

**SENATE JOURNAL**  
Sixty-ninth General Assembly  
**STATE OF COLORADO**  
Second Regular Session

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92nd Legislative Day

Wednesday, April 9, 2014

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Prayer By the chaplain, Pastor Vern Rempel, First Mennonite Church, Denver.

Call to Order By the President *pro tem* at 9:00 a.m.

Pledge By Senator Ulibarri.

Roll Call Present--32  
Excused--3, Hill, Jones, Renfroe.  
Present later--2, Hill, Renfroe.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Herpin, reading of the Journal of Tuesday, April 8, 2014, was dispensed with and the Journal was approved as corrected by the Secretary.

**COMMITTEE OF REFERENCE REPORTS**

Finance After consideration on the merits, the Committee recommends that **HB14-1285** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend reengrossed bill, page 4, strike lines 8 and 9 and substitute "12-2-108, C.R.S.; A CERTIFIED PUBLIC ACCOUNTANT SIMILARLY CERTIFIED AND IN GOOD STANDING IN ANOTHER STATE; A PERSON WORKING UNDER THE SUPERVISION OF SUCH A CERTIFIED PUBLIC ACCOUNTANT; OR, WITH RESPECT TO TAX PREPARATION SERVICES PROVIDED BY A CERTIFIED PUBLIC ACCOUNTING FIRM THAT IS REGISTERED OR AUTHORIZED TO PROVIDE CERTIFIED PUBLIC ACCOUNTING SERVICES IN THIS STATE, AN OWNER OR EMPLOYEE OF THE CERTIFIED PUBLIC ACCOUNTING FIRM;".

Finance After consideration on the merits, the Committee recommends that **HB14-1046** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **HB14-1207** be **referred** to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB14-133** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Strike the Judiciary Committee Report, dated February 26, 2014.

Amend printed bill, page 3, strike lines 9 and 10 and substitute:

**"12-58.5-102. [Formerly 12-58.5-102] Legislative declaration.**  
(1) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT:  
(a) PRIVATE INVESTIGATORS OFTEN PERFORM INVESTIGATIONS OF

A SENSITIVE NATURE, DELVING INTO MATTERS IMPACTING PERSONAL PRIVACY;

(b) WHILE MOST PRIVATE INVESTIGATORS PERFORM INVESTIGATIONS IN AN ETHICAL AND PROFESSIONAL MANNER, LACK OF MANDATORY REGULATION OF PRIVATE INVESTIGATORS IN THIS STATE PERMITS ANY PERSON, REGARDLESS OF HIS OR HER CRIMINAL HISTORY OR KNOWLEDGE OF LAWS IMPACTING PRIVATE INVESTIGATIONS, TO PRESENT HIMSELF OR HERSELF TO THE PUBLIC AS A PRIVATE INVESTIGATOR AND PERFORM PRIVATE INVESTIGATIONS FOR OTHERS;

(c) IMPOSING MANDATORY REGULATION ON PRIVATE INVESTIGATORS CONDUCTING PRIVATE INVESTIGATIONS IN THIS STATE IS NECESSARY TO PROTECT CONSUMERS BY ENSURING PRIVATE INVESTIGATORS HAVE THE APPROPRIATE KNOWLEDGE AND ABILITY TO PERFORM INVESTIGATIONS IN AN ETHICAL AND PROFESSIONAL MANNER;

(d) BALANCING CONSUMER PROTECTION WITH THE INTERESTS OF PRIVATE BUSINESSES AND INDIVIDUALS DESIRING TO ENGAGE IN THE PRIVATE INVESTIGATION PROFESSION IS LIKEWISE IMPORTANT;

(e) IT IS IN THE INTERESTS OF CONSUMERS AND PRIVATE INVESTIGATORS FOR THE STATE TO DEVELOP THE APPROPRIATE LEVEL OF REGULATION OF PRIVATE INVESTIGATORS THAT PROTECTS CONSUMERS WITHOUT CREATING UNNECESSARY BARRIERS TO ENTRY INTO THE PROFESSION.

(2) THE GENERAL ASSEMBLY THEREFORE FINDS THAT IN ORDER TO PROTECT THE".

Page 3, line 11, strike "STATE," and substitute "STATE AND TO ENSURE THAT NEEDLESS REQUIREMENTS ARE NOT IMPOSED THAT RESTRICT ACCESS INTO THE PROFESSION," and strike "A" and substitute "THE".

Page 3, line 12, after "PROGRAM" insert "ESTABLISHED IN THIS ARTICLE".

Page 5, line 19, strike "OR APPREHENSION".

Page 7, strike lines 11 through 22 and substitute:

"(e) (I) A CERTIFIED PUBLIC ACCOUNTANT CERTIFIED OR AUTHORIZED TO PROVIDE ACCOUNTING SERVICES IN THE STATE PURSUANT TO ARTICLE 2 OF THIS TITLE;

(II) AN EMPLOYEE OF A CERTIFIED PUBLIC ACCOUNTANT;

(III) AN EMPLOYEE OR AFFILIATE OF AN ACCOUNTING FIRM REGISTERED PURSUANT TO SECTION 12-2-117; OR

(IV) A PERSON WHO CONDUCTS FORENSIC ACCOUNTING, FRAUD INVESTIGATIONS, OR OTHER RELATED ANALYSIS OF FINANCIAL TRANSACTIONS BASED ON INFORMATION THAT IS EITHER PUBLICLY AVAILABLE OR PROVIDED BY CLIENTS OR OTHER THIRD PARTIES AND WHO IS:

(A) AN ACCOUNTANT OR PUBLIC ACCOUNTANT WHO IS NOT REGULATED BY THE STATE;

(B) A CERTIFIED FRAUD EXAMINER; OR

(C) AN EMPLOYEE OR INDEPENDENT CONTRACTOR UNDER THE GUIDANCE OF AN ACCOUNTANT, PUBLIC ACCOUNTANT, OR CERTIFIED FRAUD EXAMINER;

(f) A PERSON WHO AGGREGATES PUBLIC RECORDS AND CHARGES A FEE FOR ACCESSING THE AGGREGATED PUBLIC RECORDS DATA;

(g) A PERSON EMPLOYED BY AN INSURANCE COMPANY WHO IS CONDUCTING CLAIMS ADJUSTMENT OR CLAIMS INVESTIGATION FOR THE PURPOSES OF AN INSURANCE CLAIM;".

Reletter succeeding paragraphs accordingly.

Page 8, line 5, strike "INCLUDE" and substitute "INCLUDES".

Page 10, line 5, after "EDUCATION," insert "COMPLETION OF APPROVED CERTIFICATE PROGRAMS, OR SUCH OTHER EXPERIENCE THE DIRECTOR DEEMS APPROPRIATE,".

Page 12, line 8, strike "MAY PROMULGATE" and substitute "MAY:

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(a) PROMULGATE".

Page 12, line 10, strike "(a)" and substitute "(I)".

Page 12, line 12, strike "(b)" and substitute "(II)".

Page 12, line 15, strike "(c)" and substitute "(III)".

Page 12, line 17, strike "(d)" and substitute "(IV)".

Page 12, line 19, strike "(e)" and substitute "(V)".

Page 12, line 20, strike "ARTICLE." and substitute "ARTICLE;

(b) DEVELOP AND CONDUCT OR CONTRACT FOR EXAMINATIONS AS REQUIRED BY THIS ARTICLE;

(c) REVIEW AND GRANT OR DENY APPLICATIONS FOR NEW OR RENEWAL LICENSES AS PROVIDED IN THIS ARTICLE; AND

(d) ESTABLISH FEES FOR THE ISSUANCE OF A NEW LICENSE AND FOR EACH LICENSE RENEWAL PURSUANT TO SECTION 24-34-105, C.R.S."

Page 12, line 22, strike "rules." and substitute "rules - cease-and-desist orders."

Page 13, after line 12 insert:

"(d) HAS FAILED TO REPORT TO THE DIRECTOR THE CONVICTION OF OR PLEA TO A CRIME SPECIFIED IN PARAGRAPH (c) OF THIS SUBSECTION (1);

(e) ADVERTISES OR PRESENTS HIMSELF FOR HERSELF AS A LICENSED PRIVATE INVESTIGATOR WITHOUT HOLDING AN ACTIVE LICENSE;"

Reletter succeeding paragraphs accordingly.

Page 14, line 6, after "(4)" insert "(a)".

Page 14, line 8, strike "ENUMERATED" and substitute "OR OMISSION SPECIFIED".

Page 14, after line 9 insert:

"(b) IN ANY PROCEEDING HELD UNDER THIS SECTION, THE DIRECTOR MAY ACCEPT AS EVIDENCE OF GROUNDS FOR DISCIPLINARY ACTION ANY DISCIPLINARY ACTION TAKEN AGAINST A LICENSEE IN ANOTHER JURISDICTION IF THE VIOLATION THAT PROMPTED THE DISCIPLINARY ACTION IN THE OTHER JURISDICTION WOULD BE GROUNDS FOR DISCIPLINARY ACTION UNDER THIS ARTICLE."

Page 15, line 1, strike "ORDER TO AID THE DIRECTOR IN".

Page 21, line 4, after "REVOKED" insert "OR WHO SURRENDERS A LICENSE TO AVOID DISCIPLINE".

Page 21, line 6, after "REVOCATION" insert "OR SURRENDER".

Page 21, line 8, after "REVOKED" insert "OR SURRENDERED".

Appropriations

After consideration on the merits, the Committee recommends that **SB14-088** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 7, after line 3 insert:

**SECTION 4. Appropriation - adjustments to 2014 long bill.**  
(1) For the implementation of this act, the general fund appropriation

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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 \$73,972.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2014, the sum of \$73,972 and 0.9 FTE, or so much thereof as may be necessary, to be allocated to the prevention services division for the suicide prevention program."

Renumber succeeding section accordingly.

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

Appropriations

After consideration on the merits, the Committee recommends that **SB14-050** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Health and Human Services Committee Report, dated February 27, 2014, page 1, line 4, after "(3.7)," insert "(4) (c),"

Page 2, strike line 4 and substitute "IN THE SAME MANNER, TIME PERIOD, AND FORM AS THE REPORTS REQUIRED IN SECTION 25-1-124; EXCEPT THAT THE REPORTS MADE PURSUANT TO THIS SECTION (3.5) SHALL BE MADE AVAILABLE TO THE PUBLIC UPON REQUEST."

Page 2, line 5, strike "ATTORNEY GENERAL" and substitute "DEPARTMENT".

Page 2, lines 7 and 8, strike "ATTORNEY GENERAL" and substitute "DEPARTMENT".

Page 2, line 10, strike "ATTORNEY GENERAL" and substitute "DEPARTMENT".

Page 2, line 17, after the period insert "A HOSPITAL MAY REQUEST UP TO ONE HUNDRED TWENTY DAYS TO SUBMIT A CORRECTIVE ACTION PLAN IF NECESSARY."

Page 2, line 27, after "NINETY DAYS," insert "OR UP TO ONE HUNDRED TWENTY DAYS IF APPROVED BY THE DEPARTMENT,".

Page 2, after line 30 insert:  
"(4) (c) A HOSPITAL SHALL NOT INITIATE COLLECTIONS PROCEEDINGS ONCE THE HOSPITAL IS NOTIFIED THAT IT MUST SUBMIT A CORRECTIVE ACTION PLAN OR WHEN THE HOSPITAL IS OPERATING PURSUANT TO A CORRECTIVE ACTION PLAN PURSUANT TO SUBSECTION (3.7) OF THIS SECTION."

Page 2, line 36, strike "14-050;" and substitute "14-050, ENACTED IN 2014;".

Page 3, line 15, strike "DEPARTMENT" and substitute "STATE BOARD OF HEALTH".

Page 3, line 17, strike "DEPARTMENT" and substitute "STATE BOARD OF HEALTH".

Page 3, after line 25 insert:

**SECTION 2. Appropriation - adjustments to 2014 long bill.**  
(1) For the implementation of this act, the general fund appropriation

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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 \$49,161.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of public health and environment, for the fiscal year beginning July 1, 2014, the sum of \$49,161 and 0.8 FTE, or so much thereof as may be necessary, for allocation to the health facilities and emergency medical services division for expenses related to the hospital financial assistance standards committee related to the implementation of this act."

Renumber succeeding section accordingly.

Page 3 of the committee report, after line 35 insert:

"Page 1 of the bill, line 101, strike "HOSPITALS." and substitute "HOSPITALS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."."

Appropriations

After consideration on the merits, the Committee recommends that **SB14-064** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Judiciary Committee Report, dated March 10, 2014, page 2, after line 25 insert:

**SECTION 2. Appropriation.** (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 \$1,565,025.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections, for the fiscal year beginning July 1, 2014, the sum of \$1,565,025 and 24.0 FTE, or so much thereof as may be necessary, to be allocated for the implementation of this act as follows:

(a) \$144,142 for health, life, and dental to be allocated to the executive director's office subprogram;

(b) \$2,439 for short term disability to be allocated to the executive director's office subprogram;

(c) \$44,343 for amortization equalization disbursement to be allocated to the executive director's office subprogram;

(d) \$41,572 for supplemental amortization equalization disbursement to be allocated to the executive director's office subprogram;

(e) \$600 for operating expenses to be allocated to the inspector general subprogram;

(f) \$763,036 and 17.0 FTE for personal services to be allocated to the housing and security subprogram;

(g) \$38,455 for start-up costs to be allocated to the superintendents subprogram;

(h) \$474,117 and 7.0 FTE for personal services to be allocated to the mental health subprogram;

(i) \$12,000 for operating expenses to be allocated to the mental health subprogram;

(j) \$32,921 for start-up costs to be allocated to the mental health subprogram;

(k) \$10,800 for operating expenses to be allocated to the communications subprogram; and

(l) \$600 for operating expenses to be allocated to the training subprogram."

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Page 2, line 26, strike "SECTION 2." and substitute "SECTION 3."

Page 2, after line 28, insert:

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

Appropriations

After consideration on the merits, the Committee recommends that SB14-046 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, line 14, strike "FIVE" and substitute "TWO".

Page 3, line 12, strike "2020." and substitute "2017.".

Appropriations

After consideration on the merits, the Committee recommends that SB14-015 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, after line 25 insert:

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

(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 \$56,665.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of labor and employment, for the fiscal year beginning July 1, 2014, the sum of \$56,665 and 0.5 FTE, or so much thereof as may be necessary, to be allocated to the division of employment and training for the implementation of this act."

Renumber succeeding section accordingly.

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

Appropriations

After consideration on the merits, the Committee recommends that SB14-013 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 2, after line 20 insert:

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

(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 \$51,593.

(2) In addition to any other appropriation. there is hereby appropriated. to the department of human services. for the fiscal year beginning July 1. 2014. the sum of \$38.440. or so much thereof as may be necessary. for allocation to office of information technology services. Colorado benefits management system. for modifications to the Colorado benefits management system related to the implementation of this act. Of said sum. \$9.165 is from the general fund. \$1.235 is from the old age pension fund created in section 1 of article XXIV of the state

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constitution. \$13,121 is from reappropriated funds received from the department of health care policy and financing out of the appropriation made in subsection (3) of this section, and \$14,919 is from federal funds.

(3) In addition to any other appropriation, there is hereby appropriated, to the department of health care policy and financing, for the fiscal year beginning July 1, 2014, the sum of \$13,121, or so much thereof as may be necessary, for allocation to department of human services medicaid-funded programs, office of information technology services-medicaid funding, Colorado benefits management system, for system modifications related to the implementation of this act. Of said sum, \$6,428 is from the general fund, \$34 is from the old age pension health and medical care fund pursuant to section 7 (c) of article XXIV of the state constitution, \$81 is from the children's basic health plan trust fund created in section 25.5-8-105 (1), Colorado Revised Statutes, and \$6,578 is from federal funds.

(4) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2014, the sum of \$38,440, or so much thereof as may be necessary, for allocation to the office of information technology for the provision of services to the department of human services related to the implementation of this act. Said sum is from reappropriated funds received from the department of human services out of the appropriation made in subsection (2) of this section."

Renumber succeeding section accordingly.

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

Appropriations

After consideration on the merits, the Committee recommends that **SB14-008** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 3, after line 19 insert:

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

(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 \$27,175.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund, not otherwise appropriated, to the department of public safety, for the fiscal year beginning July 1, 2014, the sum of \$27,175 and 0.5 FTE, or so much thereof as may be necessary, to be allocated to the division of fire prevention and control for the implementation of this act as follows:

- (a) \$21,997 and 0.5 FTE for personal services;
- (b) \$475 for operating expenses; and
- (c) \$4,703 for capital outlay."

Renumber succeeding section accordingly.

Page 1, line 103, strike "SAFETY." and substitute "SAFETY, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."

Appropriations

After consideration on the merits, the Committee recommends that **SB14-001** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend the Senate Education Committee Report, dated February 12, 2014, page 2, after line 37 insert:

"Page 5, line 12, strike "**Appropriation.**" and substitute "**Appropriation - Legislative Intent - Assumptions.**".

Strike page 3 of the committee report and substitute:

"Page 5, line 23, strike "\$8,331,960" and substitute "\$35,349,845".

Page 5, line 25, strike "\$51,510" and substitute "\$162,480".

Page 5, line 27, strike "\$49,381,925" and substitute "\$22,364,040".

Page 6, line 13, strike "\$91,920" and substitute "\$361,769" and strike "\$1,182,307" and substitute "\$912,458".

Page 6, line 16, strike "\$413,580" and substitute "\$1,753,128" and strike "\$1,772,420" and substitute "\$432,872".

Page 6, line 19, strike "\$979,980" and substitute "\$3,793,568".

Page 6, line 20, strike "\$3,343,790" and substitute "\$530,202".

Page 6, line 22, strike "\$74,640" and substitute "\$332,714".

Page 6, line 23, strike "\$976,038" and substitute "\$717,964".

Page 6, line 25, strike "\$1,255,380" and substitute "\$5,281,816".

Page 6, line 26, strike "\$10,851,541" and substitute "\$6,825,105".

Page 7, line 1, strike "\$129,000" and substitute "\$545,498" and strike "\$922,494" and substitute "\$505,996".

Page 7, line 4, strike "\$1,643,040" and substitute "\$7,336,152" and strike "\$14,917,511" and substitute "\$9,224,399".

Page 7, line 7, strike "\$161,100" and substitute "\$754,991" and strike "\$1,692,019" and substitute "\$1,098,128".

Page 7, line 10, strike "\$474,360" and substitute "\$2,061,305" and strike "\$3,233,307" and substitute "\$1,646,362".

Page 7, line 14, strike "\$3,108,960" and substitute "\$13,128,904" and strike "\$10,490,498" and substitute "\$470,554".

Page 7, after line 15 insert:

"(3) It is the intent of the General Assembly in making this appropriation that additional moneys appropriated from the general fund in subsections (1) (a) and (b) of this section be used to supplement, rather than supplant, institutional need-based financial aid for resident students.

(4) The amount appropriated in subsection (1) (d) of this section is calculated based on the assumption that 130,925 student FTE attending state institutions will receive college opportunity fund stipends in fiscal year 2014-15 and that the per-student stipend amount will be increased from the amount included in the general appropriations act (H.B. 14-1336) of \$1,980.00 per 30 credit hours to \$2,250.00 per 30 credit hours."

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Local  
Government

After consideration on the merits, the Committee recommends that **HB14-1130** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend reengrossed bill, page 2, after line 1 insert:

**"SECTION 1.** In Colorado Revised Statutes, 38-38-100.3, **amend** (10) introductory portion as follows:

**38-38-100.3. Definitions.** As used in articles 37 to 39 of this title, unless the context otherwise requires:

(10) "Holder of an evidence of debt" OR "HOLDER" means the person in actual possession of or person entitled to enforce an evidence of debt; except that ~~"holder of an evidence of debt"~~ THE TERM does not include a person acting as a nominee solely for the purpose of holding the evidence of debt or deed of trust as an electronic registry without any authority to enforce the evidence of debt or deed of trust. For the purposes of articles 37 to 40 of this title, the following persons are presumed to be the holder of an evidence of debt:".

Renumber succeeding sections accordingly.

Page 2, lines 5 and 6, strike "OF THE EVIDENCE OF DEBT OR THE ATTORNEY FOR THE HOLDER" and substitute "OR SERVICER".

Page 2, strike lines 11 and 12 and substitute:

"(b) The public trustee may allow the attorney for the holder ~~of the evidence of debt~~ OR SERVICER OR THE HOLDER OR SERVICER, IF NOT REPRESENTED BY AN ATTORNEY, to establish ~~one or more accounts~~ with the public".

Page 2, strike lines 17 through 22.

Page 2, line 23, after "**amend**" insert "(2) (a) (I) and".

Page 2, line 24, strike "(2) (a) (III) and (2) (a) (IV)" and substitute "(2) (a) (III), (2) (a) (IV), (2) (a) (V), and (2) (a) (VI)".

Page 3, line 1, strike "(III)" and substitute "(I) Promptly upon receipt of a notice of intent to cure by the officer, but no less than twelve calendar days prior to the date of sale, the officer shall transmit by mail, facsimile, or electronic means to the person executing the notice of election and demand a request for a statement of all sums necessary to cure the default. ~~The cure statement shall be filed with the officer by~~ The attorney for the holder OR SERVICER or, if none, ~~by the holder of the evidence of debt~~ OR SERVICER, SHALL FILE THE CURE STATEMENT WITH THE OFFICER, and ~~shall~~ THE CURE STATEMENT MUST set forth the amounts necessary to cure. ~~as identified in the cure statement.~~ Upon receipt of the statement of the amounts needed to cure, the officer shall transmit ~~the cure statement~~ in writing to the person filing the notice of intent to cure the default:

(A) THE CURE STATEMENT; AND

(B) A STATEMENT THAT THE PERSON FILING THE NOTICE OF INTENT TO CURE IS ENTITLED TO RECEIVE FROM THE ATTORNEY FOR THE HOLDER OR SERVICER OR, IF NOT REPRESENTED, FROM THE HOLDER OR SERVICER, UPON WRITTEN REQUEST MAILED TO THE ATTORNEY FOR THE HOLDER OR SERVICER OR, IF NOT REPRESENTED, TO THE HOLDER OF SERVICER AT THE ADDRESS STATED ON THE CURE STATEMENT, COPIES OF RECEIPTS OR OTHER CREDIBLE EVIDENCE TO SUPPORT THE COSTS CLAIMED ON THE CURE STATEMENT. THIS REQUEST MAY BE SENT ONLY AFTER PAYMENT TO THE OFFICER OF THE AMOUNT SHOWN ON THE CURE STATEMENT AND MUST BE SENT WITHIN NINETY DAYS AFTER PAYMENT OF THE CURE AMOUNT.

(III)".

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Page 3, line 3, strike "IF ANY AMOUNT".

Page 3, strike lines 4 through 16 and substitute "IF THE HOLDER OR SERVICER DETERMINES THAT THERE IS AN INACCURATE AMOUNT CONTAINED IN THE CURE STATEMENT, THE HOLDER OR SERVICER, OR THE ATTORNEY FOR THE HOLDER OR SERVICER, SHALL INFORM THE OFFICER IMMEDIATELY AND PROVIDE A CURE STATEMENT WITH UPDATED FIGURES; EXCEPT THAT ANY ADDITIONAL OR INCREASED AMOUNTS MUST BE ADDED AT LEAST TEN CALENDAR DAYS BEFORE THE EFFECTIVE DATE OF THE ORIGINAL CURE STATEMENT. IF AN INACCURATE AMOUNT IS REPORTED AND A CORRECTED CURE STATEMENT IS NOT PROVIDED WITHIN THE TIME SPECIFIED IN THIS SUBPARAGRAPH (III), THE OFFICER MAY CONTINUE THE SALE FOR ONE WEEK IN ACCORDANCE WITH SECTION 38-38-109 (1). AN ESTIMATE AS ALLOWED UNDER SUBSECTION (5) OF THIS SECTION IS NOT AN INACCURATE AMOUNT FOR PURPOSES OF THIS SUBPARAGRAPH (III).

(IV) WITHIN SEVEN BUSINESS DAYS AFTER THE OFFICER'S NOTIFICATION TO THE HOLDER OR SERVICER, OR TO THE ATTORNEY FOR THE HOLDER OR SERVICER, THAT THE OFFICER HAS RECEIVED THE FUNDS NECESSARY TO CURE THE DEFAULT AS REFLECTED ON THE INITIAL OR UPDATED CURE STATEMENT, THE HOLDER OR SERVICER OR THE ATTORNEY FOR THE HOLDER OR SERVICER SHALL DELIVER TO THE OFFICER A FINAL STATEMENT, RECONCILED FOR ESTIMATED AMOUNTS THAT WERE NOT OR WOULD NOT BE INCURRED AS OF THE DATE THE CURE PROCEEDS WERE RECEIVED BY THE OFFICER, ALONG WITH RECEIPTS OR INVOICES FOR ALL RULE 120 DOCKET COSTS AND ALL STATUTORILY MANDATED POSTING COSTS CLAIMED ON THE CURE STATEMENT. ALL AMOUNTS OF CURE PROCEEDS RECEIVED BY THE OFFICER IN EXCESS OF THE AMOUNTS REFLECTED ON THE FINAL STATEMENT SHALL BE REMITTED BY THE OFFICER TO THE PERSON WHO PAID THE CURE AMOUNT.

(V) (A) THE HOLDER OR SERVICER SHALL REMIT TO THE PERSON WHO PAID THE CURE AMOUNT ANY PORTION OF THE CURE AMOUNT THAT REPRESENTS A FEE OR COST LISTED ON THE CURE STATEMENT THAT EXCEEDS THE AMOUNT ACTUALLY INCURRED AND THAT WAS NOT REMITTED BY THE OFFICER IN ACCORDANCE WITH SUBPARAGRAPH (I) OF PARAGRAPH (d) OF THIS SUBSECTION (2).

(B) THE OFFICER SHALL REMIT TO THE PERSON WHO PAID THE CURE AMOUNT ANY PORTION OF THE CURE AMOUNT THAT REPRESENTS A FEE OR COST OF THE OFFICER THAT EXCEEDS THE AMOUNT ACTUALLY INCURRED BY THE OFFICER.

(VI) THE HOLDER OR SERVICER IS RESPONSIBLE FOR RETAINING RECEIPTS OR OTHER CREDIBLE EVIDENCE TO SUPPORT ALL COSTS CLAIMED ON THE CURE STATEMENT, INCLUDING RULE 120 DOCKET FEES AND POSTING COSTS, AND THE PERSON WHO PAID THE CURE AMOUNT IS ENTITLED TO RECEIVE COPIES UPON WRITTEN REQUEST MAILED TO THE ATTORNEY FOR THE HOLDER OR SERVICER OR, IF NOT REPRESENTED, TO THE HOLDER OR SERVICER AT THE ADDRESS STATED ON THE CURE STATEMENT. THE REQUEST MAY BE MADE AT ANY TIME AFTER PAYMENT TO THE OFFICER OF THE AMOUNT SHOWN ON THE CURE STATEMENT, BUT MUST BE MADE WITHIN NINETY DAYS AFTER PAYMENT OF THE CURE AMOUNT. THE ATTORNEY FOR THE HOLDER OR SERVICER OR, IF NOT REPRESENTED, THE HOLDER OR SERVICER SHALL PROVIDE COPIES OF ALL RECEIPTS OR OTHER CREDIBLE EVIDENCE WITHIN THIRTY DAYS AFTER RECEIVING THE REQUEST, AND MAY PROVIDE THE COPIES ELECTRONICALLY."

Page 3, lines 18 and 19, strike "of the evidence of debt or the attorney for the holder," and substitute "~~of the evidence of debt~~ OR SERVICER or the attorney for the holder OR SERVICER,".

Page 3, lines 22 and 23, strike "or, if none, to the holder;" and substitute "OR SERVICER or, if none, to the holder OR SERVICER;".

Page 3, strike lines 25 through 27.

Page 4, strike line 1 and substitute:

"(B) OBTAIN AND RETAIN, IN THE OFFICER'S RECORDS, THE NAME

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AND MAILING ADDRESS OF THE PERSON WHO PAID THE CURE AMOUNT."

Page 4, lines 3 and 4, strike "of the evidence of debt or, if none, to the holder" and substitute "~~of the evidence of debt~~ OR SERVICER or, if none, to the holder OR SERVICER".

Local Government

After consideration on the merits, the Committee recommends that **SB14-179** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend printed bill, page 2, lines 4 and 5, strike "**flood debris cleanup**" and substitute "**stream restoration**".

Page 3, line 1, after "CLEANUP" insert "AND STREAM RESTORATION".

Page 3, line 3, strike "FLOOD DEBRIS CLEANUP" and substitute "STREAM RESTORATION".

Page 3, line 4, strike "'FLOOD DEBRIS" and substitute "'STREAM RESTORATION".

Page 3, line 6, after "BOARD." add "AS PART OF THE CRITERIA AND PROCEDURES THAT THE BOARD ADOPT UNDER THIS SUBSECTION (2), THE BOARD SHALL PERMIT PRIVATE ENTITIES AND INDIVIDUALS TO APPLY FOR GRANTS."

Page 3, line 7, strike "FLOOD DEBRIS" and substitute "STREAM RESTORATION".

Page 3, line 11, strike "FLOOD DEBRIS" and substitute "STREAM RESTORATION".

Page 3, line 12, strike "FLOOD DEBRIS" and substitute "STREAM RESTORATION".

Page 3, line 13, strike "REMAIN IN THE FLOOD DEBRIS ACCOUNT" and substitute "REVERT TO THE RESPONSE FUND".

Page 3, lines 16 and 17, strike "FLOOD DEBRIS" and substitute "STREAM RESTORATION".

Page 3, line 27, strike "FLOOD DEBRIS" and substitute "STREAM RESTORATION".

**SENATE SERVICES REPORT**

**Correctly Printed:** SB14-185; SR14-003.

**Correctly Revised:** HJR14-1010.

**Correctly Rerevised:** HB14-1057 and 1176.

**Correctly Enrolled:** SB14-114 and 135.

**THIRD READING OF BILLS -- FINAL PASSAGE**

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

**HB14-1299** by Representative(s) Tyler, Lee, Salazar; also Senator(s) Todd, Guzman--Concerning the repeal of the six-year limitation on applying a salvage brand to a motor vehicle whose cost of being repaired exceeds the value of the vehicle without the recent damage.

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A majority of those elected to the Senate having voted in the affirmative, Senator Tochtrop was given permission to offer a third reading amendment on the following roll call vote:

YES	31	NO	1	EXCUSED	3	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	Y	Hill	E	Lundberg	Y	Steadman	Y
Brophy	Y	Hodge	Y	Marble	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	N
Crowder	Y	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	Y	Jones	E	Renfroe	E	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

Third Reading Amendment No. 1(L.003), by Senator Tochtrop.

Amend revised bill, page 2, line 2, strike "**repeal**" and substitute "**amend**".

Page 2, strike lines 6 and 7 and substitute:

"(17) (c) This subsection (17) shall not apply to a vehicle whose model year of manufacture is ~~six~~ TEN years or older at the time of damage."

Page 1, line 101, strike "**THE REPEAL OF**".

Page 1, strike line 104 and substitute "**RECENT DAMAGE, AND, IN CONNECTION THEREWITH, EXTENDING THE YEAR LIMITATION.**".

The amendment **lost** on the following roll call vote:

YES	13	NO	19	EXCUSED	3	ABSENT	0
Aguilar	N	Heath	N	King	N	Scheffel	Y
Balmer	N	Herpin	N	Lambert	Y	Schwartz	N
Baumgardner	N	Hill	E	Lundberg	Y	Steadman	N
Brophy	Y	Hodge	N	Marble	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	N
Crowder	N	Johnston	N	Nicholson	N	Ulibarri	N
Grantham	N	Jones	E	Renfroe	E	Zenzinger	N
Guzman	Y	Kefalas	N	Rivera	Y	President	N
Harvey	Y	Kerr	N	Roberts	Y		

Senate in recess.

Senate reconvened.

A majority of those elected to the Senate having voted in the affirmative, Senator Tochtrop was given permission to offer a third reading amendment on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Steadman	Y
Brophy	Y	Hodge	Y	Marble	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	Y
Crowder	Y	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	Y	Jones	E	Renfroe	Y	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

Amendment No. 2(L.002), by Senator Todd.

Amend revised bill, page 2, line 7, after the period add ""SALVAGE VEHICLE" DOES NOT INCLUDE A VEHICLE THAT QUALIFIES AS A COLLECTOR'S ITEM, HORSELESS CARRIAGE, OR STREET ROD VEHICLE UNDER ARTICLE 12 OF THIS TITLE AT THE TIME OF DAMAGE.".

The amendment was **adopted** on the following roll call vote:

YES	23	NO	11	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	N	Schwartz	Y
Baumgardner	N	Hill	N	Lundberg	Y	Steadman	Y
Brophy	N	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	N	Jahn	Y	Newell	Y	Todd	Y
Crowder	N	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	N	Jones	E	Renfroe	N	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	N	President	Y
Harvey	N	Kerr	Y	Roberts	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	N	Heath	Y	King	Y	Scheffel	N
Balmer	Y	Herpin	Y	Lambert	N	Schwartz	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Steadman	Y
Brophy	N	Hodge	Y	Marble	N	Tochtrop	N
Cadman	N	Jahn	Y	Newell	Y	Todd	Y
Crowder	Y	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	Y	Jones	E	Renfroe	N	Zenzinger	Y
Guzman	Y	Kefalas	N	Rivera	N	President	Y
Harvey	N	Kerr	Y	Roberts	N		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **passed**.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS**

**SB14-027** by Senator(s) Guzman; also Representative(s) Lee--Concerning criminal history background checks for professionals who have the authority to appear in court, and, in connection therewith, making an appropriation.

Senator Guzman moved that the Senate concur in House amendments to **SB14-027**, as printed in House journal, April 4, page(s) 808. The motion was **adopted** by the following roll call vote:



YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Steadman	Y
Brophy	Y	Hodge	Y	Marble	Y	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	Y
Crowder	Y	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	Y	Jones	E	Renfroe	Y	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

The question being "Shall the bill, as amended, pass?", the roll call was taken with the following result:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Heath	Y	King	Y	Scheffel	Y
Balmer	Y	Herpin	Y	Lambert	Y	Schwartz	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Steadman	Y
Brophy	Y	Hodge	Y	Marble	N	Tochtrop	Y
Cadman	Y	Jahn	Y	Newell	Y	Todd	Y
Crowder	Y	Johnston	Y	Nicholson	Y	Ulibarri	Y
Grantham	Y	Jones	E	Renfroe	Y	Zenzinger	Y
Guzman	Y	Kefalas	Y	Rivera	Y	President	Y
Harvey	Y	Kerr	Y	Roberts	Y		

A majority of all members elected to the Senate having voted in the affirmative, the bill, as amended, was **repassed**.

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Senate in recess.                      Senate reconvened.

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**COMMITTEE OF REFERENCE REPORTS**

Appropriations

After consideration on the merits, the Committee recommends that **SB14-011** be **amended** as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 6, line 14, strike "ONEHUNDRED" and substitute "FIFTY".

Page 8, lines 3 and 4, strike "1 OF THE NEXT FOUR YEARS THEREAFTER," and substitute "1, 2015,".

Page 8, line 4, strike "TWO" and substitute "ONE".

Page 8, after line 19 insert:

**"SECTION 5. Appropriation - adjustments to 2014 long bill.**

(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 \$1,000,000.

(2) In addition to any other appropriation, for the fiscal year beginning July 1, 2014, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the energy reserach cash fund created in section 24-48.5-120 (2) (a), Colorado Revised Statutes, the sum of \$1,000,000, to be used for purposes consistent with

the creation of the fund."

Renumber succeeding section accordingly.

Page 1, line 101, strike "AUTHORITY." and substitute "AUTHORITY, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."

Agriculture,  
Natural  
Resources, &  
Energy

After consideration on the merits, the Committee recommends that **SB14-171** be referred to the Committee of the Whole with favorable recommendation.

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**MESSAGE FROM THE HOUSE**

April 9, 2014

Madam President:

The House has adopted and returns herewith SJM14-002.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB14-1330.

The House has passed on Third Reading and transmitted to the Revisor of Statutes  
HB14-1327, amended as printed in House Journal, April 8, page 858.  
HB14-1328, amended as printed in House Journal, April 8, pages 858-860.  
HB14-1329, amended as printed in House Journal, April 8, pages 860-861.  
HB14-1331, amended as printed in House Journal, April 8, page 861.  
HB14-1127, amended as printed in House Journal, April 8, page 861.  
HB14-1204, amended as printed in House Journal, April 8, pages 861-862.  
HB14-1338, amended as printed in House Journal, April 8, page 862.  
HB14-1178, amended as printed in House Journal, April 8, pages 862-863.  
HB14-1119, amended as printed in House Journal, April 8, page 863.  
HB14-1211, amended as printed in House Journal, April 8, page 863.

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**MESSAGE FROM THE REVISOR OF STATUTES**

April 9, 2014

We herewith transmit:

Without comment, HB14-1330.  
Without comment, as amended, HB14-1119, 1127, 1178, 1204, 1211, 1327, 1328, and 1338.  
With comment, as amended, HB14-1329 and 1331.

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**INTRODUCTION OF BILLS -- FIRST READING**

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

- SB14-186** by Senator(s) Schwartz and Kerr; also Representative(s) Tyler--Concerning the aggregation of efficiency projects in small communities in order to attract private sector investment through performance contracting.  
Local Government
- HB14-1011** by Representative(s) Young and Gerou, Kraft-Tharp; also Senator(s) Heath--Concerning the funding of advanced industry economic development programs.  
Finance
- HB14-1119** by Representative(s) McLachlan, Dore; also Senator(s) Hodge and Roberts--Concerning an income tax credit for the donation of food to a hunger-relief charitable organization, and, in connection therewith, reducing an appropriation.  
Finance
- HB14-1178** by Representative(s) Ferrandino and DelGrosso, Duran, Holbert, Kraft-Tharp, Lawrence, May, McNulty, Waller, Williams, Young; also Senator(s) Hodge and Grantham, Harvey, Scheffel, Steadman--Concerning a sales and use tax exemption for qualified property used in space flight, and, in connection therewith, making and reducing appropriations.  
Finance
- HB14-1204** by Representative(s) Wilson, Dore, Sonnenberg; also Senator(s) Grantham--Concerning flexibility regarding the requirements imposed on rural school districts.  
Education
- HB14-1211** by Representative(s) Young, Ginal, Singer, Tyler; also Senator(s) Tochtrop--Concerning ensuring access to quality complex rehabilitation technology in the medicaid program, and, in connection therewith, making and reducing appropriations.  
Health & Human Services
- HB14-1338** by Representative(s) May and Gerou, Duran; also Senator(s) Hodge and Lambert, Steadman--Concerning planning for the effective use of Colorado's regional centers for persons with intellectual disabilities, and, in connection therewith, making an appropriation.  
Health & Human Services

On motion of Majority Leader Heath, the Senate adjourned until 9:00 a.m., Thursday, April 10, 2014.

Approved:

Morgan Carroll  
President of the Senate

Attest:

Cindi L. Markwell  
Secretary of the Senate

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