

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

One-hundred-thirteenth Legislative Day Wednesday, April 29, 2015

- 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 Aden Baumgarten, Drake Durkee, Kelsey
- 6 Kruger, Sierra Moore, Maple Grove Elementary School, Golden.
- 7
- 8 The roll was called with the following result:
- 9
- 10 Present--63.
- 11 Excused--Representative(s) Buckner, Young--2.
- 12 Present after roll call--Representative(s) Young.
- 13

14 The Speaker declared a quorum present.

15 _____
16
17 On motion of Representative Willett, the reading of the journal of April
18 28, 2015, was declared dispensed with and approved as corrected by the
19 Chief Clerk.

20 _____
21
22
23
24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

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

29
30 **HB15-1323** by Representative(s) Buckner and Wilson, Duran, Fields,
31 Garnett, Hamner, Lee, Moreno, Pettersen, Priola,
32 Windholz, Young; also Senator(s) Holbert and Kerr--
33 Concerning assessments in public schools, and, in
34 connection therewith, codifying the consensus
35 recommendations of the standards and assessments task
36 force created in House Bill 14-1202, and reducing an
37 appropriation.

38
39 Laid over until April 30, retaining place on Calendar.

40
41 **HB15-1370** by Representative(s) Primavera, Dore; also Senator(s)
42 Guzman and Neville T., Cadman--Concerning access to
43 certain records of a county department of human or social

1 services containing personal identifying information by an
 2 auditor conducting a financial or performance audit of that
 3 department.
 4

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
11	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
12	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
13	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
14	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
15	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
16	Buckner	E	Humphrey	Y	Navarro	Y	Tate	Y
17	Carver	Y	Joshi	Y	Neville P.	Y	Thurlow	Y
18	Conti	Y	Kagan	Y	Nordberg	Y	Tyler	Y
19	Coram	Y	Keyser	Y	Pabon	Y	Van Winkle	Y
20	Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y
21	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y
22	DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y
23	Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y
24	Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y
25	Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y
26	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Duran, Fields, Landgraf, Lontine,
 29 Rosenthal, Ryden, Windholz, Young, Speaker
 30

31 **HB15-1258** by Representative(s) Winter and Salazar, Esgar, Becker
 32 K., Buckner, Court, Danielson, Duran, Fields, Foote,
 33 Ginal, Lebsock, Lontine, McCann, Melton, Moreno,
 34 Pettersen, Primavera, Ryden, Singer, Tyler; also Senator(s)
 35 Ulibarri--Concerning the creation of a family and medical
 36 leave insurance program, and, in connection therewith,
 37 making an appropriation.
 38

39 Laid over until April 30, retaining place on Calendar.
 40
 41
 42

43 On motion of Representative Court, the House resolved itself into
 44 Committee of the Whole for consideration of General Orders, and she
 45 was called to the Chair to act as Chairman.
 46
 47

48 **GENERAL ORDERS--SECOND READING OF BILLS**

49
 50 The Committee of the Whole having risen, the Chairman reported the
 51 titles of the following bills had been read (reading at length had been
 52 dispensed with by unanimous consent), the bills considered and action
 53 taken thereon as follows:
 54

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

1 [HB15-1098](#) by Representative(s) Humphrey and Van Winkle, Saine,
 2 Lebsock, Salazar, Williams, Pettersen, Kraft-Tharp,
 3 Neville P., Klingenschmitt, Joshi, Nordberg, Conti,
 4 Everett, Landgraf, Tate, Thurlow; also Senator(s) Neville
 5 T., Jahn, Carroll, Marble, Scheffel, Holbert, Woods,
 6 Cadman, Baumgardner, Guzman, Lundberg, Sonnenberg--
 7 Concerning the elimination of the use of automated
 8 vehicle identification systems for traffic law enforcement.
 9

10 Laid over until April 30, retaining place on Calendar.
 11

12 [HB15-1273](#) by Representative(s) Lawrence; also Senator(s) Newell--
 13 Concerning additional comprehensive reporting
 14 requirements for school discipline reports, and, in
 15 connection therewith, requiring a post-enactment review
 16 of the implementation of this act.
 17

18 Amendment No. 1, Education Report, dated April 17, 2015, and placed
 19 in member's bill file; Report also printed in House Journal, April 20,
 20 2015.
 21

22 Amendment No. 2, Appropriations Report, dated April 24, 2015, and
 23 placed in member's bill file; Report also printed in House Journal, April
 24 24, 2015.
 25

26 As amended, ordered engrossed and placed on the Calendar for Third
 27 Reading and Final Passage.
 28

29 [HB15-1364](#) by Representative(s) Coram and Mitsch Bush--Concerning
 30 a limitation on the scope of an inspection of a small
 31 hydroelectric energy facility conducted by the state
 32 electrical board.
 33

34 Amendment No. 1, Transportation & Energy Report, dated April 23,
 35 2015, and placed in member's bill file; Report also printed in House
 36 Journal, April 24, 2015.
 37

38 Amendment No. 2, moved by Representative(s) Mitsch Bush and Coram.
 39

40 Amend the Transportation and Energy Committee Report, dated April 23,
 41 2015, page 1, strike lines 1 and 2 and substitute:
 42

43 "Amend printed bill, page 2, strike lines 19 and 20 and substitute:
 44

45 "~~(f)~~ the minimum standards set forth in the 2011 EDITION OF THE
 46 National Electrical Code IN EFFECT ON THE EFFECTIVE DATE OF THIS
 47 PARAGRAPH (f), AS AMENDED; ~~for small wind electrical production until~~
 48 ~~the adoption of the 2017.~~ ". "
 49

50 Page 1 of the committee report, strike lines 4 through 8 and substitute
 51 "HOWEVER, IF A MICROHYDRO ASSEMBLY MANUFACTURED FOR THE
 52 PURPOSE OF GENERATING ELECTRICITY IN A MICROHYDRO SYSTEM USES AN
 53 INVERTER THAT IS LISTED AND IDENTIFIED FOR INTERCONNECTION
 54 SERVICE, THE INSPECTOR SHALL DEEM THE SYSTEM'S EQUIPMENT
 55 COMPLIANT WITH SECTION 705.4 OF THE EDITION OF THE NATIONAL
 56 ELECTRICAL CODE IN EFFECT ON THE EFFECTIVE DATE OF THIS PARAGRAPH

1 (f), AS AMENDED. FOR PURPOSES OF THIS PARAGRAPH (f), A "MICROHYDRO
2 SYSTEM" MEANS A HYDROELECTRIC GENERATION SYSTEM THAT
3 GENERATES ONE HUNDRED KILOWATTS OR LESS."
4

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

8 [HB15-1382](#) by Representative(s) Duran and DelGrosso--Concerning
9 the alignment of the Colorado statutes with the federal
10 "Workforce Innovation and Opportunity Act".
11

12 Amendment No. 1, Business Affairs and Labor Report, dated April 28,
13 2015, and placed in member's bill file; Report also printed in House
14 Journal, April 28, 2015
15

16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.
18

19 [SB15-226](#) by Senator(s) Sonnenberg; also Representative(s) Vigil--
20 Concerning the education requirements necessary to
21 qualify for a license to take wildlife.
22

23 Ordered revised and placed on the Calendar for Third Reading and Final
24 Passage.
25

26 [SB15-220](#) by Senator(s) Carroll and Cadman, Scheffel; also
27 Representative(s) Duran and DelGrosso, Hullinghorst--
28 Concerning security for the Colorado general assembly.
29

30 Ordered revised and placed on the Calendar for Third Reading and Final
31 Passage.
32

33 [HB15-1351](#) by Representative(s) Melton--Concerning a limitation on
34 when certain disciplinary actions may be commenced
35 against a mental health professional.
36

37 Ordered engrossed and placed on the Calendar for Third Reading and
38 Final Passage.
39

40 [SB15-262](#) by Senator(s) Neville T.; also Representative(s) Williams--
41 Concerning updates to the statutes regulating blanket
42 sickness and accident insurance.
43

44 Ordered revised and placed on the Calendar for Third Reading and Final
45 Passage.
46

47 [HB15-1373](#) by Representative(s) Singer; also Senator(s) Aguilar--
48 Concerning the creation of a provisional certification to
49 practice speech-language pathology.
50

51 Amendment No. 1, Public Health Care & Human Services Report, dated
52 April 28, 2015, and placed in member's bill file; Report also printed in
53 House Journal, April 28, 2015
54

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

1 [SB15-225](#) by Senator(s) Holbert and Neville T., Guzman, Jahn; also
 2 Representative(s) Ryden and Saine, Nordberg, Primavera--
 3 Concerning the governance structure of the state historical
 4 society, and, in connection therewith, changing the method
 5 of appointment of the board of directors and creating a
 6 directors council.

7
 8 Ordered revised and placed on the Calendar for Third Reading and Final
 9 Passage.

10
 11
 12
 13 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

14
 15 Passed Second Reading: **HB15-1273 amended, 1364 amended, 1382**
 16 **amended, SB15-226, 220, HB15-1351, SB15-262, HB15-1373**
 17 **amended, SB15-225.**

18
 19 Laid over until date indicated retaining place on Calendar: **HB15-1098--**
 20 **April 30, 2015.**

21
 22 The Chairman moved the adoption of the Committee of the Whole
 23 Report. As shown by the following roll call vote, a majority of those
 24 elected to the House voted in the affirmative, and the Report was
 25 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
28 Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y	
29 Becker J.	Y	Foote	Y	McCann	Y	Saine	Y	
30 Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y	
31 Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y	
32 Buck	Y	Hamner	Y	Moreno	Y	Singer	Y	
33 Buckner	E	Humphrey	Y	Navarro	Y	Tate	Y	
34 Carver	Y	Joshi	Y	Neville P.	Y	Thurlow	Y	
35 Conti	Y	Kagan	Y	Nordberg	Y	Tyler	Y	
36 Coram	Y	Keyser	Y	Pabon	Y	Van Winkle	Y	
37 Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y	
38 Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y	
39 DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y	
40 Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y	
41 Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y	
42 Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y	
43 Everett	Y	Lontine	Y	Roupe	Y	Young	Y	
44						Speaker	Y	

45
 46
 47 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

48
 49 **APPROPRIATIONS**

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

52
 53 **HB15-1057** be amended as follows, and as so amended, be referred to
 54 the Committee of the Whole with favorable
 55 recommendation:
 56

1 Amend printed bill, page 8, after line 25 insert the following:

2

3 **"SECTION 7. Appropriation.** For the 2015-16 state fiscal year,
4 \$18,414 is appropriated to the legislative department for use by the
5 legislative council staff. This appropriation is from the general fund and
6 is based on an assumption that the legislative council staff will require an
7 additional 0.3 FTE. To implement this act, the legislative council staff
8 may use this appropriation for the preparation of fiscal impact statements
9 for all citizen-initiated measures submitted to the title board."

10

11 Renumber succeeding section accordingly.

12

13 Page 1, line 102, strike "**BALLOT.**" and substitute "**BALLOT, AND, IN**
14 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

15

16

17

18 **HB15-1236** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend printed bill, page 14, after line 19 insert:

23

24 **"SECTION 2. Appropriation.** For the 2015-16 state fiscal year,
25 \$127,718 is appropriated to the office of the governor for use by the
26 Colorado energy office. This appropriation is from the general fund and
27 is based on an assumption that the office will require an additional 0.9
28 FTE. To implement this act, the office may use this appropriation for
29 administering a tax credit for certain residential and commercial building
30 projects that attain certain energy efficiency standards."

31

32 Renumber succeeding section accordingly.

33

34 Page 1, line 102, strike "**BUILDINGS.**" and substitute "**BUILDINGS, AND, IN**
35 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

36

37

38

39 **HB15-1301** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:

42

43 Amend the Finance Committee Report, dated April 22, 2015, page 1,
44 strike lines 6 through 8 and substitute:

45

46 "Page 3, strike lines 3 through 14 and substitute:

47

48 **"SECTION 4. Appropriation.** (1) For the 2014-15 state fiscal
49 year, \$15,826 is appropriated to the department of revenue. This
50 appropriation is from the general fund. To implement this act, the
51 department may use this appropriation as follows:

52 (a) \$14,626 for CITA annual maintenance and support; and

53 (b) \$1,200 for document management;

54 (2) For the 2014-15 state fiscal year, \$1,200 is appropriated to the
55 department of personnel. This appropriation is from reappropriated funds
56 received from the department of revenue under paragraph (b) of

1 subsection (1) of this section. To implement this act, the department may
2 use this appropriation to provide document management services for the
3 department of revenue.

4 **SECTION 5. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety."

7
8 Page 1, line 104, strike "ACT"." and substitute "ACT" AND MAKING AN
9 APPROPRIATION."."

10

11

12

13 **HB15-1309** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16

17 Amend printed bill, page 8, before line 3 insert:

18

19 "SECTION 5. In Colorado Revised Statutes, add 12-35-128.7 as
20 follows:

21 **12-35-128.7. Interim therapeutic restorations - gifts, grants,
22 and donations - repeal.** (1) THE DIVISION IS AUTHORIZED TO ACCEPT
23 GIFTS, GRANTS, AND DONATIONS FROM INDIVIDUALS, PRIVATE
24 ORGANIZATIONS, AND FOUNDATIONS TO IMPLEMENT THE PERMITTING OF
25 DENTAL HYGIENISTS TO PLACE INTERIM THERAPEUTIC RESTORATIONS
26 UNDER SECTION 12-35-128.5.

27 (2) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2016."

28

29 Renumber succeeding sections accordingly.

30

31 Page 10, after line 14 insert:

32

33 "SECTION 9. Appropriation. (1) For the 2015-16 state fiscal
34 year. \$37,940 is appropriated to the department of regulatory agencies.
35 This appropriation is from the division of professions and occupations
36 cash fund created in section 24-34-105 (2) (b) (I). C.R.S. To implement
37 this act. the department may use this appropriation as follows:

38 (a) \$30,514 for use by the division of professions and occupations
39 for personal services: and

40 (b) \$7,426 for the purchase of legal services.

41 (2) For the 2015-16 state fiscal year. \$7,426 is appropriated to the
42 department of law. This appropriation is from reappropriated funds
43 received from the department of regulatory agencies under paragraph (b)
44 of subsection (1) of this section. To implement this act. the department of
45 law may use this appropriation to provide legal services for the
46 department of regulatory agencies.

47 (3) For the 2015-16 state fiscal year, \$11,648 is appropriated to
48 the department of health care policy and financing. This appropriation
49 consists of \$10,815 from the general fund that is subject to the "(M)"
50 notation as defined in the general appropriation act for the same fiscal
51 year, \$759 from the hospital provider fee cash fund created in section
52 25.5-4-402.3 (4), C.R.S., and \$74 from the children's basic health plan
53 trust fund created in section 25.5-8-105 (1), C.R.S. To implement this act,
54 the department may use this appropriation as follows:

55 (a) \$6,300 from the general fund for medicaid management
56 information system maintenance and projects;

1 (b) \$5,205, which consists of \$4,515 from the general fund and
 2 \$690 from the hospital provider fee cash fund, for medical service
 3 premiums; and
 4 (c) \$143, which consists of \$74 from the children's basic health
 5 plan trust fund and \$69 from the hospital provider fee cash fund, for
 6 children's basic health plan medical and dental costs.
 7 (4) For the 2015-16 state fiscal year, the general assembly
 8 anticipates that the department of health care policy and financing will
 9 receive \$25,958 federal funds to implement this act. The appropriation in
 10 subsection (3) of this section is based on the assumption that the
 11 department will receive this amount of federal funds to be used as
 12 follows:
 13 (a) \$18,900 for medicaid management information system
 14 maintenance and projects;
 15 (b) \$6,012 for medical service premiums; and
 16 (c) \$1,046 for children's basic health plan medical and dental
 17 costs."

18
 19 Renumber succeeding section accordingly.

20
 21 Page 1, line 106, strike "**PROCEDURES.**" and substitute "**PROCEDURES**
 22 **AND MAKING AN APPROPRIATION.**"

23
 24
 25
 26 **HB15-1336** be amended as follows, and as so amended, be referred to
 27 the Committee of the Whole with favorable
 28 recommendation:

29
 30 Amend the printed bill, page 5, after line 24 insert:

31
 32 "**SECTION 2. Appropriation.** For the 2015-16 state fiscal year,
 33 \$500,000 is appropriated to the department of labor and employment for
 34 use by the division of employment and training. This appropriation is
 35 from the general fund and is based on an assumption that the division will
 36 require an additional 0.5 FTE. To implement this act, the division may
 37 use this appropriation for the employment services for veterans and
 38 spouses grant program. Any moneys appropriated in this section not
 39 expended prior to July 1, 2016, remain available through December 31,
 40 2017."

41
 42 Renumber succeeding section accordingly.

43
 44 Page 1, strike line 106 and substitute "**CAREERS, AND MAKING AN**
 45 **APPROPRIATION.**"

46
 47
 48
 49 **HB15-1365** be amended as follows, and as so amended, be referred to
 50 the Committee of the Whole with favorable
 51 recommendation:

52
 53 Amend printed bill, page 4, after line 7 insert:

54
 55 "**SECTION 3. Appropriation.** For the 2015-16 state fiscal year,
 56 \$1,000 is appropriated to the department of human services for use by the

1 division of child welfare. This appropriation is from the general fund. To
 2 implement this act, the division may use this appropriation for the Tony
 3 Grampas youth services program."
 4

5 Renumber succeeding section accordingly.
 6

7 Page 1, line 102, strike "**BOARD.**" and substitute "**BOARD, AND, IN**
 8 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".
 9

10

11

12 **HB15-1378** be amended as follows, and as so amended, be referred to
 13 the Committee of the Whole with favorable
 14 recommendation:
 15

16 Amend printed bill, strike everything below the enacting clause and
 17 substitute:
 18

19 **"SECTION 1.** In Colorado Revised Statutes, **amend with**
 20 **relocated provisions** part 22 of article 30 of title 24 as follows:
 21

22 **PART 22**

23 **LAURA HERSHEY DISABILITY SUPPORT ACT**

24 **24-30-2201. Short title.** This part 22 shall be known and may be
 25 cited as the "Laura Hershey Disability-Benefit DISABILITY Support Act".
 26

27 **24-30-2202. Definitions.** As used in this part 22, unless the
 28 context otherwise requires:
 29

30 (1) "Committee" means the ~~disability-benefit support contract~~
 31 COLORADO DISABILITY FUNDING committee created in section
 32 24-30-2203.
 33

34 (2) "CONTRACT ENTITY" MEANS THE ENTITY THE COMMITTEE
 35 CONTRACTS WITH TO IMPLEMENT SECTIONS 24-30-2205 TO 24-30-2207.
 36

37 (3) "DISABILITY" OR "DISABLED" MEANS AN INDIVIDUAL WHO:
 38

39 (a) HAS A PHYSICAL OR MENTAL IMPAIRMENT THAT
 40 SUBSTANTIALLY LIMITS A MAJOR LIFE ACTIVITY;
 41

42 (b) HAS A RECORD OF SUCH AN IMPAIRMENT; OR
 43

44 (c) IS REGARDED AS HAVING SUCH AN IMPAIRMENT.
 45

46 ~~(2)~~ (4) "Disability benefits" means cash payments from social
 47 security disability insurance under Title II of the federal "Social Security
 48 Act", 42 U.S.C. sec. 401 et seq., as amended, cash payments made by the
 49 federal government to persons who are aged, blind, or disabled under
 50 Title XVI of the federal "Social Security Act", 42 U.S.C. sec. 401 et seq.,
 51 as amended, and long-term care under the "Colorado Medical Assistance
 52 Act", articles 4 to 6 of title 25.5, C.R.S.
 53

54 (5) "FUND" MEANS THE DISABILITY SUPPORT FUND CREATED IN
 55 SECTION 24-30-2210.
 56

57 ~~(3)~~ (6) "Nonprofit entity" means ~~an entity incorporated under the~~
 58 ~~"Colorado Revised Nonprofit Corporation Act", articles 121 to 137 of~~
 59 ~~title 7, C.R.S., or a tax-exempt entity under 26 U.S.C. sec. 501 (c) (3) of~~
 60 the federal "Internal Revenue Code of 1986".
 61

62 ~~(4)~~ (7) "Recipient" means a person who receives disability
 63 benefits or long-term care services.
 64

65 (8) **[Formerly 42-1-401 (2)]** "Registration number" means the
 66 unique combination of letters and numbers assigned to a vehicle by the
 67 department OF REVENUE under section 42-3-201, C.R.S., and required to
 68 be displayed on the license plate by section 42-3-202, C.R.S.
 69

70 (9) **[Formerly 42-1-401 (3)]** "Vehicle" means a vehicle required

- 1 to be registered pursuant to BY part 1 of article 3 of this title 42, C.R.S.
2 **24-30-2203. Colorado disability funding committee - repeal.**
3 (1) The ~~disability-benefit-support contract~~ COLORADO DISABILITY
4 FUNDING committee is hereby created within the department of personnel.
5 The committee consists of ~~thirteen~~ FIFTEEN members appointed by the
6 governor as follows:
7 (a) Five members who are persons with disabilities; ~~and currently~~
8 ~~receiving disability benefits or have received application assistance;~~
9 (b) One member of a statewide, cross-disability organization
10 representing persons with disabilities;
11 (c) One member who is trained to increase access to disability
12 benefits for persons with disabilities by an organization supported by the
13 United States social security administration;
14 (d) One member who is a medical doctor;
15 (e) One member who is a mental health professional;
16 (f) One member who is an expert in nonprofit management;
17 (g) One member appointed by the executive director of the WHO
18 REPRESENTS THE department of personnel WITH EXPERIENCE IN STATE
19 PROCUREMENT;
20 (h) One member who has experience and expertise in business;
21 ~~and~~
22 (i) One member who has experience with grant programs;
23 (j) ONE MEMBER WITH EXPERTISE IN THE AREAS OF MARKETING,
24 ADVERTISING, AND PUBLIC RELATIONS; AND
25 (k) ONE NONVOTING MEMBER WHO:
26 (I) IS A PERSON WITH DISABILITIES; AND
27 (II) SERVES AS A LIAISON TO AND IS A MEMBER OF THE COLORADO
28 ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES.
29 (2) Members of the committee serve three-year terms; except that
30 members appointed under paragraph (a) of subsection (1) of this section
31 serve an initial term of one year, and members appointed under
32 paragraphs (b), (c), and (d) of subsection (1) of this section serve an
33 initial term of two years.
34 (3) An act of the committee is void unless a majority of the
35 APPOINTED members has voted in favor of the act.
36 (4) The committee shall implement ~~section 24-30-2204~~ THIS PART
37 22 using the ~~disability-benefit-support~~ fund. ~~created in section~~
38 ~~24-30-2205.~~
39 ~~(4.5) The committee shall implement section 24-30-2204.5 using~~
40 ~~the disability investigational and pilot support fund created in section~~
41 ~~24-30-2205.5.~~
42 (5) The committee is ~~authorized to~~ MAY seek and accept grants or
43 donations from private or public sources for the purposes of this part 22;
44 except that the committee shall not accept a gift, grant, or donation that
45 is subject to conditions that are inconsistent with this part 22 or part 13
46 of article 75 of this title , regarding the status of grants and donations
47 made to state agencies. The committee shall transmit the moneys to the
48 ~~disability-benefit-support~~ fund.
49 (6) The committee has the following duties and powers POWER TO:
50 (a) ~~To~~ Sue and be sued and otherwise assert or defend the
51 committee's legal interests;
52 (b) ~~To~~ Prepare and sign contracts ;
53 (c) ~~To~~ Have and exercise all rights and powers necessary ~~or~~ TO,
54 incidental to, or implied from the specific powers granted in this part 22;
55 ~~and~~
56 (d) ~~To~~ Fix the time and place at which meetings may be held;

- 1 (e) ADOPT AND USE A SEAL AND ALTER THE SEAL AT ITS PLEASURE;
2 (f) AUTHORIZE THE CONTRACT ENTITY TO RETAIN A PORTION OF
3 THE SALE PRICE OF EACH REGISTRATION NUMBER SOLD;
4 (g) CREATE INCENTIVES FOR HOLDERS TO TURN IN CURRENTLY
5 ISSUED REGISTRATION NUMBERS FOR SALE BY THE COMMITTEE IF ANY
6 ACTUAL COSTS ARE REIMBURSED TO THE STATE;
7 (h) AUTHORIZE THE CONTRACT ENTITY TO EXCLUSIVELY SELL THE
8 RIGHT TO USE ADDITIONAL LICENSE PLATE OPTIONS, SUCH AS
9 HISTORICALLY ISSUED BACKGROUNDS, FOR A FEE IF THE OPTION IS
10 APPROVED BY THE DEPARTMENT OF REVENUE AND THE COLORADO STATE
11 PATROL;
12 (i) REIMBURSE MEMBERS OF THE COMMITTEE FOR EXPENSES
13 INCURRED IN THE PERFORMANCE OF THEIR DUTIES UNDER THIS PART 22 IF
14 THE MEMBER IS NOT REIMBURSED FROM ANOTHER SOURCE AND IF FAILURE
15 TO REIMBURSE THE MEMBER WOULD BE A SUBSTANTIAL DISINCENTIVE TO
16 PERFORM THE MEMBER'S DUTIES;
17 (j) CREATE ONE OR MORE TASK FORCES CONSISTING OF MEMBERS
18 OF THE COMMITTEE AND ANY OTHER MEMBERS THE COMMITTEE
19 DETERMINES ARE USEFUL TO STUDY ISSUES FALLING UNDER THE
20 COMMITTEE'S DUTIES AND POWERS AND TO MAKE RECOMMENDATIONS TO
21 THE COMMITTEE CONCERNING THESE ISSUES; AND
22 (k) OBTAIN THE SERVICES OF PROFESSIONAL ADVISORS AND
23 ADMINISTRATIVE SUPPORT.
24 (7) ~~The committee may hire employees or obtain the services of~~
25 ~~professional advisors.~~ THE COMMITTEE SHALL:
26 (a) ENTER INTO AN AGREEMENT WITH AN ENTITY TO IMPLEMENT
27 SECTIONS 24-30-2205 TO 24-30-2207 IN ACCORDANCE WITH THE
28 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF THIS TITLE ;
29 (b) ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF
30 REVENUE AND THE COLORADO STATE PATROL TO IMPLEMENT THE SALES
31 OF REGISTRATION NUMBERS UNDER THIS PART 22. THE AGREEMENT MUST:
32 (I) ALLOW THE DEPARTMENT OF REVENUE OR THE DEPARTMENT OF
33 PUBLIC SAFETY TO PROHIBIT ANY ACTION BY THE COMMITTEE OR THE
34 CONTRACT ENTITY; AND
35 (II) SPECIFY THE ADMINISTRATIVE PROCESS FOR NOTIFYING THE
36 DEPARTMENT OF REVENUE OF A SALE AND TRANSMITTING ANY
37 INFORMATION REQUIRED BY THE DEPARTMENT OF REVENUE.
38 (c) RETAIN THE RIGHT TO DECIDE WHICH REGISTRATION NUMBERS
39 THE CONTRACT ENTITY MAY SELL, WHICH RIGHT MUST BE EXPRESSED IN
40 THE AGREEMENT WITH THE CONTRACT ENTITY;
41 (d) RETAIN THE RIGHT TO DECIDE THE PRICE AT WHICH EACH
42 REGISTRATION NUMBER IS SOLD, WHICH RIGHT MUST BE EXPRESSED IN THE
43 AGREEMENT WITH THE CONTRACT ENTITY;
44 (e) RETAIN THE RIGHT TO DECIDE ANY DECISION THAT AFFECTS
45 THE POLICY OF THE STATE OF COLORADO, WHICH RIGHT MUST BE
46 EXPRESSED IN THE AGREEMENT WITH THE CONTRACT ENTITY; AND
47 (f) DELEGATE TO THE CONTRACT ENTITY:
48 (I) THE DUTY TO SELL REGISTRATION NUMBERS IN ACCORDANCE
49 WITH THE AGREEMENT; AND
50 (II) ALL BUSINESS DECISIONS CONCERNING THE MARKETING AND
51 SALE OF REGISTRATION NUMBERS.
52 (8) The attorney general is the legal counsel for the committee.
53 (9) THE COMMITTEE, COMMITTEE MEETINGS, AND COMMITTEE
54 ACTIONS ARE SUBJECT TO THE OPEN MEETINGS LAW IN PART 4 OF ARTICLE
55 6 OF THIS TITLE ; THE "COLORADO OPEN RECORDS ACT", PART 2 OF
56 ARTICLE 72 OF THIS TITLE ; AND ETHICS IN GOVERNMENT IN ARTICLE XXIX

1 OF THE COLORADO CONSTITUTION.

2 (10) (a) THE COMMITTEE SHALL STUDY FEASIBILITY AND BENEFITS
3 OF CONTRACTING TO MANAGE AND MAKE GRANTS AND CONTRACTS FOR
4 OTHER ENTITIES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY BY
5 OCTOBER 1, 2017, CONCERNING THE COMMITTEE'S CONCLUSIONS.

6 (b) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2018.

7 **24-30-2204. [Formerly 42-1-402] License to buy and sell**
8 **selected registration numbers for license plates.** (1) The state or a
9 person may sell, and the state or a person may purchase, the exclusive
10 right to use a registration number selected by the ~~group~~ COMMITTEE under
11 section ~~42-1-404~~, 24-30-2205 for the purpose of registering a vehicle
12 under article 3 of ~~this~~ title 42, C.R.S.

13 (2) The right to use a registration number is a license, the use of
14 which is subject to compliance with this part ~~4~~ 22. The duration of the
15 license is determined by the ~~group~~ COMMITTEE.

16 **24-30-2205. [Formerly 42-1-404] Sale of registration numbers.**

17 (1) The ~~group~~ COMMITTEE shall raise money by ~~auctioning to a buyer~~
18 ENTERING INTO AN AGREEMENT WITH A CONTRACT ENTITY TO SELL the
19 right to use valuable letter and number combinations for a registration
20 number. THE COMMITTEE SHALL REQUIRE THE CONTRACT ENTITY TO
21 AUCTION REGISTRATION NUMBERS THAT ARE LIKELY TO BE WORTH
22 SUBSTANTIALLY MORE THAN THE AVERAGE VALUE OF A REGISTRATION
23 NUMBER.

24 (2) (a) The ~~group~~ COMMITTEE shall study the market and
25 determine which registration numbers are the most valuable, including
26 both the types of plates currently issued and any type of plate that has
27 been historically issued. Based on the study, the ~~group~~ COMMITTEE shall
28 select ~~the most~~ valuable registration numbers and request the department
29 OF REVENUE to verify whether plates with ~~the~~ THOSE registration numbers
30 are currently issued. ~~The group shall not send the request to the~~
31 ~~department more than once every six months.~~ THE COMMITTEE AND THE
32 DEPARTMENT OF REVENUE SHALL ENTER INTO AN AGREEMENT
33 ESTABLISHING A PROCESS FOR REQUESTING REGISTRATION NUMBERS THAT
34 SPECIFIES THE FREQUENCY OF THESE REQUESTS.

35 (b) Upon receiving the ~~group's~~ COMMITTEE'S request, the
36 department OF REVENUE shall verify whether the plates are currently
37 issued. If the plate is not currently issued, the department OF REVENUE
38 shall reserve the registration number until the ~~group~~ COMMITTEE notifies
39 the department OF REVENUE to release the registration number.

40 (c) If a registration number is not currently issued, the ~~group~~
41 COMMITTEE may ~~auction~~ SELL the right to use the registration number in
42 a manner calculated to bring the highest price; except that the department
43 OF REVENUE may deny the sale or use of a registration number that is
44 offensive or inappropriate.

45 (3) THE CONTRACT ENTITY SHALL TRANSFER TO THE FUND ANY
46 PROCEEDS FROM THE SALE OF REGISTRATION NUMBERS UNDER THIS
47 SECTION OR ADDITIONAL LICENSE PLATE OPTIONS AUTHORIZED UNDER
48 SECTION 24-30-2203 (6) (h).

49 **24-30-2206. [Formerly 42-1-405] Private market - registration**
50 **numbers - fee.** (1) The ~~group~~ COMMITTEE shall raise money by ~~creating~~
51 CONTRACTING WITH AN ENTITY TO DEVELOP a market, which may include
52 an on-line auction OR SALE site, for registration numbers using methods
53 that are commercially reasonable, account for expenditures, and ensure
54 the collection of the state's approval and transfer ~~royalty~~ FEES.

55 (2) The ~~royalty~~ COMMITTEE SHALL DETERMINE AN APPROPRIATE
56 THE FEE for the state's approval and transfer of the right to use a

1 registration number. ~~is twenty-five percent of the sale price of the~~
 2 ~~transfer. At the time of sale, the purchaser shall pay the royalty to the~~
 3 ~~group. This Payment OF THE FEE IS IN ADDITION TO, AND not in lieu of, the~~
 4 normal registration fees or specific ownership tax.

5 (3) A person shall not sell a registration number, and the
 6 department OF REVENUE shall not assign a registration number TO A
 7 VEHICLE as a result of the SALE OF THE right to use the number, ~~being sold~~
 8 ~~to a vehicle unless the registration number was sold using the market~~
 9 ~~created by the group SALES PROCESS USED BY THE CONTRACT ENTITY.~~

10 **24-30-2207. [Formerly 42-1-406] Registration number -**
 11 **department of revenue - administration.** (1) The ~~group~~ CONTRACT
 12 ENTITY shall notify the department OF REVENUE when the right to use a
 13 registration number has been sold and the ~~group~~ COMMITTEE has collected
 14 the state's sale proceeds or approval and transfer ~~royalty~~ FEE. THE NOTICE
 15 MUST CONTAIN ANY INFORMATION REQUIRED BY THE DEPARTMENT OF
 16 REVENUE, INCLUDING THE REGISTRATION NUMBER AND THE DURATION OF
 17 THE LICENSE. Upon receiving the notice, the department OF REVENUE shall
 18 create a record in the Colorado state titling and registration system,
 19 created in section 42-1-211, C.R.S., containing the name of the buyer; the
 20 vehicle identification number, if applicable; and the corresponding
 21 registration number.

22 (2) If the registration number consists of a combination of letters
 23 and numbers that is not within the normal format of A license plate
 24 currently produced for the department OF REVENUE, the department OF
 25 REVENUE shall issue the plates as personalized plates under section
 26 42-3-211, C.R.S.; except that, notwithstanding section 42-3-211, C.R.S.,
 27 the ~~auction group~~ COMMITTEE may AUTHORIZE THE CONTRACTING ENTITY
 28 TO sell, and the buyer or any subsequent buyer may use:

29 (a) A registration number or letter of one position; or
 30 (b) Any symbol on the standard American keyboard or approved
 31 by the ~~group~~ COMMITTEE IF THE SYMBOL IS ALSO APPROVED BY THE
 32 DEPARTMENT OF REVENUE AND THE COLORADO STATE PATROL.

33 ~~(3) The group shall transfer the moneys collected under this part~~
 34 ~~4 to the state treasurer, who shall credit them to the registration number~~
 35 ~~fund created in section 42-1-407.~~

36 ~~(4)~~ (3) The ~~group~~ COMMITTEE may contract with one or more
 37 public or private entities to implement this part 4 22.

38 ~~(5) Any moneys received by the group shall be deposited in the~~
 39 ~~registration number fund.~~

40 **24-30-2208. [Formerly 24-30-2204] Program to assist persons**
 41 **to obtain disability benefits - repeal.** (1) ~~Within six months after the~~
 42 ~~first transfer to the disability-benefit support fund from the registration~~
 43 ~~number fund created in section 42-1-407, C.R.S.,~~ WHEN ADEQUATE
 44 MONEY IS AVAILABLE, the committee shall invite nonprofit entities to
 45 submit a proposal for a program to aid persons with disabilities in
 46 accessing disability benefits. To qualify, the nonprofit organization must
 47 be based in Colorado and governed by a board that:

48 (a) Is composed of persons with a demonstrated commitment to
 49 improving the lives of recipients with disabilities;

50 (b) Contains members who understand a range of significant
 51 disabilities, including physical and mental; and

52 (c) Contains a majority of either:

53 (I) Recipients with disabilities; or

54 (II) Family members of recipients with disabilities who have
 55 experience in representing the interests of a person with a disability.

56 (2) (a) (I) The committee shall review the proposed programs and

1 shall award a contract to the nonprofit entity that best meets the
2 requirements of this section in accordance with the "Procurement Code",
3 articles 101 to 112 of this title.

4 (II) The term of the contract is one year. Before the contract
5 expires, the committee shall evaluate whether the nonprofit entity and the
6 contract are reasonably meeting the requirements of this section,
7 including objective and quantitative evaluations, whenever possible, of
8 the satisfaction of program applicants and participants, the program's
9 success in obtaining disability benefits for program participants, the
10 program's effectiveness at helping program participants obtain jobs, and
11 improvements in the quality of life of program participants. The
12 committee shall include the evaluation criteria in the contract.

13 (III) The committee may renew the contract annually for up to five
14 years. After five years, the committee shall reopen the contract to a
15 competitive bid process.

16 (b) The committee shall not award the contract unless the proposal
17 includes:

18 (I) A system for evaluating whether a person with a disability is
19 reasonably able to navigate the application process to obtain disability
20 benefits, health care, and employment;

21 (II) A system for prioritizing the need of applicants based upon
22 the evaluations;

23 (III) A plan for assisting persons with disabilities in navigating the
24 processes of obtaining and retaining disability benefits, health care, and
25 employment;

26 (IV) A plan for ~~establishment of~~ ESTABLISHING working
27 relationships with state agencies, county departments of human services,
28 health care providers, the United States social security administration, and
29 the business community;

30 (V) A policy of preferential hiring of persons with disabilities;

31 (VI) Reasonable standards for accounting control of expenditures;

32 (VII) Metrics to evaluate the program's quality and
33 cost-effectiveness;

34 ~~(VIII) Effective July 1, 2016, the ability to serve persons with~~
35 ~~disabilities statewide~~ A PLAN TO PROVIDE INFORMATION AND REFERRALS
36 TO OTHER PROGRAMS THAT ASSIST APPLICANTS WITH DISABILITIES; and

37 (IX) A plan for serving persons with disabilities statewide within
38 five years. ~~This subparagraph (IX) is repealed, effective July 1, 2016.~~

39 (c) The committee shall not discriminate against a contracting
40 entity for advocacy concerning persons with disabilities.

41 (3) The entity awarded a contract under this section shall make
42 quarterly reports of expenditures to the ~~department of personnel, which~~
43 ~~shall make the reports available to the~~ committee. The committee shall
44 include in the contract a method and format for making the reports.

45 **24-30-2209. [Formerly 24-30-2204.5] Program to investigate,**

46 **fund, and pilot projects or programs to benefit persons with**
47 **disabilities.** (1) The committee shall accept and review proposals to fund
48 projects or programs that study or pilot new and innovative ideas that will
49 lead to an improved quality of life or increased independence for persons
50 with disabilities. Proposals may be accepted throughout the year, and
51 grants or loans may be made by the committee at its regular meetings.
52 ~~The disability investigational and pilot support fund created in section~~
53 ~~24-30-2205.5 shall be the sole source to fund any grants or loans made~~
54 ~~pursuant to this section.~~

55 (2) To be eligible for funding ~~pursuant to~~ UNDER this section, a
56 project or program must:

- 1 (⊕) (a) Demonstrate a capability to be self-sustaining or otherwise
2 be able to develop long-term independent funding; and
- 3 (⊕) (b) Have a governing body or board that is composed of
4 persons with a demonstrated commitment to improving the lives of
5 persons with disabilities and have a majority be persons with disabilities
6 or family members of persons with disabilities. ~~or~~
- 7 ~~(b) Be the license plate auction group established in section~~
8 ~~42-1-403, C.R.S.~~
- 9 **24-30-2210. [Formerly 24-30-2205] Disability support fund.**
- 10 (1) ~~The disability-benefit DISABILITY support fund is hereby created in~~
11 ~~the state treasury. The moneys in the fund consist of amounts transferred~~
12 ~~UNDER THIS PART 22 to the fund, under section 42-1-407, C.R.S., or~~
13 ~~transferred to the fund under section 24-30-2203 (5) MONEYS~~
14 ~~TRANSFERRED TO THE FUND UNDER SECTION 25.5-5-308 (8), C.R.S.,~~
15 ~~MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY, THE~~
16 ~~PROCEEDS FROM THE SALE OF REGISTRATION NUMBERS AND ADDITIONAL~~
17 ~~OPTIONS, THE FEES FROM PRIVATE SALES OF REGISTRATION NUMBERS, AND~~
18 ~~ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE COMMITTEE TO~~
19 ~~IMPLEMENT THIS PART 22.~~
- 20 (2) The committee shall use the moneys in the fund to implement
21 this part 22. ~~except that the committee may direct the state treasurer to~~
22 ~~transfer moneys in the fund to the registration number fund created in~~
23 ~~section 42-1-407, C.R.S., to fund the implementation of part 4 of article~~
24 ~~1 of title 42, C.R.S. The committee shall not use more than five percent~~
25 ~~of the money in the fund to administer this part 22. THE COMMITTEE~~
26 ~~SHALL USE THE MONEYS FROM THE PROCEEDS OF REGISTRATION NUMBER~~
27 ~~SALES TO FULLY IMPLEMENT SECTION 24-30-2208 BEFORE USING THE~~
28 ~~MONEYS TO IMPLEMENT SECTION 24-30-2209.~~
- 29 (3) The state treasurer shall credit all interest earned on the
30 investment of moneys in the fund to the fund. At the end of each fiscal
31 year, the moneys in the fund, including income earned from investment,
32 remain in the fund. The general assembly shall appropriate the moneys in
33 the fund to ~~the department of personnel or governor's office to implement~~
34 ~~this part 22.~~
- 35 (4) ANY MONEYS USED TO IMPLEMENT ADDITIONAL LICENSE PLATE
36 OPTIONS SHALL NOT BE TRANSFERRED TO THE DEPARTMENT OF REVENUE.
37 THE COMMITTEE OR CONTRACT ENTITY SHALL TRANSFER THE MONEYS
38 DIRECTLY TO THE DIVISION OF CORRECTIONAL INDUSTRIES.
- 39 **24-30-2211. [Formerly 24-30-2206] Implementation.**
- 40 ~~(1) Except as provided for in subsection (2) of this section, The general~~
41 ~~assembly does not intend to require INTENDS the department of personnel~~
42 ~~to expend BE REIMBURSED FROM THE FUND FOR ANY moneys THE~~
43 ~~DEPARTMENT OF PERSONNEL EXPENDS to implement this part 22.~~
44 ~~Notwithstanding any other section of this part 22, the department of~~
45 ~~personnel and the committee need not implement this part 22 until the~~
46 ~~disability-benefit support fund contains enough money to implement this~~
47 ~~part 22.~~
- 48 ~~(2) The department of personnel shall begin implementation of~~
49 ~~section 24-30-2204.5 at such time as the disability investigational and~~
50 ~~pilot support fund contains sufficient funds for implementation, as~~
51 ~~determined by the committee.~~
- 52 **24-30-2212. Accounting - fiscal year spending - legislative**
53 **declaration.** THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE SALE
54 OF REGISTRATION NUMBERS UNDER THIS PART 22 IS A PROPERTY SALE IN
55 THE FORM OF AN INTANGIBLE RIGHT AS DEFINED BY SECTION 24-77-102,
56 AND, THEREFORE, ANY MONEYS EXPENDED UNDER THIS ACT FROM A

1 PROPERTY SALE DO NOT CONSTITUTE STATE FISCAL YEAR SPENDING AS
2 DEFINED BY SECTION 24-77-102.

3 **24-30-2213. Transfer to department of human services - study**
4 **- repeal.** (1) SUBJECT TO LEGISLATION BEING PASSED BY THE GENERAL
5 ASSEMBLY, THE GENERAL ASSEMBLY INTENDS FOR THE COMMITTEE TO BE
6 TRANSFERRED TO THE DEPARTMENT OF HUMAN SERVICES. THEREFORE,
7 THE COMMITTEE, GOVERNOR'S OFFICE, AND DEPARTMENT OF HUMAN
8 SERVICES SHALL STUDY THE INTENDED TRANSFER, INCLUDING:

9 (a) THE TYPE OF TRANSFER THAT IS APPROPRIATE AND MOST
10 USEFUL TO THE OPERATION OF THE COMMITTEE AND THE COMMITTEE'S
11 LEVEL OF INDEPENDENCE FROM OVERSIGHT;

12 (b) WHETHER THE COMMITTEE OR THE DEPARTMENT OF HUMAN
13 SERVICES SHOULD HIRE EMPLOYEES;

14 (c) WHETHER THE COMMITTEE SHOULD CREATE A BUDGET, MAKE
15 PURCHASES, PLAN, MANAGE, AND ACCOUNT FOR THE COMMITTEE'S
16 INTERNAL AFFAIRS; AND

17 (d) WHETHER THE COMMITTEE SHOULD USE THE DEPARTMENT OF
18 HUMAN SERVICES TO COMPLY WITH THE "PROCUREMENT CODE", ARTICLES
19 101 TO 112 OF THIS TITLE.

20 (2) THE STUDY MUST INCLUDE ANY APPROPRIATE STAKEHOLDERS,
21 SUCH AS ANY DEPARTMENT UNDER CONSIDERATION, AND MUST ADDRESS
22 THE DEGREE OF INDEPENDENCE OR TYPE OF COMMITTEE THAT IS
23 APPROPRIATE. THE COMMITTEE MAY ALSO STUDY ANY CHANGES TO ITS
24 OPERATION OR THE STATUTES THAT WOULD INCREASE THE EFFICIENCY OR
25 EFFECTIVENESS OF THE COMMITTEE'S FUNCTIONS. BY NOVEMBER 1, 2015,
26 THE COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR
27 BASED ON THE STUDY.

28 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

29 **24-30-2214. Administration - transfers - repeal.** (1) WITHIN
30 SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART 22, THE TREASURER
31 SHALL TRANSFER THE MONEYS IN THE REGISTRATION NUMBER FUND
32 CREATED BY SECTION 42-1-407, C.R.S., BEFORE ITS REPEAL IN 2015, AND
33 IN THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED
34 BY SECTION 24-30-2205.5, AS THESE FUNDS EXISTED BEFORE THE
35 EFFECTIVE DATE OF THIS PART 22, TO THE FUND.

36 (2) (a) NOTWITHSTANDING THE REPEAL OF PART 4 OF ARTICLE 1 OF
37 TITLE 42, C.R.S., THE REGISTRATION NUMBER FUND AND THE LICENSE
38 PLATE AUCTION GROUP CREATED IN SECTION 42-1-403, C.R.S., BEFORE ITS
39 REPEAL IN 2015, CONTINUE IN EXISTENCE FOR SIXTY DAYS AFTER THE
40 EFFECTIVE DATE OF THIS PART 22 TO WIND UP AFFAIRS AND MAKE OR
41 FACILITATE THE TRANSFERS REQUIRED BY THIS SECTION.

42 (b) ANY REGISTRATION NUMBERS RESERVED BY THE LICENCE
43 PLATE AUCTION GROUP BEFORE THE EFFECTIVE DATE OF THIS PART 22
44 CONTINUE TO BE RESERVED BY THE COMMITTEE FOR THE PURPOSES OF THIS
45 SECTION.

46 (c) WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART
47 22, THE LICENSE PLATE AUCTION GROUP SHALL TRANSFER ALL RECORDS,
48 PROPERTY, AND INFORMATION TO THE COMMITTEE.

49 (3) THE DEPARTMENT OF REVENUE SHALL ASSIST THE LICENSE
50 PLATE AUCTION GROUP IN IMPLEMENTING THIS SECTION.

51 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

52 **24-30-2215. [Formerly 24-30-2207] Sunset review - repeal of**
53 **part 22.** (1) This part 22 is repealed, effective September 1, 2021.

54 (2) Prior to such THE repeal, the department of regulatory agencies
55 shall review the assistance program for disability benefits as provided for
56 in section 24-34-104.

1 **SECTION 2. Repeal of relocated and nonrelocated provisions**
 2 **in this act.** In Colorado Revised Statutes, **repeal** part 4 of article 1 of title
 3 42; except that sections 42-1-401 (1), 42-1-403, and 42-1-407 are not
 4 relocated.

5 **SECTION 3.** In Colorado Revised Statutes, 25-1-801, **amend** (5)
 6 (c) (II) (A) as follows:

7 **25-1-801. Patient records in custody of health care facility -**
 8 **definitions.** (5) As used in this part 8, unless the context otherwise
 9 requires:

10 (c) (II) Notwithstanding any other provision of this part 8:

11 (A) If a patient record is requested by a third-party entity THAT IS
 12 PERFORMING DUTIES under the "Laura Hershey Disability-Benefit
 13 DISABILITY Support Act", part 22 of article 30 of title 24, C.R.S., the third
 14 party may obtain one free copy of the record for the application process
 15 or for an appeal or reapplication when required by the disability benefit
 16 administrator;

17 **SECTION 4.** In Colorado Revised Statutes, 25.5-5-308, **amend**
 18 (8) (b.5) as follows:

19 **25.5-5-308. Breast and cervical cancer prevention and**
 20 **treatment program - creation - legislative declaration - definitions -**
 21 **funds - repeal.** (8) (b.5) Until section ~~24-30-2204.5~~ 24-30-2210, C.R.S.,
 22 is repealed, the state treasurer shall transfer any interest or income earned
 23 on moneys in the fund to the ~~disability-investigational-and-pilot~~
 24 DISABILITY support fund, created in section ~~24-30-2205.5~~ 24-30-2210,
 25 C.R.S.

26 **SECTION 5.** In Colorado Revised Statutes, **repeal** 39-22-535 as
 27 follows:

28 **39-22-535. Credit for purchase of uniquely valuable motor**
 29 **vehicle registration numbers.** ~~(1) For tax years commencing on or after~~
 30 ~~January 1, 2013, a person who buys a registration number under section~~
 31 ~~42-1-402, C.R.S., is allowed a credit against the income taxes imposed by~~
 32 ~~this article for twenty percent of the portion of the purchase price that the~~
 33 ~~license plate auction group, created in section 42-1-403, C.R.S., certifies~~
 34 ~~exceeds the registration number's fair market value. This is the value the~~
 35 ~~license plate auction group expects from the sale of the registration~~
 36 ~~number, not the cost of registering the vehicle.~~

37 ~~(2) If the credit allowed by this section exceeds the tax otherwise~~
 38 ~~due, the taxpayer may carry it forward for up to five years but shall claim it~~
 39 ~~on the earliest possible subsequent tax return.~~

40 **SECTION 6.** In Colorado Revised Statutes, 42-3-211, **amend** (3)
 41 (a) as follows:

42 **42-3-211. Issuance of personalized plates authorized.**

43 (3) (a) Personalized license plates shall be the same color and design as
 44 regular motor vehicle license plates, shall consist of any combination of
 45 numbers or letters not exceeding seven positions and not less than two
 46 positions except as otherwise provided in section ~~42-1-406~~ (2)
 47 24-30-2207, C.R.S., and shall not conflict with existing passenger,
 48 commercial, trailer, motorcycle, or other special license plates series;
 49 except that personalized license plates bearing the words "street rod" shall
 50 be of a design determined by the executive director of the department,
 51 which design shall be different from those used by the state for regular
 52 motor vehicle license plates.

53 **SECTION 7. Appropriation - adjustments to 2015 long bill.**

54 (1) To implement this act, the cash funds appropriation from the
 55 disability-benefit support fund created in section 24-30-2205, C.R.S.,
 56 made in the annual general appropriation act for the 2015-16 state fiscal

1 year to the department of personnel for personal services in the executive
2 director's office is decreased by \$15,648, and the related FTE is decreased
3 by 0.3 FTE.

4 (2) For the 2015-16 state fiscal year, \$77,428 is appropriated to
5 the department of personnel. This appropriation is from the disability
6 support fund created in section 24-30-2210, C.R.S. To implement this act,
7 the department may use this appropriation as follows:

8 (a) \$37,951 for use by the executive director's office for personal
9 services, which amount is based on an assumption that the office will
10 require an additional 0.6 FTE;

11 (b) \$5,273 for use by the executive director's office for operating
12 expenses; and

13 (c) \$34,204 for the purchase of legal services.

14 (3) For the 2015-16 state fiscal year, \$34,204 is appropriated to
15 the department of law. This appropriation is from reappropriated funds
16 received from the department of personnel under paragraph (c) of
17 subsection (2) of this section. To implement this act, the department of
18 law may use this appropriation to provide legal services for the
19 department of personnel.

20 **SECTION 8. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, and safety.

23
24 Page 1 of the bill, line 102, strike "**DISABILITIES.**" and substitute
25 "**DISABILITIES, AND, IN CONNECTION THEREWITH, MAKING AND**
26 **REDUCING AN APPROPRIATION.**".

27
28
29
30 **SB15-020** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33
34 Amend reengrossed bill, page 10, line 22, after "FTE." insert "To
35 implement this act, the school safety resource center may use this
36 appropriation for program costs."

37
38
39
40 **SB15-109** be referred to the Committee of the Whole with favorable
41 recommendation.

42
43
44 **SB15-195** be referred to the Committee of the Whole with favorable
45 recommendation.

46
47
48 **SB15-205** be referred to the Committee of the Whole with favorable
49 recommendation.

50
51
52 **SB15-207** be referred to the Committee of the Whole with favorable
53 recommendation.

54
55

- 1 **SB15-217** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **SB15-256** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8
- 9 Amend reengrossed bill, page 3, line 7, strike "\$15,527" and substitute
10 "\$9,587".
11
- 12 Page 3, line 13, strike "\$9,900" and substitute "\$3,960".
13
14
15
- 16
- 17 **SB15-267** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20
- 21 Amend Education Committee Report, dated April 27, 2015, page 1, line
22 15, strike "2014-15" and substitute "2015-16".
23
- 24 Page 3 of the report, after line 13 insert:
25
- 26 "Page 6 of the bill, after line 19 insert:
27
- 28 **"SECTION 8. Appropriation.** For the 2015-16 state fiscal year,
29 \$5,000,000 is appropriated to the department of education. This
30 appropriation is from the state public school fund created in section 22-
31 54-114 (1), C.R.S., and is from interest and income earned on the
32 investment of moneys in the public school fund that is credited to the state
33 public school fund pursuant to section 22-41-102 (3) (e), C.R.S. To
34 implement this act, the department may use this appropriation for at-risk
35 per pupil additional funding pursuant to section 22-54-136, C.R.S."
36
- 37 Page 6 of the bill, line 20, strike "5." and substitute "9."
38
- 39 Page 7 of the bill, line 9, "6." and substitute "10."."
40
41
42
- 43 **SB15-270** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:
46
- 47 Amend reengrossed bill, page 4, strike lines 22 through 24 and substitute
48 "OFFICE AS SPECIFIED IN SECTION".
49
- 50 Page 5, line 7, strike "IT IS".
51
- 52 Page 5, strike lines 8 through 12.
53
- 54 Page 15, line 22, strike "(I)".
55
- 56 Page 16, strike lines 1 through 8.

1 Page 16, line 12, strike "AND THE DEPARTMENT".

2

3 Page 16, line 13, strike "OF HIGHER EDUCATION".

4

5 Page 28, line 2, strike "ARCHITECT." and substitute "ARCHITECT FOR
6 STATE AGENCIES, AND RECOMMENDATIONS MADE BY THE COLORADO
7 COMMISSION ON HIGHER EDUCATION FOR STATE INSTITUTIONS OF HIGHER
8 EDUCATION.".

9

10

11

12

13 **BUSINESS AFFAIRS & LABOR**

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

16

17 **HCR15-1002** be postponed indefinitely.

18

19

20 **HCR15-1003** be postponed indefinitely.

21

22

23 **HB15-1375** be postponed indefinitely.

24

25

26 **HB15-1379** be amended as follows, and as so amended, be referred to
27 the Committee on Finance with favorable
28 recommendation:

29

30 Amend printed bill, page 2, strike lines 2 through 25 and substitute:

31 "SECTION 1. In Colorado Revised Statutes, 12-43.3-104, **add**
32 (12.3) and (12.4) as follows:

33 **12-43.3-104. Definitions.** As used in this article, unless the
34 context otherwise requires:

35 (12.3) "OWNER" MEANS ANY PERSON HAVING A BENEFICIAL
36 INTEREST, AS DEFINED BY THE STATE LICENSING AUTHORITY, IN A MEDICAL
37 MARIJUANA BUSINESS OTHER THAN A HOLDER OF A PERMITTED ECONOMIC
38 INTEREST.

39 (12.4) "PERMITTED ECONOMIC INTEREST" MEANS ANY UNSECURED
40 CONVERTIBLE DEBT INSTRUMENT, OPTION AGREEMENT, WARRANT, OR ANY
41 OTHER RIGHT TO OBTAIN AN OWNERSHIP INTEREST WHEN THE HOLDER OF
42 SUCH INTEREST IS A NATURAL PERSON WHO IS A LAWFUL UNITED STATES
43 RESIDENT AND WHOSE RIGHT TO CONVERT INTO AN OWNERSHIP INTEREST
44 IS CONTINGENT ON THE HOLDER QUALIFYING AND OBTAINING A LICENSE
45 AS AN OWNER UNDER THIS ARTICLE; OR SUCH OTHER AGREEMENTS AS MAY
46 BE PERMITTED BY RULE OF THE STATE LICENSING AUTHORITY.

47 **SECTION 2.** In Colorado Revised Statutes, 12-43.3-202, **add** (2)
48 (a) (XVIII.5) as follows:

49 **12-43.3-202. Powers and duties of state licensing authority.**
50 (2) (a) Rules promulgated pursuant to paragraph (b) of subsection (1) of
51 this section may include, but need not be limited to, the following
52 subjects:

53 (XVIII.5) RULES EFFECTIVE ON OR BEFORE JANUARY 1, 2016,
54 RELATING TO PERMITTED ECONOMIC INTERESTS INCLUDING: A PROCESS
55 FOR A CRIMINAL HISTORY RECORD CHECK, A REQUIREMENT THAT A
56 PERMITTED ECONOMIC INTEREST APPLICANT SUBMIT TO AND PASS A

1 CRIMINAL HISTORY RECORD CHECK, DIVESTITURE, AND OTHER
2 AGREEMENTS THAT WOULD QUALIFY AS PERMITTED ECONOMIC INTERESTS.

3 **SECTION 3.** In Colorado Revised Statutes, 12-43.4-103, **amend**
4 (12); and **add** (12.4) as follows:

5 **12-43.4-103. Definitions.** As used in this article, unless the
6 context otherwise requires:

7 (12) "Owner" means any person having a beneficial interest, as
8 defined by the state licensing authority, in a retail marijuana
9 establishment OTHER THAN A HOLDER OF A PERMITTED ECONOMIC
10 INTEREST.

11 (12.4) "PERMITTED ECONOMIC INTEREST" MEANS ANY UNSECURED
12 CONVERTIBLE DEBT INSTRUMENT, OPTION AGREEMENT, WARRANT, OR ANY
13 OTHER RIGHT TO OBTAIN AN OWNERSHIP INTEREST WHEN THE HOLDER OF
14 SUCH INTEREST IS A NATURAL PERSON WHO IS A LAWFUL UNITED STATES
15 RESIDENT AND WHOSE RIGHT TO CONVERT INTO AN OWNERSHIP INTEREST
16 IS CONTINGENT ON THE HOLDER QUALIFYING AND OBTAINING A LICENSE
17 AS AN OWNER UNDER THIS ARTICLE OR SUCH OTHER AGREEMENTS AS MAY
18 BE PERMITTED BY RULE BY THE STATE LICENSING AUTHORITY.

19 **SECTION 4.** In Colorado Revised Statutes, 12-43.4-202, **add** (3)
20 (a) (XIV.5) as follows:

21 **12-43.4-202. Powers and duties of state licensing authority -**
22 **rules.** (3) (a) Rules promulgated pursuant to paragraph (b) of subsection
23 (2) of this section must include, but need not be limited to, the following
24 subjects:

25 (XIV.5) RULES EFFECTIVE ON OR BEFORE JANUARY 1, 2016,
26 RELATING TO PERMITTED ECONOMIC INTERESTS INCLUDING A PROCESS FOR
27 A CRIMINAL HISTORY RECORD CHECK, A REQUIREMENT THAT A PERMITTED
28 ECONOMIC INTEREST APPLICANT SUBMIT TO AND PASS A CRIMINAL
29 HISTORY RECORD CHECK, DIVESTITURE, AND OTHER AGREEMENTS THAT
30 WOULD QUALIFY AS PERMITTED ECONOMIC INTERESTS."

31
32 Strike pages 3 through 19.

33
34 Page 20, strike lines 1 through 9.

35
36 Renumber succeeding section accordingly.

37
38
39
40

41 **PUBLIC HEALTH CARE & HUMAN SERVICES**

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

44
45 **SB15-204** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:

48
49 Amend reengrossed bill, page 2, strike lines 4 through 20 and substitute:

50
51 **"19-3.3-102. Office of the child protection ombudsman**
52 **established - child protection ombudsman board - qualifications of**
53 **ombudsman - duties.** (1) (a) THE INDEPENDENT OFFICE OF THE CHILD
54 PROTECTION OMBUDSMAN, REFERRED TO IN THIS ARTICLE AS THE "OFFICE",
55 IS ESTABLISHED IN THE JUDICIAL DEPARTMENT AS AN INDEPENDENT
56 AGENCY FOR THE PURPOSE OF ENSURING THE GREATEST PROTECTIONS FOR

1 THE CHILDREN OF COLORADO.

2 (b) THE OFFICE AND THE RELATED CHILD PROTECTION
3 OMBUDSMAN BOARD, ESTABLISHED IN SUBSECTION (2) OF THIS SECTION,
4 SHALL OPERATE WITH FULL INDEPENDENCE. THE BOARD AND OFFICE HAVE
5 COMPLETE AUTONOMY, CONTROL, AND AUTHORITY OVER OPERATIONS,
6 BUDGET, AND PERSONNEL DECISIONS RELATED TO THE OFFICE, BOARD,
7 AND OMBUDSMAN.

8 (c) THE OFFICE SHALL WORK COOPERATIVELY WITH THE CHILD
9 PROTECTION OMBUDSMAN BOARD ESTABLISHED IN SUBSECTION (2) OF THIS
10 SECTION, THE DEPARTMENT OF HUMAN SERVICES AND OTHER CHILD
11 WELFARE ORGANIZATIONS, AS APPROPRIATE, TO FORM A PARTNERSHIP
12 BETWEEN THOSE ENTITIES AND PERSONS, PARENTS, AND THE STATE FOR
13 THE PURPOSE OF ENSURING THE GREATEST PROTECTIONS FOR THE
14 CHILDREN OF COLORADO.

15 (2) (a) THERE IS ESTABLISHED AN INDEPENDENT, NONPARTISAN
16 CHILD PROTECTION OMBUDSMAN BOARD, REFERRED TO IN THIS ARTICLE AS
17 THE "BOARD". THE MEMBERSHIP OF THE BOARD MUST NOT EXCEED
18 TWELVE MEMBERS AND, TO THE EXTENT PRACTICABLE, MUST INCLUDE
19 PERSONS FROM THROUGHOUT THE STATE AND PERSONS WITH DISABILITIES
20 AND MUST REFLECT THE ETHNIC DIVERSITY OF THE STATE. ALL MEMBERS
21 MUST HAVE CHILD WELFARE POLICY OR SYSTEM EXPERTISE OR
22 EXPERIENCE.

23 (b) THE BOARD MEMBERS MUST BE APPOINTED ON OR BEFORE
24 AUGUST 1, 2015, AS FOLLOWS:

25 (I) THE CHIEF JUSTICE OF THE COLORADO SUPREME COURT SHALL
26 APPOINT:

27 (A) AN INDIVIDUAL WITH EXPERIENCE AS A RESPONDENT PARENTS'
28 COUNSEL;

29 (B) AN INDIVIDUAL WITH EXPERIENCE DEFENDING JUVENILES IN
30 COURT PROCEEDINGS;

31 (C) AN INDIVIDUAL WITH LEGAL EXPERIENCE IN DEPENDENCY AND
32 NEGLECT CASES; AND

33 (D) AN INDIVIDUAL WITH EXPERIENCE IN CRIMINAL JUSTICE
34 INVOLVING CHILDREN AND YOUTH.

35 (II) THE GOVERNOR SHALL APPOINT:

36 (A) AN INDIVIDUAL WITH PREVIOUS PROFESSIONAL EXPERIENCE
37 WITH A RURAL COUNTY HUMAN OR SOCIAL SERVICES AGENCY OR A RURAL
38 PRIVATE CHILD WELFARE ADVOCACY AGENCY;

39 (B) AN INDIVIDUAL WITH PREVIOUS PROFESSIONAL EXPERIENCE
40 WITH THE DEPARTMENT OF HUMAN SERVICES;

41 (C) AN INDIVIDUAL WITH PREVIOUS PROFESSIONAL EXPERIENCE
42 WITH AN URBAN HUMAN OR SOCIAL SERVICES AGENCY OR AN URBAN
43 PRIVATE CHILD WELFARE AGENCY; AND

44 (D) AN INDIVIDUAL WITH EXPERIENCE IN PRIMARY OR SECONDARY
45 EDUCATION.

46 (III) THE PRESIDENT AND MINORITY LEADER OF THE SENATE SHALL
47 APPOINT:

48 (A) AN INDIVIDUAL WHO WAS FORMERLY A CHILD IN THE FOSTER
49 CARE SYSTEM; AND

50 (B) AN INDIVIDUAL WITH PROFESSIONAL EXPERIENCE AS A COUNTY
51 AND COMMUNITY CHILD PROTECTION ADVOCATE; AND

52 (IV) THE SPEAKER AND THE MINORITY LEADER OF THE HOUSE OF
53 REPRESENTATIVES SHALL APPOINT:

54 (A) A CURRENT OR FORMER FOSTER PARENT; AND

55 (B) A HEALTH CARE PROFESSIONAL WITH PREVIOUS EXPERIENCE
56 WITH CHILD ABUSE AND NEGLECT CASES.

1 (c) BOARD MEMBERS SHALL SERVE FOR TERMS OF FOUR YEARS;
2 EXCEPT THAT, OF THE MEMBERS FIRST APPOINTED, TWO MEMBERS
3 APPOINTED PURSUANT TO SUBPARAGRAPHS (I), (II), AND (III) OF
4 PARAGRAPH (b) OF THIS SUBSECTION (2) AND ONE MEMBER APPOINTED
5 PURSUANT TO SUBPARAGRAPH (IV) OF PARAGRAPH (b) OF THIS
6 SUBSECTION (2), AS DESIGNATED BY THE APPOINTING OFFICIALS, SHALL
7 SERVE INITIAL TERMS OF TWO YEARS. THE APPOINTING OFFICIALS SHALL
8 FILL ANY VACANCIES ON THE BOARD FOR THE REMAINDER OF ANY
9 UNEXPIRED TERM.

10 (d) THE BOARD SHALL MEET A MINIMUM OF TWO TIMES PER YEAR
11 AND ADDITIONALLY AS NEEDED. AT LEAST ONE MEETING PER YEAR MUST
12 BE HELD OUTSIDE OF THE DENVER METROPOLITAN AREA.

13 (e) BOARD MEMBERS SHALL SERVE WITHOUT COMPENSATION BUT
14 MAY BE REIMBURSED FOR ACTUAL AND REASONABLE EXPENSES INCURRED
15 IN THE PERFORMANCE OF THEIR DUTIES.

16 (f) EXPENSES INCURRED FOR THE BOARD MUST BE PAID FROM THE
17 GENERAL OPERATING BUDGET OF THE OFFICE OF THE CHILD PROTECTION
18 OMBUDSMAN.

19 (3) THE BOARD HAS THE FOLLOWING DUTIES AND
20 RESPONSIBILITIES:

21 (a) TO OVERSEE PERSONNEL DECISIONS RELATED TO THE
22 OMBUDSMAN, INCLUDING, BUT NOT LIMITED TO:

23 (I) ON OR BEFORE NOVEMBER 1, 2015, AND AS NECESSARY
24 THEREAFTER, APPOINTING A PERSON TO SERVE AS THE CHILD PROTECTION
25 OMBUDSMAN AND DIRECTOR OF THE OFFICE, REFERRED TO IN THIS ARTICLE
26 AS THE "OMBUDSMAN". THE BOARD MAY ALSO DISCHARGE AN ACTING
27 OMBUDSMAN FOR CAUSE. A TWO-THIRDS MAJORITY VOTE IS REQUIRED TO
28 HIRE OR DISCHARGE THE OMBUDSMAN. THE GENERAL ASSEMBLY SHALL
29 SET THE OMBUDSMAN'S COMPENSATION AND SUCH COMPENSATION MAY
30 NOT BE REDUCED DURING THE TERM OF THE OMBUDSMAN'S APPOINTMENT.

31 (II) FILLING ANY VACANCY IN THE OMBUDSMAN POSITION;

32 (b) TO ENSURE ACCOUNTABILITY AND CONSISTENCY IN THE
33 OPERATING POLICIES AND PROCEDURES, INCLUDING REASONABLE RULES
34 TO ADMINISTER THE PROVISIONS OF THIS ARTICLE AND ANY OTHER
35 STANDARDS OF CONDUCT AND REPORTING REQUIREMENTS AS PROVIDED
36 BY LAW;".

37

38 Page 3, line 1, strike "AND".

39

40 Page 3, line 3, strike "OMBUDSMAN" and substitute "OFFICE" and strike
41 "DEPARTMENT AND" and substitute "DEPARTMENT.".

42

43 Page 3, strike line 4.

44

45 Page 3, line 6, strike "2015." and substitute "2015;

46 (e) TO COLLABORATE WITH THE JUDICIAL DEPARTMENT AND THE
47 OFFICE ON THE CREATION OF AN ADMINISTRATIVE MEMORANDUM OF
48 UNDERSTANDING BETWEEN THE OFFICE AND THE JUDICIAL DEPARTMENT.
49 THE MEMORANDUM OF UNDERSTANDING MUST BE COMPLETED AND
50 SIGNED NO LATER THAN NOVEMBER 1, 2015, AND MUST CONTAIN, AT A
51 MINIMUM:

52 (I) A REQUIREMENT THAT THE OFFICE HAS ITS OWN PERSONNEL
53 RULES;

54 (II) A REQUIREMENT THAT THE OMBUDSMAN HAS INDEPENDENT
55 HIRING AND TERMINATION AUTHORITY OVER OFFICE EMPLOYEES;

56 (III) A REQUIREMENT THAT THE OFFICE MUST FOLLOW JUDICIAL

1 FISCAL RULES;
2 (IV) A REQUIREMENT THAT THE OFFICE OF THE STATE COURT
3 ADMINISTRATOR SHALL OFFER THE OFFICE OF THE CHILD PROTECTION
4 OMBUDSMAN LIMITED SUPPORT WITH RESPECT TO:
5 (A) PERSONNEL MATTERS;
6 (B) RECRUITMENT;
7 (C) PAYROLL;
8 (D) BENEFITS;
9 (E) BUDGET SUBMISSION, AS NEEDED;
10 (F) ACCOUNTING; AND
11 (G) OFFICE SPACE, FACILITIES, AND TECHNICAL SUPPORT LIMITED
12 TO THE BUILDING THAT HOUSES THE OFFICE OF THE STATE COURT
13 ADMINISTRATOR;

14 (V) ANY OTHER PROVISIONS REGARDING ADMINISTRATIVE
15 SUPPORT THAT WILL HELP MAINTAIN THE INDEPENDENCE OF THE OFFICE;
16 (f) TO ASSIST WITH TRAINING FOR THE OMBUDSMAN, OFFICE, OR AS
17 OTHERWISE NEEDED; AND
18 (g) TO ASSIST WITH REPORTING REQUIREMENTS TO THE GENERAL
19 ASSEMBLY.

20 (4) MEETINGS OF THE BOARD ARE SUBJECT TO THE PROVISIONS OF
21 SECTION 24-6-402, C.R.S., EXCEPT FOR EXECUTIVE PERSONNEL ACTIONS
22 OR MEETINGS REQUIRING THE PROTECTION OF CONFIDENTIALITY FOR
23 CHILDREN'S OR PARENTS' PERSONAL DATA PURSUANT TO THE FEDERAL
24 "CHILD ABUSE PREVENTION AND TREATMENT ACT", PUB.L. 93-247, AND
25 STATE PRIVACY LAWS.

26 (5) THE RECORDS OF THE BOARD AND THE OFFICE ARE SUBJECT TO
27 THE PROVISIONS OF PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S."
28

29 Page 3, line 9, strike "and (3)" and substitute "(3), and (5); and **add (6)**".
30

31 Page 3, line 11, strike "**testimony.**" and substitute "**testimony - judicial**
32 **review.**".
33

34 Page 4, line 7, strike "program," and substitute "~~program~~ OFFICE,".
35

36 Page 4, line 8, strike "program" and substitute "~~program~~ OFFICE".
37

38 Page 4, after line 12 add:
39

40 "(5) IN THE PERFORMANCE OF HIS OR HER DUTIES, the ombudsman
41 shall act independently of the divisions within the state department that
42 are responsible for child welfare, youth corrections, or child care, ~~and~~ of
43 the county departments ~~in the performance of his or her duties~~ OF HUMAN
44 OR SOCIAL SERVICES, AND OF ALL JUDICIAL AGENCIES, INCLUDING, BUT
45 NOT LIMITED TO, THE OFFICE OF THE CHILD'S REPRESENTATIVE, THE OFFICE
46 OF THE RESPONDENT PARENTS' COUNSEL, THE OFFICE OF STATE PUBLIC
47 DEFENDER, THE OFFICE OF ALTERNATE DEFENSE COUNSEL, AND THE OFFICE
48 OF ATTORNEY REGULATION COUNSEL. Any recommendations made by the
49 ombudsman or positions taken by the ombudsman do not ~~necessarily~~
50 reflect those of the state department, JUDICIAL DEPARTMENT, or of the
51 county departments OF HUMAN OR SOCIAL SERVICES.

52 (6) A FINAL ACTION AGAINST THE OFFICE IS SUBJECT TO JUDICIAL
53 REVIEW BY THE DISTRICT COURT FOR THE CITY AND COUNTY OF DENVER."
54

55 Page 4, line 17, strike "**program**" and substitute "**office**".
56

1 Page 4, line 20, strike "governor" and substitute "governor, THE CHIEF
2 JUSTICE,".

3
4 Page 5, after line 2 insert:

5
6 **"SECTION 5.** In Colorado Revised Statutes, **add** 19-3.3-110 as
7 follows:

8 **19-3.3-110. Funding recommendations.** THE OMBUDSMAN
9 SHALL MAKE FUNDING RECOMMENDATIONS TO THE JOINT BUDGET
10 COMMITTEE OF THE GENERAL ASSEMBLY FOR THE OPERATION OF THE
11 OFFICE OF THE CHILD PROTECTION OMBUDSMAN. THE GENERAL ASSEMBLY
12 SHALL MAKE ANNUAL APPROPRIATIONS, IN SUCH AMOUNT AND FORM AS
13 THE GENERAL ASSEMBLY DETERMINES APPROPRIATE, FOR THE OPERATION
14 OF THE OFFICE.

15 **SECTION 6.** In Colorado Revised Statutes, 19-3.3-108, **amend**
16 (1) introductory portion and (1) (a) as follows:

17 **19-3.3-108. Child protection ombudsman program - annual**
18 **report.** (1) On or before September 1 of each year, commencing with the
19 September 1 following the first fiscal year in which the ~~program is~~
20 ~~implemented~~ OFFICE WAS ESTABLISHED, the ombudsman shall prepare a
21 written report that shall include, but need not be limited to, information
22 from the preceding fiscal year and any recommendations concerning the
23 following:

24 (a) Actions taken by the ombudsman relating to the duties of the
25 ~~program~~ OFFICE set forth in section 19-3.3-103;

26 **SECTION 7.** In Colorado Revised Statutes, **amend** 19-3.3-109
27 as follows:

28 **19-3.3-109. Review by the state auditor's office.** The state
29 auditor shall conduct or cause to be conducted a performance and fiscal
30 audit of the ~~program~~ OFFICE at the beginning of the third year of operation
31 of the ~~program~~ OFFICE. Thereafter, at the discretion of the legislative audit
32 committee, the state auditor shall conduct or cause to be conducted a
33 performance and fiscal audit of the ~~program~~ OFFICE.

34 **SECTION 8.** In Colorado Revised Statutes, 24-37-302, **amend**
35 (3) (b) as follows:

36 **24-37-302. Responsibilities of the office of state planning and**
37 **budgeting.** (3) (b) The department of state, the department of the
38 treasury, the department of law, the judicial department, the office of state
39 public defender, the office of alternate defense counsel, the independent
40 ethics commission, ~~and~~ the office of the child's representative, AND THE
41 OFFICE OF THE CHILD PROTECTION OMBUDSMAN shall use the state agency
42 budget submissions described in paragraph (a) of this subsection (3) as a
43 guideline for the submission of their budgets to the joint budget
44 committee.

45 **SECTION 9.** In Colorado Revised Statutes, 24-37.5-105, **amend**
46 (11) (b) (I), (11) (b) (II), (11) (b) (IV), (11) (b) (VI), and (11) (c) (II) as
47 follows:

48 **24-37.5-105. Office - responsibilities - rules.** (11) (b) The
49 electronic budgeting system should, at minimum:

50 (I) Allow access by the principal departments of the executive
51 branch of state government, as specified in section 24-1-110, the
52 legislative branch agencies, the judicial department, the office of state
53 public defender created in section 21-1-101, C.R.S., the office of alternate
54 defense counsel created in section 21-2-101, C.R.S., the independent
55 ethics commission established in section 24-18.5-101 (2) (a), the office
56 of the child's representative created in section 13-91-104, C.R.S., THE

1 OFFICE OF THE CHILD PROTECTION OMBUDSMAN CREATED IN SECTION
2 19-3.3-102, C.R.S., the office of state planning and budgeting, and the
3 joint budget committee staff;

4 (II) Allow for the confidential development of the governor's
5 annual budget request and the annual budget requests of the legislative
6 branch agencies, the judicial department, the office of state public
7 defender created in section 21-1-101, C.R.S., the office of alternate
8 defense counsel created in section 21-2-101, C.R.S., the independent
9 ethics commission established in section 24-18.5-101 (2) (a), and the
10 office of the child's representative created in section 13-91-104, C.R.S.,
11 AND THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN CREATED IN
12 SECTION 19-3.3-102, C.R.S.;

13 (IV) Allow for the electronic communication of the governor's
14 annual budget request and the annual budget requests of the legislative
15 branch agencies, the judicial department, the office of state public
16 defender created in section 21-1-101, C.R.S., the office of alternate
17 defense counsel created in section 21-2-101, C.R.S., the independent
18 ethics commission established in section 24-18.5-101 (2) (a), and the
19 office of the child's representative created in section 13-91-104, C.R.S.,
20 AND THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN CREATED IN
21 SECTION 19-3.3-102, C.R.S., to the joint budget committee staff;

22 (VI) Allow the joint budget committee staff to view the final
23 version of the governor's annual budget requests and the budget requests
24 of the legislative branch agencies, the judicial department, the office of
25 state public defender created in section 21-1-101, C.R.S., the office of
26 alternate defense counsel created in section 21-2-101, C.R.S., the
27 independent ethics commission established in section 24-18.5-101 (2) (a),
28 and the office of the child's representative created in section 13-91-104,
29 C.R.S., AND THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN CREATED
30 IN SECTION 19-3.3-102, C.R.S.;

31 (c) The feasibility and requirements study should also assess the
32 cost and feasibility to implement the following potential system
33 components:

34 (II) A web-based interface that will allow the legislative branch
35 agencies, the judicial department, the office of state public defender
36 created in section 21-1-101, C.R.S., the office of alternate defense
37 counsel created in section 21-2-101, C.R.S., the independent ethics
38 commission established in section 24-18.5-101 (2) (a), and the office of
39 the child's representative created in section 13-91-104, C.R.S., AND THE
40 OFFICE OF THE CHILD PROTECTION OMBUDSMAN CREATED IN SECTION
41 19-3.3-102, C.R.S., to upload and submit budget documents and requests
42 to the joint budget committee staff;

43 **SECTION 10.** In Colorado Revised Statutes, 2-7-202, **amend** (5)
44 (a); and **add** (13.5) as follows:

45 **2-7-202. Definitions.** As used in this part 2, unless the context
46 otherwise requires:

47 (5) (a) "Department" means the judicial department, the office of
48 state public defender, the office of alternate defense counsel, the office
49 of the child's representative, THE OFFICE OF THE CHILD PROTECTION
50 OMBUDSMAN, the public employees' retirement association, the Colorado
51 energy office, the office of economic development, and the principal
52 departments of the executive branch of state government as specified in
53 section 24-1-110, C.R.S., including any division, office, agency, or other
54 unit created within a principal department.

55 (13.5) "OFFICE OF THE CHILD PROTECTION OMBUDSMAN" MEANS
56 THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN CREATED IN SECTION

1 19-3.3-102, C.R.S.

2 **SECTION 11.** In Colorado Revised Statutes, 2-7-204, **amend** (1)
3 (c) and (3) (b) as follows:

4 **2-7-204. Performance management systems.** (1) (c) No later
5 than August 1, 2013, and no later than August 1 of each year thereafter,
6 the department of state, the department of the treasury, the department of
7 law, the office of state public defender, the office of alternate defense
8 counsel, the Colorado energy office, the office of economic development,
9 ~~and~~ the office of the child's representative, AND THE OFFICE OF THE CHILD
10 PROTECTION OMBUDSMAN shall each publish their components of the
11 performance management systems for their respective department, office,
12 or commission. These instructions must be posted on the official web
13 sites administered by the respective departments, offices, and
14 commissions.

15 (3) (b) Each department's performance plan shall be posted on the
16 official web sites of the department and the office of state planning and
17 budgeting. The state treasurer, the attorney general, the secretary of state,
18 the state court administrator for the judicial department, the office of state
19 public defender, the office of alternate defense counsel, the public
20 employees' retirement association, the Colorado energy office, the office
21 of economic development, ~~and~~ the office of the child's representative,
22 AND THE OFFICE OF THE CHILD PROTECTION OMBUDSMAN shall ensure the
23 office of state planning and budgeting receives the information required
24 to be posted on the office of state planning and budgeting's web site
25 pursuant to this paragraph (b). The office of state planning and budgeting
26 shall not have access to edit any information provided by the state
27 treasurer, the attorney general, the secretary of state, the state court
28 administrator for the judicial department, the office of state public
29 defender, the office of alternate defense counsel, the public employees'
30 retirement association, the Colorado energy office, the office of economic
31 development, ~~or~~ the office of the child's representative, OR THE OFFICE OF
32 THE CHILD PROTECTION OMBUDSMAN.

33 **SECTION 12.** In Colorado Revised Statutes, 2-7-205, **amend** (1)
34 as follows:

35 **2-7-205. Annual performance report.** (1) (a) (I) Except as
36 provided in subparagraph (II) of this paragraph (a), no later than
37 November 1, 2014, and no later than November 1 of each year thereafter,
38 the office of state planning and budgeting shall publish an annual
39 performance report for each department except the department of state,
40 the department of the treasury, the department of law, the judicial
41 department, the office of state public defender, the office of alternate
42 defense counsel, the Colorado energy office, the office of economic
43 development, ~~and~~ the office of the child's representative, AND THE OFFICE
44 OF THE CHILD PROTECTION OMBUDSMAN. The annual performance report
45 must include a summary of each department's performance plan and most
46 recent performance evaluation. The annual performance report must be
47 clearly written and easily understood and must be limited to a maximum
48 of four pages per department.

49 (II) The office of state planning and budgeting shall prepare the
50 section of the annual performance report for the department of higher
51 education by reviewing the institutions of higher education's progress
52 towards the goals set forth in the institution of higher education's
53 performance contract described in section 23-5-129, C.R.S., and the
54 outcomes of the recommended performance funding plan required in
55 section 23-1-108 (1.9) (b), C.R.S.

56 (b) No later than November 1, 2014, and no later than November

1 1 of each year thereafter, the department of state, the department of the
 2 treasury, the department of law, the judicial department, the office of state
 3 public defender, the office of alternate defense counsel, the Colorado
 4 energy office, the office of economic development, ~~and~~ the office of the
 5 child's representative, AND THE OFFICE OF THE CHILD PROTECTION
 6 OMBUDSMAN shall each publish an annual performance report including
 7 a summary of its performance plan and most recent performance
 8 evaluation. The annual performance reports must be clearly written and
 9 easily understood and must each be limited to a maximum of four pages.

10 **SECTION 13.** In Colorado Revised Statutes, 19-3.3-101, **amend**
 11 (2) introductory portion as follows:

12 **19-3.3-101. Legislative declaration.** (2) The general assembly
 13 further finds and declares that the establishment of the OFFICE OF THE
 14 child protection ombudsman ~~program~~ will:

15 **SECTION 14.** In Colorado Revised Statutes, 19-3.3-103, **amend**
 16 (1) (a) (I) (B) and (1) (c) as follows:

17 **19-3.3-103. Office of the child protection ombudsman - powers**
 18 **and duties - access to information - confidentiality - testimony -**
 19 **judicial review.** (1) The ombudsman has the following duties, at a
 20 minimum:

21 (a) (I) (B) The ombudsman shall treat all complaints received
 22 pursuant to sub-subparagraph (A) of this subparagraph (I) as confidential,
 23 including the identities of complainants and individuals from whom
 24 information is acquired; except that disclosures may be permitted if the
 25 ombudsman deems it necessary to enable the ombudsman to perform his
 26 or her duties and to support any recommendations resulting from an
 27 investigation. Records relating to complaints received by the ~~program~~
 28 OFFICE and the investigation of complaints are exempt from public
 29 disclosure pursuant to article 72 of title 24, C.R.S.

30 (c) To report at least annually, pursuant to section 19-3.3-108,
 31 concerning the actions taken by the ombudsman with respect to the goals
 32 and duties of the ~~program~~ OFFICE.

33 **SECTION 15.** In Colorado Revised Statutes, **amend** 19-3.3-104
 34 as follows:

35 **19-3.3-104. Qualified immunity.** The ombudsman and employees
 36 or persons acting on behalf of the ~~program shall be~~ OFFICE ARE immune
 37 from suit and liability, either personally or in their official capacities, for
 38 any claim for damage to or loss of property, or for personal injury or other
 39 civil liability caused by or arising out of any actual or alleged act, error,
 40 or omission that occurred within the scope of employment, duties, or
 41 responsibilities pertaining to the ~~program~~ OFFICE, including but not
 42 limited to issuing reports or recommendations; except that nothing in this
 43 section shall be construed to protect such persons from suit or liability for
 44 damage, loss, injury, or liability caused by the intentional or willful and
 45 wanton misconduct of ~~any such~~ THAT person."

46
 47 Renumber succeeding sections accordingly.

48

49

50

51 On motion of Representative Duran, **HB15-1236, 1301, 1309, 1336,**
 52 **1365, 1378, SB15-020, 195, 205, 207, 217, 256, 270, 109, 267** were made
 53 Special Orders on April 30, at 9:57 a.m.

54

55

1 The hour of 9:57 a.m., having arrived, on motion of Representative Court,
2 the House resolved itself into Committee of the Whole for consideration
3 of Special Orders and she was called to the Chair to act as Chairman.
4

5
6
7
8 **SPECIAL ORDERS--SECOND READING OF BILLS**
9

10 The Committee of the Whole having risen, the Chairman reported the
11 titles of the following bills had been read (reading at length had been
12 dispensed with by unanimous consent), the bills considered and action
13 taken thereon as follows:
14

15 (Amendments to the committee amendment are to the printed committee
16 report which was printed and placed in the members' bill file.)
17

18 **HB15-1301** by Representative(s) Williams, Kagan, Melton, Pabon;
19 also Senator(s) Grantham and Hill--Concerning the
20 creation of a credit for tobacco products that a distributor
21 ships or transports to an out-of-state consumer, and, in
22 connection therewith, creating the "Cigar On-line Sales
23 Equalization Act".
24

25 Amendment No. 1, Finance Report, dated April 22, 2015, and placed in
26 member's bill file; Report also printed in House Journal, April 23, 2015
27

28 Amendment No. 2, Appropriations Report, dated April 29, 2015, and
29 placed in member's bill file; Report also printed in House Journal, April
30 29, 2015.
31

32 As amended, ordered engrossed and placed on the Calendar for Third
33 Reading and Final Passage.
34

35
36 **HB15-1236** by Representative(s) Winter--Concerning income tax
37 credits for improving energy efficiency in certain
38 buildings.
39

40 Amendment No. 1, Transportation & Energy Report, dated March 5,
41 2015, and placed in member's bill file; Report also printed in House
42 Journal, March 6, 2015
43

44 Amendment No. 2, Finance Report, dated April 22, 2015, and placed in
45 member's bill file; Report also printed in House Journal, April 23, 2015.
46

47 Amendment No. 3, Appropriations Report, dated April 29, 2015, and
48 placed in member's bill file; Report also printed in House Journal, April
49 29, 2015.
50

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

- 1 **HB15-1336** by Representative(s) Lee and Fields; also Senator(s)
2 Crowder--Concerning the "Colorado Veterans' Service to
3 Career Pilot Program", and, in connection therewith,
4 creating a grant program through the department of labor
5 and employment to aid work force centers in supporting
6 veterans and their spouses seeking new employment and
7 careers.
8
- 9 Amendment No. 1, Business Affairs and Labor Report, dated April 14,
10 2015, and placed in member's bill file; Report also printed in House
11 Journal, April 15, 2015
12
- 13 Amendment No. 2, Appropriations Report, dated April 29, 2015, and
14 placed in member's bill file; Report also printed in House Journal, April
15 29, 2015.
16
- 17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.
19
- 20 **HB15-1365** by Representative(s) McCann, Lee, Primavera, Singer;
21 also Senator(s) Crowder--Concerning adding two youth
22 members to the Tony Grampsas youth services board.
23
- 24 Amendment No. 1, Appropriations Report, dated April 29, 2015, and
25 placed in member's bill file; Report also printed in House Journal, April
26 29, 2015
27
- 28 As amended, ordered engrossed and placed on the Calendar for Third
29 Reading and Final Passage.
30
- 31 **HB15-1378** by Representative(s) Young and Brown; also Senator(s)
32 Aguilar and Grantham--Concerning the sale of valuable
33 registration numbers for benefitting people with
34 disabilities.
35
- 36 Laid over until April 30, retaining place on Calendar.
37
- 38 **HB15-1309** by Representative(s) Ginal; also Senator(s) Crowder--
39 Concerning the placement of interim therapeutic
40 restorations by dental hygienists, and, in connection
41 therewith, ensuring medicaid and children's basic health
42 plan reimbursement for services provided through the use
43 of telehealth related to interim therapeutic restoration
44 procedures.
45
- 46 Amendment No. 1, Health, Insurance, & Environment Report, dated
47 April 2, 2015, and placed in member's bill file; Report also printed in
48 House Journal, April 3, 2015
49
- 50 Amendment No. 2, Finance Report, dated April 23, 2015, and placed in
51 member's bill file; Report also printed in House Journal, April 24, 2015.
52
- 53 Amendment No. 3, Appropriations Report, dated April 29, 2015, and
54 placed in member's bill file; Report also printed in House Journal, April
55 29, 2015.
56

1 Amendment No. 4, moved by Representative(s) Ginal.

2

3 Amend printed bill, page 5, after line 6 insert:

4

5 "(5) AFTER THE COMMITTEE SUBMITS THE UNIFORM STANDARDS
6 TO THE BOARD, THE BOARD MAY REQUEST THAT THE COMMITTEE
7 RECONVENE TO SUBMIT NEW UNIFORM STANDARDS."

8

9 Renumber succeeding subsection accordingly.

10

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

13

14 **SB15-020** by Senator(s) Newell; also Representative(s) McCann--
15 Concerning education regarding the prevention of child
16 sexual abuse and assault, and, in connection therewith,
17 making an appropriation.

18

19 Amendment No. 1, Appropriations Report, dated April 29, 2015, and
20 placed in member's bill file; Report also printed in House Journal, April
21 29, 2015

22

23 As amended, ordered revised and placed on the Calendar for Third
24 Reading and Final Passage.

25

26 **SB15-195** by Senator(s) Steadman, Grantham, Lambert; also
27 Representative(s) Hamner, Young, Rankin--Concerning
28 appropriating to the department of corrections moneys
29 generated as savings from the awarding of achievement
30 earned time to inmates, and, in connection therewith,
31 making and reducing appropriations.

32

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

35

36 **SB15-205** by Senator(s) Roberts and Garcia; also Representative(s)
37 Keyser and Hamner--Concerning the utilization of
38 veterans' fire corps programs by the division of fire
39 prevention and control in the department of public safety.

40

41 Amendment No. 1, Local Government Report, dated April 22, 2015, and
42 placed in member's bill file; Report also printed in House Journal, April
43 23, 2015

44

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

47

48 **SB15-207** by Senator(s) Baumgardner and Scott, Kefalas,
49 Sonnenberg; also Representative(s) Brown, Becker K.,
50 Vigil--Concerning the authority of the state to enter into
51 lease-purchase agreements for the refinancing of the
52 Colorado bureau of investigation's Grand Junction
53 regional office and forensic laboratory.

54

55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **SB15-217** by Senator(s) Roberts and Cooke; also Representative(s)
2 Williams--Concerning data collection related to peace
3 officer-involved shootings of a person, and, in connection
4 therewith, making an appropriation.
5

6 Ordered revised and placed on the Calendar for Third Reading and Final
7 Passage.
8

9 **SB15-256** by Senator(s) Roberts, Aguilar, Kefalas, Lundberg,
10 Martinez Humenik; also Representative(s) McCann,
11 Landgraf, Primavera, Ryden, Sias--Concerning the
12 operation of the legislative committee that oversees the
13 Colorado health benefit exchange, and, in connection
14 therewith, making an appropriation.
15

16 Amendment No. 1, Legislative Council Report, dated April 24, 2015, and
17 placed in member's bill file; Report also printed in House Journal, April
18 27, 2015
19

20 Amendment No. 2, Appropriations Report, dated April 29, 2015, and
21 placed in member's bill file; Report also printed in House Journal, April
22 29, 2015.
23

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

27 **SB15-270** by Senator(s) Lambert, Grantham, Steadman,
28 Baumgardner, Kefalas; also Representative(s) Rankin,
29 Hamner, Young, Becker K., Brown, Vigil--Concerning the
30 creation of the office of the state architect, and, in
31 connection therewith, adding statewide planning
32 responsibilities and making and reducing an appropriation.
33

34 Amendment No. 1, Appropriations Report, dated April 29, 2015, and
35 placed in member's bill file; Report also printed in House Journal, April
36 29, 2015
37

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

42 **SB15-267** by Senator(s) Hill, Holbert, Marble, Neville T., Woods;
43 also Representative(s) Hamner--Concerning the financing
44 of public schools, and, in connection therewith, making an
45 appropriation.
46

47 Amendment No. 1, Education Report, dated April 27, 2015, and placed
48 in member's bill file; Report also printed in House Journal, April 28, 2015
49

50 Amendment No. 2, Appropriations Report, dated April 29, 2015, and
51 placed in member's bill file; Report also printed in House Journal, April
52 29, 2015.
53

1 Amendment No. 3, moved by Representative(s) Dore.

2

3 Amend reengrossed bill, page 6, after line 14 insert:

4 "SECTION 4. In Colorado Revised Statutes, add 22-54-104.7 as
5 follows:

6 **22-54-104.7. School finance review committee - created -**
7 **duties.** (1) THERE IS CREATED THE SCHOOL FINANCE REVIEW COMMITTEE
8 TO STUDY AND RECOMMEND LEGISLATION REGARDING TAX POLICY AND
9 SCHOOL FINANCE. THE COMMITTEE CONSISTS OF TEN NONLEGISLATIVE
10 MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF
11 REPRESENTATIVES AND THE PRESIDENT OF THE SENATE, AND THE
12 MEMBERS OF THE COMMITTEE SHALL SELECT A CHAIR FROM THEIR
13 MEMBERSHIP.

14 (2) THE CHAIR OF THE COMMITTEE SHALL SCHEDULE THE FIRST
15 MEETING OF THE COMMITTEE TO BE HELD NO LATER THAN AUGUST 1,
16 2015. FROM AUGUST THROUGH DECEMBER 2015, THE COMMITTEE SHALL
17 MEET UP TO FIVE TIMES. FROM JANUARY THROUGH DECEMBER 2016, THE
18 COMMITTEE SHALL MEET AT LEAST QUARTERLY, AT THE CALL OF THE
19 CHAIR, TO ACCOMPLISH ITS DUTIES. THE COMMITTEE MAY MEET AT OTHER
20 TIMES DURING THE LEGISLATIVE SESSION AND DURING THE LEGISLATIVE
21 INTERIM, AT THE CALL OF THE CHAIR, AS NECESSARY TO COMPLETE ITS
22 DUTIES.

23 (3) THE COMMITTEE MAY ANNUALLY RECOMMEND TO THE
24 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
25 SENATE UP TO A TOTAL OF FIVE BILLS, JOINT RESOLUTIONS, AND
26 CONCURRENT RESOLUTIONS IN EACH OF THE 2016 AND 2017 LEGISLATIVE
27 SESSIONS."

28

29 Renumber succeeding sections accordingly

30

31 As amended, ordered revised and placed on the Calendar for Third
32 Reading and Final Passage.

33

34 **SB15-109** by Senator(s) Grantham, Lambert, Steadman; also
35 Representative(s) Young, Hamner, Rankin--Concerning
36 the mandatory reporting of mistreatment against an adult
37 with a disability, and, in connection therewith, making an
38 appropriation.

39

40 Amendment No. 1, Health, Insurance, & Environment Report, dated
41 April 28, 2015, and placed in member's bill file; Report also printed in
42 House Journal, April 28, 2015

43

44 As amended, ordered revised and placed on the Calendar for Third
45 Reading and Final Passage.

46

47

48 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

49

50 Passed Second Reading: **HB15-1301 amended, 1236 amended, 1336**
51 **amended, 1365 amended, 1309 amended, SB15-020 amended, 195,**
52 **205 amended, 207, 217, 256 amended, 270 amended, 267 amended,**
53 **109 amended.**

54

55 Laid over until date indicated retaining place on Calendar: **HB15-1378--**
56 April 30, 2015

1 The Chairman moved the adoption of the Committee of the Whole
 2 Report. As shown by the following roll call vote, a majority of those
 3 elected to the House voted in the affirmative, and the Report was
 4 **adopted.**

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7 Arndt	Y		Fields	Y	Lundeen	Y	Ryden	Y
8 Becker J.	Y		Foote	Y	McCann	Y	Saine	Y
9 Becker K.	Y		Garnett	Y	Melton	Y	Salazar	Y
10 Brown	Y		Ginal	Y	Mitsch Bush	Y	Sias	Y
11 Buck	Y		Hamner	Y	Moreno	Y	Singer	Y
12 Buckner	E		Humphrey	Y	Navarro	Y	Tate	Y
13 Carver	Y		Joshi	Y	Neville P.	Y	Thurlow	Y
14 Conti	Y		Kagan	Y	Nordberg	Y	Tyler	Y
15 Coram	Y		Keyser	Y	Pabon	Y	Van Winkle	Y
16 Court	Y		Klingenschmitt	Y	Pettersen	Y	Vigil	Y
17 Danielson	Y		Kraft-Tharp	Y	Primavera	Y	Willett	Y
18 DelGrosso	Y		Landgraf	Y	Priola	Y	Williams	Y
19 Dore	Y		Lawrence	Y	Rankin	Y	Wilson	Y
20 Duran	Y		Lebsock	Y	Ransom	Y	Windholz	Y
21 Esgar	Y		Lee	Y	Rosenthal	Y	Winter	Y
22 Everett	Y		Lontine	Y	Roupe	Y	Young	Y
							Speaker	Y

ANNOUNCEMENT

25
 26
 27
 28
 29 The Speaker announced the House was in the last three days of session.

LAY OVER OF CALENDAR ITEM(S)

30
 31
 32
 33
 34
 35 On motion of Representative Duran, the following item(s) on the
 36 Calendar were laid over until April 30, retaining place on Calendar:

37
 38 Consideration of Resolution(s)--**SJR15-023.**

39 Consideration of Senate Amendment(s)--**HB15-1016, 1233, 1270, 1310.**

40
 41
 42
 43 House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

46
 47
 48
 49 After consideration on the merits, the Committee recommends the
 50 following:

51
 52
 53 **HB15-1006** be amended as follows, and as so amended, be re-referred
 54 to the Committee on Appropriations with favorable
 55 recommendation:
 56

- 1 Amend the Agriculture, Livestock, & Natural Resources Committee
2 Report, dated February 2, 2015, strike lines 1 through 3 and substitute:
3
4 "Amend printed bill, page 2, strike line 2 and substitute:
5
6 **"SECTION 1.** In Colorado Revised Statutes, **add** 37-60-131".
7
8 Page 2 of the printed bill, strike lines 4 through 21 and substitute:
9
10 **"37-60-131. Invasive phreatophyte control program - creation**
11 **- fund - repeal.** (1) THE BOARD SHALL EXPEND MONEYS FROM THE
12 COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND TO
13 AWARD GRANTS UNDER THE INVASIVE PHREATOPHYTE CONTROL
14 PROGRAM, CREATED HEREIN, FOR THE MANAGEMENT OF INVASIVE".
15
16 Renumber succeeding section accordingly.
17
18 Page 2 of the printed bill, line 23, strike "DEPARTMENT" and substitute
19 "BOARD".
20
21 Page 1 of the committee report, after line 6 insert:
22
23 "Page 3 of the printed bill, line 5, strike "DEPARTMENT" and substitute
24 "BOARD".
25
26 Page 1 of the committee report, line 10, strike "DEPARTMENT" and
27 substitute "BOARD".
28
29 Page 1 of the committee report, after line 11 insert:
30
31 "Page 3 of the printed bill, line 10, strike "DEPARTMENT" and substitute
32 "BOARD".
33
34 Page 3 of the printed bill, line 11, strike "DEPARTMENT" and substitute
35 "BOARD".
36
37 Page 1 of the committee report, after line 13 insert:
38
39 "Page 3 of the printed bill, line 24, strike "DEPARTMENT'S" and substitute
40 "BOARD'S".
41
42 Page 3 of the printed bill, line 25, strike "DEPARTMENT," and substitute
43 "BOARD,".
44
45 Page 1 of the committee report, strike lines 15 and 16 and substitute "THE
46 AFFECTED BASIN ROUNDTABLES OR THEIR".
47
48 Page 2 of the committee report, after line 4 insert:
49
50 "Page 4 of the printed bill, line 4, strike "DEPARTMENT" and substitute
51 "BOARD".
52
53 Page 4 of the printed bill, line 7, strike "DEPARTMENT" and substitute
54 "BOARD".
55
56 Page 4 of the printed bill, strike lines 9 and 10 and substitute: "STATE

1 TREASURER, WHO SHALL CREDIT THEM TO THE COLORADO WATER
2 CONSERVATION BOARD CONSTRUCTION FUND."

3

4 Page 4 of the printed bill, line 11, strike "DEPARTMENT" and substitute
5 "BOARD".

6

7 Page 4 of the printed bill, strike line 16 and substitute "MARCH 1, 2018,
8 THE BOARD SHALL PROVIDE THE COMMITTEES A".

9

10 Page 4 of the printed bill, line 18, strike "2021." and substitute "2018.". "

11

12 Page 2 of the committee report, strike lines 13 through 15 and substitute:

13

14 "(o) (I) TO THE COLORADO WATER CONSERVATION BOARD
15 CONSTRUCTION FUND FOR THE IMPLEMENTATION OF THE INVASIVE
16 PHREATOPHYTE CONTROL PROGRAM CREATED IN SECTION 37-60-131,
17 C.R.S., FOR THE TWO FISCAL YEARS COMMENCING ON JULY 1, 2015, TWO
18 MILLION DOLLARS; EXCEPT THAT, FOR THE FISCAL YEAR COMMENCING ON
19 JULY 1, 2016, THE STATE TREASURER SHALL NOT TRANSFER ANY MONEYS
20 TO THE COLORADO WATER CONSERVATION BOARD CONSTRUCTION FUND
21 UNDER THIS PARAGRAPH (o) IF THE PROPORTIONAL REDUCTION SET FORTH
22 IN PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION IS TRIGGERED FOR
23 THE OTHER TRANSFERS LISTED IN THIS SUBSECTION (2)."

24

25 Page 2 of the committee report, line 16, strike "2021." and substitute
26 "2018.". "

27

28

29

30 **HB15-1380** be referred favorably to the Committee on Finance.

31

32

33 **SB15-022** be referred favorably to the Committee on Appropriations.

34

35

36 **SB15-253** be referred favorably to the Committee on Appropriations.

37

38

39

40

41 **EDUCATION**

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

44

45 **HB15-1349** be referred to the Committee of the Whole with favorable
46 recommendation.

47

48

49 **HB15-1369** be referred to the Committee of the Whole with favorable
50 recommendation.

51

52

53

54

1 **JUDICIARY**

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

4
5 **SB15-067** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 2, strike line 3 and substitute "(c) and (1)
10 (f.5) (I) as follows:".

11
12 Page 3, strike lines 3 through 10.

13
14 Page 3, line 12, strike "(2) and".

15 Page 3, strike lines 25 through 27.

16
17 Page 4, strike lines 1 through 20.

18
19 Page 5, line 10, strike "18-3-203 (3)" and substitute "18-3-201 (1)".
20
21
22

23 **SB15-185** be amended as follows, and as so amended, be referred to
24 the Committee on Appropriations with favorable
25 recommendation:
26

27 Amend reengrossed bill, page 2, line 11, strike "JANUARY" and substitute
28 "MARCH".
29

30 Page 2, line 14, strike "JANUARY" and substitute "MARCH".
31

32 Page 3, line 18, strike "JANUARY" and substitute "MARCH".

33 Page 3, line 27, strike "MARCH 31" and substitute "SEPTEMBER 30".
34
35
36

37 **SB15-265** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:
40

41 Amend reengrossed bill, page 2, line 17, strike "IF NO PAYERS OF" and
42 substitute:

43 "(3) IF NO PAYERS OF".
44

45 Renumber succeeding subsections accordingly.
46
47
48
49

50 **STATE, VETERANS, & MILITARY AFFAIRS**

51 After consideration on the merits, the Committee recommends the
52 following:
53

54 **HB15-1376** be referred to the Committee of the Whole with favorable
55 recommendation.
56

1 **HB15-1383** be referred favorably to the Committee on Finance.

2

3

4 **HB15-1384** be referred to the Committee of the Whole with favorable
5 recommendation.

6

7

8 **HB15-1385** be referred favorably to the Committee on Finance.

9

10

11 **SB15-209** be referred favorably to the Committee on Business
12 Affairs and Labor.

13

14

15

16

17 **TRANSPORTATION & ENERGY**

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

20

21 **SB15-229** be referred favorably to the Committee on Finance.

22

23

24

House in recess. House reconvened.

25

26

27

28

REPORT(S) OF COMMITTEE(S) OF REFERENCE

29

30 **FINANCE**

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

33

34 **HB15-1319** be referred favorably to the Committee on Appropriations.

35

36

37 **HB15-1372** be amended as follows, and as so amended, be referred to
38 the Committee on Appropriations with favorable
39 recommendation:

40

41 Amend printed bill, page 2, strike line 12 and substitute "PUBLIC UTILITY
42 THAT IS A TELEPHONE CORPORATION TO PAY A FEE IN EXCESS OF
43 ONE-FIFTH OF ONE PERCENT OF ITS GROSS INTRASTATE UTILITY OPERATING
44 REVENUES FOR THE PRECEDING CALENDAR YEAR AND SHALL NOT REQUIRE
45 ANY OTHER PUBLIC UTILITY to pay a fee in excess of ~~one-fifth~~
46 ONE-QUARTER of one".

47

48 Page 3, after line 4, insert:

49

50 "SECTION 2. In Colorado Revised Statutes, **amend** 40-2-114 as
51 follows:

52

53 **40-2-114. Disposition of fees collected.** ~~All~~ (1) THREE PERCENT
54 OF THE fees collected under section 40-2-113 by the department of
55 revenue shall be remitted to the state treasurer and credited by ~~him~~ as
56 follows: ~~Three percent~~ THE STATE TREASURER to the general fund. ~~and~~
FOR THE REMAINING ninety-seven percent OF THE FEES COLLECTED, THE

1 STATE TREASURER SHALL CREDIT:

2 (a) FEES PAID BY PUBLIC UTILITIES THAT ARE TELEPHONE
3 CORPORATIONS TO THE TELECOMMUNICATIONS UTILITY FUND, WHICH
4 FUND IS HEREBY CREATED; AND

5 (b) FEES PAID BY OTHER PUBLIC UTILITIES to the public utilities
6 commission fixed utility fund, which fund is hereby created. ~~and~~

7 (2) MONEYS IN THE FUNDS CREATED IN SUBSECTION (1) OF THIS
8 SECTION shall be expended only to defray the full amount determined by
9 the general assembly for the administrative expenses of the commission
10 for the supervision and regulation of the public utilities paying ~~such~~ THE
11 fees and for the financing of the office of consumer counsel created in
12 article 6.5 of this title. THE STATE TREASURER SHALL RETAIN any
13 unexpended balance remaining in ~~said~~ EITHER fund at the end of any
14 fiscal year ~~shall be retained by the state treasurer~~ to defray ~~such~~ THE
15 administrative expenses of the commission during subsequent fiscal
16 years, and the executive director of the department of revenue shall take
17 any such unexpended balance into account when computing the
18 percentage upon which fees for the ensuing fiscal year ~~shall~~ WILL be
19 based.".

20

21 Renumber succeeding sections accordingly.

22

23

24

25

26 LOCAL GOVERNMENT

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

29

30 **SB15-202** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33

34 Amend reengrossed bill, strike everything below the enacting clause and
35 substitute:

36

37 "**SECTION 1.** In Colorado Revised Statutes, 12-58-102, **amend**
38 (7); and **add** (10), (11), and (12) as follows:

39 **12-58-102. Definitions.** As used in this article, unless the context
40 otherwise requires:

41 (7) "Plumbing contractor" means any person, firm, partnership,
42 corporation, association, or other organization ~~who~~ THAT undertakes or
43 offers to undertake for another the planning, laying out, supervising,
44 installing, or making of additions, alterations, and repairs in the
45 installation of plumbing. In order to act as a plumbing contractor, the
46 person, firm, partnership, corporation, association, or other organization
47 must either be or employ full-time a master plumber. "PLUMBING
48 CONTRACTOR" DOES NOT INCLUDE A WATER CONDITIONING CONTRACTOR,
49 A WATER CONDITIONING INSTALLER, OR A WATER CONDITIONING
50 PRINCIPAL.

51 (10) (a) "WATER CONDITIONING CONTRACTOR" MEANS A PERSON
52 THAT:

53 (I) UNDERTAKES OR OFFERS TO UNDERTAKE FOR ANOTHER THE
54 PLANNING, LAYING OUT, SUPERVISING, INSTALLING, OR MAKING OF
55 ADDITIONS, ALTERATIONS, OR REPAIRS IN THE INSTALLATION OF WATER
56 CONDITIONING APPLIANCES IN ONE-, TWO-, THREE-, OR FOUR-FAMILY

1 DWELLINGS, WHICH MUST NOT EXTEND MORE THAN TWO STORIES
2 ABOVEGROUND; AND

3 (II) IS REQUIRED TO BE REGISTERED PURSUANT TO SECTION
4 12-58-105 (4).

5 (b) "WATER CONDITIONING CONTRACTOR" DOES NOT INCLUDE A
6 PLUMBING CONTRACTOR.

7 (11) (a) "WATER CONDITIONING INSTALLER" MEANS A PERSON
8 THAT:

9 (I) HAS THE NECESSARY QUALIFICATIONS, TRAINING, EXPERIENCE,
10 AND TECHNICAL KNOWLEDGE TO PROPERLY PLAN, LAY OUT, AND INSTALL
11 WATER CONDITIONING APPLIANCES IN ONE-, TWO-, THREE-, AND
12 FOUR-FAMILY DWELLINGS, WHICH MUST NOT EXTEND MORE THAN TWO
13 STORIES ABOVEGROUND, IN ACCORDANCE WITH THE STANDARDS AND
14 RULES ESTABLISHED BY THE BOARD;

15 (II) IS CERTIFIED BY A NATIONAL WATER CONDITIONING
16 ASSOCIATION RECOGNIZED BY THE BOARD, WITH THE TYPE OF
17 CERTIFICATION SPECIFIED BY THE BOARD; AND

18 (III) IS REQUIRED TO BE REGISTERED PURSUANT TO SECTION
19 12-58-105 (5).

20 (b) "WATER CONDITIONING INSTALLER" DOES NOT INCLUDE A
21 LICENSED PLUMBER.

22 (12) (a) "WATER CONDITIONING PRINCIPAL" MEANS A PERSON
23 THAT:

24 (I) HAS THE NECESSARY QUALIFICATIONS, TRAINING, EXPERIENCE,
25 AND TECHNICAL KNOWLEDGE TO PROPERLY PLAN, LAY OUT, AND INSTALL
26 WATER CONDITIONING APPLIANCES IN ONE-, TWO-, THREE-, AND
27 FOUR-FAMILY DWELLINGS, WHICH MUST NOT EXTEND MORE THAN TWO
28 STORIES ABOVEGROUND, INCLUDING THE SUPERVISION OF SUCH WORK IN
29 ACCORDANCE WITH THE STANDARDS AND RULES ESTABLISHED BY THE
30 BOARD;

31 (II) IS CERTIFIED BY A NATIONAL WATER CONDITIONING
32 ASSOCIATION RECOGNIZED BY THE BOARD, WITH THE TYPE OF
33 CERTIFICATION SPECIFIED BY THE BOARD; AND

34 (III) IS REQUIRED TO BE REGISTERED PURSUANT TO SECTION
35 12-58-105 (6).

36 (b) "WATER CONDITIONING PRINCIPAL" DOES NOT INCLUDE A
37 LICENSED PLUMBER.

38 **SECTION 2.** In Colorado Revised Statutes, 12-58-105, **amend**
39 (1); and **add** (4), (5), and (6) as follows:

40 **12-58-105. Plumber must have license - registration - control**
41 **and supervision.** (1) (a) ~~No~~ A person shall NOT engage in or work at the
42 business, trade, or calling of a residential, journeyman, or master plumber
43 in this state until he OR SHE has received a license from the division of
44 professions and occupations, upon written notice from the board or its
45 authorized agent, or a temporary permit from the board or its authorized
46 agent; EXCEPT THAT A PERSON MAY PRACTICE AS A WATER CONDITIONING
47 CONTRACTOR IF THE PERSON IS REGISTERED PURSUANT TO SUBSECTION (4)
48 OF THIS SECTION, AS A WATER CONDITIONING INSTALLER IF THE PERSON IS
49 REGISTERED PURSUANT TO SUBSECTION (5) OF THIS SECTION, OR AS A
50 WATER CONDITIONING PRINCIPAL IF THE PERSON IS REGISTERED PURSUANT
51 TO SUBSECTION (6) OF THIS SECTION.

52 (b) NOTHING IN THIS SECTION LIMITS THE ABILITY OF A LICENSED
53 RESIDENTIAL, JOURNEYMAN, OR MASTER PLUMBER, A PLUMBING
54 APPRENTICE, OR A REGISTERED PLUMBING CONTRACTOR TO PRACTICE
55 WITHIN HIS OR HER RESPECTIVE AREA AS AUTHORIZED BY THIS ARTICLE
56 WITH REGARD TO WATER CONDITIONING APPLIANCES.

1 (4) EXCEPT AS SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (1) OF
 2 THIS SECTION, EFFECTIVE APRIL 1, 2016, A PERSON SHALL NOT OPERATE
 3 AS A WATER CONDITIONING CONTRACTOR UNLESS THE PERSON:

4 (a) IS CURRENTLY REGISTERED WITH THE BOARD PURSUANT TO
 5 THIS SUBSECTION (4) AS SPECIFIED IN RULES PROMULGATED AND FORMS
 6 ADOPTED BY THE BOARD. THE BOARD SHALL REGISTER A WATER
 7 CONDITIONING CONTRACTOR UPON PAYMENT OF THE FEE AS PROVIDED IN
 8 SECTION 12-58-104 AND PRESENTATION OF EVIDENCE THAT THE
 9 APPLICANT HAS COMPLIED WITH THE APPLICABLE WORKERS'
 10 COMPENSATION AND UNEMPLOYMENT COMPENSATION LAWS OF THIS
 11 STATE; AND

12 (b) IS, OR EMPLOYS FULL-TIME, A WATER CONDITIONING
 13 PRINCIPAL, WHO SHALL BE RESPONSIBLE FOR ALL WATER CONDITIONING
 14 APPLIANCE WORK PERFORMED BY THE CONTRACTOR.

15 (5) EXCEPT AS SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (1) OF
 16 THIS SECTION, EFFECTIVE APRIL 1, 2016, A PERSON SHALL NOT ENGAGE IN
 17 OR WORK AT THE BUSINESS, TRADE, OR CALLING OF A WATER
 18 CONDITIONING INSTALLER UNLESS THE PERSON IS CURRENTLY REGISTERED
 19 WITH THE BOARD PURSUANT TO THIS SUBSECTION (5) AS SPECIFIED IN
 20 RULES PROMULGATED AND FORMS ADOPTED BY THE BOARD. THE BOARD
 21 SHALL REGISTER A WATER CONDITIONING INSTALLER UPON PAYMENT OF
 22 THE FEE AS PROVIDED IN SECTION 12-58-104 AND SUBMISSION OF PROOF
 23 THAT THE APPLICANT IS CERTIFIED BY A NATIONAL WATER CONDITIONING
 24 ASSOCIATION RECOGNIZED BY THE BOARD, WITH THE TYPE OF
 25 CERTIFICATION AS SPECIFIED BY THE BOARD.

26 (6) (a) EXCEPT AS SPECIFIED IN PARAGRAPH (b) OF SUBSECTION (1)
 27 OF THIS SECTION, EFFECTIVE APRIL 1, 2016, A PERSON SHALL NOT ENGAGE
 28 IN OR WORK AT THE BUSINESS, TRADE, OR CALLING OF A WATER
 29 CONDITIONING PRINCIPAL UNLESS THE PERSON IS CURRENTLY REGISTERED
 30 WITH THE BOARD PURSUANT TO THIS SUBSECTION (6) AS SPECIFIED IN
 31 RULES PROMULGATED AND FORMS ADOPTED BY THE BOARD. THE BOARD
 32 SHALL REGISTER A WATER CONDITIONING PRINCIPAL UPON PAYMENT OF
 33 THE FEE AS PROVIDED IN SECTION 12-58-104 AND SUBMISSION OF PROOF
 34 THAT THE APPLICANT IS CERTIFIED BY A NATIONAL WATER CONDITIONING
 35 ASSOCIATION RECOGNIZED BY THE BOARD, WITH THE TYPE OF
 36 CERTIFICATION AS SPECIFIED BY THE BOARD.

37 (b) A WATER CONDITIONING PRINCIPAL SHALL BE RESPONSIBLE
 38 FOR NO MORE THAN ONE WATER CONDITIONING CONTRACTOR AT A TIME.
 39 THE WATER CONDITIONING PRINCIPAL SHALL NOTIFY THE BOARD WITHIN
 40 FIFTEEN DAYS AFTER HIS OR HER TERMINATION AS A WATER CONDITIONING
 41 PRINCIPAL FOR A WATER CONDITIONING CONTRACTOR. FAILURE TO
 42 PROVIDE THE NOTICE MAY LEAD TO SUSPENSION OR REVOCATION OF THE
 43 WATER CONDITIONING PRINCIPAL'S REGISTRATION AS PROVIDED IN
 44 SECTION 12-58-110.

45 **SECTION 3.** In Colorado Revised Statutes, **amend** 12-58-106 as
 46 follows:

47 **12-58-106. Unauthorized advertising - use of title of plumber.**

48 (1) ~~No~~ A person shall NOT advertise in any manner or use the title or
 49 designation of master plumber, journeyman plumber, or residential
 50 plumber unless ~~he~~ THE PERSON is qualified and licensed under this article.

51 (2) A PERSON SHALL NOT ADVERTISE IN ANY MANNER THAT THE
 52 PERSON IS A WATER CONDITIONING CONTRACTOR, WATER CONDITIONING
 53 INSTALLER, OR A WATER CONDITIONING PRINCIPAL UNLESS THE PERSON IS
 54 REGISTERED AS SUCH PURSUANT TO THIS ARTICLE.

55 **SECTION 4.** In Colorado Revised Statutes, **amend** 12-58-108 as
 56 follows:

1 **12-58-108. License renewal - reinstatement.** (1) All license and
 2 ~~contractor~~ registration renewal and renewal fees shall be in accordance
 3 with ~~the provisions of~~ sections 24-34-102 and 24-34-105, C.R.S.

4 (2) Any license or ~~contractor~~ registration that has lapsed ~~shall be~~
 5 IS deemed to have expired. Prior to reinstatement, the board is authorized
 6 to require the licensee to demonstrate competency. Licenses AND
 7 REGISTRATIONS shall be renewed or reinstated pursuant to a schedule
 8 established by the director of the division of professions and occupations
 9 within the department of regulatory agencies and pursuant to section
 10 24-34-102 (8), C.R.S. The director of the division of professions and
 11 occupations within the department of regulatory agencies may establish
 12 renewal fees and delinquency fees for reinstatement pursuant to section
 13 24-34-105, C.R.S. If a person fails to renew his or her license OR
 14 REGISTRATION pursuant to the schedule established by the director of the
 15 division of professions and occupations, ~~such~~ THE license or ~~contractor~~
 16 registration shall expire. Any person whose license or ~~contractor~~
 17 registration has expired ~~shall be~~ IS subject to the penalties provided in this
 18 article or section 24-34-102 (8), C.R.S.

19 **SECTION 5.** In Colorado Revised Statutes, 12-58-110, **amend**
 20 (1) (n), (1) (o), and (1) (p) as follows:

21 **12-58-110. Disciplinary action by board - licenses or**
 22 **registrations denied, suspended, or revoked - cease-and-desist orders.**

23 (1) The board may deny, suspend, revoke, or refuse to renew any license
 24 or registration issued or applied for under the provisions of this article or
 25 place a licensee or a registrant on probation for any of the following
 26 reasons:

27 (n) Disciplinary action against a ~~plumber's~~ license OR
 28 REGISTRATION in another jurisdiction. Evidence of such disciplinary
 29 action ~~shall be~~ IS prima facie evidence for denial of licensure OR
 30 REGISTRATION or other disciplinary action if the violation would be
 31 grounds for such disciplinary action in this state.

32 (o) Practicing as a WATER CONDITIONING CONTRACTOR, WATER
 33 CONDITIONING INSTALLER, WATER CONDITIONING PRINCIPAL, OR A
 34 residential, journeyman, or master plumber during a period when the
 35 person's license OR REGISTRATION has been suspended or revoked;

36 (p) Selling or fraudulently obtaining or furnishing a license or
 37 registration to practice as a residential, journeyman, or master plumber,
 38 ~~or~~ WATER CONDITIONING CONTRACTOR, WATER CONDITIONING INSTALLER,
 39 WATER CONDITIONING PRINCIPAL, OR plumbing contractor or aiding or
 40 abetting in such activity;

41 **SECTION 6.** In Colorado Revised Statutes, **amend** 12-58-110.1
 42 as follows:

43 **12-58-110.1. Reapplication after revocation of licensure or**
 44 **registration.** ~~No~~ A person whose license OR REGISTRATION has been
 45 revoked ~~shall be~~ IS NOT allowed to reapply for licensure OR REGISTRATION
 46 earlier than two years from the effective date of the revocation.

47 **SECTION 7.** In Colorado Revised Statutes, 12-58-113, **amend**
 48 (6) (a) introductory portion as follows:

49 **12-58-113. Exemptions.** (6) (a) Nothing in this article requires
 50 a plumbing license, ~~contractor~~ registration, or permit to perform:

51 **SECTION 8.** In Colorado Revised Statutes, **amend** 12-58-115 as
 52 follows:

53 **12-58-115. Municipal and county regulations.** (1) Any city,
 54 town, county, or city and county of this state may provide for the
 55 licensing of plumbing contractors OR WATER CONDITIONING
 56 CONTRACTORS. ~~Plumbing~~ Contractors who obtain local licensing must

1 also register with the board in accordance with section 12-58-105. (3).
 2 (2) ~~No~~ A local government agency ~~may~~ SHALL NOT promulgate
 3 rules or regulations or provide for licenses ~~which~~ THAT would preclude
 4 the holder of a valid license OR REGISTRATION issued under this article
 5 from practicing ~~his~~ THE HOLDER'S trade.

6 **SECTION 9.** In Colorado Revised Statutes, 12-58-116, **add** (3)
 7 as follows:

8 **12-58-116. Unauthorized practice - penalties.** (3) EFFECTIVE
 9 APRIL 1, 2016, A PERSON WHO ENGAGES IN OR WORKS AT OR OFFERS OR
 10 ATTEMPTS TO ENGAGE IN OR WORK AT THE BUSINESS, TRADE, OR CALLING
 11 OF A WATER CONDITIONING CONTRACTOR, WATER CONDITIONING
 12 INSTALLER, OR WATER CONDITIONING PRINCIPAL WITHOUT AN ACTIVE
 13 REGISTRATION ISSUED UNDER THIS ARTICLE COMMITS A CLASS 2
 14 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED IN SECTION
 15 18-1.3-501, C.R.S., FOR THE FIRST OFFENSE, AND FOR THE SECOND OR ANY
 16 SUBSEQUENT OFFENSE, THE PERSON COMMITS A CLASS 6 FELONY AND
 17 SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-401, C.R.S.

18 **SECTION 10. Applicability.** This act applies to conduct
 19 occurring on or after the effective date of this act.

20 **SECTION 11. Safety clause.** The general assembly hereby finds,
 21 determines, and declares that this act is necessary for the immediate
 22 preservation of the public peace, health, and safety."
 23
 24
 25

26 **SB15-212** be amended as follows, and as so amended, be referred to
 27 the Committee of the Whole with favorable
 28 recommendation:
 29

30 Amend reengrossed bill, page 3, line 2, strike "CONTINUOUSLY RELEASES
 31 OR INFILTRATES" and substitute "IS DESIGNED TO CONTINUOUSLY RELEASE
 32 OR INFILTRATE".
 33

34 Page 3, line 6, strike "CONTINUOUSLY RELEASES OR INFILTRATES" and
 35 substitute "IS DESIGNED TO CONTINUOUSLY RELEASE OR INFILTRATE".
 36

37 Page 5, line 6, after "FACILITY" insert "AND THE DATA THAT
 38 DEMONSTRATES THAT THE FACILITY HAS BEEN DESIGNED TO COMPLY WITH
 39 SUB-SUBPARAGRAPHS (B) AND (C) OF SUBPARAGRAPH (I) OF PARAGRAPH
 40 (b) OF THIS SUBSECTION (8)".
 41
 42
 43
 44

45 **TRANSPORTATION & ENERGY**

46 After consideration on the merits, the Committee recommends the
 47 following:
 48

49 **HB15-1363** be postponed indefinitely.
 50

51
 52 **HB15-1381** be amended as follows, and as so amended, be referred to
 53 the Committee of the Whole with favorable
 54 recommendation:
 55

1 Amend printed bill, page 2, strike line 1 and substitute "(46) (g) and (46)
2 (h); and **add** (57) as follows:".

3
4 Page 2, after line 7 insert:

5
6 ~~"(h) The utility consumers' board, created in article 6.5 of title 40,
7 C.R.S.,".~~

8
9 Page 2, strike lines 12 and 13 and substitute:

10 **"SECTION 2.** In Colorado Revised Statutes, **amend** 40-6.5-108
11 as follows:".

12
13 Page 2, after line 16 insert:

14
15 ~~"(b.5) The utility consumers' board shall terminate on July 1,
16 2015."~~

17
18 Page 2, after line 18 insert:

19
20 ~~"(2) The provisions of section 24-34-104, C.R.S., concerning the
21 termination schedule for regulatory bodies of the state unless extended as
22 provided in that section, are applicable to the office of consumer counsel.
23 and the utility consumers' board."~~

24 25 26 PRINTING REPORT

27
28 The Chief Clerk reports the following bill and Concurrent Resolution
29 have been correctly printed: **HB15-1388; HCR15-1004.**

30 31 32 MESSAGE(S) FROM THE SENATE

33
34
35 Madam Speaker:

36
37 The Senate has postponed indefinitely HB15-1088, HB15-1100,
38 HB15-1132, HB15-1205, HB15-1234, HB15-1257, HB15-1302, and
39 HB15-1334. The bills are returned herewith.

40
41
42 The Senate has adopted and returns herewith:
43 SJM15-001.

44
45
46 The Senate has passed on Third Reading and transmitted to the Revisor
47 of Statutes:
48 SB15-278.

49
50 The Senate has passed on Third Reading and returns herewith:
51 HB15-1170, HB15-1181, and HB15-1229.

52
53 The Senate has passed on Third Reading and transmitted to the Revisor
54 of Statutes:
55 HB15-1129 amended in Special Orders as printed in Senate Journal,
56 April 28, 2015.

1 HB15-1219 amended in Special Orders as printed in Senate Journal,
2 April 28, 2015.
3 HB15-1249 amended in Special Orders as printed in Senate Journal,
4 April 28, 2015.
5 HB15-1274 amended in Special Orders as printed in Senate Journal,
6 April 28, 2015.
7 HB15-1275 amended in Special Orders as printed in Senate Journal,
8 April 28, 2015.
9 HB15-1344 amended in General Orders as printed in Senate Journal,
10 April 28, 2015.

11

12

13 The Senate has adopted and transmits herewith:
14 SJR15-029.

15

16 The Senate has adopted and transmits herewith:
17 SJR15-021 amended as printed in Senate Journal, April 29, 2015.

18

19 The Senate voted to concur in House amendments to SB15-087,
20 SB15-218, and SB15-221 and repassed the bill as so amended.

21

22 The Senate has voted not to concur in House Amendments to SB15-115
23 and requests that a Conference Committee be appointed. The President
24 appointed Senators Hill, Chair, Holbert, and Steadman as members of the
25 First Conference Committee on SB15-115 on the part of the Senate. The
26 bill is transmitted herewith.

27

28 The Senate has voted not to concur in House Amendments to SB15-119
29 and requests that a Conference Committee be appointed. The President
30 appointed Senators Sonnenberg, Chair, Baumgardner, and Jones as
31 members of the First Conference Committee on SB15-119 on the part of
32 the Senate. The bill is transmitted herewith.

33

34 The Senate has voted not to concur in House Amendments to SB15-219
35 and requests that a Conference Committee be appointed. The President
36 appointed Senators Cooke, Chair, Roberts, and Guzman as members of
37 the First Conference Committee on SB15-219 on the part of the Senate.
38 The bill is transmitted herewith.

39

40 In response to the request of the House for a Conference Committee on
41 HB15-1130 the President appoints Senators Hill, Chair, Garcia, and
42 Neville as conferees on the First Conference Committee on HB15-1130.

43

44 The Senate has granted permission to the First Conference Committee on
45 HB15-1130 to go beyond the scope of differences between the two
46 houses.

47

48

49 **MESSAGE(S) FROM THE REVISOR**

50

51 We herewith transmit:
52 without comment, **SB15-278**.
53 without comment, as amended, **HB15-1129, 1219, 1249, 1274, 1275,**
54 **and 1344.**

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56

INTRODUCTION OF BILLS
First Reading

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

HB15-1389 by Representative(s) Hullinghorst and Court; also Senator(s) Steadman--Concerning the creation of an enterprise that is exempt from the requirements of section 20 of article X of the state constitution to administer a state hospital provider fee program.

Committee on Health, Insurance, & Environment

HB15-1390 by Representative(s) Melton, Nordberg; also Senator(s) Holbert--Concerning an increase in the allowable finance charge for certain consumer credit transactions.

Committee on Business Affairs and Labor

SB15-278 by Senator(s) Lambert and Steadman, Grantham, Cadman; also Representative(s) Hamner, Young, Rankin--Concerning an amendment to the annual general appropriation act for the 2013-14 fiscal year to allow unspent moneys appropriated for the Colorado state capitol dome restoration project to be used for the next planned phase of the Colorado state capitol restoration.

Committee on Appropriations

INTRODUCTION OF RESOLUTION

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

SJR15-021 by Senator(s) Baumgardner and Sonnenberg, Scott; also Representative(s) Vigil and Coram, Brown--Concerning the recognition of the importance of coal to the Colorado economy.

Committee on State, Veterans, & Military Affairs

On motion of Representative Duran, **HB13-1378** was moved from the Special Orders Calendar to the top of the General Orders Calendar for April 30, 2015.

On motion of Representative Duran, the following bill(s) will be calendared for General Orders on April 30: **HB15-1349, 1369, SB15-265, 202, 212, HB15-1376, 1384, 1381.**

On motion of Representative Duran, the following bill(s) will be calendared for General Orders on May 4, 2015: **HB15-1057.**

On motion of Representative Duran, the following resolution(s) will be calendared for May 4, 2015: **SJR15-024.**

1 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
2 April 30, 2015.

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Approved:
DICKEY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

