

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Fifty-second Legislative Day

Friday, February 27, 2015

1 Prayer by the Reverend Mel Waters, New Life Church, Colorado Springs.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Garret Hammond, Metropolitan State
6 University, Denver.

7

8 The roll was called with the following result:

9

10 Present--59.

11 Excused--Representative(s) Buckner, Kagan, Keyser, Nordberg,
12 Sias, Singer--6.

13 Present after roll call--Representative(s) Buckner, Kagan, Keyser,
14 Singer.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Klingenschmitt, the reading of the journal
20 of February 26, 2015, was declared dispensed with and approved as
21 corrected by the Chief Clerk.

22

23

24

25 **THIRD READING OF BILL(S)--FINAL PASSAGE**

26

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

30

31 [HB15-1173](#) by Representative(s) Mitsch Bush and Rankin--
32 Concerning a requirement that motor vehicles have certain
33 traction equipment when driving on the interstate 70
34 mountain corridor.

35

36 (Amended as printed in House Journal, February 26, 2015.)

37 Laid over until March 2, 2015, retaining place on Calendar.

38

39 [HB15-1035](#) by Representative(s) Fields; also Senator(s) Cooke--
40 Concerning changes to crime victim compensation.

41

42

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

	YES	48	NO	12	EXCUSED	5	ABSENT	0
7 Arndt	Y	Fields	Y	Lundeen	N	Ryden	Y	
8 Becker J.	Y	Foote	Y	McCann	Y	Saine	N	
9 Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y	
10 Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	E	
11 Buck	N	Hamner	Y	Moreno	Y	Singer	Y	
12 Buckner	E	Humphrey	N	Navarro	N	Tate	Y	
13 Carver	N	Joshi	N	Neville P.	N	Thurlow	Y	
14 Conti	Y	Kagan	E	Nordberg	E	Tyler	Y	
15 Coram	Y	Keyser	E	Pabon	Y	Van Winkle	Y	
16 Court	Y	Klingenschmitt	N	Pettersen	Y	Vigil	Y	
17 Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	N	
18 DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y	
19 Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y	
20 Duran	Y	Lebsock	Y	Ransom	N	Windholz	Y	
21 Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y	
22 Everett	N	Lontine	Y	Roupe	Y	Young	Y	
23						Speaker	Y	

24 Co-sponsor(s) added: Representative(s) Duran, Melton, Mitsch Bush, Pabon,
 25 Pettersen, Primavera, Roupe, Salazar, Williams, Young, Speaker

26
 27
 28
 29
 30 On motion of Representative Lontine, the House resolved itself into
 31 Committee of the Whole for consideration of General Orders, and she
 32 was called to the Chair to act as Chairman.

33 34 35 **GENERAL ORDERS--SECOND READING OF BILLS**

36
 37 The Committee of the Whole having risen, the Chairman reported the
 38 titles of the following bills had been read (reading at length had been
 39 dispensed with by unanimous consent), the bills considered and action
 40 taken thereon as follows:

41
 42 (Amendments to the committee amendment are to the printed committee
 43 report which was printed and placed in the members' bill file.)

44
 45 **SB15-057** by Senator(s) Balmer, Aguilar, Crowder, Jahn, Newell,
 46 Roberts, Woods; also Representative(s) Williams, Becker
 47 K., Brown, Buck, Joshi, Lontine, Melton, Navarro,
 48 Nordberg, Pabon, Priola, Ransom, Rosenthal, Roupe, Tate,
 49 Van Winkle--Concerning the reporting requirements of the
 50 Colorado clean claims task force.

51
 52 Ordered revised and placed on the Calendar for Third Reading and Final
 53 Passage.

54

1 [HB15-1188](#) by Representative(s) Ryden and Primavera, Nordberg; also
 2 Senator(s) Neville T., Guzman, Jahn--Concerning
 3 clarifications to the state vocational rehabilitation
 4 program.

5
 6 Amendment No. 1, Public Health Care & Human Services Report, dated
 7 February 24, 2015, and placed in member's bill file; Report also printed
 8 in House Journal, February 25, 2015.

9
 10 As amended, ordered engrossed and placed on the Calendar for Third
 11 Reading and Final Passage.

12
 13
 14 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

15
 16 Passed Second Reading: **SB15-057, HB15-1188 amended.**

17
 18 The Chairman moved the adoption of the Committee of the Whole
 19 Report. As shown by the following roll call vote, a majority of those
 20 elected to the House voted in the affirmative, and the Report was
 21 **adopted.**

	YES	60	NO	0	EXCUSED	5	ABSENT	0
24	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
25	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
26	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
27	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	E
28	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
29	Buckner	E	Humphrey	Y	Navarro	Y	Tate	Y
30	Carver	Y	Joshi	Y	Neville P.	Y	Thurlow	Y
31	Conti	Y	Kagan	E	Nordberg	E	Tyler	Y
32	Coram	Y	Keyser	E	Pabon	Y	Van Winkle	Y
33	Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y
34	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y
35	DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y
36	Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y
37	Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y
38	Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y
39	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
40							Speaker	Y

41
 42
 43 House in recess. House reconvened.

44
 45
 46
 47 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

48
 49 **BUSINESS AFFAIRS & LABOR**

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

52
 53 **HB15-1158** be amended as follows, and as so amended, be referred to
 54 the Committee on Finance with favorable
 55 recommendation:
 56

1 Amend printed bill, page 9, line 9, strike "AND (4)" and substitute "(4),
2 AND (5)".

3
4 Page 10, after line 17 insert:

5
6 "(5) FOR THE PURPOSE OF THE REFUNDS ALLOWED PURSUANT TO
7 THIS PART 8, THE SALE, STORAGE, USE, OR CONSUMPTION OF INFORMATION
8 TECHNOLOGY EQUIPMENT THAT IS USED AND MAINTAINED IN A QUALIFIED
9 DATA CENTER OR QUALIFIED REFURBISHED DATA CENTER:

10 (a) DOES NOT INCLUDE BASIC CONSTRUCTION AND BUILDING
11 MATERIALS USED IN STRUCTURES THAT WERE ERECTED TO PROTECT
12 INFORMATION TECHNOLOGY EQUIPMENT FROM ENVIRONMENTAL
13 CONDITIONS; AND

14 (b) DOES INCLUDE ELECTRONIC EQUIPMENT PERMANENTLY
15 INSTALLED WITHIN THE FACILITY FOR PURPOSES OF OPERATING THE
16 FACILITY OR THE EQUIPMENT WITHIN THE FACILITY EITHER DIRECTLY OR
17 INDIRECTLY."

18

19

20

21 **HB15-1202** be referred to the Committee of the Whole with favorable
22 recommendation.

23

24

25 **HB15-1217** be amended as follows, and as so amended, be referred to
26 the Committee on Appropriations with favorable
27 recommendation:

28

29 Amend printed bill, page 3, line 11, strike "PREMISES." and substitute
30 "LICENSED PREMISES, SELLS ALCOHOL BEVERAGES IN SEALED CONTAINERS
31 FOR CONSUMPTION OFF THE LICENSED PREMISES, OR BOTH."

32

33 Page 3, line 16, strike "cover ~~but shall not be limited to,~~" and substitute
34 "cover, but shall not be limited to,".

35

36 Page 4, line 20, strike "THIRTY" and substitute "FORTY-FIVE".

37

38 Page 4, line 23, strike "THIRTY" and substitute "FORTY-FIVE".

39

40 Page 4, line 26, strike "DOES NOT".

41

42 Page 4, strike line 27.

43

44 Page 5, strike lines 1 through 3 and substitute "WILL NOT IMPACT TRAFFIC,
45 NOISE, OR OTHER NEIGHBORHOOD CONCERNS OR THAT THE APPLICANT
46 WILL SUFFICIENTLY MITIGATE ANY IMPACTS IDENTIFIED BY THE LOCAL
47 LICENSING AUTHORITY."

48

49 Page 5, strike lines 8 through 10 and substitute "WILL IMPACT TRAFFIC,
50 NOISE, OR OTHER NEIGHBORHOOD CONCERNS, WHICH MAY BE DETERMINED
51 BY THE LOCAL LICENSING AUTHORITY WITHOUT REQUIRING A PUBLIC
52 HEARING, OR THAT THE APPLICANT CANNOT SUFFICIENTLY MITIGATE ANY
53 POTENTIAL IMPACTS IDENTIFIED BY THE LOCAL LICENSING AUTHORITY."

54

55 Page 5, line 12, strike "LOCAL LICENSING AUTHORITY" and substitute
56 "APPLICANT".

- 1 Page 5, lines 14 and 15, strike "RESTRICTIONS AND THE PROVISIONS OF
2 SECTION 12-47-301 (2) (a)." and substitute "RESTRICTIONS."
3
- 4 Page 7, line 8, strike "THIRTY" and substitute "FORTY-FIVE".
5
- 6 Page 7, line 12, strike "THIRTY" and substitute "FORTY-FIVE".
7
- 8 Page 7, line 15, strike "DOES NOT".
9
- 10 Page 7, strike lines 16 through 19 and substitute "WILL NOT IMPACT
11 TRAFFIC, NOISE, OR OTHER NEIGHBORHOOD CONCERNS OR THAT THE
12 APPLICANT WILL SUFFICIENTLY MITIGATE ANY IMPACTS IDENTIFIED BY THE
13 LOCAL LICENSING AUTHORITY."
14
- 15 Page 7, strike lines 24 through 26 and substitute "~~would be in conflict
16 with the reasonable requirements of the neighborhood and the desires of
17 the adult inhabitants as evidenced by petitions, remonstrances, or
18 otherwise~~ WILL IMPACT TRAFFIC, NOISE, OR OTHER NEIGHBORHOOD
19 CONCERNS, WHICH MAY BE DETERMINED BY THE LOCAL LICENSING
20 AUTHORITY WITHOUT REQUIRING A PUBLIC HEARING, OR THAT THE
21 APPLICANT CANNOT SUFFICIENTLY MITIGATE ANY POTENTIAL IMPACTS
22 IDENTIFIED BY THE LOCAL LICENSING AUTHORITY."
23
- 24 Page 8, lines 1 and 2, strike "LOCAL LICENSING AUTHORITY" and substitute
25 "APPLICANT".
26
- 27 Page 8, lines 3 and 4, strike "restrictions and the provisions of section
28 12-47-301 (2) (a)." and substitute "restrictions. ~~and the provisions of
29 section 12-47-301 (2) (a).~~".
30
- 31 Page 9, line 25, strike "THIRTY" and substitute "FORTY-FIVE".
32
- 33 Page 10, line 1, strike "THIRTY" and substitute "FORTY-FIVE".
34
- 35 Page 10, line 4, strike "DOES NOT".
36
- 37 Page 10, strike lines 5 through 8 and substitute "WILL NOT IMPACT
38 TRAFFIC, NOISE, OR OTHER NEIGHBORHOOD CONCERNS OR THAT THE
39 APPLICANT WILL SUFFICIENTLY MITIGATE ANY IMPACTS IDENTIFIED BY THE
40 LOCAL LICENSING AUTHORITY."
41
- 42 Page 10, strike lines 13 through 15 and substitute "WILL IMPACT TRAFFIC,
43 NOISE, OR OTHER NEIGHBORHOOD CONCERNS, WHICH MAY BE DETERMINED
44 BY THE LOCAL LICENSING AUTHORITY WITHOUT REQUIRING A PUBLIC
45 HEARING, OR THAT THE APPLICANT CANNOT SUFFICIENTLY MITIGATE ANY
46 POTENTIAL IMPACTS IDENTIFIED BY THE LOCAL LICENSING AUTHORITY."
47
- 48 Page 10, line 17, strike "LOCAL LICENSING AUTHORITY" and substitute
49 "APPLICANT".
50
- 51 Page 10, lines 19 and 20, strike "RESTRICTIONS AND THE PROVISIONS OF
52 SECTION 12-47-301 (2) (a)." and substitute "RESTRICTIONS."
53
- 54 Page 12, line 13, strike "THIRTY" and substitute "FORTY-FIVE".
55
- 56 Page 12, line 16, strike "THIRTY" and substitute "FORTY-FIVE".

1 Page 12, strike lines 19 through 22 and substitute "PROPOSED SALES ROOM
2 WILL NOT IMPACT TRAFFIC, NOISE, OR OTHER NEIGHBORHOOD CONCERNS
3 OR THAT THE APPLICANT WILL SUFFICIENTLY MITIGATE ANY IMPACTS
4 IDENTIFIED BY THE LOCAL LICENSING AUTHORITY."

5

6 Page 12, strike line 27.

7

8 Page 13, strike lines 1 and 2 and substitute "WILL IMPACT TRAFFIC, NOISE,
9 OR OTHER NEIGHBORHOOD CONCERNS, WHICH MAY BE DETERMINED BY
10 THE LOCAL LICENSING AUTHORITY WITHOUT REQUIRING A PUBLIC
11 HEARING, OR THAT THE APPLICANT CANNOT SUFFICIENTLY MITIGATE ANY
12 POTENTIAL IMPACTS IDENTIFIED BY THE LOCAL LICENSING AUTHORITY."

13

14 Page 13, line 4, strike "LOCAL LICENSING AUTHORITY" and substitute
15 "APPLICANT".

16

17 Page 13, lines 6 and 7, strike "RESTRICTIONS AND THE PROVISIONS OF
18 SECTION 12-47-301 (2) (a)." and substitute "RESTRICTIONS."

19

20

21

22

23 **FINANCE**

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

26

27 **HB15-1132** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30

31 Amend the Transportation & Energy committee report, dated February
32 11, 2015, page 1, strike lines 1 and 2 and substitute:

33

34 "Amend printed bill, page 4, strike line 11 and substitute "JANUARY 1,
35 2016, BUT PRIOR TO JANUARY 1, 2019, THERE MAY, AT THE".

36

37 Page 4, line 23, strike "AUDIT" and substitute "ASSESSMENT".

38

39 Page 5, line 1, strike "AUDIT" and substitute "ASSESSMENT".

40

41 Page 5, line 2, strike "A" and substitute "AN ANNUALIZED NET".

42

43 Page 1 of the committee report, after line 10 insert:

44

45 "Page 5, line 19, strike "OCTOBER 1, 2015," and substitute "OCTOBER 1,
46 2016,".

47

48 Page 5, line 20, strike "OCTOBER 1, 2019," and substitute "OCTOBER 1,
49 2018,".

50

51 Page 6, line 6, strike "OCTOBER 1, 2015," and substitute "OCTOBER 1,
52 2016,".

53

54 Page 6, line 7, strike "OCTOBER 1, 2019," and substitute "OCTOBER 1,
55 2018,".

56 Page 6, line 17, strike "AUDIT." and substitute "ASSESSMENT.".

1 Page 2 of the committee report, line 1, strike "NOVEMBER 1, 2019," and
2 substitute "NOVEMBER 1, 2018,".

3

4 Page 2 of the committee report, after line 16 add:

5

6 "Page 7, line 17, strike "DECEMBER 31, 2025." and substitute "DECEMBER
7 31, 2024."."

8

9

10

11 **HB15-1136** be referred favorably to the Committee on Appropriations.

12

13

14 **HB15-1180** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:

17

18 Amend printed bill, page 2, line 8, strike "AND" and substitute "OR".

19

20 Page 2, line 11, strike "RENEWABLE OR TRADITIONAL SOURCES." and
21 substitute "ANY TYPE OF SOURCE.".

22

23 page 4, line 15, strike "2020," and substitute "2018,".

