DURING THE SECOND REGULAR
43 SESSION OF THE SEVENTY-FIRST GENERAL ASSEMBLY IN 2018, SHALL
44 PRESENT THE FINAL REPORT TO A JOINT MEETING OF THE COMMITTEE ON
45 AGRICULTURE, NATURAL RESOURCES, AND LIVESTOCK IN THE HOUSE OF
46 REPRESENTATIVES AND THE COMMITTEE ON AGRICULTURE, NATURAL
47 RESOURCES, AND ENERGY IN THE SENATE, OR THEIR SUCCESSOR
48 COMMITTEES.

49 (h) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2018.

50 (10) **South Platte aquifer management plan pilot program -**
51 **repeal.** (a) AFTER NOTICE AND A THIRTY-FIVE DAY COMMENT PERIOD,
52 THE BOARD MAY, IN CONSULTATION WITH THE STATE ENGINEER AND
53 AFTER CONSIDERATION OF ANY COMMENTS SUBMITTED, APPROVE UP TO
54 FIVE PILOT AQUIFER MANAGEMENT PLANS IN THE SOUTH PLATTE RIVER
55 BASIN TO TEST MANAGEMENT STRATEGIES INTENDED TO MITIGATE
56 DAMAGING HIGH GROUNDWATER LEVELS. A PROPOSED AQUIFER

- 1 MANAGEMENT PLAN SUBMITTED TO THE BOARD FOR APPROVAL MUST:
- 2 (I) SERVE A GEOGRAPHIC AREA LOCATED IN ONE OF THE HIGH
3 GROUNDWATER STUDY AREAS IN THE VICINITY OF GILCREST, COLORADO,
4 AND LASALLE, COLORADO, OR THE VICINITY OF STERLING, COLORADO, AS
5 DELINEATED BY THE STATE ENGINEER; AND
- 6 (II) BE CHARACTERIZED BY HIGH GROUNDWATER LEVELS IN
7 EXCESS OF HISTORICAL AVERAGE GROUNDWATER LEVELS, AS DETERMINED
8 BY REFERENCE TO EXISTING HISTORICAL DATA, THAT ARE DAMAGING TO
9 STRUCTURES, INFRASTRUCTURE, OR AGRICULTURAL LANDS;
- 10 (III) IDENTIFY MONITORING WELLS WITHIN THE HIGH
11 GROUNDWATER STUDY AREAS CAPABLE OF MEASURING AND REPORTING
12 WATER LEVELS IN THE ALLUVIAL AQUIFER;
- 13 (IV) BE DESIGNED TO REDUCE GROUNDWATER LEVELS WITHIN THE
14 GEOGRAPHIC AREA TO BE SERVED BY THE MANAGEMENT PLAN TO THE
15 EXTENT NECESSARY TO MITIGATE DAMAGING HIGH GROUNDWATER
16 LEVELS, AS REFLECTED IN THE MONITORING WELL NETWORK. THE AQUIFER
17 MANAGEMENT PLAN MAY INCLUDE A PLAN TO INSTALL OR IMPROVE
18 DRAINS AND DRAINAGE SYSTEMS. THE AQUIFER MANAGEMENT PLAN MAY
19 ALSO INCLUDE PUMPING BY WELLS ALREADY LOCATED WITHIN A HIGH
20 GROUNDWATER STUDY AREA OR WELLS TO BE INSTALLED IN A HIGH
21 GROUNDWATER STUDY AREA FOR THE PURPOSE OF DEWATERING TO
22 PROTECT STRUCTURES, INFRASTRUCTURE, OR AGRICULTURAL LANDS.
23 WATER PUMPED FROM THE DEWATERING WELLS SHALL BE RETURNED TO
24 THE SOUTH PLATTE RIVER WITHOUT ANY INTERVENING USE. ONCE IN THE
25 RIVER, THE PUMPED WATER SHALL BE DISTRIBUTED ACCORDING TO THE
26 PRIORITY SYSTEM.
- 27 (V) INCLUDE AN AFFIRMATION BY THE APPLICANT THAT THE
28 APPLICANT WILL COOPERATE WITH ONGOING MONITORING, ANALYSIS, AND
29 MODELING EFFORTS PERFORMED BY THE BOARD AND THE INSTITUTE
30 UNDER SUBSECTION (9) OF THIS SECTION, INCLUDING PERMITTING ACCESS
31 TO LANDS, DEWATERING WELLS, AND MONITORING WELLS, AND PROVIDING
32 INFORMATION RELATED TO PUMPING, WATER USE, AND WATER LEVELS.
- 33 (VI) INCLUDE PROOF THAT THE PROPOSED AQUIFER MANAGEMENT
34 PLAN HAS BEEN PROVIDED TO ALL INTERESTED PARTIES SUBSCRIBED TO
35 THE DIVISION 1 SUBSTITUTE WATER SUPPLY PLAN LIST.
- 36 (b) PUMPING BY DEWATERING WELLS AUTHORIZED UNDER THIS
37 SUBSECTION (10) DOES NOT CREATE AN OBLIGATION TO REPLACE DELAYED
38 DEPLETIONS CAUSED BY THE PUMPING OF THE WELLS, PROVIDED PUMPING
39 IS WITHIN THE VOLUMETRIC LIMITS ESTABLISHED IN AN AQUIFER
40 MANAGEMENT PLAN APPROVAL.
- 41 (c) THE STATE ENGINEER MAY ISSUE WELL PERMITS FOR
42 DEWATERING IN LOCATIONS AND AMOUNTS CONSISTENT WITH AN AQUIFER
43 MANAGEMENT PLAN APPROVED UNDER THIS SUBSECTION (10).
- 44 (d) (I) THE BOARD SHALL PROVIDE A THIRTY-FIVE-DAY COMMENT
45 PERIOD FOR INTERESTED PARTIES TO PROVIDE COMMENTS ON A PROPOSED
46 AQUIFER MANAGEMENT PLAN.
- 47 (II) UPON THE CONCLUSION OF THE THIRTY-FIVE-DAY COMMENT
48 PERIOD, THE BOARD SHALL APPROVE, APPROVE WITH CONDITIONS, OR
49 DENY A PROPOSED AQUIFER MANAGEMENT PLAN. IF THE BOARD APPROVES
50 A PROPOSED AQUIFER MANAGEMENT PLAN, IT SHALL APPROVE IT FOR A
51 PERIOD OF UP TO TWO YEARS. THE BOARD SHALL PROVIDE COPIES OF THE
52 AQUIFER MANAGEMENT PLAN AND THE BOARD'S DECISION APPROVING THE
53 AQUIFER MANAGEMENT PLAN TO ALL PARTIES WHO ARE SUBSCRIBED TO
54 THE DIVISION 1 SUBSTITUTE WATER SUPPLY PLAN LIST. NEITHER THE
55 BOARD'S APPROVAL NOR DENIAL OF A PROPOSED AQUIFER MANAGEMENT
56 PLAN CREATES ANY PRESUMPTIONS, SHIFTS THE BURDEN OF PROOF, OR

1 SERVES AS A DEFENSE IN ANY LEGAL ACTION THAT CONCERNS THE
2 AQUIFER MANAGEMENT PLAN. ANY APPEAL OF THE BOARD'S DECISION
3 CONCERNING AN AQUIFER MANAGEMENT PLAN MUST BE MADE TO THE
4 WATER JUDGE IN THE APPLICABLE WATER DIVISION WITHIN THIRTY-FIVE
5 DAYS. THE WATER JUDGE SHALL HEAR THE APPEAL ON AN EXPEDITED
6 BASIS.

7 (e) THE BOARD SHALL ESTABLISH A HIGH GROUNDWATER
8 MITIGATION GRANT PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO
9 PERSONS IMPLEMENTING AQUIFER MANAGEMENT PLANS THAT THE BOARD
10 HAS APPROVED UNDER THIS SUBSECTION (10).

11 (f) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE BOARD SHALL
12 REPORT TO THE WATER RESOURCES REVIEW COMMITTEE, CREATED IN
13 SECTION 37-98-102, ON THE PROGRESS OF MITIGATING DAMAGING HIGH
14 GROUNDWATER LEVELS IN THE STUDY AREAS. THE BOARD SHALL GIVE A
15 FINAL REPORT TO THE WATER RESOURCES REVIEW COMMITTEE REGARDING
16 THE EFFECTIVENESS OF HIGH GROUNDWATER MANAGEMENT STRATEGIES
17 ON OR BEFORE OCTOBER 1, 2019, AND, DURING THE FIRST REGULAR
18 SESSION OF THE SEVENTY-SECOND GENERAL ASSEMBLY, TO A JOINT
19 MEETING OF THE COMMITTEE ON AGRICULTURE, NATURAL RESOURCES,
20 AND LIVESTOCK IN THE HOUSE OF REPRESENTATIVES AND THE COMMITTEE
21 ON AGRICULTURE, NATURAL RESOURCES, AND ENERGY IN THE SENATE, OR
22 THEIR SUCCESSOR COMMITTEES.

23 (g) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2020.

24 **SECTION 2. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety."
27
28
29
30

31 **FINANCE**

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

34
35 **HB14-1356** be referred favorably to the Committee on Appropriations.

36
37
38 **HB14-1373** be referred favorably to the Committee on Appropriations.

39 40 41 42 43 **LOCAL GOVERNMENT**

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

46
47 **HB14-1343** be amended as follows, and as so amended, be referred to
48 the Committee on State, Veterans, & Military Affairs with
49 favorable recommendation:

50
51 Amend printed bill, page 4, line 20, strike "PTSD," and substitute "PTSD
52 AND IS INITIALLY DIAGNOSED WITH PTSD WITHIN THIRTY-SIX MONTHS
53 AFTER THE DATE OF AN IN-THE-LINE-OF-DUTY EVENT THAT CAUSED THE
54 PEACE OFFICER TO SEEK TREATMENT,".
55
56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HB14-1365** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9

10
11 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

12
13 The Speaker has signed: **HB14-1092, 1107, 1176, 1277, 1299; HJR14-**
14 **1010, 1015, 1017.**

15
16
17

18 **INTRODUCTION OF BILLS**
19 **First Reading**

20
21 The following bills were read by title and referred to the committees
22 indicated:

23
24 **HB14-1380** by Representative(s) Gardner and Fields; also Senator(s)
25 Nicholson--Concerning the Colorado coroners standards
26 and training board.
27 Committee on Health, Insurance, & Environment

28
29 **HB14-1381** by Representative(s) Fields, Buckner, Duran, Ginal,
30 Hamner, Labuda, Lebsock, May, McCann, Melton,
31 Moreno, Pabon, Pettersen, Salazar, Schafer, Singer; also
32 Senator(s) Todd--Concerning adoption of a school closure
33 plan as a requirement for closing a low-performing public
34 school.
35 Committee on Education

36
37 **HB14-1382** by Representative(s) Young and Wilson; also Senator(s)
38 Kerr and Roberts--Concerning the delivery of on-line
39 education within the public elementary and secondary
40 education system.
41 Committee on Education

42
43 **HB14-1383** by Representative(s) Williams, Becker, Buckner, Court,
44 Duran, Exum, Ferrandino, Fischer, Garcia, Ginal,
45 Hullinghorst, Kagan, Kraft-Tharp, Labuda, Lebsock, Lee,
46 May, McCann, Melton, Moreno, Peniston, Primavera,
47 Rosenthal, Ryden, Salazar, Schafer, Singer, Tyler, Vigil,
48 Young; also Senator(s) Tochtrop and Ulibarri--Concerning
49 the required number of physicians that must be provided
50 to an injured employee for selection of a treating physician
51 in workers' compensation cases.
52 Committee on Business, Labor, Economic, & Workforce Development

53

- 1 **SB14-002** by Senator(s) Carroll and Cadman, King, Guzman; also
2 Representative(s) Ferrandino and DelGrosso, Stephens,
3 Szabo, Kagan--Concerning transferring the safe2tell
4 program to the department of law, and, in connection
5 therewith, making and reducing appropriations.
6 Committee on Judiciary
7
- 8 **SB14-087** by Senator(s) Ulibarri, Kefalas; also Representative(s)
9 Fields, Exum, Pettersen--Concerning issuance of
10 identification cards to people who are lawfully present in
11 the United States but may have difficulty with certain
12 documentary evidence, and, in connection therewith,
13 making and reducing appropriations.
14 Committee on State, Veterans, & Military Affairs
15
- 16 **SB14-127** by Senator(s) Roberts; also Representative(s) Dore--
17 Concerning statewide radio communications, and, in
18 connection therewith, directing the department of public
19 safety to perform a communications needs assessment,
20 recreating the consolidated communications system
21 authority as a new standing public safety communications
22 subcommittee under the homeland security and all-hazards
23 senior advisory committee in the division of homeland
24 security and emergency management in that department,
25 and making an appropriation.
26 Committee on Judiciary
27
- 28 **SB14-144** by Senator(s) Aguilar and Nicholson, Crowder, Kefalas,
29 Newell, Schwartz, Tochtrop, Todd; also Representative(s)
30 Ginal--Concerning extending the commission on family
31 medicine's support for the development of family medicine
32 residency programs in underserved areas of the state, and,
33 in connection therewith, making and reducing
34 appropriations.
35 Committee on Public Health Care & Human Services
36
- 37 **SB14-150** by Senator(s) Todd and Zenzinger, Crowder, Guzman,
38 Johnston, Kefalas, Kerr, Newell, Nicholson, Schwartz,
39 Steadman; also Representative(s) Hamner--Concerning the
40 Colorado school counselor corps grant program, and, in
41 connection therewith, making an appropriation.
42 Committee on Education
43
- 44 **SB14-157** by Senator(s) Carroll and Cadman, Todd, Aguilar, Balmer,
45 Baumgardner, Brophy, Crowder, Grantham, Harvey,
46 Herpin, Hodge, Jones, Kerr, King, Lambert, Lundberg,
47 Marble, Newell, Rivera, Roberts, Scheffel, Ulibarri,
48 Zenzinger; also Representative(s) Ryden and Nordberg--
49 Concerning the commission of a report by the department
50 of military and veterans affairs that examines the
51 comprehensive value of United States military activities
52 centered in Colorado, and, in connection therewith,
53 making and reducing appropriations.
54 Committee on State, Veterans, & Military Affairs
55

- 1 **SB14-166** by Senator(s) Carroll and Rivera; also Representative(s)
 2 Tyler and Garcia--Concerning the development of mobile
 3 application software in the Colorado office of economic
 4 development that users may access to identify local
 5 businesses, and, in connection therewith, making and
 6 reducing appropriations.
 7 Committee on Business, Labor, Economic, & Workforce Development
 8
- 9 **SB14-167** by Senator(s) Zenzinger; also Representative(s) Fields--
 10 Concerning an initiative to support innovation among
 11 alternative education campuses in serving high-risk
 12 students, and, in connection therewith, making an
 13 appropriation.
 14 Committee on Education
 15
- 16 **SB14-168** by Senator(s) Lambert, Hodge, Steadman; also
 17 Representative(s) May, Duran, Gerou--Concerning the
 18 salary structure for compensating teachers employed by
 19 the Colorado school for the deaf and the blind.
 20 Committee on Education
 21
- 22 **SB14-173** by Senator(s) Jahn and King, Crowder, Guzman, Herpin,
 23 Hill, Newell, Nicholson, Steadman; also Representative(s)
 24 Singer and McNulty, Gardner, Gerou, Kagan, Landgraf,
 25 Melton, Tyler--Concerning the recommendation that
 26 certain persons be offered a test for the hepatitis C virus.
 27 Committee on Health, Insurance, & Environment
 28
- 29 **SB14-174** by Senator(s) Heath and Johnston; also Representative(s)
 30 McLachlan and Pabon--Concerning the creation of the
 31 prosecution fellowship program.
 32 Committee on Judiciary
 33

34
 35 **LAY OVER OF CALENDAR ITEM(S)**
 36

37 On motion of Representative Hullinghorst, the following item(s) on the
 38 Calendar were laid over until April 17, retaining place on Calendar:
 39

- 40 Consideration of Resolution(s)--**SJR14-026**.
 41 Consideration of Senate Amendment(s)--**HB14-1149, 1130, 1295**.
 42 Consideration of Governor's Veto--**HB14-1108**.
 43

44
 45 On motion of Representative Hullinghorst, the House adjourned until
 46 9:00 a.m., April 17, 2014.
 47

48 Approved:
 49 MARK FERRANDINO,
 50 Speaker
 51

52 Attest:
 53 MARILYN EDDINS,
 54 Chief Clerk