

**SENATE JOURNAL**  
Seventieth General Assembly  
**STATE OF COLORADO**  
First Regular Session

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31st Legislative Day

Friday, February 6, 2015

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Prayer	By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.	10
Call to Order	By the President at 9:00 a.m.	11
Pledge	By Senator Donovan.	12
Roll Call	Present--34 Excused--1, Todd.	13
Quorum	The President announced a quorum present.	14
Reading of Journal	On motion of Senator Cooke, reading of the Journal of Thursday, February 5, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.	15

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**SENATE SERVICES REPORT**

**Correctly Engrossed:** SB15-159.

**Correctly Reengrossed:** SB15-044, 060, 071, 108, 112, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 160, 162, 163, 164, 165, 166, 167, 168, 169 and 170.

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**INTRODUCTION OF RESOLUTIONS**

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

<b>SJR15-008</b>	by Senator(s) Crowder; also Representative(s) Navarro--Concerning the support of U.S. Senate Bill 1602. State, Veterans, & Military Affairs	26
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**INTRODUCTION OF BILLS -- FIRST READING**

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

<b>SB15-171</b>	by Senator(s) Hill, Marble, Merrifield, Todd; also Representative(s) Moreno--Concerning the continuation of the "Private Occupational Education Act of 1981", and, in connection therewith, implementing the recommendations of the 2014 sunset review by the department of regulatory agencies. Education	27
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<b>SB15-172</b>	by Senator(s) Jones; also Representative(s) Foote--Concerning increased public participation for the high-performance transportation enterprise, and, in connection therewith, ensuring that the public can see all public-private partnership agreement terms, that the enterprise considers public comments, and that enterprise reports convey information that the public needs to assess both the positive and negative aspects of an agreement. Transportation	1 2 3 4 5 6 7 8 9
<b>SB15-173</b>	by Senator(s) Holbert; also Representative(s) Pabon--Concerning expanding protections for student data security. Education	10 11 12 13 14
<b>SB15-174</b>	by Senator(s) Steadman; --Concerning the "Colorado Uniform Substitute Decision-making Documents Act". Judiciary	15 16 17 18 19
<b>SB15-175</b>	by Senator(s) Holbert and Cooke, Cadman, Scheffel, Roberts, Lundberg, Hill, Baumgardner, Marble, Martinez Humenik, Garcia, Woods, Scott, Balmer, Neville T., Crowder, Donovan, Grantham, Jahn, Lambert, Sonnenberg; also Representative(s) Humphrey, Carver, Saine, Brown, Neville P., Nordberg, Van Winkle--Concerning repealing certain provisions regarding ammunition magazines. Judiciary	20 21 22 23 24 25 26 27
<b>SB15-176</b>	by Senator(s) Garcia and Crowder, Aguilar, Guzman, Heath, Jones, Kerr; also Representative(s) Salazar--Concerning the conditions under which the southwest chief rail line economic development, rural tourism, and infrastructure repair and maintenance commission may expend money from the southwest chief rail line economic development, rural tourism, and infrastructure repair and maintenance fund, and, in connection therewith, making an appropriation. Local Government Appropriations	28 29 30 31 32 33 34 35 36 37
<b>HB15-1004</b>	by Representative(s) Tyler, Buck, Ginal, Lee, Mitsch Bush; also Senator(s) Todd--Concerning authorization for firefighter license plates to be issued for motorcycles, and, in connection therewith, making an appropriation. Transportation	38 39 40 41 42 43
<b>HB15-1017</b>	by Representative(s) Hamner and Buck; also Senator(s) Roberts--Concerning nongovernmental volunteer fire departments in Colorado, and, in connection therewith, enacting the "Volunteer Fire Department Organization Act". Local Government	44 45 46 47 48 49
<b>HB15-1022</b>	by Representative(s) McCann; also Senator(s) Steadman and Cooke--Concerning juveniles charged with certain minor offenses. Judiciary	50 51 52 53 54
<b>HB15-1023</b>	by Representative(s) Lontine; also Senator(s) Aguilar--Concerning the age limitation for persons served in a day treatment center. Health & Human Services	55 56 57 58 59
<b>HB15-1029</b>	by Representative(s) Buck and Ginal; also Senator(s) Kefalas and Martinez Humenik--Concerning coverage under a health benefit plan for health care services delivered through telehealth in any area of the state. Health & Human Services	60 61 62 63 64 65
<b>HB15-1031</b>	by Representative(s) Windholz; also Senator(s) Todd--Concerning a ban on powdered alcohol. Judiciary	66 67 68 69 70

- HB15-1034** by Representative(s) Vigil; also Senator(s) Crowder--Concerning an increase in the number of district court judges in the twelfth judicial district, and, in connection therewith, making an appropriation.  
 Judiciary  
 Appropriations
- HB15-1045** by Representative(s) Ryden, Duran, Mitsch Bush, Hamner; also Senator(s) Crowder--Concerning the amount a veteran must pay to enter state parks.  
 State, Veterans, & Military Affairs
- HB15-1052** by Representative(s) Carver and Melton; also Senator(s) Todd--Concerning eligibility to receive a grant from the military family relief fund.  
 State, Veterans, & Military Affairs
- HB15-1059** by Representative(s) Garnett; also Senator(s) Guzman--Concerning the board of directors of the Denver health and hospital authority.  
 Health & Human Services
- HB15-1060** by Representative(s) Hamner; also Senator(s) Cooke--Concerning protection orders in sex offense cases.  
 Judiciary
- HB15-1062** by Representative(s) Melton and Lebsock; also Senator(s) Balmer and Sonnenberg--Concerning increasing the penalties for persons who engage in animal fighting.  
 Judiciary
- HB15-1064** by Representative(s) Nordberg; also Senator(s) Holbert--Concerning access to the safe deposit box of a decedent, and, in connection therewith, limiting the obligations of custodians who access the box.  
 Judiciary
- HB15-1067** by Representative(s) Kraft-Tharp and Landgraf; also Senator(s) Newell--Concerning the establishment of a continuing professional development program for licensed psychologists.  
 Health & Human Services
- HB15-1074** by Representative(s) Vigil; also Senator(s) Crowder--Concerning the liability of an individual member of a board of county commissioners in a legal proceeding in which the board is found liable.  
 Local Government
- HB15-1121** by Representative(s) Becker J.; also Senator(s) Sonnenberg--Concerning agreements between landowners and wind energy developers, and, in connection therewith, clarifying the rights and duties of parties to those agreements and the effects of recording an agreement in county land records.  
 Agriculture, Natural Resources, & Energy

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On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of Resolutions.

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**CONSIDERATION OF RESOLUTIONS**

**SJR15-007** by Senator(s) Martinez Humenik and Donovan; also Representative(s) Roupe and Primavera--Concerning awareness of heart disease, and, in connection therewith, declaring February 6, 2015, as "National Wear Red Day".

Senators Martinez Humenik and Donovan read the resolution at length. On motion of Senator Martinez Humenik, the resolution was **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Cooke, Crowder, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Ulibarri and Woods.

Senate in recess. Senate reconvened.

Committee of the Whole On motion of Senator Martinez Humenik, the Senate resolved itself into the Committee of the Whole for consideration of Special Orders--Second Reading of Bills, and Senator Martinez Humenik was called to the chair to act as Chairman.

**SPECIAL ORDERS -- SECOND READING OF BILLS**

The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

**SB15-117** by Senator(s) Lambert, Woods, Cooke, Cadman, Baumgardner, Crowder, Grantham, Hill, Holbert, Lundberg, Marble, Neville T., Roberts, Scheffel; also Representative(s) Joshi, Saine, Humphrey, Rankin, Klingenschmitt, Lundeen, Buck, Neville P.--Concerning prohibiting discrimination in public financing of institutions of higher education.

Amendment No. 1, Education Committee Amendment.  
(Printed in Senate Journal, February 2, page(s) 134 and placed in members' bill files.)

Amendment No. 2(L.005), by Senator Lambert.

Amend Senate Education Committee Report, dated January 29, 2015, page 1, strike line 1 and substitute:

"Amend printed bill, page 2, strike lines 10 and 11 and substitute "APPROPRIATION, ALLOCATION, OR DISTRIBUTION OF STATE MONEYS SOLELY ON THE RACE, COLOR, NATIONAL ORIGIN, SEX, PREGNANCY, AGE, DISABILITY, CREED, RELIGION, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, VETERAN STATUS, POLITICAL AFFILIATION, OR POLITICAL PHILOSOPHY OF A STUDENT."

Page 2, line 14, after the period, add "NOTHING IN".

Page 1 of the committee report, line 2, after "PROHIBITS" insert "INSTITUTIONS OF HIGHER EDUCATION FROM OFFERING".

Page 1 of the committee report, strike line 4 and substitute "STATES

CONSTITUTION. AN INSTITUTION MAY USE STATE MONEYS TO INCREASE ETHNIC, CULTURAL, AND GENDER DIVERSITY, INCREASE ACCESS FOR QUALIFIED DISABLED INDIVIDUALS, AND PROVIDE EQUAL OPPORTUNITY FOR ALL STUDENTS AND EMPLOYEES."."

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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

On motion of Senator Martinez Humenik, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB15-117 as amended.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for consideration of General Orders -- Second Reading of Bills -- Consent Calendar.

Committee of the Whole On motion of Senator Martinez Humenik, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Martinez Humenik was called to the Chair to act as Chairman.

**GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR**

The Committee of the Whole having risen, the Chairman reported that the following bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

**SB15-023** by Senator(s) Crowder; --Concerning the use of an off-highway vehicle to cross a roadway.

Amendment No. 1, Transportation Committee Amendment.  
(Printed in Senate Journal, February 4, page(s) 157 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

**SB15-082** by Senator(s) Marble and Hodge, Holbert, Lundberg, Woods; also Representative(s) Moreno and Lawrence--Concerning the authority of counties to establish a county workforce development program.

Amendment No. 1, Local Government Committee Amendment.  
(Printed in Senate Journal, February 4, page(s) 158 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

**ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE -- CONSENT CALENDAR**

On motion of Senator Martinez Humenik, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB15-023 as amended, SB15-082 as amended.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Senate proceeded out of order for Consideration of General Orders -- Second Reading of Bills.

Committee of the Whole On motion of Senator Martinez Humenik, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Martinez Humenik was called to the chair to act as Chairman.

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

The Committee of the Whole having risen, the Chairman reported that the following bill, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

**SB15-065** by Senator(s) Marble, Grantham, Neville T., Woods, Holbert, Cooke, Sonnenberg, Lambert, Scott, Scheffel, Cadman, Baumgardner, Crowder, Lundberg; also Representative(s) Nordberg, Everett, Saine, Joshi, Humphrey, Neville P., Ransom-- Concerning a prohibition on the use of public electronic benefits transfer services at certain establishments.

Amendment No. 1, State, Veterans, & Military Affairs Committee Amendment.  
(Printed in Senate Journal, February 4, page(s) 158 and placed in members' bill files.)

As amended, ordered engrossed and placed on the calendar for third reading and final passage.

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

On motion of Senator Martinez Humenik, the report of the Committee of the Whole was **adopted** on the following roll call vote:

YES	33	NO	1	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

The Committee of the Whole took the following action:

Passed on second reading: SB15-065 as amended.

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

On third reading, the title of the following bill was publicly read, the reading at length having been dispensed with by unanimous consent:

**SB15-159** by Senator(s) Lambert, Grantham, Steadman; also Representative(s) Hamner, Young, Rankin--Concerning a supplemental appropriation to the department of public safety.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

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

Upon request of Majority Leader Scheffel, **HJR15-1009** and **HJR15-1011** were removed from the Consideration of Resolutions--Consent Calendar of Friday, February 6 and were placed at the end of the Consideration of Resolutions Calendar of Friday, February 6.

**CONSIDERATION OF RESOLUTIONS - CONSENT CALENDAR**

On motion of Majority Leader Scheffel, the resolutions were **adopted** by the following roll call votes:

**HJR15-1007** by Representative(s) Ryden and Keyser, Brown, Carver, Court, Duran, Esgar, Fields, Foote, Kagan, Landgraf, Lawrence, Lee, Lontine, Primavera, Rosenthal, Roupe, Salazar, Van Winkle, Vigil, Williams, Windholz; also Senator(s) Scott and Todd, Crowder--Concerning recognition of Military, Veterans, and MIA/POW Appreciation Day.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Cooke, Donovan, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Sonnenberg, Steadman, Ulibarri and Woods.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Cooke, Donovan, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman and Woods.

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

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Cooke, Donovan, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Ulibarri and Woods.

## CONSIDERATION OF RESOLUTIONS

**HJR15-1009** by Representative(s) Primavera and Neville P., Brown, Court, Duran, Esgar, Fields, Foote, Humphrey, Kagan, Keyser, Landgraf, Lawrence, Lee, Lontine, Melton, Navarro, Rosenthal, Salazar, Thurlow, Vigil, Williams, Windholz; also Senator(s) Lambert and Todd, Crowder--Concerning the tenth anniversary of the partnership between the Colorado National Guard and the Jordanian Armed Forces.

Amendment No. 1(L.001), by Senator Lambert.

Amend revised joint resolution, page 2, strike line 14 and substitute "grow and strengthen; and

WHEREAS, The state of Colorado recognizes Captain Moath al-Kasasbeh, who selflessly served as a First Lieutenant in the Royal Jordanian Air Force and embodied the mission of the Royal Jordanian Air Force to protect and defend the sovereignty and integrity of the Hashemite Kingdom of Jordan; and

WHEREAS, First Lieutenant Moath al-Kasasbeh sacrificed his life in service to the Global War on Terror, was brutally and publicly murdered in violation of all norms of international law and human decency, and was posthumously promoted to the rank of captain; and

WHEREAS, The Islamic State of Iraq and the Levant (ISIL) is a terrorist organization responsible for capturing and assassinating citizens of the United States and the Hashemite Kingdom of Jordan, deepening the suffering of the region, and inciting international terrorism; and

WHEREAS, ISIL has carried out despicable atrocities targeting Muslims and religious and ethnic minorities in the region for enslavement, torture, and massacre; and

WHEREAS, ISIL continues to hold hostages in deliberate violation of international law; and

WHEREAS, The state of Colorado resolutely condemns the appalling acts committed by ISIL, including indiscriminate assassination of civilians, persecution of individuals on the basis of religious beliefs, mutilation and killing of children, violent attacks on schools and hospitals, the destruction of cultural and religious sites, and the obstruction of social and cultural rights; and

WHEREAS, The state of Colorado underlines the responsibility of United States military partners to protect civilian populations in accordance with their obligations under international law; now, therefore,".

Page 2, line 20, after "work." add "Concurrently, we express our condolences for the loss of Captain Moath al-Kasasbeh and condemn the continued barbaric acts of violence committed by ISIL."

Page 1, line 103, strike "**FORCES.**" and substitute "**FORCES, EXPRESSING THE CONDOLENCES OF THE STATE OF COLORADO TO THE FAMILY OF CAPTAIN AL-KASASBEH AND CONDEMNING THE TERRORIST ACTS OF THE ISLAMIC STATE OF IRAQ AND THE LEVANT.**"

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

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YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

On motion of Senator Lambert, the resolution, as amended, was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

Co-sponsor(s) added: Aguilar, Balmer, Baumgardner, Cadman, Carroll, Cooke, Donovan, Garcia, Grantham, Guzman, Heath, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Ulibarri and Woods.

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

On motion of Senator Heath, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Carroll, Cooke, Donovan, Garcia, Grantham, Guzman, Hill, Hodge, Holbert, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Newell, Roberts, Scheffel, Scott, Sonnenberg, Steadman, Ulibarri and Woods.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --  
CONSENT CALENDAR**

On motion of Majority Leader Scheffel, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE  
COLORADO AERONAUTICAL BOARD

effective December 19, 2014, for terms expiring December 19, 2017:

Robert Philip Olislagers of Aurora, Colorado, to serve as a representative of the statewide association of airport managers, appointed;

Ann Beardall of Kiowa, Colorado, to serve as a representative of the statewide association of pilots, appointed;

Joe Rice of Littleton, Colorado, to serve as a member familiar with and supportive of the state's aviation issues, interests, and concerns, appointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

MEMBER OF THE  
COLORADO LIMITED GAMING CONTROL COMMISSION

for a term expiring July 1, 2018:

Lowell Roger Hutson of Denver, Colorado, to serve as member from the First Congressional District and as a representative who has been engaged in business in a management-level capacity for at least five years, and as a Republican, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

MEMBER OF THE  
COLORADO RACING COMMISSION

for a term expiring July 1, 2018:

Sean D. Beirne of Castle Rock, Colorado, a Republican and resident of the 4th Congressional District, who has been previously engaged in the racing industry for at least five years, reappointed.

YES	34	NO	0	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	E
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	Y
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

**MESSAGE FROM THE GOVERNOR**

Appointment Letters of designation and appointment from Governor John W. Hickenlooper were read and assigned to committees as follows:

February 2, 2015

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

EXECUTIVE DIRECTOR OF THE  
DEPARTMENT OF AGRICULTURE

effective February 17, 2015 for a term expiring at the pleasure of the Governor:

Donald Cleo Brown of Yuma, Colorado, and occasioned by the resignation of John Salazar of Manassas, Colorado, appointed.

Sincerely,  
(signed)  
John W. Hickenlooper  
Governor  
Rec'd: 2/2/2015  
Cindi L. Markwell, Secretary of the Senate

Committee on Agriculture, Natural Resources, & Energy

July 8, 2014

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, reappoint and submit to your consideration the following:

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MEMBERS OF THE  
COLORADO COMMISSION ON THE AGING

for a term expiring July 1, 2016:

Ruth Elaine Long of Fort Collins, Colorado, to serve as a Democrat from  
Congressional District 2, reappointed;

for terms expiring July 1, 2018:

Paulette St. James of Denver, Colorado, to serve as a Democrat from Congressional  
District 1, appointed;

Celestino J. Santistevan of Rocky Ford, Colorado, to serve as an Unaffiliated and as an  
at-large member from Congressional District 4, appointed;

Jody Barker of Colorado Springs, Colorado, to serve as a Republican from  
Congressional District 5, appointed;

Bobbie Mecalo Sampson of Aurora, Colorado, to serve as a Republican from  
Congressional District 6, reappointed;

Benjamin Moultrie of Aurora, Colorado, to serve as a Democrat from Congressional  
District 6, appointed;

Christina Johnson of Lakewood, Colorado, to serve as a Democrat from Congressional  
District 7, appointed.

Sincerely,

(signed)

John W. Hickenlooper

Governor

Rec'd: 12/31/2014

Cindi L. Markwell, Secretary of the Senate

Committee on Health & Human Services

January 7, 2015

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of  
Colorado, I have the honor to designate, appoint, reappoint and submit to your  
consideration, the following:

MEMBERS OF THE  
BOARD OF TRUSTEES FOR  
WESTERN STATE COLORADO UNIVERSITY

for terms expiring December 31, 2018:

Erich Marshall Ferchau of Gunnison, Colorado, a Republican, appointed;

Todd M. Wheeler of Castle Rock, Colorado, a Republican, reappointed.

Sincerely,

(signed)

John W. Hickenlooper

Governor

Rec'd: 1/9/2015

Cindi L. Markwell, Secretary of the Senate

Committee on Education

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January 16, 2015

To the Honorable  
Colorado Senate  
Colorado General Assembly  
State Capitol Building  
Denver, CO 80203

Ladies and Gentlemen:

Pursuant to the powers conferred upon me by the Constitution and Laws of the State of Colorado, I have the honor to designate, appoint, and submit to your consideration, the following:

MEMBER OF THE  
COLORADO COMMISSION ON HIGHER EDUCATION

for a term expiring July 1, 2018:

Paula E. Sandoval of Denver, Colorado, a resident of the 1st Congressional District and a Democrat, appointed.

Sincerely,

John W. Hickenlooper  
Governor  
Rec'd: 1/22/2015  
Cindi L. Markwell, Secretary of the Senate

Committee on Education

**COMMITTEE OF REFERENCE REPORTS**

Finance After consideration on the merits, the Committee recommends that **SB15-102** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB15-104** be referred to the Committee on Appropriations with favorable recommendation.

Finance After consideration on the merits, the Committee recommends that **SB15-111** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services After consideration on the merits, the Committee recommends that **SB15-074** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 12 through 22.

Renumber succeeding subsections accordingly.

Page 3, line 3, after "25-1.5-103." add "THE TERM DOES NOT INCLUDE A NURSING CARE FACILITY OR ASSISTED LIVING RESIDENCE.".

Page 3, after line 3 insert:

"(3) "HEALTH CARE PRICE" MEANS THE PRICE THAT A HEALTH CARE PROVIDER OR HEALTH CARE FACILITY CHARGES FOR HEALTH CARE

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SERVICES THAT WILL BE RENDERED BEFORE NEGOTIATING ANY DISCOUNTS. "HEALTH CARE PRICE" DOES NOT INCLUDE THE AMOUNT CHARGED IF A PUBLIC OR PRIVATE THIRD PARTY WILL BE PAYING OR REIMBURSING THE HEALTH CARE PROVIDER OR HEALTH CARE FACILITY FOR ANY PORTION OF THE SERVICES RENDERED. FOR PURPOSES OF HEALTH CARE FACILITIES, THE HEALTH CARE PRICE IS FOR THE STANDARD SERVICE FOR THE PARTICULAR DIAGNOSIS AND DOES NOT INCLUDE ANY COMPLICATIONS OR EXCEPTIONAL TREATMENT."

Renumber succeeding subsections accordingly.

Page 3, line 4, strike "PROFESSIONAL" and substitute "PROVIDER".

Page 3, line 5, strike "THE" and substitute "THIS".

Page 3, line 8, before "MEANS" insert "OR "SERVICES".

Page 3, line 16, strike "TELEMEDICINE." and substitute "TELEMEDICINE OR TELEHEALTH."

Page 3, strike lines 17 through 19.

Renumber succeeding subsections accordingly.

Page 3, line 23, strike "INCLUDES" and substitute "MEANS".

Page 3, line 24, strike "HEALTH CARE SYSTEM," and substitute "SELF-INSURED EMPLOYER,".

Page 3, line 25, strike "ADMINISTRATOR," and substitute "ADMINISTRATOR OR INTERMEDIARY,".

Page 4, lines 5 and 6, strike "SAMARITAN HOSPITAL,".

Page 4, after line 12 insert:

"(9) "RECIPIENT" MEANS AN INDIVIDUAL WHO RECEIVES HEALTH CARE SERVICES FROM A HEALTH CARE PROVIDER OR HEALTH CARE FACILITY."

Page 4, line 14, strike "**professionals.**" and substitute "**providers.**" (1) (a) and strike "PROFESSIONAL" and substitute "PROVIDER".

Page 4, strike lines 15 through 17 and substitute "AVAILABLE TO THE PUBLIC, IN A SINGLE DOCUMENT, ELECTRONICALLY, OR ON ITS WEB SITE IF ONE EXISTS, THE HEALTH CARE PRICE FOR AT LEAST THE FIFTEEN MOST".

Page 4, line 18, strike "SERVICES THE HEALTH CARE PROFESSIONAL" and substitute "SERVICES, IF APPLICABLE, THE HEALTH CARE PROVIDER".

Page 4, line 19, strike "PROFESSIONAL" and substitute "PROVIDER".

Page 4, strike lines 20 through 25 and substitute "SERVICES BY:

(I) A COMMON PROCEDURAL TERMINOLOGY CODE OR OTHER CODING SYSTEM COMMONLY USED BY THE PROVIDER AND ACCEPTED AS A NATIONAL STANDARD FOR BILLING; AND

(II) A PLAIN ENGLISH DESCRIPTION.

(b) THE HEALTH CARE PROVIDER SHALL UPDATE THE DOCUMENT AS FREQUENTLY AS THE HEALTH CARE PROVIDER DEEMS APPROPRIATE, BUT AT LEAST ANNUALLY.

(2) THE HEALTH CARE PROVIDER SHALL PROVIDE THE RECIPIENT WITH A DISCLOSURE SPECIFYING THAT THE HEALTH CARE PRICE FOR ANY GIVEN HEALTH CARE SERVICE IS AN ESTIMATE AND THAT THE ACTUAL CHARGES FOR THE HEALTH CARE SERVICE ARE DEPENDENT ON THE CIRCUMSTANCES AT THE TIME THE SERVICE IS RENDERED."

Page 4, line 26, after "**charges.**" insert "(1) (a)".

Page 5, strike lines 1 through 8 and substitute "SINGLE DOCUMENT,

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ELECTRONICALLY, OR ON ITS WEB SITE IF ONE EXISTS, THE HEALTH CARE PRICE FOR AT LEAST:

(I) THE FIFTY MOST-USED, DIAGNOSIS-RELATED GROUP CODES OR OTHER CODES FOR IN-PATIENT HEALTH CARE SERVICES USED BY THE HEALTH CARE FACILITY FOR BILLING, OR IF NOT USED, ANOTHER CODING SYSTEM FOR IN-PATIENT HEALTH CARE SERVICES COMMONLY USED BY THE FACILITY AND ACCEPTED AS A NATIONAL STANDARD FOR BILLING; AND

(II) THE TWENTY-FIVE MOST-USED OUTPATIENT CPT OR HEALTH CARE SERVICES PROCEDURE CODES USED FOR BILLING, AND IF NOT USED, ANOTHER CODING SYSTEM FOR OUT-PATIENT HEALTH CARE SERVICES COMMONLY USED BY THE FACILITY AND ACCEPTED AS A NATIONAL STANDARD FOR BILLING.

(b) THE HEALTH CARE FACILITY SHALL MAKE AVAILABLE THE HEALTH CARE PRICES FOR A RELATED CODE OR PROCEDURE ONLY IF THE HEALTH CARE FACILITY HAS USED THE CODE OR PROCEDURE AT LEAST ELEVEN TIMES IN THE PREVIOUS TWELVE MONTHS.

(c) THE HEALTH CARE FACILITY SHALL UPDATE THE DOCUMENT AS FREQUENTLY AS IT DEEMS APPROPRIATE, BUT AT LEAST ANNUALLY.

(2) THE HEALTH CARE FACILITY SHALL PROVIDE THE RECIPIENT WITH A DISCLOSURE SPECIFYING THAT THE HEALTH CARE PRICE FOR ANY GIVEN HEALTH CARE SERVICE IS AN ESTIMATE AND THAT THE ACTUAL CHARGES FOR THE HEALTH CARE SERVICE ARE DEPENDENT ON THE CIRCUMSTANCES AT THE TIME THE SERVICE IS RENDERED.

(3) A HEALTH CARE FACILITY MAY DISCLOSE THE BASIS FOR ITS HEALTH CARE PRICES AND MAY TAKE INTO CONSIDERATION ALL PAYER SOURCES WHEN DETERMINING A HEALTH CARE PRICE."

Page 5, line 9, strike "government" and strike "direct pay" and substitute "health care".

Page 5, strike line 10 and substitute "(1) NOTHING IN THIS ARTICLE REQUIRES A HEALTH CARE FACILITY OR HEALTH CARE PROVIDER".

Page 5, line 11, strike "REQUIRED" and strike "DIRECT PAY" and substitute "HEALTH CARE".

Page 5, line 12, strike "PURPOSES." and substitute "PURPOSES, EXCEPT AS REQUIRED BY SECTION 25-3-112."

Page 5, line 14, strike "PROFESSIONAL'S DIRECT PAY" and substitute "PROVIDER'S HEALTH CARE".

Page 5, line 15, strike "DIRECT PAY PRICES. THIS" and substitute "HEALTH CARE PRICES. THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT IS NOT AUTHORIZED TO TAKE ANY ACTION REGARDING OR PURSUANT TO THIS ARTICLE.

(2) THIS".

Page 5, line 16, strike "DIRECT PAYMENT TRANSACTIONS" and substitute "HEALTH CARE PRICES AND PAYMENTS".

Page 5, line 18, strike "FEDERAL LAW." and substitute "STATE AND FEDERAL LAW. AN AGENCY, PERSON, OR ENTITY SHALL NOT PUNISH A RECIPIENT, HEALTH CARE PROVIDER, OR HEALTH CARE FACILITY FOR PARTICIPATING DIRECTLY IN, EXERCISING RIGHTS UNDER, OR COMPLYING WITH THIS ARTICLE."

Page 5, line 20, strike "A HEALTH CARE SYSTEM" and substitute "AN AGENCY".

Page 5, lines 21 and 22, strike "DIRECTLY PAYING FOR HEALTH CARE SERVICES." and substitute "PARTICIPATING DIRECTLY IN, EXERCISING RIGHTS UNDER, OR COMPLYING WITH THIS ARTICLE."

Page 5, lines 22 and 23, strike "DIRECT PAYMENT TRANSACTIONS" and substitute "PARTICIPATION IN OR EXERCISING RIGHTS UNDER THIS ARTICLE".

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Page 5, strike line 27.

Strike page 6 and substitute:

"SECTION 2. Act subject to petition - effective date. This act takes effect January 1, 2016; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that SB15-121 be referred to the Committee on Appropriations with favorable recommendation.

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that SB15-055 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 2, strike lines 2 through 9.

Renumber succeeding sections accordingly.

Page 2, line 23, after the second "OF" insert "SUCH".

Page 2, line 24, after the period add "NOTHING IN THIS SECTION LIMITS THE STATE ENGINEER'S AUTHORITY TO ADMINISTER WATER RIGHTS TO PREVENT WASTE."

Agriculture, Natural Resources, & Energy

After consideration on the merits, the Committee recommends that SB15-119 be referred to the Committee on Finance with favorable recommendation.

**MESSAGE FROM THE HOUSE**

February 6, 2015

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes: HB15-1032, amended as printed in House Journal, February 5. HB15-1047, amended as printed in House Journal, February 5.

The House has adopted and returns herewith SJR15-007.

**MESSAGE FROM THE REVISOR OF STATUTES**

February 6, 2015

We herewith transmit:

Without comment, as amended, HB15-1032 and 1047.

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On motion of Majority Leader Scheffel, the Senate adjourned until 10:00 a.m., Monday, February 9, 2015.

Approved:

Bill L. Cadman  
President of the Senate

Attest:

Cindi L. Markwell  
Secretary of the Senate

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