

**HOUSE JOURNAL**  
**SEVENTIETH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**First Regular Session**

Twenty-third Legislative Day

Thursday, January 29, 2015

1 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

2

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

4

5 Pledge of Allegiance led by Ryne Fitzgerald, Colorado State University,  
6 Fort Collins.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) Priola--1.

12

13 The Speaker declared a quorum present.

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18 On motion of Representative Danielson, the reading of the journal of  
19 January 28, 2015, was declared dispensed with and approved as corrected  
20 by the Chief Clerk.

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**APPOINTMENTS**

26

27 The Speaker announced the following temporary committee appointment  
28 for January 29, 2015 only:

29 **Finance**

30 Representative Landgraf to replace Representative Priola

31

32

33

34

35 On motion of Representative Melton, the House resolved itself into  
36 Committee of the Whole for consideration of General Orders, and he was  
37 called to the Chair to act as Chairman.

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

2  
3 The Committee of the Whole having risen, the Chairman reported the  
4 titles of the following bills had been read (reading at length had been  
5 dispensed with by unanimous consent), the bills considered and action  
6 taken thereon as follows:

7  
8 (Amendments to the committee amendment are to the printed committee  
9 report which was printed and placed in the members' bill file.)

10  
11 **HB15-1031** by Representative(s) Windholz--Concerning a ban on  
12 powdered alcohol.

13  
14 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
15 January 26, 2015, and placed in member's bill file; Report also printed in  
16 House Journal, January 27, 2015

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

20  
21 **HB15-1045** by Representative(s) Ryden, Duran, Mitsch Bush, Hamner;  
22 also Senator(s) Crowder--Concerning the amount a veteran  
23 must pay to enter state parks.

24  
25 Ordered engrossed and placed on the Calendar for Third Reading and  
26 Final Passage.

27  
28 **HB15-1060** by Representative(s) Hamner--Concerning protection  
29 orders in sex offense cases.

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

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

37  
38 Passed Second Reading: **HB15-1031 amended, 1045, 1060.**

39  
40 The Chairman moved the adoption of the Committee of the Whole  
41 Report. As shown by the following roll call vote, a majority of those  
42 elected to the House voted in the affirmative, and the Report was  
43 **adopted.**

44  
45

	YES	64	NO	0	EXCUSED	1	ABSENT	0
46	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
47	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
48	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
49	Brown	Y	Ginal	Y	Mitsch Bush	Y	Singer	Y
50	Buck	Y	Hamner	Y	Moreno	Y	Szabo	Y
51	Buckner	Y	Humphrey	Y	Navarro	Y	Tate	Y
52	Carver	Y	Joshi	Y	Neville P.	Y	Thurlow	Y
53	Conti	Y	Kagan	Y	Nordberg	Y	Tyler	Y
54	Coram	Y	Keyser	Y	Pabon	Y	Van Winkle	Y
55	Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y
56	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y

1	DelGrosso	Y	Landgraf	Y	Priola	E	Williams	Y
2	Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y
3	Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y
4	Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y
5	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
6							Speaker	Y

7  
8  
9 House in recess. House reconvened.  
10  
11

## 12 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

### 13 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

14  
15 After consideration on the merits, the Committee recommends the  
16 following:  
17

18  
19 **HB15-1062** be referred to the Committee of the Whole with favorable  
20 recommendation.  
21  
22  
23

### 24 **LOCAL GOVERNMENT**

25 After consideration on the merits, the Committee recommends the  
26 following:  
27

28  
29 **HB15-1069** be referred favorably to the Committee on Finance.  
30  
31

32 **HB15-1074** be referred to the Committee of the Whole with favorable  
33 recommendation.  
34  
35

36 **HB15-1085** be postponed indefinitely.  
37  
38  
39

### 40 **STATE, VETERANS, & MILITARY AFFAIRS**

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

44  
45 **HB15-1011** be postponed indefinitely.  
46  
47

48 **HB15-1054** be amended as follows, and as so amended, be referred to  
49 the Committee on Finance with favorable  
50 recommendation:  
51

52 Amend printed bill, page 14, line 5, strike "THREE- OR FOUR-WHEELED".  
53

54 Page 17, line 15, strike the second "LICENSE" and substitute "LICENSE".  
55

56 Page 17, strike lines 16 through 23.

1 Page 25, after line 6 insert:

2

3 "(c) A PERSON SHALL NOT DRIVE A THREE-WHEELED OFF-HIGHWAY  
4 VEHICLE ON A ROADWAY.

5 (d) A PERSON SHALL NOT DRIVE AN ENROLLED OFF-HIGHWAY  
6 VEHICLE ON A PAVED ROADWAY; EXCEPT THAT A PERSON MAY DRIVE AN  
7 ENROLLED OFF-HIGHWAY VEHICLE TO DIRECTLY CROSS THE ROADWAY AT  
8 AN AT-GRADE CROSSING TO CONTINUE TRAVELING ALONG A ROADWAY  
9 THAT IS NOT PAVED."

10

11 Page 26, after line 26 insert:

12

13 "(b) A STOP LAMP OR LAMPS ON THE REAR OF THE VEHICLE THAT:

14 (I) DISPLAY A RED OR AMBER LIGHT VISIBLE FROM A DISTANCE OF  
15 AT LEAST ONE HUNDRED FEET FROM THE REAR OF THE VEHICLE IN NORMAL  
16 SUNLIGHT; AND

17 (II) ARE EACH ACTUATED UPON APPLICATION OF THE SERVICE  
18 (FOOT) BRAKE, AND THAT MAY, BUT NEED NOT, BE INCORPORATED WITH  
19 ONE OR MORE ADDITIONAL REAR LAMPS;"

20 Reletter succeeding paragraph accordingly.

21

22 Page 27, strike lines 22 through 24 and substitute "VEHICLE ON A  
23 ROADWAY AT A SPEED IN EXCESS OF THIRTY-FIVE MILES PER HOUR."

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26

27 **HB15-1077** be postponed indefinitely.

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32 **TRANSPORTATION & ENERGY**

33 After consideration on the merits, the Committee recommends the  
34 following:

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36 **HB15-1012** be referred favorably to the Committee on Appropriations.

37

38

39 **HB15-1068** be postponed indefinitely.

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41

42 **HB15-1121** be referred to the Committee of the Whole with favorable  
43 recommendation.

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**PRINTING REPORT**

49

50 The Chief Clerk reports the following bills have been correctly printed:  
51 **HB15-1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145,**  
52 **1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153.**

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**INTRODUCTION OF BILLS**  
**First Reading**

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

**HB15-1154** by Representative(s) Becker J. and Garnett, Coram, Becker K., Brown, Danielson, Duran, Esgar, Lebsock, Lontine, Melton, Navarro, Primavera, Roupe, Singer, Van Winkle, Vigil, Windholz, Winter; also Senator(s) Hill, Aguilar, Baumgardner, Cooke, Guzman, Jones, Kerr, Marble, Merrifield, Scott, Woods--Concerning a prohibition against the imposition of an interchange fee on the portion of the total amount of an electronic payment transaction that represents nonfederal taxes.

Committee on Finance

**HB15-1155** by Representative(s) Wilson--Concerning flexibility regarding the requirements imposed on rural school districts.

Committee on Education

**HB15-1156** by Representative(s) Van Winkle--Concerning the consideration of residency in performance metrics in higher education fee-for-service contracts.

Committee on Education

**HB15-1157** by Representative(s) Willett and Pabon, Becker J.; also Senator(s) Heath and Merrifield, Sonnenberg--Concerning the creation of an economic development working group for highly distressed regions of the state in order to develop legislation to improve the economic vitality of those regions, and, in connection therewith, making an appropriation.

Committee on Business Affairs and Labor

Committee on Appropriations

**HB15-1158** by Representative(s) DelGrosso and Pabon, Saine, Williams, Kraft-Tharp, Moreno, Joshi; also Senator(s) Holbert--Concerning a refund of the state sales and use tax paid for information technology equipment that is used in certain data centers.

Committee on Business Affairs and Labor

Committee on Finance

Committee on Appropriations

**HB15-1159** by Representative(s) Arndt; also Senator(s) Donovan--Concerning the instream flow incentive tax credit for water rights holders.

Committee on Agriculture, Livestock, & Natural Resources

Committee on Finance

Committee on Appropriations

- 1 **HB15-1160** by Representative(s) Lawrence; also Senator(s) Roberts--  
2 Concerning a requirement that the court determine  
3 whether a defendant meets the indigency standard for a  
4 public defender appointment.  
5 Committee on Judiciary  
6
- 7 **HB15-1161** by Representative(s) Klingenschmitt, Neville P., Lundeen,  
8 Humphrey, Dore, Van Winkle, Landgraf, Buck, Everett,  
9 Rankin, Saine; also Senator(s) None, Crowder,  
10 Grantham--Concerning the protection of a person's first  
11 amendment rights in the enforcement of public  
12 accommodations laws, and, in connection therewith,  
13 protecting a person's right to not be involuntarily  
14 compelled in speech, acts of artistic expression, or acts of  
15 religious expression.  
16 Committee on State, Veterans, & Military Affairs  
17
- 18 **HB15-1162** by Representative(s) Nordberg, Priola, Humphrey, Van  
19 Winkle, Carver, Saine, Lundeen, Szabo, Buck, Everett,  
20 Joshi, Neville P.--Concerning the prenatal sex  
21 nondiscrimination act.  
22 Committee on State, Veterans, & Military Affairs  
23
- 24 **HB15-1163** by Representative(s) Klingenschmitt, Lundeen, Joshi,  
25 Neville P., Humphrey, Dore, Szabo, Landgraf, Brown,  
26 Buck, Everett, Lawrence, Nordberg, Rankin, Ransom,  
27 Saine; also Sentaors(s) None, Balmer, Grantham--  
28 Concerning the repeal of certain provisions of the  
29 "Colorado Health Care Coverage Act" contingent on the  
30 repeal of comparable federal law provisions.  
31 Committee on Health, Insurance, & Environment  
32
- 33 **HB15-1164** by Representative(s) Pettersen; also Senator(s) Kerr--  
34 Concerning the postponement of jury service for a person  
35 who is breast-feeding a child.  
36 Committee on Judiciary  
37
- 38 **HB15-1165** by Representative(s) Salazar and Melton, Williams, Esgar,  
39 Buckner, Fields, Ginal, Lebsock, Lontine, Primavera,  
40 Singer, Winter; also Senator(s) Ulibarri--Concerning the  
41 use of American Indian mascots by public institutions of  
42 education.  
43 Committee on Education  
44 Committee on Appropriations  
45
- 46 **HB15-1166** by Representative(s) Saine and Arndt, Humphrey,  
47 Danielson, Everett; also Senator(s) Marble--Concerning  
48 the creation of a tributary groundwater monitoring network  
49 in the South Platte river alluvial aquifer.  
50 Committee on Agriculture, Livestock, & Natural Resources  
51 Committee on Appropriations  
52
- 53 **HB15-1167** by Representative(s) Brown--Concerning a study  
54 regarding the creation of additional water supplies in the  
55 South Platte river basin.  
56 Committee on Agriculture, Livestock, & Natural Resources

- 1 **HB15-1168** by Representative(s) Neville P., Humphrey, Saine, Everett,  
2 Nordberg, Van Winkle, Buck, Joshi, Ransom; also  
3 Senator(s) Neville T., Holbert, Marble, Grantham, Woods,  
4 Lundberg, Cooke, Baumgardner, Lambert, Sonnenberg--  
5 Concerning permitting the carrying of concealed handguns  
6 on public elementary and secondary school properties.  
7 Committee on State, Veterans, & Military Affairs  
8
- 9 **HB15-1169** by Representative(s) Ransom, Priola, Carver, Dore,  
10 Lundeen, Nordberg, Saine, Van Winkle, Buck--  
11 Concerning a requirement that voters registering to vote  
12 under procedures allowing an elector to register  
13 immediately prior to or on election day provide a form of  
14 identification that includes a photograph of the voter.  
15 Committee on State, Veterans, & Military Affairs  
16
- 17 **HB15-1170** by Representative(s) Kraft-Tharp and Wilson; also  
18 Senator(s) Hill and Heath--Concerning measures to raise  
19 the level of postsecondary and workforce readiness that  
20 Colorado students demonstrate upon graduation from high  
21 school.  
22 Committee on Education  
23
- 24 **HB15-1171** by Representative(s) Neville P. and Humphrey, Van  
25 Winkle, Joshi, Windholz, Carver, Everett, Lundeen, Saine,  
26 Klingenschmitt, Tate, Landgraf, Szabo, Becker J., Brown,  
27 Buck, Ransom; also Senator(s) Neville T., Holbert, Cooke,  
28 Grantham, Woods, Lundberg, Hill, Baumgardner,  
29 Lambert, Marble, Roberts, Sonnenberg--Concerning a  
30 state freedom of conscience protection act.  
31 Committee on State, Veterans, & Military Affairs  
32
- 33 **HB15-1172** by Representative(s) DelGrosso--Concerning the  
34 elimination of punitive damage awards in employment  
35 discrimination cases filed under state law.  
36 Committee on Judiciary  
37
- 38 **HB15-1173** by Representative(s) Mitsch Bush and Rankin--  
39 Concerning a requirement that motor vehicles have certain  
40 traction equipment when driving on the interstate 70  
41 mountain corridor.  
42 Committee on Transportation & Energy  
43
- 44 **HB15-1174** by Representative(s) Carver, McCann, Windholz,  
45 Danielson, Saine, Dore, Roupe; also Senator(s) Woods,  
46 Newell--Concerning the confidentiality of personal  
47 information for participants in the address confidentiality  
48 program, and, in connection therewith, protecting victims  
49 of domestic violence, sexual assault, and stalking.  
50 Committee on Judiciary  
51
- 52 **HB15-1175** by Representative(s) Rosenthal; also Senator(s) Steadman--  
53 Concerning a prohibition on conversion therapy by a  
54 licensed mental health provider.  
55 Committee on Public Health Care & Human Services  
56

- 1 **HB15-1176** by Representative(s) Tate--Concerning a limitation on  
2 audits performed by the department of labor and  
3 employment.  
4 Committee on Business Affairs and Labor  
5
- 6 **HB15-1177** by Representative(s) Willett and Becker K., Becker J.; also  
7 Senator(s) Donovan--Concerning the creation of the rural  
8 economic development initiative grant program for highly  
9 distressed rural counties, and, in connection therewith,  
10 making an appropriation.  
11 Committee on Business Affairs and Labor  
12 Committee on Appropriations  
13
- 14 **HB15-1178** by Representative(s) Saine and Humphrey; also Senator(s)  
15 Marble--Concerning the state engineer's authority to allow  
16 well users to lower the water table in an area that the state  
17 engineer determines is experiencing damaging high  
18 groundwater levels.  
19 Committee on Agriculture, Livestock, & Natural Resources  
20
- 21 **HB15-1179** by Representative(s) Joshi, Dore, Windholz--Concerning  
22 a system for tracking third party responsibility to aid the  
23 department of health care policy and financing in  
24 recovering health care costs of medicaid recipients for  
25 which a third party is responsible.  
26 Committee on Public Health Care & Human Services  
27
- 28 **HB15-1180** by Representative(s) Kraft-Tharp and Wilson; also  
29 Senator(s) Heath and Holbert--Concerning the creation of  
30 a state sales and use tax refund for tangible personal  
31 property that is used in Colorado for research and  
32 development by a qualified medical technology or clean  
33 technology taxpayer.  
34 Committee on Business Affairs and Labor  
35 Committee on Finance  
36
- 37 **HB15-1181** by Representative(s) Keyser; also Senator(s) Crowder--  
38 Concerning the exemption from the state income tax of  
39 active duty military income earned by a resident individual  
40 in the armed forces of the United States.  
41 Committee on State, Veterans, & Military Affairs  
42 Committee on Finance  
43 Committee on Appropriations  
44
- 45 **HB15-1182** by Representative(s) Lontine and Landgraf; also  
46 Senator(s) Aguilar, Lundberg--Concerning the expansion  
47 of the scope of practice of certified nurse aides to include  
48 certain tasks.  
49 Committee on Health, Insurance, & Environment  
50
- 51 **HB15-1183** by Representative(s) Fields, Conti, Klingenschmitt,  
52 Lebsock, Tate--Concerning the admission of a child's  
53 statements describing attempted acts of an unlawful sexual  
54 offense.  
55 Committee on Judiciary  
56



- 1 **HB15-1184** by Representative(s) Lontine; also Senator(s) Hill--  
2 Concerning the operation of charter school networks.  
3 Committee on Education  
4
- 5 **HB15-1185** by Representative(s) Conti, Willett; also Senator(s) Jahn--  
6 Concerning sentencing of second offenses of sexual  
7 exploitation of a child.  
8 Committee on Judiciary  
9
- 10 **HB15-1186** by Representative(s) Young, Hamner, Rankin; also  
11 Senator(s) Steadman, Grantham, Lambert--Concerning  
12 home- and community-based services for children with  
13 autism, and, in connection therewith, making an  
14 appropriation.  
15 Committee on Health, Insurance, & Environment  
16 Committee on Appropriations  
17
- 18 **HB15-1187** by Representative(s) Lebsock, Primavera, Becker K.; also  
19 Senator(s) Garcia and Sonnenberg--Concerning mental  
20 health evaluations of licensed veterinarians conducted by  
21 a veterinarian peer health assistance program as ordered by  
22 the state board of veterinary medicine.  
23 Committee on Agriculture, Livestock, & Natural Resources  
24
- 25 **HB15-1188** by Representative(s) Ryden and Primavera, Nordberg; also  
26 Senator(s) Neville T., Guzman, Jahn--Concerning  
27 clarifications to the state vocational rehabilitation  
28 program.  
29 Committee on Public Health Care & Human Services  
30
- 31 **HB15-1189** by Representative(s) Keyser; also Senator(s) Steadman--  
32 Concerning the "Colorado Uniform Fiduciary Access to  
33 Digital Assets Act".  
34 Committee on Judiciary  
35
- 36 **HB15-1190** by Representative(s) Windholz, Dore, Coram, Becker J.,  
37 Lawrence--Concerning coordinating Colorado's public  
38 schools and industries for workforce opportunities for  
39 students.  
40 Committee on State, Veterans, & Military Affairs  
41 Committee on Education  
42 Committee on Appropriations  
43
- 44 **HB15-1191** by Representative(s) Szabo and Pettersen; also Senator(s)  
45 Grantham--Concerning the addition of dentists to the  
46 "Physician Designation Disclosure Act".  
47 Committee on Health, Insurance, & Environment  
48
- 49 **SB15-051** by Senator(s) Todd; also Representative(s) Priola--  
50 Concerning legal recourse for a student who is sanctioned  
51 or found ineligible to participate in an extracurricular  
52 activity.  
53 Committee on Education  
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**INTRODUCTION OF RESOLUTIONS**1  
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The following resolutions read by title and laid over one day under the rules:

**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.

**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.

**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.

**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.

**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.

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**RESIGNATION**

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January 26, 2015

Marilyn Eddins  
Chief Clerk  
Colorado House of Representatives

Dear Marilyn:

I am writing to inform you that I am resigning from my position as the State Representative in House District 27, effective Thursday, January 29, 2015 at 11:59 pm.

It has been an honor to serve my constituents and now I look forward to serving even more constituents in my new role as County Commissioner in Jefferson County. I have enjoyed serving the state and appreciate the support provided me during my tenure here at the Capitol.

If I can be of any help during this transition, please let me know.

Sincerely,  
(Signed)  
Representative Libby Szabo

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On motion of Representative Duran, the following bill(s) calendared for General Orders, January 30, 2015, will be calendared for February 2, 2015: **HB15-1064**.

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

Approved:  
DICKY LEE HULLINGHORST,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk

1