24

25 Page 5, line 20, strike "2021." and substitute "2019.".

26

27

28

29

30 **HEALTH, INSURANCE & ENVIRONMENT**

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

33

34 **HB15-1143** be amended as follows, and as so amended, be referred to
35 the Committee on Finance with favorable
36 recommendation:

37

38 Amend printed bill, strike everything below the enacting clause and
39 substitute:

40

41 "SECTION 1. In Colorado Revised Statutes, add 39-22-538 as
42 follows:

43

44 **39-22-538. Credit for home health care equipment and
45 services - legislative declaration - definitions - repeal.** (1) THE
46 GENERAL ASSEMBLY DECLARES THAT THE PURPOSE OF THE TAX
47 EXPENDITURE IN THIS SECTION IS TO MAKE IT MORE AFFORDABLE FOR
48 QUALIFYING SENIORS WITH AN ILLNESS, INJURY, OR OTHER CONDITION TO
49 BE ABLE TO SEEK HEALTH CARE IN THEIR HOMES.

50 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
51 REQUIRES:

52 (a) "ADA STANDARDS FOR ACCESSIBLE DESIGN" MEANS THE
53 STANDARDS SET FORTH IN 28 CFR 36 AND PROMULGATED IN ACCORDANCE
54 WITH THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", AS
55 AMENDED, 42 U.S.C. SEC. 12101 ET SEQ.

56 (b) "COSTS" MEANS ANY OUT-OF-POCKET COSTS INCURRED BY THE
QUALIFYING SENIOR AS DOCUMENTED BY RECEIPT, INCLUDING THE COST

1 OF ANY LABOR NECESSARY TO MAKE HOME MODIFICATIONS.

2 (c) "CREDIT CERTIFICATE" MEANS A CERTIFICATE SIGNED BY A
3 LICENSED PHYSICIAN, DOCTOR OF MEDICINE, DOCTOR OF OSTEOPATHIC
4 MEDICINE, PHYSICIAN'S ASSISTANT, NURSE PRACTITIONER, OR A HOME
5 CARE AGENCY'S COORDINATOR OF CARE THAT LISTS IN DETAIL THE
6 DURABLE MEDICAL EQUIPMENT, HOME HEALTH CARE SERVICES,
7 TELEHEALTH EQUIPMENT, OR HOUSEHOLD MODIFICATIONS NECESSARY FOR
8 A QUALIFYING SENIOR'S HOME HEALTH CARE.

9 (d) (I) "DURABLE MEDICAL EQUIPMENT" MEANS EQUIPMENT,
10 INCLUDING REPAIR AND REPLACEMENT PARTS FOR SUCH EQUIPMENT,
11 APPROVED IN A CREDIT CERTIFICATE THAT:

12 (A) CAN WITHSTAND REPEATED USE;

13 (B) IS PRIMARILY AND CUSTOMARILY USED TO SERVE A MEDICAL
14 PURPOSE;

15 (C) IS GENERALLY NOT USEFUL TO A PERSON IN THE ABSENCE OF
16 ILLNESS OR INJURY; AND

17 (D) IS NOT WORN IN OR ON THE BODY.

18 (II) "DURABLE MEDICAL EQUIPMENT" INCLUDES HOSPITAL BEDS,
19 INTRAVENOUS POLES AND PUMPS, TRAPEZE BARS, TOILETING AIDS, BATH
20 AND SHOWER AIDS, STANDING AIDS, PERSONAL EMERGENCY MEDICAL
21 ALERT DEVICES, AND ADAPTIVE CAR SEATS.

22 (e) "HOME HEALTH CARE SERVICES" MEANS THE MEDICAL OR
23 NONMEDICAL SERVICES PROVIDED UNDER A PLAN OF CARE DEVELOPED BY
24 A LICENSED HOME CARE AGENCY AT A PRIVATE RESIDENCE AND APPROVED
25 IN A CREDIT CERTIFICATE.

26 (f) "HOME MODIFICATION" MEANS THE COSTS OF MATERIALS AND
27 LABOR AS APPROVED IN A CREDIT CERTIFICATE FOR INSTALLING A STAIR
28 LIFT, WHEELCHAIR LIFT, CEILING OR PATIENT LIFT, AN ENTRANCE RAMP, A
29 WALK-IN OR ROLL-IN SHOWER, A WALK-IN TUB, A TOILET OR TOILET
30 ACCESSORY, OR FOR WIDENING ENTRANCE DOORS OR MAKING SINKS
31 ACCESSIBLE, SO THAT THE PRIVATE RESIDENCE MEETS ADA STANDARDS
32 FOR ACCESSIBLE DESIGN.

33 (g) "PRIVATE RESIDENCE" MEANS A QUALIFYING SENIOR'S HOME,
34 EITHER IN A SINGLE-FAMILY RESIDENCE OR A MULTI-FAMILY RESIDENCE,
35 THAT IS LOCATED IN COLORADO. PRIVATE RESIDENCE DOES NOT INCLUDE
36 A SKILLED NURSING FACILITY, ASSISTED LIVING FACILITY, HOSPITAL, OR
37 OTHER LICENSED HEALTH FACILITY.

38 (h) "QUALIFYING SENIOR" MEANS A COLORADO RESIDENT WHO IS
39 SEVENTY-FIVE YEARS OR OLDER.

40 (i) "TELEHEALTH EQUIPMENT" MEANS A HOME GLUCOSE
41 MONITORING DEVICE, A HOME BLOOD PRESSURE MONITORING DEVICE, A
42 HOME ELECTROCARDIOGRAM DEVICE, A CHRONIC OBSTRUCTIVE
43 PULMONARY DISORDER MONITOR, A WEIGHT SCALE, A BODY FAT MONITOR,
44 OR HOME MONITORS FOR RESCUE INHALER USE, INNER EAR INFECTION
45 DETECTION, OR OXYGEN SATURATION.

46 (3) (a) FOR ANY INCOME TAX YEAR COMMENCING ON OR AFTER
47 JANUARY 1, 2015, BUT PRIOR TO JANUARY 1, 2018, THERE IS ALLOWED TO
48 ANY QUALIFYING SENIOR AS A CREDIT AGAINST THE TAX IMPOSED BY THIS
49 ARTICLE A PERCENTAGE, AS SET FORTH IN PARAGRAPH (b) OF THIS
50 SUBSECTION (3), NOT TO EXCEED THREE THOUSAND DOLLARS PER INCOME
51 TAX YEAR, OF THE COSTS INCURRED BY THE QUALIFYING SENIOR FOR
52 DURABLE MEDICAL EQUIPMENT, TELEHEALTH EQUIPMENT, HOME
53 MODIFICATIONS, OR HOME HEALTH CARE SERVICES IN EACH INCOME TAX
54 YEAR.

55 (b) THE PERCENTAGE OF THE COSTS INCURRED SHALL BE AS
56 FOLLOWS:

1	(I) FOR A SINGLE RETURN:	
2	FEDERAL TAXABLE INCOME:	PERCENTAGE OF THE COSTS
3		INCURRED:
4	\$0 - \$25,000	70%
5	\$25,001 - \$45,000	35%
6	MORE THAN \$45,000	0%
7	(II) FOR A JOINT RETURN:	
8	FEDERAL TAXABLE INCOME:	PERCENTAGE OF THE COSTS
9		
10		
11		INCURRED:
12	\$0 - \$50,000	70%
13	\$50,001 - \$90,000	35%
14	MORE THAN \$90,000	0%

15 (c) TO CLAIM THE TAX CREDIT ALLOWED IN THIS SECTION, THE
 16 QUALIFYING SENIOR SHALL ATTACH A COPY OF THE CREDIT CERTIFICATE
 17 TO HIS OR HER TAX RETURN. NO TAX CREDIT IS ALLOWED UNDER THIS
 18 SECTION UNLESS THE QUALIFYING SENIOR PROVIDES THE COPY OF THE
 19 CREDIT CERTIFICATE. NOTWITHSTANDING ANY OTHER PROVISION OF LAW,
 20 THE DEPARTMENT OF REVENUE HAS THE AUTHORITY TO REVIEW ALL
 21 NECESSARY RECORDS RELATED TO THE CLAIMING OF THE TAX CREDIT
 22 ALLOWED IN THIS SECTION. SHOULD THE QUALIFIED SENIOR REFUSE TO
 23 ALLOW THE DEPARTMENT OF REVENUE TO REVIEW ANY NECESSARY
 24 RECORDS, THE DEPARTMENT OF REVENUE SHALL DENY THE TAX CREDIT.

25 (4) IF THE CREDIT ALLOWED IN SUBSECTION (3) OF THIS SECTION
 26 EXCEEDS THE AMOUNT OF INCOME TAX DUE ON THE INCOME OF THE
 27 QUALIFYING SENIOR FOR THE TAX YEAR DURING WHICH THE COSTS WERE
 28 INCURRED, THE AMOUNT OF THE TAX CREDIT NOT USED AS AN OFFSET
 29 AGAINST INCOME TAXES IN SUCH INCOME TAX YEAR MAY NOT BE
 30 ALLOWED AS A REFUND, BUT MAY BE CARRIED FORWARD AND APPLIED
 31 AGAINST THE INCOME TAX DUE IN EACH OF THE THREE SUCCEEDING
 32 INCOME TAX YEARS, AND MUST FIRST BE APPLIED AGAINST THE INCOME
 33 TAX DUE FOR THE EARLIEST OF THE INCOME TAX YEARS POSSIBLE.

34 (5) NO LATER THAN JANUARY 31, 2016, AND EACH JANUARY 31
 35 THROUGH JANUARY 31, 2018, THE DEPARTMENT OF REGULATORY
 36 AGENCIES OR THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
 37 SHALL PROVIDE THE DEPARTMENT OF REVENUE WITH A LIST OF ALL HOME
 38 CARE AGENCIES LICENSED IN THE PREVIOUS CALENDAR YEAR.

39 (6) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2022.

40 **SECTION 2. Safety clause.** The general assembly hereby finds,
 41 determines, and declares that this act is necessary for the immediate
 42 preservation of the public peace, health, and safety."
 43
 44
 45

46 **HB15-1191** be amended as follows, and as so amended, be referred to
 47 the Committee of the Whole with favorable
 48 recommendation:
 49

50 Amend printed bill, page 2, strike lines 5 and 6 and substitute "cited as
 51 the "Physician AND DENTIST Designation Disclosure Act".".
 52

53 Page 2, lines 12 and 13, strike "~~physicians~~ HEALTH CARE PROVIDERS;" and
 54 substitute "physicians AND DENTISTS;"
 55

56 Page 2, line 14, strike "~~Physician~~ HEALTH CARE PROVIDER" and substitute

- 1 "Physician AND DENTIST".
2
3 Page 2, line 17, strike "~~physicians~~ HEALTH CARE PROVIDERS" and
4 substitute "physicians AND DENTISTS".
5
6 Page 2, line 21, strike "~~physicians~~ HEALTH CARE PROVIDERS" and
7 substitute "physicians AND DENTISTS".
8
9 Page 2, strike lines 22 through 24.
10
11 Page 3, strike lines 1 through 5 and substitute:
12
13 "(f) For the protection of consumers, ~~and~~ physicians, AND
14 DENTISTS and to avoid improper profiling of physicians AND DENTISTS,
15 health care entities must ensure that they are using designations that are
16 fair and accurate and must accord physicians AND DENTISTS the right to
17 challenge and correct erroneous designations, data, and methodologies;
18 (g) Full disclosure of the data and methodologies by which
19 physicians AND DENTISTS are designated will encourage, to the".
20
21 Page 3, line 9, strike "~~physicians~~ HEALTH CARE PROVIDERS." and
22 substitute "physicians AND DENTISTS."
23
24 Page 3, line 13, strike "~~physicians~~ HEALTH CARE PROVIDERS" and
25 substitute "physicians AND DENTISTS".
26
27 Page 3, line 15, strike "~~physicians~~ HEALTH CARE PROVIDERS" and
28 substitute "physicians AND DENTISTS".
29
30 Page 3, line 22, strike "and (5.5)".
31
32 Page 4, lines 2 and 3, strike "~~physician~~ HEALTH CARE PROVIDER" and
33 substitute "physician OR DENTIST".
34
35 Page 4, line 8, strike "~~physician's~~ HEALTH CARE PROVIDER'S" and
36 substitute "physician's OR DENTIST'S".
37
38 Page 4, strike line 10.
39
40 Page 4, lines 15 and 16, strike "~~physician~~ HEALTH CARE PROVIDER" and
41 substitute "physician OR DENTIST".
42
43 Page 4, lines 18 and 19, strike "~~physician~~ HEALTH CARE PROVIDER." and
44 substitute "physician OR DENTIST."
45
46 Page 4, line 21, strike "~~physician's~~ HEALTH CARE PROVIDER'S" and
47 substitute "physician's OR DENTIST'S".
48
49 Page 4, lines 23 and 24, strike "~~physician~~ HEALTH CARE PROVIDER;" and
50 substitute "physician OR DENTIST;".
51
52 Page 5, line 5, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
53 "physician OR DENTIST".
54
55 Page 5, line 9, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
56 "physician OR DENTIST".

- 1 Page 5, lines 11 and 12, strike "~~physician~~ HEALTH CARE PROVIDER" and
2 substitute "physician, DENTIST,".
3
- 4 Page 5, lines 14 and 15, strike "~~physician~~ HEALTH CARE PROVIDER," and
5 substitute "physician OR DENTIST,".
6
- 7 Page 5, line 16, strike "~~physician~~ HEALTH CARE PROVIDER," and substitute
8 "physician OR DENTIST,".
9
- 10 Page 5, line 18, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
11 "physician OR DENTIST".
12
- 13 Page 5, line 23, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
14 "physician OR DENTIST".
15
- 16 Page 6, line 1, strike "~~physician~~ HEALTH CARE PROVIDER or" and
17 substitute "physician OR DENTIST or THE".
18
- 19 Page 6, lines 4 and 5, strike "~~physician~~ HEALTH CARE PROVIDER" and
20 substitute "physician, DENTIST,".
21
- 22 Page 6, line 9, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
23 "physician OR DENTIST".
24
- 25 Page 6, lines 10 and 11, strike "~~physician's~~ HEALTH CARE PROVIDER'S" and
26 substitute "physician's OR DENTIST'S".
27
- 28 Page 6, line 14, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
29 "physician OR DENTIST".
30
- 31 Page 6, line 22, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
32 "physician OR DENTIST".
33
- 34 Page 6, lines 24 and 25, strike "~~physician~~ HEALTH CARE PROVIDER" and
35 substitute "physician OR DENTIST".
36
- 37 Page 6, lines 26 and 27, strike "~~physicians~~ HEALTH CARE PROVIDERS" and
38 substitute "physicians OR DENTISTS".
39
- 40 Page 7, line 1, after "physician" insert "OR DENTIST".
41
- 42 Page 7, lines 6 and 7, strike "~~physician~~ HEALTH CARE PROVIDER" and
43 substitute "physician OR DENTIST".
44
- 45 Page 7, lines 9 and 10, strike "~~physician~~ HEALTH CARE PROVIDER," and
46 substitute "physician OR DENTIST,".
47
- 48 Page 7, line 14, strike "~~physician~~ HEALTH CARE PROVIDER;" and substitute
49 "physician OR DENTIST;".
50
- 51 Page 7, line 18, strike "~~physician, such~~ HEALTH CARE PROVIDER," and
52 substitute "physician ~~such~~ OR DENTIST,".
53
- 54 Page 7, line 21, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
55 "physician OR DENTIST".
56

1 Page 7, lines 22 and 23, strike "~~physician shall be~~ HEALTH CARE
2 PROVIDER" and substitute "physician ~~shall be~~ OR DENTIST".

3
4 Page 7, line 27, strike "~~physician~~ HEALTH CARE PROVIDER" and substitute
5 "physician OR DENTIST".

6
7 Page 8, lines 6 and 7, strike "~~physician's~~ HEALTH CARE PROVIDER'S" and
8 substitute "physician's OR DENTIST'S".

9
10 Page 8, line 8, strike "~~physician's~~ HEALTH CARE PROVIDER'S" and
11 substitute "physician's OR DENTIST'S".

12
13 Page 8, lines 12 and 13, strike "~~physician~~ HEALTH CARE PROVIDER" and
14 substitute "physician OR DENTIST".

15
16 Page 8, line 20, strike ""~~Physician~~ "HEALTH CARE PROVIDER" and
17 substitute ""Physician AND DENTIST".

18
19
20
21 **HB15-1211** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24
25 Amend printed bill, page 2, strike line 3 and substitute "(1) and (3) (b) (I)
26 as follows:".

27
28 Page 2, line 18, strike "include a" and substitute "include:".

29
30 Page 2, strike lines 19 through 22 and substitute:

31
32 "(I) A ~~supplier of~~ PERSON OR ENTITY THAT SUPPLIES OR PROVIDES
33 insulin infusion pumps and related supplies or services;

34 (II) A PERSON OR ENTITY THAT SUPPLIES OR PROVIDES PRODUCTS
35 THAT ARE PART OF MEDICARE'S NATIONAL MAIL ORDER PROGRAM;".

36
37 Page 3, strike lines 4 through 6 and substitute: "(C) OR A PHYSICIAN, IF
38 THE PRACTITIONER OR THE PHYSICIAN IS SUPPLYING OR PROVIDING
39 DURABLE MEDICAL EQUIPMENT TO HIS OR HER OWN PATIENTS AS PART OF
40 THE PRACTITIONER'S OR PHYSICIAN'S OWN SERVICES; OR

41 (V) A PERSON OR ENTITY THAT SUPPLIES OR PROVIDES DEVICES
42 DIRECTLY TO A PRACTITIONER IDENTIFIED IN 42 U.S.C. SEC. 1395u (18)
43 (C) OR A PHYSICIAN THAT REQUIRE A PRESCRIPTION FOR DISPENSING TO
44 THE PATIENT AS PART OF HIS OR HER OWN SERVICES, WHETHER MAILED TO
45 THE PRACTITIONER OR PHYSICIAN FOR FITTING OR DIRECTLY MAILED TO
46 THE PATIENT.".

47
48 Page 3, strike lines 12 through 22 and substitute: "~~state or within fifty~~
49 ~~miles of the border of the state~~ HAS AT LEAST ONE ACCREDITED PHYSICAL
50 FACILITY THAT IS STAFFED DURING REASONABLE BUSINESS HOURS AND IS
51 WITHIN ONE HUNDRED MILES OF ANY COLORADO RESIDENT MEDICARE
52 BENEFICIARY BEING SERVED BY THE APPLICANT.".

53
54
55
56 **SB15-052** be postponed indefinitely.

1 **JUDICIARY**

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

4
5 **HB15-1025** be postponed indefinitely.

6
7
8 **HB15-1041** be postponed indefinitely.

9
10
11 **HB15-1197** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14
15 Amend printed bill, page 2, strike lines 20 and 21 and substitute "from
16 that public entity's own negligence ~~then such covenant, promise,~~
17 ~~agreement, or combination thereof~~ is void as against public policy and".

18
19 Page 3, line 1, strike "insurance." and substitute "insurance, OR
20 INSURANCE POLICIES THAT PROVIDE FOR THE DEFENSE, INDEMNIFICATION,
21 OR HOLDING HARMLESS OF PUBLIC ENTITIES."

22
23 Page 3, line 17, strike "ADJUDICATED." and substitute "DETERMINED BY
24 ADJUDICATION OR BY ALTERNATIVE DISPUTE RESOLUTION BETWEEN THE
25 INDEMNITY OBLIGOR AND OBLIGEE."

26
27
28
29
30 **LOCAL GOVERNMENT**

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

33
34 **HB15-1225** be amended as follows, and as so amended, be referred to
35 the Committee on Appropriations with favorable
36 recommendation:

37
38 Amend printed bill, page 4, after line 25 insert:

39 "SECTION 3. In Colorado Revised Statutes, 24-32-104, **add** (2)
40 as follows:

41 **24-32-104. Functions of the division.** (2) NO LATER THAN JULY
42 1, 2015, THE DIVISION SHALL FORMALLY ANNOUNCE, ON ITS WEB SITE AND
43 BY LETTER TO THE STATE'S LOCAL GOVERNMENTS, AN INITIATIVE FROM
44 THE LOCAL GOVERNMENT MINERAL IMPACT FUND CREATED IN SECTION
45 34-63-102(5), C.R.S., OR THE LOCAL GOVERNMENT SEVERANCE TAX FUND
46 CREATED IN SECTION 39-29-110, C.R.S., OF ONE MILLION DOLLARS PER
47 YEAR FOR THREE YEARS FOR GRANT FUNDING TO LOCAL GOVERNMENTS
48 FOR PLANNING, ANALYSES, PUBLIC ENGAGEMENT, AND COORDINATION
49 AND COLLABORATION WITH FEDERAL LAND MANAGERS AND
50 STAKEHOLDERS, OR FOR SIMILAR OR RELATED LOCAL GOVERNMENT
51 PROCESSES NEEDED BY LOCAL GOVERNMENTS FOR ENGAGEMENT IN
52 FEDERAL LAND MANAGEMENT DECISION-MAKING."

53
54 Renumber succeeding sections accordingly.

55
56 Page 4, line 27, strike "portion; and **add** (5.4) (b) (III)" and substitute

1 "portion".

2

3 Page 5, strike lines 24 through 27.

4

5 Page 6, strike lines 1 through 6 and substitute:

6 "SECTION 5. In Colorado Revised Statutes, 39-29-110, add (1)

7 (b) (V) as follows:

8

9 **39-29-110. Local government severance tax fund - creation -**
10 **administration - definitions.** (1) (b) (V) IN ADDITION TO THE
11 DISTRIBUTION OF MONEYS AUTHORIZED UNDER SUBPARAGRAPHS (I), (II),
12 (III), AND (IV) OF THIS PARAGRAPH (b), THE EXECUTIVE DIRECTOR OF THE
13 DEPARTMENT OF LOCAL AFFAIRS MAY DISTRIBUTE MONEYS FOR PLANNING,
14 ANALYSES, PUBLIC ENGAGEMENT, AND COORDINATION AND
15 COLLABORATION WITH FEDERAL LAND MANAGERS AND STAKEHOLDERS,
16 OR FOR SIMILAR OR RELATED LOCAL GOVERNMENT PROCESSES NEEDED BY
17 LOCAL GOVERNMENTS FOR ENGAGEMENT IN FEDERAL LAND MANAGEMENT
18 DECISION-MAKING."

18

19 Renumber succeeding section accordingly.

20

21

22

23 MESSAGE FROM THE SENATE

24

25 Madam Speaker:

26

27 The Senate has passed on Third Reading and returns herewith:

28 HB15-1023.

29

30 The Senate has passed on Third Reading and transmitted to the Revisor
31 of Statutes:

32 HB15-1029 amended in General Orders as printed in Senate Journal,
33 February 24, 2015.

34

35

36

37

38 MESSAGE(S) FROM THE REVISOR

39

40 We herewith transmit:

41 without comment, as amended, **HB15-1029**.

42

43

44

45 INTRODUCTION OF BILLS

46 First Reading

47

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

50

51 **HB15-1249** by Representative(s) Becker K.; also Senator(s) Hodge--
52 Concerning amendments to the fees associated with water
53 pollution control.

54 Committee on Finance

55

- 1 **HB15-1250** by Representative(s) Tyler, Esgar, Foote, Lee, Melton,
 2 Pabon, Winter; also Senator(s) Jones, Garcia--Concerning
 3 a directive to explore performance-based regulation of
 4 investor-owned utilities.
 5 Committee on Transportation & Energy
 6
- 7 **HB15-1251** by Representative(s) Court and Wilson--Concerning an
 8 adjustment to the total employer contribution rate of the
 9 Denver public schools division of the public employees'
 10 retirement association in connection with the equalization
 11 status of the association's Denver public schools division
 12 with the association's school division as required by the
 13 merger of the Denver public schools retirement system
 14 with the association.
 15 Committee on Finance
 16
- 17 **SB15-008** by Senator(s) Roberts, Hodge, Jones; also
 18 Representative(s) Vigil, Coram, Mitsch Bush--Concerning
 19 the promotion of water conservation in the land use
 20 planning process, and, in connection therewith, making an
 21 appropriation.
 22 Committee on Agriculture, Livestock, & Natural Resources
 23 Committee on Appropriations
 24
- 25 **SB15-061** by Senator(s) Holbert; also Representative(s) Everett--
 26 Concerning the nonapplicability of disclosure
 27 requirements under Colorado law governing campaign
 28 finance in the case of certain issue committees that raise
 29 relatively small amounts of money.
 30 Committee on State, Veterans, & Military Affairs
 31
- 32 **SB15-093** by Senator(s) Sonnenberg; also Representative(s) Becker
 33 J.--Concerning compensation to be awarded to owners of
 34 mineral interests for a diminution in the value of their
 35 property rights caused by regulatory restrictions on mineral
 36 extraction operations.
 37 Committee on State, Veterans, & Military Affairs
 38
- 39 **SB15-101** by Senator(s) Balmer; also Representative(s) Pabon--
 40 Concerning the authority of employers to pay wages to
 41 employees electronically.
 42 Committee on State, Veterans, & Military Affairs
 43
 44
 45
 46
- 47 On motion of Representative Duran, the following bill(s) calendared for
 48 General Orders, March 3, will be calendared for March 4, 2015:
 49 **HB15-1114.**
 50
- 51 On motion of Representative Duran, the following bill(s) will be
 52 calendared for General Orders on March 4, 2015: **HB15-1191.**
 53
- 54 On motion of Representative Duran, the following bill(s) will be
 55 calendared for General Orders on March 6, 2015: **HB15-1202, 1197.**
 56

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

3

4

5

6

7

8

9

10

11

12

13

14

15

Approved:
DICKY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk