

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
First Regular Session

105th Legislative Day Tuesday, April 21, 2015

- Prayer By the chaplain, Pastor Dan File, Capitol Commission, Lake City.
- Call to Order By the President at 9:00 a.m.
- Pledge By Senator Martinez Humenik.
- Roll Call Present--34
Excused--1, Ulibarri.
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Donovan, reading of the Journal of Monday, April 20, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

- Judiciary After consideration on the merits, the Committee recommends that **HB15-1019** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Judiciary After consideration on the merits, the Committee recommends that **HB15-1229** be referred to the Committee on Appropriations with favorable recommendation.
- Judiciary After consideration on the merits, the Committee recommends that **SB15-261** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Business, Labor, & Technology The Committee on Business, Labor, & Technology has had under consideration and has had a hearing on the following appointments and recommends that the appointments be placed on the consent calendar and confirmed:

MEMBERS OF THE
BOARD OF MORTGAGE LOAN ORIGINATORS

for terms expiring August 10, 2018:
Charles Patterson "Buzz" Moore of Grand Junction, Colorado, a licensed mortgage loan originator, appointed;
Fred Joseph of Denver, Colorado, a member of the public at large, appointed.

- Business, Labor, & Technology After consideration on the merits, the Committee recommends that **SB15-259** be postponed indefinitely.

State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB15-1308 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.	1
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB15-1268 be postponed indefinitely .	7
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB15-1181 be referred to the Committee on <u>Appropriations</u> with favorable recommendation.	13
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB15-1097 be postponed indefinitely .	19
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State, Veterans, & Military Affairs	After consideration on the merits, the Committee recommends that HB15-1018 be postponed indefinitely .	25
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SENATE SERVICES REPORT

Correctly Printed: SB15-270 and 271.
Correctly Engrossed: SB15-039, 135, 206, 226 and 254; SCR15-001; SJR15-026.
Correctly Reengrossed: SB15-220 and 262.
Correctly Revised: HB15-1015, 1131, 1136, 1166, 1187, 1203, 1214, 1220 and 1243.
Correctly Rerevised: HB15-1239, 1271 and 1315.

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.

CONSIDERATION OF RESOLUTIONS

SR15-003 by Senator(s) Lundberg and Crowder--Concerning pregnancy resource centers.

On motion of Senator Lundberg, the resolution was read at length.

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

Amend printed resolution, page 1, strike line 1 and substitute:

"WHEREAS, The impact of family planning resource".

Page 1, line 4, strike "Pregnancy" and substitute "Family planning".

Page 1, lines 6 and 7, strike "More than 2,500 pregnancy resource centers across the United States" and substitute "Sixty-seven family planning resource centers across Colorado".

- Page 1, line 8, after "facing" insert "planned and".
- Page 1, line 10, strike "Pregnancy" and substitute "Family planning".
- Page 1, line 11, after "testing," insert "contraception,".
- Page 1, line 13, strike "pregnancy" and substitute "family planning".
- Page 2, line 1, strike "Pregnancy" and substitute "Family planning".
- Page 2, strike lines 3 and 4 and substitute "information regarding their options; and".
- Page 2, line 5, strike "pregnancy" and substitute "family planning".
- Page 2, line 7, strike "Pregnancy" and substitute "Family planning".
- Page 2, strike lines 8 and 9 and substitute "receiving information and reproductive health services; and".
- Page 2, line 10, strike "Pregnancy" and substitute "Family planning".
- Page 2, line 13, strike "Pregnancy" and substitute "Family planning".
- Page 2, line 14, strike "childbirth;" and substitute "childbirth and protect their right to choose if and when to have a family;".
- Page 2, line 16, strike "pregnancy" and substitute "family planning".
- Page 2, strike lines 18 through 22.
- Page 2, line 23, strike "Pregnancy" and substitute "Family planning".
- Page 2, line 26, strike "life;" and substitute "privacy and freedom from government or outside intervention and the right to choose what a woman does with her own body;".
- Page 2, line 27, strike "Pregnancy" and substitute "Family planning".
- Page 2, line 29, strike "and" and substitute "now, therefore,".
- Page 2, strike lines 30 and 31.
- Page 3, line 3, strike "pregnancy" and substitute "family planning".
- Page 3, strike lines 4 and 5 and substitute "individual lives of women and men;".
- Page 3, line 7, strike "pregnancy" and substitute "family planning".
- Page 3, line 8, after "States;" add "and".
- Page 3, line 10, strike "pregnancy" and substitute "family planning".
- Page 3, strike lines 11 through 15 and substitute "equipment and education.".
- Page 3, line 17, strike "pregnancy" and substitute "family planning".
- Page 1, line 101, strike "PREGNANCY" and substitute "FAMILY PLANNING".

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

YES	16	NO	18	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	N
Balmer	N	Heath	Y	Lambert	N	Scott	N
Baumgardner	N	Hill	N	Lundberg	N	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	N	Holbert	N	Martinez Humenik	N	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Ulibarri	E
Donovan	Y	Johnston	Y	Neville T.	N	Woods	N
Garcia	Y	Jones	Y	Newell	Y	President	N
Grantham	N	Kefalas	Y	Roberts	N		

On motion of Senator Lundberg, the resolution was **adopted** by the following roll call vote:

YES	20	NO	14	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kerr	N	Scheffel	Y
Balmer	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	N	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	N	Merrifield	N	Ulibarri	E
Donovan	N	Johnston	N	Neville T.	Y	Woods	Y
Garcia	Y	Jones	N	Newell	N	President	Y
Grantham	Y	Kefalas	N	Roberts	Y		

Co-sponsor(s) added: Balmer, Baumgardner, Cadman, Cooke, Grantham, Hill, Holbert, Lambert, Marble, Neville T., Roberts, Scheffel, Scott, Sonnenberg and Woods.

Senate in recess.Senate reconvened.

Call of the Senate.Call raised.

THIRD READING OF BILLS -- FINAL PASSAGE --
CONSENT CALENDAR

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

HB15-1203 by Representative(s) Rosenthal; also Senator(s) Steadman--Concerning earned time for certain offenders serving life sentences as habitual offenders.

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

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	Y	Scott	N
Baumgardner	N	Hill	Y	Lundberg	Y	Sonnenberg	N
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	N	Jahn	Y	Merrifield	Y	Ulibarri	E
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	N
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**.

HB15-1187 by Representative(s) Lebsock, Primavera, Becker K.; also Senator(s) Garcia and Sonnenberg--Concerning mental health evaluations of licensed veterinarians conducted by a veterinarian peer health assistance program as ordered by the state board of veterinary medicine.

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

YES	29	NO	5	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	N	Scott	Y
Baumgardner	Y	Hill	N	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	N	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
Donovan	Y	Johnston	Y	Neville T.	N	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**.

Co-sponsor(s) added: Donovan and Newell.

HB15-1243 by Representative(s) Vigil; also Senator(s) Sonnenberg--Concerning increased spending authority for the division of parks and wildlife, and, in connection therewith, establishing the parks for future generations trust fund, amending the wildlife for future generations trust fund, and giving the division of parks and wildlife explicit spending authority over moneys received to mitigate or offset adverse impacts to the state's parks and wildlife resources.

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

YES	31	NO	3	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	N	Heath	Y	Lambert	N	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
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**.

Co-sponsor(s) added: Newell.

HB15-1015 by Representative(s) Winter, Lebsock; also Senator(s) Cooke--Concerning the creation of an interstate compact allowing states that enter the compact to share emergency medical service providers under certain circumstances.

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	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
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**.

Co-sponsor(s) added: Aguilar, Baumgardner, Grantham, Guzman, Heath, Hill, Holbert, Jahn, Johnston, Jones, Kefalas, Lambert, Marble, Martinez Humenik, Merrifield, Newell, Roberts, Scott, Todd and Woods.

HB15-1166 by Representative(s) Saine and Arndt, Humphrey, Danielson; also Senator(s) Marble-- Concerning the creation of a tributary groundwater monitoring network in the South Platte river alluvial aquifer, and, in connection therewith, making an appropriation.

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	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
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**.

Co-sponsor(s) added: Cooke, Crowder, Kefalas, Lambert, Lundberg, Neville T., Roberts, Scott, Sonnenberg and Woods.

SB15-206 by Senator(s) Roberts and Hodge; also Representative(s) Garnett and Keyser--Concerning phased conservation easement donations for conservation easements donated on or after January 1, 2015, and, in connection therewith, lowering transaction costs for agricultural producers, facilitating endangered species mitigation, and making an appropriation.

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

YES	33	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	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	*
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

* Abstaining from voting under Senate Rule 17(c) -- Senator Woods.

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

Co-sponsor(s) added: Cooke, Crowder, Donovan, Guzman, Kefalas and Merrifield.

HB15-1136 by Representative(s) Navarro, Joshi; also Senator(s) Woods--Concerning the number of disabled veteran license plates with the identifying figure authorizing the use of parking privileges that may be issued to a qualified individual, and, in connection therewith, making an appropriation.

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	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
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**.

Co-sponsor(s) added: Grantham, Heath, Kerr, Merrifield and Todd.

HB15-1131 by Representative(s) Esgar and Lee; also Senator(s) Lambert--Concerning the release of information related to critical incidents that occur in facilities operated by the division of youth corrections, and, in connection therewith, making an appropriation.

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	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
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**.

Co-sponsor(s) added: Baumgardner, Cooke, Grantham, Guzman, Hodge, Neville T., Newell, Scott, Steadman and Todd.

SB15-254 by Senator(s) Grantham, Baumgardner, Merrifield, Scott; also Representative(s) Lee, Klingenschmitt, Landgraf, Lundeen, Mitsch Bush, Nordberg, Singer, Tate--Concerning an extension of the period during which certain incentives are available for municipally owned utilities to obtain additional renewable energy credits based on the installation of solar electric generation technologies.

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	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
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**.

Co-sponsor(s) added: Guzman, Heath, Kefalas and Todd.

CHANGE IN SPONSORSHIP

Upon announcement of President Cadman, Representative Rankin replaced Representative Humphrey as the House prime sponsor on SB15-039 with Senator Lambert.

THIRD READING OF BILLS -- FINAL PASSAGE

On third reading, the titles of the following bills were publicly read, the reading at length having been dispensed with by unanimous consent:

SB15-135 by Senator(s) Martinez Humenik and Jahn, Hodge, Holbert, Todd; also Representative(s) Lebsock and Saine--Concerning modifications to statutory provisions governing urban redevelopment affecting public bodies in connection with urban renewal projects.

Laid over until Wednesday, April 22, retaining its place on the calendar.

SCR15-001 by Senator(s) Martinez Humenik; also Representative(s) Priola--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the repeal of the requirement that each county in the state elect a county surveyor, and, in connection therewith, giving each county the power to decide whether to have a surveyor and the amount of any salary paid to the surveyor.

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

YES	22	NO	12	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kerr	N	Scheffel	Y
Balmer	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	N	Marble	Y	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	N	Ulibarri	E
Donovan	N	Johnston	N	Neville T.	Y	Woods	Y
Garcia	N	Jones	N	Newell	Y	President	Y
Grantham	Y	Kefalas	N	Roberts	Y		

Less than a constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the concurrent resolution **lost**.

SB15-039

by Senator(s) Lambert, Cadman; also Representative(s) Humphrey--Concerning the possession by the state of Colorado of police power jurisdiction over certain federal lands for which the federal government has asserted only a proprietorial interest, and, in connection therewith, the possession by the state and its political subdivisions of their jurisdictional rights over land managed within the state by the United States forest service and the bureau of land management.

A majority of those elected to the Senate having voted in the affirmative, Senator Lambert was given permission to offer a third reading amendment.

Third Reading Amendment No. 1(L.011), by Senator Lambert.

Amend engrossed bill, page 4, strike lines 8 through 16 and substitute:

"(g) In *Surplus Trading Co. v. Cook*, 281 U.S. 647, 650 (1930), the United States Supreme Court stated that "[i]t is not unusual for the United States to own within a State lands which are set apart and used for public purposes. Such ownership and use without more do not withdraw the lands from the jurisdiction of the State. On the contrary, the lands remain part of her territory and within the operation of her laws, save that the latter cannot affect the title of the United States or embarrass it in using the lands or interfere with its right of disposal." In *Kleppe v. New Mexico*, 426 U.S. 529, 543 (1976), the United States Supreme Court stated that a state is free to enforce its criminal and civil laws on public lands over which the federal government does not assert exclusive jurisdiction. Further, the Federal Land Policy and Management Act enacted by Congress in 1976 states in Section 701 (g) (6) that "[n]othing in this Act shall be construed...as a limitation upon any State criminal statute or upon the police power of the respective States...or as depriving any State or political subdivision thereof of any right it may have to exercise civil and criminal jurisdiction on the natural resource lands...";".

Page 6, strike lines 23 through 27.

Page 7, strike lines 1 through 3.

Reletter succeeding paragraphs accordingly.

The amendment was **passed** 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	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
Donovan	Y	Johnston	Y	Neville T.	Y	Woods	Y
Garcia	Y	Jones	Y	Newell	Y	President	Y
Grantham	Y	Kefalas	Y	Roberts	Y		

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

YES	18	NO	16	EXCUSED	1	ABSENT	0
Aguilar	N	Guzman	N	Kerr	N	Scheffel	Y
Balmer	Y	Heath	N	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	Hodge	N	Marble	Y	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	N
Crowder	Y	Jahn	N	Merrifield	N	Ulibarri	E
Donovan	N	Johnston	N	Neville T.	Y	Woods	Y
Garcia	N	Jones	N	Newell	N	President	Y
Grantham	Y	Kefalas	N	Roberts	Y		

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Grantham, Hill, Holbert, Lundberg, Marble, Neville T., Scheffel, Scott, Sonnenberg and Woods.

HB15-1214 by Representative(s) Singer; also Senator(s) Cooke--Concerning opioid analgesics with abuse-deterrent properties.

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

YES	27	NO	7	EXCUSED	1	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	Y	Heath	Y	Lambert	N	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	N	Sonnenberg	Y
Carroll	Y	Hodge	Y	Marble	N	Steadman	N
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
Donovan	Y	Johnston	Y	Neville T.	N	Woods	N
Garcia	Y	Jones	N	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**.

Co-sponsor(s) added: Todd.

HB15-1220 by Representative(s) Danielson and Ryden, Landgraf; also Senator(s) Cooke and Martinez Humenik--Concerning response to sexual assault on campuses of Colorado's institutions of higher education.

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

YES	32	NO	2	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	N	Steadman	Y
Cooke	Y	Holbert	Y	Martinez Humenik	Y	Todd	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
Donovan	Y	Johnston	Y	Neville T.	N	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**.

Co-sponsor(s) added: Aguilar, Carroll, Heath, Johnston, Jones, Kefalas, Kerr, Merrifield, Newell, Roberts, Steadman and Todd.

SB15-226 by Senator(s) Sonnenberg; also Representative(s) Vigil--Concerning the education requirements necessary to qualify for a license to take wildlife.

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

YES	32	NO	2	EXCUSED	1	ABSENT	0		1
Aguilar		Y	Guzman	Y	Kerr	Y	Scheffel	Y	2
Balmer		Y	Heath	Y	Lambert	Y	Scott	Y	3
Baumgardner		Y	Hill	Y	Lundberg	Y	Sonnenberg	Y	4
Carroll		Y	Hodge	Y	Marble	Y	Steadman	Y	5
Cooke		Y	Holbert	Y	Martinez Humenik	Y	Todd	Y	6
Crowder		Y	Jahn	Y	Merrifield	Y	Ulibarri	E	7
Donovan		Y	Johnston	Y	Neville T.	Y	Woods	Y	8
Garcia		Y	Jones	N	Newell	N	President	Y	9
Grantham		Y	Kefalas	Y	Roberts	Y			10

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

Co-sponsor(s) added: Baumgardner, Cooke, Crowder, Donovan, Garcia, Grantham, Guzman, Hill, Hodge, Holbert, Jahn, Johnston, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Roberts, Scheffel, Scott, Todd and Woods.

Committee of the Whole On motion of Senator Grantham, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Grantham 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 bills, reading at length having been dispensed with by unanimous consent, had been considered and action taken thereon as follows:

SB15-213 by Senator(s) Cadman and Scheffel, Hill; also Representative(s) Hullinghorst and Duran-- Concerning the limited waiver of governmental immunity for claims involving public schools for injuries resulting from incidents of school violence.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 14, page(s) 738-740 and placed in members' bill files.)

Amendment No. 2(L.017), by Senator Scheffel.

Amend the Judiciary Committee Report, dated April 13, 2015, page 2, strike line 39 and substitute:

"school-sponsored events - short title - definitions. (1) THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE "CLAIRE DAVIS SCHOOL SAFETY ACT".
(2) **Definitions.** FOR PURPOSES".

Renumber succeeding subsections accordingly.

Page 3 of the committee report, strike line 19.

Page 3 of the committee report, strike line 22.

Amendment No. 3(L.023), by Senator Scheffel.

Amend the Judiciary Committee Report, dated April 13, 2015, page 4, line 5, strike "DISCOVERY" and substitute "DISCOVERY,".

Amendment No. 4(L.018), by Senator Scheffel.

Amend the Judiciary Committee Report, dated April 13, 2015, page 3, line 10, after "ASSAULT;" insert "OR".

Page 3, strike line 11.

Renumber succeeding subparagraph accordingly.

Amendment No. 5(L.020), by Senator Scheffel.

Amend the Judiciary Committee Report, dated April 13, 2015, page 3 of the committee report, before line 22 insert:

"Page 7 of the bill, before line 12 insert:

"(4) A PUBLIC SCHOOL, SCHOOL DISTRICT, OR CHARTER SCHOOL SHALL NOT BE FOUND NEGLIGENT UNDER THIS SECTION SOLELY AS A RESULT OF NOT EXPELLING OR SUSPENDING ANY STUDENT."

Renumber succeeding subsections accordingly."

Amendment No. 6(L.019), by Senator Scheffel.

Amend the Judiciary Committee Report, dated April 13, 2015, page 3, strike line 21 and substitute "THIS SECTION, AND, WITH RESPECT TO SUCH CLAIMS, THE PROVISIONS OF ARTICLE 12 OF TITLE 22, C.R.S., DO NOT APPLY TO SCHOOL DISTRICTS AND CHARTER SCHOOLS. AN EMPLOYEE OF A PUBLIC SCHOOL, SCHOOL DISTRICT, OR A CHARTER SCHOOL IS NOT SUBJECT TO SUIT UNDER THIS SECTION IN HIS OR HER INDIVIDUAL CAPACITY UNLESS THE EMPLOYEE'S ACTIONS OR OMISSIONS ARE WILLFUL AND WANTON."

Amendment No. 7(L.021), by Senator Scheffel.

Amend the Judiciary Committee Report, dated April 13, 2015, page 2, line 39, strike "**definitions.**" and substitute "**definitions - repeal.**"

Page 3 of the committee report, after line 22 insert:

"Page 8 of the bill, line 5, strike "THE" and substitute "(a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (8), THE".

Page 3 of the committee report, strike line 24 and substitute:

""24-10-114 (1).
(b) (I) A PLAINTIFF WHO FILES AN ACTION UNDER THIS SECTION FOR AN INCIDENT OF SCHOOL VIOLENCE THAT OCCURS ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION AND ON OR BEFORE JULY 1, 2017, SHALL FILE THE ACTION IN THE DISTRICT COURT, AND NO COMPENSATORY DAMAGES SHALL BE AWARDED. NO DAMAGES ARE NEEDED FOR THE COURT TO ISSUE A DECLARATORY JUDGEMENT REGARDING THE NEGLIGENCE OF THE PUBLIC SCHOOL, SCHOOL DISTRICT, OR CHARTER SCHOOL. IN SUCH ACTION, THE PLAINTIFF IS ENTITLED TO FULL DISCOVERY REGARDING THE INCIDENT OF SCHOOL VIOLENCE.
(II) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1, 2018."

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

SB15-185 by Senator(s) Johnston; also Representative(s) Fields--Concerning provisions to improve police operations.

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, April 9, page(s) 690-691 and placed in members' bill files.)

Amendment No. 2, Appropriations Committee Amendment.
(Printed in Senate Journal, April 10, page(s) 707 and placed in members' bill files.)

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

HB15-1026	by Representative(s) Roupe; also Senator(s) Todd--Concerning the issuance of military license plates with an identifying figure notifying the public that the holder may use reserved parking for people with disabilities, and, in connection therewith, making an appropriation.	1
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	<u>Amendment No. 1, Finance Committee Amendment.</u>	6
	(Printed in Senate Journal, March 25, page(s) 567-568 and placed in members' bill files.)	7
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	As amended, ordered revised and placed on the calendar for third reading and final passage.	9
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HB15-1217	by Representative(s) Singer; also Senator(s) Holbert--Concerning the ability of a local licensing authority to provide input to the state licensing authority on applications for approval to operate a sales room submitted by certain persons licensed under the "Colorado Liquor Code", and, in connection therewith, making an appropriation.	12
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	<u>Amendment No. 1, Business, Labor & Technology Committee Amendment.</u>	17
	(Printed in Senate Journal, March 18, page(s) 491-492 and placed in members' bill files.)	18
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	<u>Amendment No. 2(L.007), by Senator Holbert.</u>	21
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	Amend reengrossed bill, page 4, line 6, strike "IN A SALES ROOM".	23
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	Page 4, line 7, strike "licensed" and substitute " licensed APPROVED".	25
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	Page 6, line 10, strike "IN ITS SALES ROOM".	27
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	Page 6, line 11, strike "PREMISES." and substitute "PREMISES OR IN AN APPROVED SALES ROOM.".	29
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	Page 6, line 19, strike "IN A SALES ROOM" and strike the second "licensed" and substitute " licensed APPROVED".	32
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	Page 9, line 5, strike "IN ITS SALES ROOM".	35
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	Page 9, line 6, strike "PREMISES." and substitute "PREMISES OR IN AN APPROVED SALES ROOM.".	37
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	Page 9, line 15, strike "IN A SALES ROOM".	40
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	Page 9, line 16, strike "licensed premises," and substitute " licensed premises APPROVED SALES ROOM LOCATIONS,".	42
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	Page 11, lines 17 and 18, strike "IN ITS SALES ROOM".	45
		46
	Page 11, line 18, strike "PREMISES." and substitute "PREMISES OR IN AN APPROVED SALES ROOM.".	47
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	Page 14, line 6, strike "IN ITS SALES ROOM".	50
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	<u>Amendment No. 3(L.008), by Senator Holbert.</u>	53
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	Amend reengrossed bill, page 5, line 3, after "CONCERNS" insert "IN A MANNER THAT IS INCONSISTENT WITH LOCAL REGULATIONS OR ORDINANCES".	55
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	Page 5, line 10, strike "CONCERNS," and substitute "CONCERNS IN A MANNER THAT IS INCONSISTENT WITH LOCAL REGULATIONS OR ORDINANCES,".	59
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	Page 7, line 19, after "CONCERNS" insert "IN A MANNER THAT IS INCONSISTENT WITH LOCAL REGULATIONS OR ORDINANCES".	63
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	Page 8, line 2, strike "CONCERNS," and substitute "CONCERNS IN A MANNER THAT IS INCONSISTENT WITH LOCAL REGULATIONS OR ORDINANCES,".	66
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Page 10, line 12, after "CONCERNS" insert "IN A MANNER THAT IS INCONSISTENT WITH LOCAL REGULATIONS OR ORDINANCES".

Page 10, line 18, strike "CONCERNS," and substitute "CONCERNS IN A MANNER THAT IS INCONSISTENT WITH LOCAL REGULATIONS OR ORDINANCES,".

Page 12, line 26, after "CONCERNS" insert "IN A MANNER THAT IS INCONSISTENT WITH LOCAL REGULATIONS OR ORDINANCES".

Page 13, line 6, strike "CONCERNS," and substitute "CONCERNS IN A MANNER THAT IS INCONSISTENT WITH LOCAL REGULATIONS OR ORDINANCES,".

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

SB15-265 by Senator(s) Cadman; also Representative(s) Hullinghorst--Concerning conditions that must be met before a hospital care lien is created.

Amendment No. 1, Finance Committee Amendment.
(Printed in Senate Journal, April 17, page(s) 803 and placed in members' bill files.)

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

Amend printed bill, page 2, strike lines 10 and 11 and substitute "FOR HOSPITAL CARE OR OTHER SERVICES FOR PAYMENT TO THE PROPERTY AND CASUALTY INSURER AND THE PRIMARY MEDICAL PAYER OF BENEFITS AVAILABLE TO AND IDENTIFIED BY OR ON BEHALF OF THE INJURED PERSON, TO THE EXTENT PERMITTED BY STATE AND FEDERAL LAW.".

Amend the Finance Committee Report, dated April 16, 2015, page 1, strike lines 2 through 7 and substitute:

"(2) IF A HOSPITAL IS NOTIFIED OF A PAYER OF BENEFITS AFTER IT ASSERTS A LIEN PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE HOSPITAL SHALL MAKE REASONABLE ATTEMPTS TO SUBMIT REASONABLE AND NECESSARY CHARGES TO THE IDENTIFIED PAYER. IF NO PAYERS OF BENEFITS ARE IDENTIFIED FOR THE INJURED PERSON DUE TO LACK OF INSURANCE, A LIEN MAY BE CREATED.".

Page 2 of the bill, after line 27 insert:

"(5) NOTHING IN THIS SECTION CHANGES ANY OBLIGATION OF THE HOSPITAL OR ITS AGENTS UNDER THE COLORADO MEDICAL ASSISTANCE ACT, ARTICLES 4 TO 6 OF TITLE 25.5, C.R.S.".

Renumber succeeding subsections accordingly.

Page 3, line 3, strike "REASONABLE ATTORNEY FEES AND COURT COSTS AND".

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

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the General Orders -- Second Reading of Bills Calendar of Tuesday, April 21 (SB15-124, SB15-258, SB15-196, SB15-022, HB15-1225, SB15-214, SB15-222, SB15-233, SB15-141, HB15-1186, HB15-1134, SB15-257, SB15-267, HB15-1045, HB15-1284) was laid over until Wednesday, April 22, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Grantham, 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	Y
Crowder	Y	Jahn	Y	Merrifield	Y	Ulibarri	E
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: SB15-213 as amended, SB15-185 as amended, SB15-265 as amended, HB15-1026 as amended, HB15-1217 as amended.
Laid over until Wednesday, April 22: SB15-124, SB15-258, SB15-196, SB15-022, HB15-1225, SB15-214, SB15-222, SB15-233, SB15-141, HB15-1186, HB15-1134, SB15-257, SB15-267, HB15-1045, HB15-1284.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the balance of the calendar of Tuesday, April 21 was laid over until Wednesday, April 22, retaining its place on the calendar.

- Consideration of Resolutions--Consent Calendar: HJR15-1022
- Consideration of Memorials: SJM15-002.
- Consideration of House Amendments to Senate Bills: SB15-004.
- Consideration of Governor's Appointments:
 - Members of the University of Colorado Hospital Authority Board of Directors.
 - Members of the Colorado Traumatic Brain Injury Trust Fund Board.
 - Member of the Colorado Commission for the Deaf and Hard of Hearing.
 - Members of the Board of Trustees for Western State Colorado University.
 - Members of the Private Occupational School Board.
 - Members of the Board of Trustees for Fort Lewis College.

MESSAGE FROM THE HOUSE

April 21, 2015

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1353, 1327.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1281, amended as printed in House Journal, April 16, 2015.
HB15-1257, amended as printed in House Journal, April 17, 2015.
HB15-1115, amended as printed in House Journal, April 17, 2015.
HB15-1282, amended as printed in House Journal, April 20, 2015.
HB15-1083, amended as printed in House Journal, April 20, 2015.
HB15-1177, amended as printed in House Journal, April 20, 2015.
HB15-1234, amended as printed in House Journal, April 20, 2015.

HB15-1261, amended as printed in House Journal, April 20, 2015.
HB15-1305, amended as printed in House Journal, April 20, 2015.
HB15-1334, amended as printed in House Journal, April 20, 2015.

The House has passed on Third Reading and returns herewith SB15-208.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB15-192, amended as printed in House Journal, April 20, 2015.

The House has postponed indefinitely SB15-069. The bill is returned herewith.

The House has adopted and transmits herewith HJR15-1020.

MESSAGE FROM THE REVISOR OF STATUTES

April 21, 2015

We herewith transmit:

Without comment, HB15-1327 and 1353.
Without comment, as amended, HB15-1083, 1115, 1177, 1234, 1257, 1261, 1281, 1282,
1305, and 1334.
Without comment, as amended, SB15-192.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

HJR15-1020 by Representative(s) Windholz and Priola; also Senator(s) Todd--Concerning the
authorization and appropriation of sufficient moneys to promptly complete the new
veterans hospital on the former Fitzsimons Army Medical Center site in Aurora,
Colorado.

Laid over one day under Senate Rule 30(e).

INTRODUCTION OF BILLS -- FIRST READING

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

SB15-272 by Senator(s) Baumgardner, Marble, Cooke, Cadman, Scheffel, Crowder, Lundberg; also
Representative(s) DelGrosso, Coram, Saine, Buck, Brown, Nordberg, Humphrey--
Concerning infrastructure funding, and, in connection therewith, authorizing the state, with
no increase in any taxes, to issue additional transportation revenue anticipation notes for the
purpose of addressing critical priority transportation needs in the state by financing
transportation projects, excluding note proceeds and investment earnings on note proceeds
from state fiscal year spending limits, and requiring additional automatic transfers from the
general fund to cash funds for state infrastructure if currently scheduled statutory transfers
to such cash funds are automatically reduced by operation of current law.
Transportation

- HB15-1083** by Representative(s) Primavera, Duran, Singer; also Senator(s) Crowder--Concerning patient financial contributions for physical rehabilitation services.
State, Veterans, & Military Affairs
- HB15-1115** by Representative(s) Lawrence; also Senator(s) Newell and Lundberg--Concerning privacy in regard to emerging technologies.
Local Government
- HB15-1177** by Representative(s) Willett and Becker K., Becker J.; also Senator(s) Donovan--Concerning the creation of the rural economic development initiative grant program for highly distressed rural counties.
State, Veterans, & Military Affairs
Business, Labor, & Technology
Appropriations
- HB15-1234** by Representative(s) Mitsch Bush; also Senator(s) Sonnenberg--Concerning a temporary income tax deduction for a portion of lease payments received by a qualified taxpayer for leasing the taxpayer's agricultural asset to an eligible beginning farmer or rancher.
Finance
Appropriations
- HB15-1257** by Representative(s) Becker K. and Priola; also Senator(s) Hodge--Concerning the removal of penalties on local governments regarding the regulation and sale of cigarettes.
Business, Labor, & Technology
- HB15-1261** by Representative(s) Young, Hamner, Rankin; also Senator(s) Grantham, Lambert, Steadman--Concerning the maximum reserve for a cash fund with fee revenue.
Finance
- HB15-1281** by Representative(s) Primavera; also Senator(s) Hodge--Concerning newborn congenital heart defect screening through the use of pulse oximetry, and, in connection therewith, making an appropriation.
Health & Human Services
Appropriations
- HB15-1282** by Representative(s) Saine, Humphrey, Nordberg; also Senator(s) Newell, Marble--Concerning the creation of crimes involving deception about material information in connection with the preparation of birth certificates.
State, Veterans, & Military Affairs
- HB15-1305** by Representative(s) Foote and Willett; also Senator(s) Grantham and Johnston--Concerning a prohibition on manufacturing marijuana concentrate in an unregulated environment using an inherently hazardous substance, and, in connection therewith, making an appropriation.
Judiciary
- HB15-1327** by Representative(s) Ginal and Roupe, Priola, Tate, Carver, Danielson, Esgar, Hulinghorst, Joshi, Landgraf, Lebsock, McCann, Melton, Pabon, Primavera, Rosenthal, Ryden, Salazar, Sias, Singer, Thurlow, Vigil, Winter; also Senator(s) Garcia and Cooke, Woods, Balmer, Grantham--Concerning limitations on proxy marriages.
Judiciary
- HB15-1334** by Representative(s) Hamner and Rankin; also Senator(s) Hill and Kerr--Concerning creation of a legislative committee to study school finance, and, in connection therewith, making an appropriation.
Legislative Council

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SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: HB15-1153.

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Wednesday, April 22, 2015.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

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