

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
First Regular Session

93rd Legislative Day Thursday, April 9, 2015

- Prayer By the chaplain, Dr. Gene Selander, Crystal Clear Ministries, Denver.
- Call to Order By the President at 9:00 a.m.
- Pledge By Senator Cooke.
- Roll Call Present--35
- Quorum The President announced a quorum present.
- Reading of Journal On motion of Senator Merrifield, reading of the Journal of Wednesday, April 8, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

- Agriculture, Natural Resources, & Energy
 - After consideration on the merits, the Committee recommends that **SJR15-021** be amended as follows, and as so amended, be referred to the Senate for final action.
 - Amend printed resolution, page 3, after line 18 insert:
 - "(5) Urge government agencies on all levels to address the specific concerns of economically distressed areas."
 - Renumber succeeding subsections accordingly.
- Judiciary
 - After consideration on the merits, the Committee recommends that **SB15-181** be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.
 - Amend printed bill, strike everything below the enacting clause and substitute:
 - "SECTION 1. In Colorado Revised Statutes, add 13-1-109.5 as follows:
 - 13-1-109.5. Receivers.** (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR COURT RULE, AND UNLESS THE RIGHT TO HAVE A RECEIVER APPOINTED IS PROVIDED BY CONTRACT:
 - (a) A COURT ORDER GRANTING OR DENYING A MOTION OR COMPLAINT FOR THE APPOINTMENT, REMOVAL, REPLACEMENT, OR RETENTION OF A RECEIVER:
 - (I) SHALL BE DETERMINED WITHIN NINETY-ONE DAYS AFTER THE FILING OF THE COMPLAINT OR MOTION. A COURT'S FAILURE TO RULE ON THE FILING WITHIN NINETY-ONE DAYS AFTER SUBMISSION RESULTS IN THE IMMEDIATE DISCHARGE OF THE RECEIVER IF ONE HAS PREVIOUSLY BEEN APPOINTED. NOTHING IN THIS SUBPARAGRAPH (I) PREVENTS THE COURT FROM SUBSEQUENTLY ENTERING AN ORDER THAT APPOINTS A RECEIVER.
 - (II) IF MADE FOR THE APPOINTMENT OR RETENTION OF A RECEIVER:
 - (A) MUST REQUIRE THE RECEIVER TO POST A BOND AND TO SUBMIT PERIODIC REPORTING TO THE COURT AND PARTIES NO LESS

FREQUENTLY THAN ANNUALLY. THE REPORT MUST ADDRESS WHETHER THE REASONS FOR APPOINTING OR RETAINING THE RECEIVER, AS SET FORTH IN THE ORIGINAL OR SUBSEQUENT ORDER, CONTINUE TO APPLY.

(B) CAN BE GRANTED ONLY UPON A SHOWING OF CLEAR AND CONVINCING EVIDENCE BY WRITTEN EVIDENTIARY SUBMISSION, A HEARING, OR BOTH; AND

(C) EXPIRES UNLESS THE COURT FINDS THAT A PROPONENT OF THE RECEIVERSHIP HAS MET THE EVIDENTIARY STANDARD SPECIFIED IN SUB-SUBPARAGRAPH (B) OF THIS SUBPARAGRAPH (II); AND

(III) (A) MAY BE APPEALED ON AN INTERLOCUTORY BASIS TO THE COURT OF APPEALS, WHICH SHALL REVIEW THE MATTER ON AN EXPEDITED BASIS.

(B) THE COURT OF APPEALS SHALL DECIDE THE APPEAL BY A WRITTEN ORDER WITH FINDINGS STATING THE GROUNDS FOR THE APPOINTMENT, REMOVAL, REPLACEMENT, OR RETENTION.

(b) A RECEIVER IS NOT IMMUNE FROM LIABILITY FOR GROSS NEGLIGENCE OR WILLFUL BREACH OF DUTY.

(2) THIS SECTION APPLIES TO ALL RECEIVERSHIPS, WHETHER APPOINTED BEFORE, ON, OR AFTER THE EFFECTIVE DATE OF THIS SECTION; EXCEPT THAT THIS SECTION DOES NOT APPLY TO:

(a) A RECEIVER OR RECEIVERSHIP PROCEEDING SOUGHT PURSUANT TO THE MOTION OR COMPLAINT OF A COMMON INTEREST COMMUNITY, AS THAT TERM IS DEFINED IN SECTION 38-33.3-103 (8), C.R.S.;

(b) A RECEIVER OR RECEIVERSHIP PROCEEDING THAT IS SOUGHT IN COUNTY COURT;

(c) A RECEIVER OR RECEIVERSHIP PROCEEDING THAT IS SOUGHT FOR PROPERTY WORTH LESS THAN FIFTEEN THOUSAND DOLLARS;

(d) A RECEIVER OR RECEIVERSHIP PROCEEDING THAT IS SOUGHT BY A CREDITOR HOLDING A SECURITY INTEREST, MORTGAGE, DEED OF TRUST, OR JUDGMENT LIEN ON ANY PROPERTY, REAL OR PERSONAL, THAT IS SOUGHT TO BE PLACED IN RECEIVERSHIP;

(e) A RECEIVER OR RECEIVERSHIP PROCEEDING THAT IS SOUGHT BY ANY DIVISION OR OFFICIAL OF THE DEPARTMENT OF REGULATORY AGENCIES, INCLUDING THE SECURITIES COMMISSIONER, BANKING BOARD, OR COMMISSIONER OF BANKING; OR

(f) A RECEIVER OR RECEIVERSHIP PROCEEDING SOUGHT BY THE COLORADO ATTORNEY GENERAL.

SECTION 2. Applicability. This act applies to conduct occurring on or after the effective date of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

Judiciary

After consideration on the merits, the Committee recommends that **SB15-185** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

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

"SECTION 1. In Colorado Revised Statutes, **add** 24-33.5-517 as follows:

24-33.5-517. Criminal justice data collection. (1) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "COMMUNITY LAW ENFORCEMENT ACTION REPORTING ACT" OR THE "C.L.E.A.R. ACT".

(2) EACH LAW ENFORCEMENT AGENCY IN THE STATE SHALL REPORT THE DATA REPORTED PURSUANT TO SECTION 24-33.5-412 (5), INCLUDING OFFENSE AND ARREST INFORMATION DISAGGREGATED BY SUMMONS, CUSTODY, AND ON VIEW, TO THE DIVISION FOR EACH CALENDAR YEAR BY JANUARY 31 OF THE FOLLOWING CALENDAR YEAR.

(3) THE JUDICIAL DEPARTMENT SHALL COLLECT AND REPORT THE FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:

(a) THE NUMBER AND TYPES OF CHARGES THAT RESULTED FROM THE ARRESTS REPORTED PURSUANT TO SUBSECTION (2) OF THIS SECTION, THE RACE AND GENDER OF THE DEFENDANTS, AND THE ASSOCIATED

INCIDENT REPORT NUMBERS;
(b) THE DISPOSITION OF THE CHARGES REPORTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3), INCLUDING CONVICTIONS AT TRIAL, ACQUITTALS, PLEA AGREEMENTS, AND DISMISSALS; THE RACE AND GENDER OF THE DEFENDANTS; AND THE ASSOCIATED INCIDENT REPORT NUMBERS;
(c) THE SENTENCES IMPOSED FOR ALL CONVICTIONS AND PLEA AGREEMENTS REPORTED PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (3), THE RACE AND GENDER OF THE DEFENDANTS, AND THE ASSOCIATED INCIDENT REPORT NUMBERS; AND
(d) IF A SENTENCE REPORTED PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (3) IS A SENTENCE TO PROBATION, WHETHER A PETITION TO REVOKE PROBATION WAS FILED AGAINST THE DEFENDANT, THE DISPOSITION OF THE PETITION, THE RACE AND GENDER OF THE DEFENDANT, AND THE ASSOCIATED INCIDENT REPORT NUMBER.
(4) THE STATE BOARD OF PAROLE SHALL COLLECT AND REPORT THE FOLLOWING DATA TO THE DIVISION FOR EACH CALENDAR YEAR BY JANUARY 31 OF THE FOLLOWING CALENDAR YEAR:
(a) THE NUMBER OF PAROLE HEARINGS HELD AND THE RACE, ETHNICITY, AND GENDER OF THE INMATES WHO RECEIVED PAROLE HEARINGS;
(b) THE NUMBER OF INMATES GRANTED PAROLE AND THE RACE, ETHNICITY, AND GENDER OF THE INMATES; AND
(c) THE NUMBER OF INMATES DENIED PAROLE AND THE RACE, ETHNICITY, AND GENDER OF THE INMATES.
(5) THE DIVISION SHALL COMPILE AND REPORT THE DATA RECEIVED IN SUBSECTIONS (2) TO (4) OF THIS SECTION BY MARCH 31 OF EACH YEAR. THE REPORT SHALL BE PROVIDED TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEES, AND THE COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE CREATED IN SECTION 16-11.3-102, C.R.S.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

Judiciary After consideration on the merits, the Committee recommends that **HB15-1131** be **amended** as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation.

Amend reengrossed bill, page 3, strike lines 24 through 27 and substitute:

"(c) THE DIVISION OF YOUTH CORRECTIONS, THE DEPARTMENT OF HUMAN SERVICES, OR ANY AGENCY WITH RELEVANT INFORMATION RELATED TO A CRITICAL INCIDENT SHALL PROVIDE REDACTED RECORDS RELATED TO THE CRITICAL INCIDENT, PROVIDED CONFIDENTIALITY IS MAINTAINED, AND MAY CHARGE A FEE IN ACCORDANCE WITH SECTION 24-72-205, C.R.S."

Page 4, strike lines 1 through 5.

Page 5, line 4, strike "2015." and substitute "2014."

Judiciary After consideration on the merits, the Committee recommends that **HB15-1149** be **referred** to the Committee on Appropriations with favorable recommendation.

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| Judiciary | After consideration on the merits, the Committee recommends that HB15-1218 be referred to the Committee of the Whole with favorable recommendation. | 1 2 3 4 |
| Business, Labor, & Technology | After consideration on the merits, the Committee recommends that HB15-1147 be postponed indefinitely . | 5 6 7 8 9 |
| Business, Labor, & Technology | After consideration on the merits, the Committee recommends that HB15-1255 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. | 10 11 12 13 14 |
| State, Veterans, & Military Affairs | After consideration on the merits, the Committee recommends that HB15-1175 be postponed indefinitely . | 15 16 17 18 19 20 |
| State, Veterans, & Military Affairs | The Committee on <u>State, Veterans, & Military Affairs</u> has had under consideration and has had a hearing on the following appointment and recommends that the appointment be placed on the consent calendar and confirmed: | 21 22 23 24 25 26 |
| <div>MEMBER OF THE COLORADO CHANNEL AUTHORITY BOARD OF DIRECTORS</div> | | 27 28 29 30 |
| | for a term expiring October 6, 2015: | 31 32 |
| | Scott Alan Nachtrieb of Highlands Ranch, Colorado, a Republican, to serve as a representative who has experience in the business operations of broadcast journalism, and occasioned by the resignation of John W. Montgomery of Centennial, Colorado, appointed. | 33 34 35 36 37 38 |
| State, Veterans, & Military Affairs | After consideration on the merits, the Committee recommends that HB15-1240 be postponed indefinitely . | 39 40 41 42 43 44 |
| Health & Human Services | After consideration on the merits, the Committee recommends that SB15-256 be referred to the Committee on <u>Appropriations</u> with favorable recommendation. | 45 46 47 48 49 |
| Health & Human Services | After consideration on the merits, the Committee recommends that HB14-1242 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. | 50 51 52 53 54 |
| | Amend reengrossed bill, page 3, line 6, after "OR" insert "NONEMERGENCY". | 55 56 57 |
| | Page 5, line 25, strike "OR" | 58 59 |
| | Page 5, line 27, strike "LAW." and substitute "LAW; OR (e) AFFECTS A LICENSE ISSUED TO A HOSPITAL PURSUANT TO SECTION 25-3-102. (7) THE DEPARTMENT MAY NOT CHARGE A HOSPITAL AN ADDITIONAL LICENSE FEE FOR COSTS ASSOCIATED WITH THIS SECTION." | 60 61 62 63 64 65 66 67 |

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| Health & Human Services | After consideration on the merits, the Committee recommends that HB15-1239 be referred to the Committee on <u>State, Veterans, & Military Affairs</u> with favorable recommendation. | 1 2 3 4 5 |
| Education | After consideration on the merits, the Committee recommends that HB15-1294 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. | 6 7 8 9 10 |
| Education | After consideration on the merits, the Committee recommends that HB15-1295 be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar. | 11 12 13 14 15 |

SENATE SERVICES REPORT

Correctly Printed: SCR15-002.
Correctly Engrossed: SJR-022.
Correctly Reengrossed: SB15-204.
Correctly Rerevised: HB15-1095.

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|------------------------|--|--|
| Committee of the Whole | On motion of Senator Lundberg, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills, and Senator Lundberg was called to the chair to act as Chairman. | 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 |
|------------------------|--|--|

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:

| | | |
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| SB15-091 | by Senator(s) Scott; --Concerning a reduction in the statutory limitation period applicable to legal actions for construction defects on improvements to real property. <u>Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.</u> (Printed in Senate Journal, March 17, page(s) 476-477 and placed in members' bill files.) As amended, ordered engrossed and placed on the calendar for third reading and final passage. (For further action, see roll call vote on SB15-091 .) | 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 |
| SB15-209 | by Senator(s) Balmer, Todd; also Representative(s) Williams--Concerning an amendment to specified statutes governing the management of the financial affairs of a unit owners' association under the "Colorado Common Interest Ownership Act" so as to exempt communities in which a majority of units designated for residential use are time share units. Laid over until Friday, April 10, retaining its place on the calendar. | 51 52 53 54 55 56 57 |
| HB15-1042 | by Representative(s) Foote; also Senator(s) Cooke--Concerning requiring presentence reports to include a statement concerning a defendant's eligibility for release from incarceration. Ordered revised and placed on the calendar for third reading and final passage. | 58 59 60 61 62 63 64 65 66 67 |

HB15-1212 by Representative(s) Becker K.; also Senator(s) Kerr and Merrifield--Concerning making permanent the state board of land commissioners' authority to sell state trust land to local governments.

Amendment No. 1, State, Veterans & Military Affairs Committee Amendment.
(Printed in Senate Journal, April 7, page(s) 675 and placed in members' bill files.)

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

ROLL CALL VOTE ON SB15-091

SB15-091 by Senator(s) Scott; --Concerning a reduction in the statutory limitation period applicable to legal actions for construction defects on improvements to real property.

Senator Steadman requested a roll call vote on **SB15-091**.

| YES | 18 | NO | 17 | EXCUSED | 0 | 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 | N |
| Donovan | N | Johnston | N | Neville T. | Y | Woods | Y |
| Garcia | N | Jones | N | Newell | N | President | Y |
| Grantham | Y | Kefalas | N | Roberts | Y | | |

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

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

| YES | 35 | NO | 0 | EXCUSED | 0 | 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 | Y |
| Donovan | Y | Johnston | Y | Neville T. | Y | Woods | Y |
| Garcia | Y | Jones | Y | Newell | Y | President | Y |
| Grantham | Y | Kefalas | Y | Roberts | Y | | |

The Committee of the Whole took the following action:

Passed on second reading: SB15-091 as amended, HB15-1042, HB15-1212 as amended.
Laid over until Friday, April 10: SB15-209.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the Consideration of House Amendments to Senate Bills Calendar of Thursday, April 9 (SB15-110, SB15-211) was laid over until Friday, April 10, retaining its place on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORTS

HB15-1072 by Representative(s) Fields, Arndt, Becker K., Buckner, Court, Danielson, Foote, Ginal, Lontine, McCann, Melton, Mitsch Bush, Moreno, Pabon, Pettersen, Primavera, Rosenthal, Ryden, Salazar, Singer, Tyler, Winter; also Senator(s) Newell--Concerning harassment through an interactive electronic medium.

Senator Newell moved for the adoption of the first report of the first conference committee on **HB15-1072**, as printed in Senate journal, April 8, page(s) 687. The motion was **adopted** by the following roll call vote:

| YES | 35 | NO | 0 | EXCUSED | 0 | 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 | Y |
| Donovan | Y | Johnston | Y | Neville T. | Y | Woods | Y |
| Garcia | Y | Jones | Y | Newell | Y | President | Y |
| Grantham | Y | Kefalas | Y | Roberts | Y | | |

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

| YES | 24 | NO | 11 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|----|------------------|---|------------|---|
| Aguilar | Y | Guzman | Y | Kerr | Y | Scheffel | N |
| Balmer | Y | Heath | Y | Lambert | N | Scott | N |
| Baumgardner | N | Hill | N | Lundberg | N | Sonnenberg | N |
| Carroll | Y | Hodge | Y | Marble | N | Steadman | Y |
| Cooke | Y | Holbert | Y | Martinez Humenik | Y | Todd | Y |
| Crowder | Y | Jahn | Y | Merrifield | Y | Ulibarri | Y |
| Donovan | Y | Johnston | Y | Neville T. | N | Woods | N |
| Garcia | Y | Jones | Y | Newell | Y | President | Y |
| Grantham | N | Kefalas | Y | Roberts | Y | | |

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

HB15-1204 by Representative(s) Pabon, Ginal, Arndt, Singer, Melton; also Senator(s) Kerr, Grantham, Guzman, Jahn--Concerning the creation of a distillery pub license.

Senator Kerr moved for the adoption of the first report of the first conference committee on **HB15-1204**, as printed in Senate journal, April 8, page(s) 687-688. The motion was **adopted** by the following roll call vote:

| YES | 25 | NO | 10 | EXCUSED | 0 | ABSENT | 0 |
|-------------|----|----------|----|------------------|---|------------|---|
| Aguilar | Y | Guzman | Y | Kerr | Y | Scheffel | Y |
| 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 | Y | Martinez Humenik | Y | Todd | Y |
| Crowder | Y | Jahn | Y | Merrifield | Y | Ulibarri | Y |
| Donovan | Y | Johnston | Y | Neville T. | N | 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 | 35 | NO | 0 | EXCUSED | 0 | 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 | Y |
| Donovan | Y | Johnston | Y | Neville T. | Y | Woods | Y |
| Garcia | Y | Jones | Y | Newell | Y | President | Y |
| Grantham | Y | Kefalas | Y | Roberts | Y | | |

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

Co-sponsor(s) added: Kefalas and Woods.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR15-008, 014 and 020.

MESSAGE FROM THE GOVERNOR

Appointment A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

February 9, 2015

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

Ladies and Gentlemen:

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

That the appointment of Shailen Pravin Bhatt, pursuant to Executive Order A 2015 037, is amended as follows:

that the following named person be and he is hereby appointed as:

EXECUTIVE DIRECTOR OF THE
DEPARTMENT OF TRANSPORTATION

effective February 9, 2015, for a term expiring at the pleasure of the Governor:

Shailen Pravin Bhatt of Middletown, Delaware, and occasioned by the resignation of Donald E. Hunt of Denver, Colorado, appointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 2/11/2015
Cindi L. Markwell, Secretary of the Senate

Committee on Transportation

Senate in recess. Senate reconvened.

MESSAGE FROM THE HOUSE

April 9, 2015

Mr. President:

The House has passed on Third Reading and returns herewith
SB15-235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245,
246, 247, 248, 249, 250, 251, 255.

The House has passed on Third Reading and transmitted to the Revisor of Statutes;
SB15-234, amended as printed in House Journal, April 8.

MESSAGE FROM THE REVISOR OF STATUTES

April 9, 2015

We herewith transmit:

Without comment, as amended, SB15-234.

INTRODUCTION OF BILLS -- FIRST READING

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

- SB15-264

by Senator(s) Johnston, Guzman, Roberts, Scott, Steadman; also Representative(s) Kagan, Foote, McCann--Concerning the nonsubstantive revision of statutes in the Colorado Revised Statutes, as amended, and, in connection therewith, amending or repealing obsolete, imperfect, and inoperative law to preserve the legislative intent, effect, and meaning of the law.
Judiciary
- SB15-265

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

| | | |
|-----------|---|--|
| HB15-1002 | by Representative(s) Lee; also Senator(s) Heath--Concerning the economic gardening pilot project in the office of economic development, and, in connection therewith, making an appropriation. Business, Labor, & Technology | 1 2 3 4 5 6 |
| HB15-1016 | by Representative(s) Coram, Mitsch Bush, Vigil; also Senator(s) Sonnenberg, Hodge, Jones, Roberts--Concerning incentives for precipitation harvesting, and, in connection therewith, making an appropriation. Agriculture, Natural Resources, & Energy | 7 8 9 10 11 12 |
| HB15-1146 | by Representative(s) Wilson; also Senator(s) Todd--Concerning creation of the Colorado student leaders institute, and, in connection therewith, making an appropriation. Education Appropriations | 13 14 15 16 17 18 |
| HB15-1159 | by Representative(s) Arndt; also Senator(s) Donovan--Concerning the instream flow incentive tax credit for water rights holders. Finance | 19 20 21 22 23 |
| HB15-1205 | by Representative(s) Becker K. and Saine; also Senator(s) Hill and Johnston--Concerning the creation of the tax expenditure evaluation committee of the senate and house of representatives, and, in connection therewith, making an appropriation. Business, Labor, & Technology | 24 25 26 27 28 29 |
| HB15-1232 | by Representative(s) Ginal and Landgraf; also Senator(s) Todd and Martinez Humenik--Concerning the emergency use of epinephrine auto-injectors by authorized entities, and, in connection therewith, making an appropriation. Health & Human Services | 30 31 32 33 34 35 |
| 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. Finance | 36 37 38 39 40 41 42 43 44 |
| HB15-1252 | by Representative(s) Mitsch Bush; also Senator(s) Sonnenberg--Concerning an extension of the number of years the individual income tax return includes a voluntary contribution designation for the Colorado healthy rivers fund. Finance | 45 46 47 48 49 50 |
| HB15-1268 | by Representative(s) McCann; also Senator(s) Johnston--Concerning establishing the CO9To25 youth development council. State, Veterans, & Military Affairs | 51 52 53 54 55 |
| HB15-1270 | by Representative(s) Duran and Foote, Arndt, Buckner, Danielson, Esgar, Fields, Ginal, Lebsock, Lee, McCann, Mitsch Bush, Rosenthal, Tyler, Young, Singer; also Senator(s) Todd and Woods--Concerning authorization for local education providers to operate pathways in technology early college high schools, and, in connection therewith, making an appropriation. Education | 56 57 58 59 60 61 62 63 |
| HB15-1271 | by Representative(s) Lontine and Hamner, Esgar, Arndt, Danielson, Garnett, Melton, Pabon, Rosenthal, Williams, Winter; also Senator(s) Marble and Donovan--Concerning the funding of mobile learning labs through the Colorado existing industry training program. Finance | 64 65 66 67 |

- HB15-1277

by Representative(s) Vigil; also Senator(s) Sonnenberg--Concerning measures to effectuate the conservation of native species in Colorado, and, in connection therewith, making appropriations from the species conservation trust fund for purposes recommended by the department of natural resources.

Agriculture, Natural Resources, & Energy

Appropriations

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HB15-1298

by Representative(s) Singer and Tate; also Senator(s) Newell and Martinez Humenik--Concerning posting warning information for pregnant women about the potential risks of marijuana at marijuana businesses.

Business, Labor, & Technology

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HB15-1299

by Representative(s) Hamner and Nordberg; also Senator(s) Scott--Concerning use of the petroleum storage tank fund for incentives for significant operational compliance with regard to petroleum storage tanks.

Finance

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HB15-1304

by Representative(s) Willett and Lebsock; also Senator(s) Balmer and Scott--Concerning a plan to study the available bear management tools year round to address bear-human conflicts.

Local Government

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HB15-1308

by Representative(s) Moreno and Lawrence, DelGrosso, Duran, Hullinghorst; also Senator(s) Lundberg and Heath, Cadman, Scheffel--Concerning certain responsibilities of the legislative branch with respect to the "State Measurement for Accountable, Responsive, and Transparent (SMART) Government Act".

State, Veterans, & Military Affairs

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HB15-1315

by Representative(s) Ryden, Brown, Court, Hullinghorst, Lontine, Mitsch Bush, Primavera, Roupe, Salazar, Tyler, Williams; also Senator(s) Crowder--Concerning support for county veterans service officers.

State, Veterans, & Military Affairs

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MESSAGE FROM THE GOVERNOR

Appointment

A letter of designation and appointment from Governor John W. Hickenlooper was read and assigned to committee as follows:

May 8, 2014

To the Honorable

Colorado Senate

Colorado General Assembly

State Capitol Building

Denver, CO 80203

Ladies and Gentlemen:

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

MEMBER OF THE
PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

for a term expiring the Monday preceding the second Tuesday in January, 2017:

Glenn Vaad of Mead, Colorado, a Republican, reappointed.

Sincerely,
(signed)
John W. Hickenlooper
Governor
Rec'd: 12/31/2014
Cindi L. Markwell, Secretary of the Senate

Committee on Business, Labor, & Technology

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

Approved:

Bill L. Cadman
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate