

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Fifty-first Legislative Day

Thursday, February 26, 2015

1 Prayer by Representative Rhonda Fields.

2

3 The Speaker called the House to order at 10:00 a.m.

4

5 Pledge of Allegiance led by Kai-re Willis, Kayla Willis, Denver East
6 High School, Denver.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Carver, Sias--2.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Klingenschmitt, the reading of the journal
17 of February 25, 2015, was declared dispensed with and approved as
18 corrected by the Chief Clerk.

19

20

21

22

23 On motion of Representative McCann, the House resolved itself into
24 Committee of the Whole for consideration of General Orders, and she
25 was called to the Chair to act as Chairman.

26

27

28

29

30

GENERAL ORDERS--SECOND READING OF BILLS

31

32 The Committee of the Whole having risen, the Chairman reported the
33 titles of the following bills had been read (reading at length had been
34 dispensed with by unanimous consent), the bills considered and action
35 taken thereon as follows:

36

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

39

40 [HB15-1113](#) by Representative(s) Roupe--Concerning a requirement
41 that a holder of an evidence of debt against property
42 subject to a foreclosure sale who causes a continuance of
43 the date of the foreclosure sale pay common expense

1 assessments made against the property under the
2 "Colorado Common Interest Ownership Act" for the
3 period of the continuance.
4
5 Laid over until May 30, 2015. Deemed lost.
6
7 [HB15-1173](#) by Representative(s) Mitsch Bush and Rankin--
8 Concerning a requirement that motor vehicles have certain
9 traction equipment when driving on the interstate 70
10 mountain corridor.
11
12 Amendment No. 1, Transportation & Energy Report, dated February 18,
13 2015, and placed in member's bill file; Report also printed in House
14 Journal, February 19, 2015
15
16 Amendment No. 2, moved by Representative(s) Mitsch Bush.
17
18 Amend printed bill, page 6, strike lines 9 and 10 and substitute:
19
20 "(4) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO THE
21 PENALTIES FOR VIOLATING SECTION 42-4-106 (5) (a) (I) AND (II), WHICH
22 ARE SET FORTH IN SECTION 42-4-1701 (4) (a) (I) (F)."
23
24 Page 6, strike lines 22 through 27.
25
26 Strike pages 7 and 8.
27
28 Page 9, strike lines 1 through 4.
29
30 Renumber succeeding sections accordingly.
31
32 As amended, ordered engrossed and placed on the Calendar for Third
33 Reading and Final Passage.
34
35 [HB15-1035](#) by Representative(s) Fields; also Senator(s) Cooke--
36 Concerning changes to crime victim compensation.
37
38 Amendment No. 1, Judiciary Report, dated February 3, 2015, and placed
39 in member's bill file; Report also printed in House Journal, February 4,
40 2015
41
42 Amendment No. 2, Appropriations Report, dated February 20, 2015, and
43 placed in member's bill file; Report also printed in House Journal,
44 February 20, 2015.
45
46 Amendment No. 3, moved by Representative(s) Fields.
47
48 Amend printed bill, page 3, line 17, strike ~~"In camera review" means~~
49 and substitute "In camera review" means".
50
51 Page 3, line 24, strike ~~matter.~~ and substitute ~~matter~~ THE JUDGE VIEWS
52 THE MATERIAL IN PRIVATE, WITHOUT EITHER PARTY PRESENT."
53
54 Page 4, strike lines 7 and 8 and substitute ~~court.~~ The district attorney
55 shall have standing in any action to oppose the disclosure of any such
56 materials. A BOARD SHALL NOT PROVIDE THROUGH".

1 Page 4, line 20, before "CRIMINAL" insert "A".

2

3 Page 5, strike lines 2 through 12 and substitute "VIOLATE ANY OTHER
4 PRIVILEGE OR CONFIDENTIALITY RIGHT.

5 (3) IN A PROCEEDING FOR DETERMINING THE AMOUNT OF
6 RESTITUTION, IF THE DEFENDANT'S REQUEST IS NOT SPECULATIVE AND IS
7 BASED ON AN EVIDENTIARY HYPOTHESIS THAT WARRANTS AN IN CAMERA
8 REVIEW TO REBUT THE PRESUMPTION ESTABLISHED IN SECTION 18-1.3-603,
9 C.R.S., THE COURT MAY RELEASE ADDITIONAL INFORMATION CONTAINED
10 IN THE RECORDS OF THE BOARD ONLY AFTER AN IN CAMERA REVIEW AND
11 ADDITIONALLY FINDING THAT THE INFORMATION:

12 (a) IS NECESSARY FOR THE DEFENDANT TO DISPUTE THE AMOUNT
13 CLAIMED FOR RESTITUTION; AND

14 (b) WILL NOT POSE ANY THREAT TO THE SAFETY OR WELFARE OF
15 THE VICTIM, OR ANY OTHER PERSON WHOSE IDENTITY MAY APPEAR IN THE
16 BOARD'S RECORDS, OR VIOLATE ANY OTHER PRIVILEGE OR
17 CONFIDENTIALITY RIGHT."

18

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

21

22

23

24

25 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

26

27 Passed Second Reading: **HB15-1173 amended, 1035 amended.**

28

29 Laid over until date indicated retaining place on Calendar: **HB15-1113-**
30 **May 30, 2015- deemed lost.**

31

32 The Chairman moved the adoption of the Committee of the Whole
33 Report. As shown by the following roll call vote, a majority of those
34 elected to the House voted in the affirmative, and the Report was
35 **adopted.**

36

37

	YES	63	NO	0	EXCUSED	2	ABSENT	0
38	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
39	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
40	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
41	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	E
42	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
43	Buckner	Y	Humphrey	Y	Navarro	Y	Tate	Y
44	Carver	E	Joshi	Y	Neville P.	Y	Thurlow	Y
45	Conti	Y	Kagan	Y	Nordberg	Y	Tyler	Y
46	Coram	Y	Keyser	Y	Pabon	Y	Van Winkle	Y
47	Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y
48	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y
49	DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y
50	Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y
51	Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y
52	Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y
53	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
54							Speaker	Y

55

56

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE**
 2 **BILLS(RESOLUTIONS)**

3
 4 [HJR15-1013](#) by Representative(s) McCann and Nordberg; also
 5 Senator(s) Kefalas and Cooke--Concerning human
 6 trafficking awareness advocacy day.

7
 8 (Amended as printed in Senate Journal; February 20, 2015.)
 9

10 Representative McCann moved that the House **concur** in Senate
 11 amendments. The motion was declared **passed** by the following roll call
 12 vote:

	YES	63	NO	0	EXCUSED	2	ABSENT	0
15	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
16	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
17	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
18	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	E
19	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
20	Buckner	Y	Humphrey	Y	Navarro	Y	Tate	Y
21	Carver	E	Joshi	Y	Neville P.	Y	Thurlow	Y
22	Conti	Y	Kagan	Y	Nordberg	Y	Tyler	Y
23	Coram	Y	Keyser	Y	Pabon	Y	Van Winkle	Y
24	Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y
25	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y
26	DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y
27	Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y
28	Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y
29	Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y
30	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
31							Speaker	Y

32
 33 The question being, "Shall the resolution, as amended, pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative, and the
 36 resolution, as amended, was declared **repassed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
39	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
40	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
41	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
42	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	E
43	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
44	Buckner	Y	Humphrey	Y	Navarro	Y	Tate	Y
45	Carver	E	Joshi	Y	Neville P.	Y	Thurlow	Y
46	Conti	Y	Kagan	Y	Nordberg	Y	Tyler	Y
47	Coram	Y	Keyser	Y	Pabon	Y	Van Winkle	Y
48	Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y
49	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y
50	DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y
51	Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y
52	Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y
53	Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y
54	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
55							Speaker	Y

1 **LAY OVER OF CALENDAR ITEM(S)**

2
3 On motion of Representative Duran, the following item(s) on the
4 Calendar was laid over until March 26, 2015, retaining place on Calendar:

5
6 Consideration of Senate Amendment(s)--**HB15-1074**.

7
8
9
10 **APPOINTMENTS**

11
12 The Speaker announced the following temporary committee appointment
13 for February 26, 2015 only:

14 **Judiciary**

15 Representative Neville to replace Representative Carver

16
17
18 House in recess. House reconvened.

19
20
21 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

22
23 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

26
27 **HB15-1167** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30
31 Amend printed bill, strike everything below the enacting clause and
32 substitute:

33
34 **"SECTION 1.** In Colorado Revised Statutes, 37-60-115, **add** (10)
35 as follows:

36 **37-60-115. Water studies - rules - repeal.** (10) **South Platte**
37 **river basin storage study.** (a) THE BOARD, USING INFORMATION
38 ALREADY COMPILED BY THE DRAFT COLORADO WATER PLAN AND THE
39 SOUTH PLATTE BASIN ROUNDTABLE CREATED IN SECTION 37-75-104 (3)
40 (b) (I), AND DIRECTLY COMMUNICATING WITH THAT BASIN ROUNDTABLE,
41 SHALL MAKE, OR CAUSE TO BE MADE, A STUDY OF THE FEASIBILITY OF
42 SUPPLEMENTING WATER SUPPLIES IN THE SOUTH PLATTE RIVER BASIN
43 THROUGH THE CONSTRUCTION OF ONE OR MORE NEW RESERVOIRS IN THE
44 SOUTH PLATTE RIVER BASIN AND THE IMPORTATION OF WATER INTO
45 COLORADO FROM THE MISSOURI RIVER BASIN. THE GOALS OF THE STUDY
46 ARE TO:

47 (I) ASSESS THE SUITABILITY OF STORAGE SITES IN THE SOUTH
48 PLATTE RIVER BASIN, REGARDLESS OF WHETHER THEY MAY PREVIOUSLY
49 HAVE BEEN STUDIED, INCLUDING THE MAINSTEM, TRIBUTARIES,
50 OFF-STREAM STORAGE, UNDERGROUND STORAGE, ENLARGEMENT OF
51 EXISTING RESERVOIRS, AND DREDGING OF EXISTING RESERVOIRS, TAKING
52 INTO CONSIDERATION THAT THE STORED WATER WOULD BE USED:

53 (A) FOR COMPLIANCE WITH THE SOUTH PLATTE RIVER COMPACT,
54 ARTICLE 65 OF THIS TITLE;

55 (B) TO AUGMENT MUNICIPAL SUPPLIES, INCLUDING BY EXCHANGE;

56 (C) AS A SOURCE OF AUGMENTATION SUPPLY FOR JUNIOR

- 1 GROUNDWATER DIVERTERS, INCLUDING FOR AGRICULTURAL PURPOSES;
2 (D) CONJUNCTIVELY WITH GROUNDWATER SUPPLIES, INCLUDING
3 BY STORING WATER IN THE ALLUVIAL AQUIFER; AND
4 (E) TO REDUCE THE NEED FOR THE IMPORTATION OF WATER INTO
5 THE SOUTH PLATTE RIVER BASIN FROM OTHER BASINS IN COLORADO,
6 INCLUDING, SPECIFICALLY, THE COLORADO RIVER BASIN;
7 (II) ESTIMATE, FOR EACH OF THE PREVIOUS TWENTY YEARS, THE
8 VOLUME OF WATER THAT HAS BEEN DELIVERED TO NEBRASKA IN EXCESS
9 OF THE AMOUNTS REQUIRED TO BE DELIVERED BY THE SOUTH PLATTE
10 RIVER COMPACT, ARTICLE 65 OF THIS TITLE, AND THAT COULD OTHERWISE
11 HAVE BEEN STORED IN THE LOWER SOUTH PLATTE RIVER BASIN;
12 (III) ASSESS THE FEASIBILITY OF CONSTRUCTING A NEW RESERVOIR
13 AT ONE OR MORE OF THE STORAGE SITES STUDIED PURSUANT TO
14 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), INCLUDING CONSIDERATION
15 OF ENVIRONMENTAL, PERMITTING, WATER AVAILABILITY, FINANCIAL, AND
16 LEGAL CONSTRAINTS, INCLUDING THOSE IMPOSED BY THE SOUTH PLATTE
17 RIVER COMPACT AND THE "COOPERATIVE AGREEMENT FOR PLATTE RIVER
18 RESEARCH AND OTHER EFFORTS RELATING TO ENDANGERED SPECIES
19 HABITATS ALONG THE CENTRAL PLATTE RIVER, NEBRASKA";
20 (IV) ASSESS EXISTING STUDIES CONDUCTED IN COLORADO OR
21 OTHER STATES IN THE MISSOURI RIVER BASIN ON THE CONSTRUCTION OF
22 A PIPELINE TO IMPORT WATER INTO COLORADO FROM THE MISSOURI RIVER
23 BASIN; AND
24 (V) ESTIMATE THE COSTS AND BENEFITS OF INCREASING STORAGE
25 IN THE SOUTH PLATTE RIVER BASIN BY DREDGING ONE OR MORE EXISTING
26 RESERVOIRS IN THE BASIN TO INCREASE THE AFFECTED RESERVOIRS'
27 AVAILABLE STORAGE CAPACITY.
- 28 (b) THE BOARD SHALL:
- 29 (I) PROVIDE THE WATER RESOURCES REVIEW COMMITTEE CREATED
30 IN SECTION 37-98-102, THE GOVERNOR'S OFFICE, THE EXECUTIVE
31 DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES, AND THE
32 GENERAL ASSEMBLY'S COMMITTEES OF REFERENCE WITH JURISDICTION
33 OVER NATURAL RESOURCES WITH AN UPDATE CONCERNING THE STUDY BY
34 OCTOBER 31, 2015;
35 (II) INCLUDE THE FINDINGS FROM THE STUDY IN THE COLORADO
36 WATER PLAN;
37 (III) COMPLETE THE STUDY AS EXPEDITIOUSLY AS PRACTICABLE,
38 BUT IN NO EVENT LATER THAN DECEMBER 31, 2015; AND
39 (IV) PROVIDE A REPORT SUMMARIZING THE STUDY TO THE
40 GOVERNOR'S OFFICE AND THE GENERAL ASSEMBLY'S COMMITTEES OF
41 REFERENCE WITH JURISDICTION OVER NATURAL RESOURCES BY FEBRUARY
42 15, 2016.

43 **SECTION 2. Safety clause.** The general assembly hereby finds,
44 determines, and declares that this act is necessary for the immediate
45 preservation of the public peace, health, and safety."
46
47
48
49

50 **EDUCATION**

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

54 **HB15-1156** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend printed bill, page 2, strike lines 2 through 23 and substitute:

2

3 "SECTION 1. In Colorado Revised Statutes, 23-18-303, **add** (9)
4 as follows:

5 **23-18-303. Fee-for-service contracts - authorization -**
6 **definitions.** (9) AN INSTITUTION SHALL NOT USE PERFORMANCE FUNDING
7 RECEIVED PURSUANT TO THIS SECTION FOR DIRECT FINANCIAL SUPPORT
8 FOR ANY NONRESIDENT STUDENT."
9

10

11

12 **HB15-1170** be amended as follows, and as so amended, be referred to
13 the Committee on Appropriations with favorable
14 recommendation:
15

16 Amend printed bill, page 11, after line 22 insert:

17 "(2) "COLLEGE PREPARATION PROGRAM" MEANS A PROGRAM
18 PROVIDED BY A NONPROFIT ORGANIZATION TO ASSIST STUDENTS IN
19 PREPARING FOR AND SUCCEEDING IN POSTSECONDARY PROGRAMS."
20

21 Renumber succeeding subsections accordingly.
22

23 Page 12, line 27, after "EDUCATION," insert "COLLEGE PREPARATION
24 PROGRAMS,".
25

26 Page 13, after line 24 insert:

27 "(III) IDENTIFYING LOCAL INDUSTRY AND WORKFORCE NEEDS AND
28 EXISTING EDUCATIONAL TOOLS, PROGRAMS, AND RESOURCES TO HELP
29 PREPARE MIDDLE AND HIGH SCHOOL STUDENTS TO MEET THOSE NEEDS
30 UPON GRADUATING FROM HIGH SCHOOL;

31 (IV) WORKING WITH STATE AND FEDERAL PROGRAMS THAT
32 PROVIDE CAREER AND WORKFORCE DEVELOPMENT OPPORTUNITIES FOR
33 STUDENTS ENROLLED IN MIDDLE AND HIGH SCHOOL AND IN ACCESSING
34 ANY STATE OR FEDERAL MONEYS THAT ARE AVAILABLE TO LOCAL
35 EDUCATION PROVIDERS TO SUPPORT AND IMPLEMENT THE PROGRAMS;

36 (V) PROMOTING OPPORTUNITIES FOR INDUSTRY TO ENGAGE IN THE
37 CLASSROOM WITH STUDENTS ENROLLED IN GRADES SIX THROUGH
38 TWELVE;"
39

40 Renumber succeeding subparagraphs accordingly.
41

42 Page 14, after line 10 insert:
43

44 **"24-46.3-303. Annual report.** THE STATE WORK FORCE
45 DEVELOPMENT COUNCIL AND THE DEPARTMENT OF EDUCATION SHALL
46 ANNUALLY REVIEW THE WORK OF THE STATEWIDE COORDINATOR IN
47 IMPLEMENTING THE DUTIES DESCRIBED IN SECTION 24-46.3-302. THE
48 STATE WORK FORCE DEVELOPMENT COUNCIL SHALL INCLUDE A SUMMARY
49 OF THE REVIEW IN THE COLORADO TALENT REPORT PREPARED PURSUANT
50 TO SECTION 24-46.3-103 (3)."
51

52

53

54

55 **HB15-1184** be amended as follows, and as so amended, be referred to
56 the Committee of the Whole with favorable
recommendation:

1 Amend printed bill, page 2, strike lines 6 and 7 and substitute
2 "OTHERWISE REQUIRES," "CHARTER SCHOOL NETWORK" MEANS A CHARTER
3 SCHOOL".

4

5 Page 2, strike lines 17 through 22.

6

7 Page 3, line 20, strike "LOCAL FUNDS" and substitute "ADDITIONAL LOCAL
8 REVENUES AUTHORIZED PURSUANT TO SECTIONS 22-54-107.5, 22-54-108,
9 AND 22-54-108.5 OR PROCEEDS FROM BONDED INDEBTEDNESS INCURRED
10 PURSUANT TO ARTICLE 42 OF THIS TITLE THAT ARE".

11

12 Page 3, line 23, strike "LOCAL FUNDS" and substitute "ADDITIONAL LOCAL
13 REVENUES AUTHORIZED PURSUANT TO SECTIONS 22-54-107.5, 22-54-108,
14 AND 22-54-108.5 OR PROCEEDS FROM BONDED INDEBTEDNESS INCURRED
15 PURSUANT TO ARTICLE 42 OF THIS TITLE".

16

17 Page 3, strike lines 26 and 27 and substitute "APPROPRIATELY.".

18

19 Page 4, strike lines 1 through 11.

20

21 Page 4, strike lines 15 through 18 and substitute:

22 "(3) NOTHING IN THIS SECTION AFFECTS THE PROCESS FOR
23 GRANTING OR DENYING A REQUEST FOR A SEPARATE OR NEW SCHOOL CODE
24 TO ANY ONE SCHOOL WITHIN A CHARTER SCHOOL NETWORK.".

25 Page 4, strike lines 25 and 26 and substitute "STATE ASSESSMENTS IN
26 ACCORDANCE WITH STATUTE, STATE BOARD RULES, AND SCHOOL DISTRICT
27 OR STATE CHARTER SCHOOL INSTITUTE PERFORMANCE FRAMEWORKS FOR
28 EACH SCHOOL OPERATED BY THE".

29

30

31

32

33 **FINANCE**

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

36

37 **HB15-1026** be referred favorably to the Committee on Appropriations.

38

39

40 **HB15-1204** be referred to the Committee of the Whole with favorable
41 recommendation.

42

43

44 **SB15-142** be referred to the Committee of the Whole with favorable
45 recommendation.

46

47

48

49

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

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

53

54 **HB15-1119** be postponed indefinitely.

55

56

1 **HB15-1126** be referred favorably to the Committee on Finance.

2

3

4 **HB15-1130** be amended as follows, and as so amended, be referred to
5 the Committee of the Whole with favorable
6 recommendation:

7

8 Amend printed bill, page 6, line 16, strike "(4)" and substitute "(4); and
9 **add** (4.5)".

10

11 Page 7, after line 8 insert:

12 "(4.5) THE CLERK SHALL TRANSMIT A BALLOT AND BALLOTING
13 MATERIALS TO A COVERED VOTER, AS DEFINED IN SECTION 1-8.3-102 (2),
14 C.R.S., NO LATER THAN THIRTY DAYS BEFORE AN ELECTION CONDUCTED
15 IN ACCORDANCE WITH THIS PART 5.

16 **SECTION 8.** In Colorado Revised Statutes, **add** 31-10-102.8 as
17 follows:

18 **31-10-102.8. Military and overseas voters - timely**
19 **transmission, casting, and receipt of ballot.** (1) THE CLERK SHALL
20 TRANSMIT A BALLOT AND BALLOTING MATERIALS TO A COVERED VOTER,
21 AS DEFINED IN SECTION 1-8.3-102 (2), C.R.S., NO LATER THAN FORTY-FIVE
22 DAYS BEFORE AN ELECTION CONDUCTED IN ACCORDANCE WITH THIS
23 ARTICLE.

24 (2) TO BE VALID, A BALLOT MUST BE RECEIVED BY THE CLERK NOT
25 LATER THAN THE CLOSE OF POLLS, OR THE VOTER SHALL SUBMIT THE
26 BALLOT FOR MAILING, ELECTRONIC TRANSMISSION, OR OTHER AUTHORIZED
27 MEANS OF DELIVERY NOT LATER THAN 7:00 P.M. ON THE DATE OF THE
28 ELECTION.

29 (3) A VALID BALLOT CAST IN ACCORDANCE WITH SUBSECTION (2)
30 OF THIS SECTION SHALL BE COUNTED IF IT IS RECEIVED BY THE CLOSE OF
31 BUSINESS ON THE EIGHTH DAY AFTER AN ELECTION AT THE ADDRESS THAT
32 THE CLERK HAS SPECIFIED."

33 Renumber succeeding sections accordingly.

34

35 Page 10, after line 16 insert:

36 **"SECTION 15.** In Colorado Revised Statutes, **amend** 31-10-1201
37 as follows:

38 **31-10-1201. Returns - canvass.** The returns of all municipal
39 elections shall be made to the clerk of the municipality. The clerk shall
40 request the assistance of the mayor of the municipality in conducting the
41 canvass of votes. If there is no mayor or if the mayor has been a candidate
42 at the election, the clerk shall appoint a municipal judge, a member of the
43 election commission, or a person who is qualified to be an election judge
44 and who did not serve as an election judge in the election as an assistant.
45 No later than ~~seven~~ TEN days after the election, the clerk, in the presence
46 of the assistant, shall open the returns and make out abstracts of votes for
47 each office.

48 **SECTION 16.** In Colorado Revised Statutes, 31-10-1207, **amend**
49 (1) and (2) as follows:

50 **31-10-1207. Recount.** (1) The municipal clerk shall conduct a
51 recount of the votes cast in any election if it appears, as evidenced by the
52 survey of returns, that the difference between the highest number of votes
53 cast in the election and the next highest number of votes cast in the
54 election is less than or equal to one-half of one percent of the highest
55 number of votes cast in the election. Any recount conducted pursuant to
56 this subsection (1) shall be completed no later than the ~~tenth~~ FIFTEENTH

1 day following the election and shall be paid for by the governing body.
 2 The clerk shall give notice of the recount to all candidates and, in the case
 3 of a ballot issue or question, to any petition representatives identified
 4 pursuant to sections 31-2-221 (1), 31-4-502 (1) (a) (I), and 31-11-106 (2)
 5 that are affected by the result of the election. Such notice shall be given
 6 by certified mail, by posting such notice in three public places within the
 7 municipal limits, or by other means reasonably expected to notify the
 8 affected candidates or petition representatives. Any affected candidate or
 9 petition representative ~~shall be~~ IS allowed to be present during and
 10 observe the recount.

11 (2) Whenever a recount of the votes cast in an election is not
 12 required pursuant to subsection (1) of this section, any interested party,
 13 including a candidate for office or the petition representatives for a ballot
 14 issue or question, may submit to the clerk a written request for a recount
 15 at the expense of the interested party making the request. This request
 16 shall be filed with the clerk within ~~seven~~ TEN days after the election.
 17 Before conducting the recount, the clerk shall give notice of the recount
 18 in accordance with the provisions of subsection (1) of this section, shall
 19 determine the cost of the recount, shall notify the interested party that
 20 requested the recount of such cost, and shall collect the cost of conducting
 21 the recount from such interested party. The interested party that requested
 22 the recount shall pay on demand the cost of the recount to the clerk. The
 23 funds paid to the clerk for the recount shall be placed in escrow for
 24 payment of all expenses incurred in the recount. If, after the recount, the
 25 result of the election is reversed in favor of the interested party that
 26 requested the recount or if the amended election count is such that a
 27 recount otherwise would have been required pursuant to subsection (1) of
 28 this section, the payment for expenses shall be refunded to the interested
 29 party who paid them. Any recount of votes conducted pursuant to this
 30 subsection (2) shall be completed no later than the ~~tenth~~ FIFTEENTH day
 31 after the election."
 32

33 Renumber succeeding section accordingly.
 34
 35
 36

37 **HB15-1181** be amended as follows, and as so amended, be referred to
 38 the Committee on Finance with favorable recommendation:
 39

40 Amend printed bill, page 3, after line 23 insert:

41 "SECTION 5. In Colorado Revised Statutes, 39-22-601, **add** (1)
 42 (a) (III) as follows:

43 **39-22-601. Returns.** (1) (a) (III) FOR PURPOSES OF THIS
 44 PARAGRAPH (a), AN INDIVIDUAL WHOSE ONLY SOURCE OF INCOME IS
 45 COMPENSATION THAT IS SUBTRACTED FROM FEDERAL TAXABLE INCOME
 46 UNDER SECTION 39-22-104 (4) (u) NEED NOT FILE A RETURN.

47 **SECTION 6.** In Colorado Revised Statutes, 39-22-604, **add** (20)
 48 as follows:

49 **39-22-604. Withholding tax - requirement to withhold - tax**
 50 **lien - exemption from lien - definitions.** (20) NO AMOUNT IS REQUIRED
 51 TO BE DEDUCTED AND WITHHELD FROM AN EMPLOYEE'S WAGES PURSUANT
 52 TO THIS SECTION FOR INCOME TAX DUE TO THE STATE IF THE EMPLOYEE'S
 53 WITHHOLDING CERTIFICATE INDICATES THAT THE COMPENSATION IS
 54 ELIGIBLE TO BE SUBTRACTED FROM FEDERAL TAXABLE INCOME PURSUANT
 55 TO SECTION 39-22-104 (4) (u)."

56 Renumber succeeding section accordingly.

1 **TRANSPORTATION & ENERGY**

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

4
5 **HB15-1098** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, page 2, line 14, strike "(d) AND" and substitute "(d),".
10
11 Page 2, line 15, strike "43-3-302, C.R.S." and substitute "43-3-302,
12 C.R.S., AND TO ASSESS TOLLS AND CIVIL PENALTIES FOR PUBLIC HIGHWAYS
13 PURSUANT TO SECTIONS 43-4-506 AND 43-4-506.5, C.R.S.".

14
15
16 **PRINTING REPORT**

17
18 The Chief Clerk reports the following bills have been correctly printed:
19 **HB15-1247, 1248.**

20
21
22 **MESSAGE FROM THE SENATE**

23
24 Madam Speaker:

25
26 The Senate has passed on Third Reading and transmitted to the Revisor
27 of Statutes:
28 SB15-121.

29
30 The Senate has passed on Third Reading and transmitted to the Revisor
31 of Statutes:
32 SB15-087 amended in General Orders as printed in Senate Journal,
33 February 24, 2015.
34 SB15-106 amended in General Orders as printed in Senate Journal,
35 February 24, 2015.

36
37 The Senate has passed on Third Reading and returns herewith:
38 HB15-1021, HB15-1047, and HB15-1121.

39
40 The Senate has adopted and transmits herewith:
41 SJR15-008 amended as printed in Senate Journal, February 26, 2015.

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

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48 We herewith transmit:
49 without comment, **SB15-121.**
50 without comment, as amended, **SB15-087 and 106.**

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MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 25th day of February, 2015, at 4:05p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

February 25, 2015
House of Representatives
Seventieth General Assembly
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Act:

HJR15-1006: CONCERNING APPROVAL OF WATER PROJECT
REVOLVING FUND ELIGIBILITY LISTS
ADMINISTERED BY THE COLORADO WATER
RESOURCES AND POWER DEVELOPMENT
AUTHORITY.

Approved February 25, 2015 at 2:36PM

Sincerely,
(Signed)
John W. Hickenlooper
Governor

On motion of Representative Duran, the following bill(s) calendared for General Orders, February 27, will be calendared for March 4, 2015:
HB15-1042.

On motion of Representative Duran, the following bill(s) calendared for General Orders, February 27, will be calendared for March 6, 2015:
HB15-1175.

On motion of Representative Duran, the House adjourned until 9:00 a.m., February 27, 2015.

Approved:
DICKY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk