

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Twenty-fourth Legislative Day

Friday, January 30, 2015

1 Prayer by Lieutenant Colonel Paul Franz, Air Force Chaplain.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Colors were posted by Stephanie Ortiz, Alejandra Valenzuela, Kelvin
6 Oteng, Alex Talavera, Junior Reserve Officer Training Corps, Aurora
7 Central High School, Hinkley High School.
8
9 The National Anthem was sung by Sergeant Ron McKay.
10
11 Pledge of Allegiance led by 2nd Lieutenant Kelton Erickson, Chief
12 Master Sergeant Lily Jansen, Cadets with the Civil Air Patrol.
13
14 The roll was called with the following result:
15
16 Present--61.
17 Excused--Representative(s) Mitschbush, Priola, Singer--3.
18 Vacancy--1.
19
20 The Speaker declared a quorum present.
21
22
23 On motion of Representative Danielson, the reading of the journal of
24 January 29, 2015, was declared dispensed with and approved as corrected
25 by the Chief Clerk.
26
27

CONSIDERATION OF RESOLUTION(S)

30
31 [HJR15-1007](#) by Representative(s) Ryden and Keyser, Brown, Carver,
32 Court, Duran, Esgar, Fields, Foote, Kagan, Landgraf,
33 Lawrence, Lee, Lontine, Primavera, Rosenthal, Roupe,
34 Salazar, Van Winkle, Vigil, Williams, Windholz; also
35 Senator(s) Scott and Todd, Crowder--Concerning
36 recognition of Military, Veterans, and MIA/POW
37 Appreciation Day.
38

39 (Printed and placed in members' file)
40

41 On motion of Representative Ryden, the resolution was read at length.
42
43

1 Amendment No. 1, moved by Representative(s) Keyser.

2

3 Amend printed resolution, page 2, line 15, strike "391,000" and substitute
4 "413,000".

5

6 The amendment was declared **passed** by **viva voce** vote.

7

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9

10 House in recess to allow Senators to speak. House Reconvened.

11

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14 On motion of Representative Ryden, the resolution, as amended, was
15 declared **passed** by **viva voce** vote.

16

17 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker J.,
18 Becker K., Buck, Buckner, Conti, Coram, Danielson, DelGrosso, Dore, Everett,
19 Garnett, Ginal, Hamner, Humphrey, Joshi, Klingenschmitt, Kraft-Tharp,
20 Lebsock, Lundeen, McCann, Melton, Moreno, Navarro, Neville P., Nordberg,
21 Pabon, Pettersen, Rankin, Ransom, Saine, Tate, Thurlow, Tyler, Willett,
22 Wilson, Winter, Young, Speaker.

23

24

25 [HJR15-1008](#) by Representative(s) Esgar and Navarro, Vigil, Brown,
26 Court, Duran, Fields, Foote, Humphrey, Kagan, Keyser,
27 Landgraf, Lawrence, Lee, Lontine, Melton, Primavera,
28 Rosenthal, Salazar, Thurlow, Williams, Windholz; also
29 Senator(s) Garcia and Ulibarri, Crowder--Concerning the
30 U.S.S. Pueblo.

31

32 (Printed and placed in members' file)

33

34 On motion of Representative Esgar, the resolution was read at length.

35

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37

38 House in recess to allow Senators to speak. House Reconvened.

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42 On motion of Representative Esgar, the resolution was declared **passed**
43 by **viva voce** vote.

44

45 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker J.,
46 Becker K., Buck, Buckner, Carver, Conti, Coram, Danielson, DelGrosso, Dore,
47 Everett, Garnett, Ginal, Hamner, Joshi, Klingenschmitt, Kraft-Tharp, Lebsock,
48 Lundeen, McCann, Moreno, Neville P., Nordberg, Pabon, Pettersen, Rankin,
49 Ransom, Roupe, Ryden, Saine, Tate, Tyler, Van Winkle, Willett, Wilson,
50 Winter, Young, Speaker.

51

52

53 [HJR15-1009](#) by Representative(s) Primavera and Neville P., Brown,
54 Court, Duran, Esgar, Fields, Foote, Humphrey, Kagan,
55 Keyser, Landgraf, Lawrence, Lee, Lontine, Melton,
56 Navarro, Rosenthal, Salazar, Thurlow, Vigil, Williams,

1 Windholz; also Senator(s) Lambert and Todd, Crowder--
2 Concerning the tenth anniversary of the partnership
3 between the Colorado National Guard and the Jordanian
4 Armed Forces.

5
6 (Printed and placed in members' file)

7
8 On motion of Representative Primavera, the resolution was read at
9 length.

10

11

12 House in recess to allow Senators to speak. House Reconvened.

13

14

15 On motion of Representative Primavera, the resolution was declared
16 **passed** by **viva voce** vote.

17

18 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker J.,
19 Becker K., Buck, Buckner, Carver, Conti, Coram, Danielson, DelGrosso, Dore,
20 Everett, Garnett, Ginal, Hamner, Joshi, Klingenschmitt, Kraft-Tharp, Lebsock,
21 Lundeen, McCann, Moreno, Nordberg, Pabon, Pettersen, Rankin, Ransom,
22 Roupe, Ryden, Saine, Tate, Tyler, Van Winkle, Willett, Wilson, Winter, Young,
23 Speaker.

24

25 **HJR15-1010** by Representative(s) Fields and Carver, Brown, Court,
26 Duran, Esgar, Foote, Humphrey, Kagan, Keyser, Landgraf,
27 Lawrence, Lee, Lontine, Melton, Navarro, Primavera,
28 Rosenthal, Roupe, Salazar, Thurlow, Vigil, Williams,
29 Windholz, Winter; also Senator(s) Crowder and Todd--
30 Concerning recognition and support of Colorado Serves,
31 a statewide effort to support the increased collaboration
32 and networking of the organizations that serve veterans,
33 service members, and their families throughout Colorado.

34

35 (Printed and placed in members' file)

36

37 On motion of Representative Fields, the resolution was read at length.

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42 House in recess to allow Senators to speak. House Reconvened.

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47 On motion of Representative Fields, the resolution was declared **passed**
48 by **viva voce** vote.

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50 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker J.,
51 Becker K., Buck, Buckner, Conti, Coram, Danielson, DelGrosso, Dore, Everett,
52 Garnett, Ginal, Hamner, Joshi, Klingenschmitt, Lebsock, Lundeen, McCann,
53 Moreno, Neville P., Nordberg, Pabon, Pettersen, Rankin, Ransom, Ryden,
54 Saine, Tate, Tyler, Van Winkle, Willett, Wilson, Young, Speaker.

55

56

1 [HJR15-1011](#) by Representative(s) Melton and Landgraf, Brown,
 2 Carver, Court, Duran, Esgar, Fields, Foote, Humphrey,
 3 Kagan, Keyser, Klingenschmitt, Lawrence, Lee, Lontine,
 4 Navarro, Primavera, Rosenthal, Roupe, Salazar, Thurlow,
 5 Van Winkle, Vigil, Williams, Windholz, Winter; also
 6 Senator(s) Balmer and Heath, Crowder--Concerning
 7 recognition of military personnel from Colorado who have
 8 served in Operation Enduring Freedom, Operation
 9 Freedom's Sentinel, Operation New Dawn, Operation
 10 Inherent Resolve, and in the Global War on Terrorism and
 11 honoring those who have died while serving the cause of
 12 freedom around the world.

13
 14 (Printed and placed in members' file)

15
 16 On motion of Representative Melton, the resolution was read at length.

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 18
 19 House in recess to allow Senators to speak. House Reconvened.

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 21
 22 On motion of Representative Melton, the resolution was declared **passed**
 23 by **viva voce** vote.

24
 25 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker J.,
 26 Becker K., Buck, Buckner, Conti, Coram, Danielson, DelGrosso, Dore, Everett,
 27 Garnett, Ginal, Hamner, Joshi, Lebssock, Lundeen, McCann, Moreno, Neville
 28 P., Nordberg, Pabon, Pettersen, Rankin, Ransom, Ryden, Saine, Tate, Tyler,
 29 Willett, Wilson, Young, Speaker.

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 32
 33 House in recess. House reconvened.

34 35 36 37 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

38 39 **APPROPRIATIONS**

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

42
 43 **HB15-1004** be amended as follows, and as so amended, be referred to
 44 the Committee of the Whole with favorable
 45 recommendation:

46
 47 Amend printed bill, page 2, before line 11, insert:

48
 49 **"SECTION 2. Appropriation.** (1) For the 2015-16 state fiscal
 50 year, \$4,120 is appropriated to the department of revenue. This
 51 appropriation is from the Colorado state titling and registration account
 52 in the highway users tax fund created in section 42-1-211 (2), C.R.S. To
 53 implement this act, the department may use this appropriation for the
 54 purchase of information technology services.

55 (2) For the 2015-16 state fiscal year, \$4,120 is appropriated to the
 56 office of the governor for use by the office of information technology.

1 This appropriation is from reappropriated funds received from the
2 department of revenue under subsection (1) of this section. To implement
3 this act, the office may use this appropriation to provide information
4 technology services for the department of revenue."

5

6 Renumber succeeding section accordingly.

7

8 Page 1, line 102, strike "MOTORCYCLES." and substitute
9 "MOTORCYCLES, AND, IN CONNECTION THEREWITH, MAKING AN
10 APPROPRIATION."

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14 **HB15-1023** be referred to the Committee of the Whole with favorable
15 recommendation.

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18 **HB15-1034** 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 2, after line 5 insert:

23 "SECTION 2. Appropriation. (1) For the 2015-16 state fiscal
24 year, \$340,651 is appropriated to the judicial department. This
25 appropriation consists of \$333,631 from the general fund and \$7,020
26 from the judicial department information technology cash fund created in
27 section 13-32-114 (1), C.R.S. To implement this act, the department may
28 use this appropriation as follows:

29 (a) \$94,170, which consists of \$87,150 from general fund and
30 \$7,020 from the judicial department information technology cash fund,
31 for courthouse capital and infrastructure maintenance; and

32 (b) \$246,481 from the general fund for trial court programs, which
33 amount is based on an assumption that the department will require an
34 additional 3.2 FTE."

35

36 Renumber succeeding section accordingly.

37

38 Page 1, line 102, strike "DISTRICT." and substitute "DISTRICT, AND, IN
39 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

40

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42

43 **HB15-1052** be referred to the Committee of the Whole with favorable
44 recommendation.

45

46

47 **HB15-1067** be referred to the Committee of the Whole with favorable
48 recommendation.

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51 **SB15-098** be referred to the Committee of the Whole with favorable
52 recommendation.

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56

1 **BUSINESS AFFAIRS & LABOR**

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

4
5 **HB15-1047** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, page 4, line 13, after "2" insert "OR 9".

10
11 Page 4, lines 18 and 19, strike "INTENDED TO BE".

12
13 Page 6, line 17, strike "INTENDED TO BE".

14
15 Page 9, strike lines 21 through 23 and substitute:

16 "(8) CONDUCTING OR ASSISTING IN THE CONDUCT OF GAMING
17 WAGERING ACTIVITIES AND LIVE OR SIMULCAST RACING AND PARIMUTUEL
18 WAGERING ACTIVITIES OTHERWISE AUTHORIZED BY COLORADO LAW IS
19 NOT A VIOLATION OF THIS SECTION."
20

21
22
23 **HB15-1056** be amended as follows, and as so amended, be referred to
24 the Committee on Judiciary with favorable
25 recommendation:

26
27 Amend printed bill, page 3, line 22, strike "DATA ACCESS" and substitute
28 "DISCLOSURE".

29
30 Page 3, line 24, strike "DATA ACCESS" and substitute "DISCLOSURE".

31
32 Page 3, line 27, strike "DATA ACCESS" and substitute "DISCLOSURE".

33
34 Page 4, line 6, strike "DATA ACCESS" and substitute "DISCLOSURE".

35
36 Page 5, strike lines 5 and 6 and substitute "AS PERMITTED BY 20 CFR
37 603.9 (c).".

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40
41 **HB15-1063** be referred favorably to the Committee on Appropriations.

42
43
44 **HB15-1133** be amended as follows, and as so amended, be referred to
45 the Committee on Appropriations with favorable
46 recommendation:

47
48 Amend printed bill, page 2, line 2, after "**amend**" insert "(1) (a), (1) (b),".

49
50 Page 2, strike line 5 and substitute "**- cash fund - report.** (1) (a) There
51 is hereby created in the office of the executive director in the department
52 of labor and employment the Colorado pay equity commission, referred
53 to in this section as the "commission". The commission consists of eleven
54 members as follows:

55 (I) The executive director of the department of labor and
56 employment or his or her designee;

1 (II) The director of the civil rights division in the department of
2 regulatory agencies or his or her designee;

3 (III) THE FOLLOWING NINE MEMBERS APPOINTED BY THE
4 GOVERNOR:

5 ~~(HH)~~ (A) One member representing higher education who has
6 expertise in pay equity issues; ~~appointed by the governor;~~

7 ~~(IV)~~ Two members appointed by the president of the senate as
8 follows:

9 ~~(A)~~ (B) One member representing a statewide labor union
10 federation that includes private and public sector unions; ~~and~~

11 ~~(B)~~ (C) One member representing a national organization that
12 serves minority communities and communities of color;

13 ~~(V)~~ Two members appointed by the speaker of the house of
14 representatives as follows:

15 ~~(A)~~ (D) One member of a women's national association or
16 organization; ~~and~~

17 ~~(B)~~ (E) One member who is an attorney with experience in labor
18 and employment issues, is an active member of a statewide association of
19 attorneys, and represents employees;

20 ~~(VI)~~ (F) One member representing a business association;
21 ~~appointed by the minority leader of the senate;~~

22 ~~(VII)~~ (G) One member representing a chamber of commerce or a
23 consortium of chambers of commerce; ~~appointed by the minority leader~~
24 ~~of the house of representatives;~~

25 ~~(VIII)~~ (H) One member who is a private, for-profit employer with
26 fewer than fifteen employees; ~~appointed jointly by the minority leaders~~
27 ~~of the senate and house of representatives; and~~

28 ~~(IX)~~ (I) One member who is a private, for-profit employer with
29 fifteen or more employees. ~~appointed jointly and with the unanimous~~
30 ~~consent of the president and minority leader of the senate and the speaker~~
31 ~~and minority leader of the house of representatives.~~

32 (b) (I) (A) ~~The initial appointments to the commission shall be~~
33 ~~made within ninety days after May 25, 2010. If the appointing authority~~
34 ~~for a particular position on the commission fails to appoint a person to fill~~
35 ~~the position by the ninetieth day after May 25, 2010, the commission, by~~
36 ~~a majority vote of the members appointed by such date, shall select a~~
37 ~~qualified person to fill the position.~~ APPOINTED MEMBERS OF THE
38 COMMISSION WHO ARE SERVING ON THE COMMISSION AS OF JULY 1, 2015,
39 ARE REMOVED FROM THE COMMISSION, AND BY JULY 31, 2015, THE
40 GOVERNOR SHALL APPOINT NEW MEMBERS, OR REAPPOINT MEMBERS WHO
41 WERE SERVING ON THE COMMISSION AS OF JULY 1, 2015, TO THE
42 COMMISSION IN ACCORDANCE WITH SUBPARAGRAPH (III) OF PARAGRAPH
43 (a) OF THIS SUBSECTION (1).

44 (B) IN ORDER TO ENSURE STAGGERED TERMS OF OFFICE, THE
45 GOVERNOR SHALL APPOINT FOUR COMMISSION MEMBERS TO SERVE INITIAL
46 ONE-YEAR TERMS OF OFFICE AND FIVE COMMISSION MEMBERS TO SERVE
47 INITIAL TWO-YEAR TERMS OF OFFICE. UPON COMPLETION OF THE INITIAL
48 TERMS, THE APPOINTED members of the commission shall serve two-year
49 terms of office. ~~not to exceed two consecutive terms of office.~~

50 (II) Upon the vacancy of a position on the commission, the
51 ~~appointing authority for that position on the commission~~ GOVERNOR shall
52 appoint a qualified person to complete the remainder of the unexpired
53 term. If the ~~appointing authority~~ GOVERNOR fails to appoint a person to
54 fill the vacancy within sixty days after the date the vacancy occurs, the
55 commission, by majority vote, shall select a qualified person to fill the
56 vacancy.

- 1 (2) (a) THE COMMISSION MAY SOLICIT, AND THE".
2
3 Page 2, line 7, strike "costs." and substitute "costs, INCLUDING COSTS FOR
4 STAFF SUPPORT."
5
6 Page 2, line 15, after "(b)" insert "THE DEPARTMENT SHALL PROVIDE
7 STAFF SUPPORT TO THE COMMISSION."
8
9 Page 2, lines 16 and 17, strike "EMPLOY OR CONTRACT" and substitute
10 "USE THE FUNDS TO COVER THE COMMISSION'S COSTS, INCLUDING COSTS
11 FOR DEPARTMENT STAFF OR COSTS ASSOCIATED WITH HIRING OR
12 CONTRACTING".
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17 **FINANCE**

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

21 **HB15-1079** be referred favorably to the Committee on Appropriations.
22
23

24 **HB15-1104** be amended as follows, and as so amended, be referred to
25 the Committee on Appropriations with favorable
26 recommendation:
27

28 Amend printed bill, page 2, line 8, strike "2021," and substitute "2019,".
29

30 Page 3, strike lines 1 through 3 and substitute:
31 "(II) ANELIGIBLE EDUCATOR MAY SUBTRACT UP TO TWO HUNDRED
32 FIFTY".
33

34 Page 3, line 7, strike "DOLLARS;" and substitute "DOLLARS."
35

36 Page 3, strike lines 8 through 18.
37

38 Page 4, line 2, strike "2022." and substitute "2020."
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43 **HEALTH, INSURANCE & ENVIRONMENT**

44 After consideration on the merits, the Committee recommends the
45 following:
46

47 **HB15-1048** be referred favorably to the Committee on Appropriations.
48
49

50 **HB15-1059** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:
53

54 Amend printed bill, page 2, line 5, strike "2015," and substitute "2016,".
55

56 Page 2, line 6, strike "2015," and substitute "2016,".

1 Page 2, line 14, strike "2015," and substitute "2016,".

2

3 Page 3, after line 21 insert:

4

5 **"SECTION 2.** In Colorado Revised Statutes, 25-29-112, **amend**

6 (1) (1) as follows:

7 **25-29-112. General powers of authority.** (1) In addition to any
8 other powers granted to the authority in this article, the authority shall
9 have the following powers:

10 (1) To fix the time and place or places at which its regular and
11 special meetings are to be held. Meetings shall be held on the call of the
12 presiding officer, but no less than ~~eight~~ six meetings shall be held
13 annually."

14

15 Renumber succeeding section accordingly.

16

17

18

19 **HB15-1066** be postponed indefinitely.

20

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22

23

24 **JUDICIARY**

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

27

28 **HB15-1022** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31

32 Amend printed bill, page 2, line 4, strike "**contracts.**" and substitute
33 "**contracts - data.**"

34

35 Page 4, after line 20 insert:

36

37 "(5) (a) EACH LAW ENFORCEMENT AGENCY THAT ISSUES PETTY
38 OFFENSE TICKETS PURSUANT TO THE PROVISIONS OF THIS SECTION SHALL
39 MAINTAIN ANNUAL DATA ON THE NUMBER OF TICKETS ISSUED AND THE
40 AGE, ETHNICITY, GENDER, AND FINAL DISPOSITION FOR EACH TICKET.

41 (b) THE DATA COLLECTED PURSUANT TO PARAGRAPH (a) OF THIS
42 SUBSECTION (5) IS PUBLIC AND MUST BE MADE AVAILABLE UPON
43 REQUEST."

44

45

46

47 **SB15-035** be referred to the Committee of the Whole with favorable
48 recommendation.

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PRINTING REPORT1
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The Chief Clerk reports the following bills have been correctly printed:
HB15-1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191.

INTRODUCTION OF BILLS
First Reading

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

HB15-1192 by Representative(s) Becker K., Lawrence, Pabon; also Senator(s) Neville T., Steadman--Concerning the ability of specified establishments licensed to serve alcohol beverages for on-premises consumption to become part of an entertainment district authorized by a local government.
Committee on Business Affairs and Labor

HB15-1193 by Representative(s) Windholz--Concerning the rights of watchers in connection with the conduct of elections.
Committee on State, Veterans, & Military Affairs

HB15-1194 by Representative(s) Becker K. and Coram--Concerning state general fund dollars for the department of public health and environment to continue providing specified family planning services throughout the state, and, in connection therewith, making an appropriation.
Committee on Public Health Care & Human Services

HB15-1195 by Representative(s) Kagan--Concerning the earlier commencement of the earned income tax credit allowed against the state income tax.
Committee on Finance
Committee on Appropriations

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

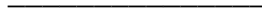
HR15-1005 by Representative(s) Hullinghorst--Concerning the approval by the House of Representatives of the Speaker's appointment of Rosemary Marshall to the Independent Ethics Commission.

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LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Duran, the following item(s) on the Calendar were laid over until February 2, retaining place on Calendar:

Consideration of Third Reading--**HB15-1060, 1031, 1045.**



On motion of Representative Duran, the House adjourned until 10:00 a.m., February 2, 2015.

Approved:
DICKY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

