

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
First Regular Session

83rd Legislative Day Monday, March 30, 2015

Prayer By the chaplain, Father Eustace Sequeira, Regis University Jesuit Community, Denver.

Call to Order By the President at 10:00 a.m.

Pledge By Majority Leader Scheffel.

Roll Call Present--29
Excused--6, Aguilar, Guzman, Holbert, Jahn, Neville, Todd.
Present later--6, Aguilar, Guzman, Holbert, Jahn, Neville, Todd.

Quorum The President announced a quorum present.

Reading of Journal On motion of Majority Leader Scheffel, reading of the Journal of Friday, March 27, 2015, was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Legal Services After consideration on the merits, the Committee recommends that SB15-100 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend engrossed bill, page 6, after line 27 insert:

"SECTION 2. Repeal of rule. The following rule of the state board of human services of the department of human services concerning overview of child welfare services (12 CCR 2509-1) is repealed: Rule 7.000.3, which rule was adopted on November 7, 2014, concerning exceptions.

SECTION 3. Effective date. Section 1 of this act takes effect May 15, 2015. This section and sections 2 and 4 of this act take effect upon passage."

Renumber succeeding section accordingly.

SENATE SERVICES REPORT

Correctly Printed: SB15-234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 253, 254 and 255; SJR15-021.
Correctly Engrossed: SJR15-014.
Correctly Revised: HB15-1008, 1246 and 1256.
Correctly Rerevised: HB15-1197.

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 expressions of personal privilege.

Senate in recess.Senate reconvened.

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:

HB15-1246 by Representative(s) Lee and Pabon, Williams, Priola, Tate, Arndt, Becker K., Foote, Garnett, Ginal, Kraft-Tharp, McCann, Mitsch Bush, Nordberg, Pettersen, Rankin, Rosenthal, Singer, Tyler, Willett, Winter, Young; also Senator(s) Scheffel and Hill, Heath, Jahn, Johnston, Kefalas, Merrifield, Todd--Concerning the authorization of crowdfunding of intrastate securities.

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

YES	33	NO	1	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	E
Crowder	N	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 was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Cooke, Donovan, Garcia, Grantham, Holbert, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Neville T., Newell, Roberts, Scott, Sonnenberg, Ulibarri and Woods.

HB15-1008 by Representative(s) Hamner; also Senator(s) Roberts--Concerning the classification of agricultural land when the land is destroyed by a natural cause.

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	E
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 was **passed**.

Co-sponsor(s) added: Aguilar, Baumgardner, Cadman, Cooke, Crowder, Donovan, Garcia, Grantham, Johnston, Jones, Kefalas, Marble, Martinez Humenik, Merrifield, Newell, Scheffel, Scott, Sonnenberg and Woods.

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:

HB15-1130 by Representative(s) Nordberg and Ryden; also Senator(s) Garcia and Hill--Concerning voting by military and overseas voters in municipal elections, and, in connection therewith, extending certain deadlines that govern the conduct of municipal elections to ensure that such voters have the same ability to vote in such elections as they do in federal, state, and county elections.

Laid over until Monday, April 6, retaining its place on the calendar.

HB15-1256 by Representative(s) Mitsch Bush; also Senator(s) Baumgardner--Concerning the reclassification of Routt county to a category II county for the purpose of establishing the salaries of county officers.

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

YES	29	NO	6	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	N
Crowder	Y	Jahn	N	Merrifield	Y	Ulibarri	Y
Donovan	N	Johnston	N	Neville T.	N	Woods	Y
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: Crowder, Guzman, Hodge and Roberts.

Committee of the Whole On motion of Senator Woods, the Senate resolved itself into the Committee of the Whole for consideration of General Orders--Second Reading of Bills--Consent Calendar, and Senator Woods was called to the Chair to act as Chairman.

GENERAL ORDERS -- SECOND READING OF BILLS -- CONSENT CALENDAR

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:

HB15-1142 by Representative(s) McCann, Coram, Duran, Pabon, Williams; also Senator(s) Guzman--Concerning the conduct of foreclosure sales by a public trustee, and, in connection therewith, authorizing the conduct of foreclosure sales through the internet and other electronic media and authorizing the collection of fees by electronic transfer.

Amendment No. 1, Business, Labor & Technology Committee Amendment.
(Printed in Senate Journal, March 26, page(s) 580 and placed in members' bill files.)

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

HB15-1183 by Representative(s) Fields, Conti, Klingenschmitt, Lebsock, Tate; also Senator(s) Guzman--Concerning the admission of a child's statements describing attempted acts of an unlawful sexual offense.

Ordered revised and placed on the calendar for third reading and final passage.

Ordered revised and placed on the calendar for third reading and final passage.

Ordered engrossed and placed on the calendar for third reading and final passage.

Ordered revised and placed on the calendar for third reading and final passage.

Ordered revised and placed on the calendar for third reading and final passage.

On motion of Senator Woods, 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		

Passed on second reading: SB15-221, HB15-1142 as amended, HB15-1183, HB15-1073, HB15-1191, HB15-1224.

GENERAL ORDERS -- SECOND READING OF BILLS

Amendment No. 1, Judiciary Committee Amendment.
(Printed in Senate Journal, March 26, page(s) 580-584 and placed in members' bill files.)

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 (SB15-135, SB15-091, SB15-177, SB15-209) of Monday, March 30 was laid over until Monday, April 6, retaining its place on the calendar.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

On motion of Senator Woods, 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: SB15-218 as amended.
Laid over until Monday, April 6: SB15-135, SB15-091, SB15-177, SB15-209.

**CONSIDERATION OF GOVERNOR'S APPOINTMENTS --
CONSENT CALENDAR**

On motion of Majority Leader Scheffel, the following Governor's appointments were confirmed by the following roll call votes:

MEMBERS OF THE
COLORADO CHILDREN'S TRUST FUND BOARD

for terms expiring November 7, 2017:

- LaShay Canady of Aurora, Colorado, to serve as a parent, reappointed;
- Gregory Jackson Tung, MPH, PhD, of Denver, Colorado, to serve as a representative with knowledge of child abuse prevention, appointed.

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		

APPOINTMENTS TO CONFERENCE COMMITTEE

The President appointed Senators Newell, Chair, Cooke, and Roberts as Senate conferees on the first conference committee on **HB15-1072**.

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SB15-161; HB15-1046, 1067, 1074, 1092, 1145, 1164, 1202, 1213, 1223, 1244; HJR15-1016.

Senate in recess. Senate reconvened.

COMMITTEE OF REFERENCE REPORTS

Appropriations

After consideration on the merits, the Committee recommends that **SB15-204** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 7, after line 13 insert:

- "SECTION 5. Appropriation - adjustments to 2015 long bill.
(1) To implement this act, the general fund appropriation made in the annual general appropriation act for the 2015-16 state fiscal year to the department of human services for the office of the child protection ombudsman is decreased by \$512,822.
(2) For the 2015-16 state fiscal year, \$483,838 is appropriated to the legislative department. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:
(a) \$463,838 for the office of the child protection ombudsman, which amount is based on an assumption that the office will require 4.0 FTE; and
(b) \$20,000 for use by the legislative council."

ReNUMBER succeeding section accordingly.

Page 1, line 102, strike"OMBUDSMAN." and substitute "OMBUDSMAN, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."

Appropriations

After consideration on the merits, the Committee recommends that **SB15-234** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Amend printed bill, page 498, strike lines 1 through 3.

Adjust affected totals accordingly.

PURPOSE: Eliminates the Security Perimeter Fence, Kipling Village, Wheat Ridge Regional Center, Department of Human Services project in **Capital Construction**, decreasing appropriations from the Capital Construction Fund by \$730,510.

Fiscal Impact of Amendment						
Department	CCF	CF	RF	FF	Total	FTE
Capital Construction	(\$730,510)	\$0	\$0	\$0	(\$730,510)	0.0

- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-235** be referred to the Committee of the Whole with favorable recommendation.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-236** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-237** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-238** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-240** be referred to the Committee of the Whole with favorable recommendation.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-241** be referred to the Committee of the Whole with favorable recommendation.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-242** be referred to the Committee of the Whole with favorable recommendation.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-243** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-244** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-245** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-246** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.
- Appropriations
- After consideration on the merits, the Committee recommends that **SB15-247** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.

Amend printed bill, page 4, strike lines 22 through 27.

Page 5, strike lines 1 through 5 and substitute:

"(d) ANY MONEYS RECEIVED IN EXCESS OF A FEDERAL PRICE AGREEMENT ARE A DONATION."

	Page 9, strike lines 4 through 12 and substitute:	1
		2
	"SECTION 5. Appropriation. (1) For the 2015-16 state fiscal	3
	year, \$263,033 is appropriated to the department of public health and	4
	environment for use by the disease control and environmental	5
	epidemiology division. This appropriation is from the AIDS drug	6
	assistance program fund created in section 25-4-1411 (6) (a), C.R.S. To	7
	implement this act, the division may use this appropriation for the Ryan	8
	White Act operating expenses.	9
	(2) For the 2015-16 state fiscal year, the general assembly	10
	anticipates that the department of public health and environment will	11
	receive \$600,000 from the moneys received in excess of a federal price	12
	agreement pursuant to section 25-4-1411 (2) (d), C.R.S. It is anticipated	13
	this amount will be used by the disease control and environmental	14
	epidemiology division for the Ryan White Act operating expenses. This	15
	amount is included for informational purposes only."	16
		17
Appropriations	After consideration on the merits, the Committee recommends that SB15-248 be referred	18
	to the Committee of the Whole with favorable recommendation and with a	19
	recommendation that it be placed on the Consent Calendar.	20
		21
		22
		23
Appropriations	After consideration on the merits, the Committee recommends that SB15-249 be referred	24
	to the Committee of the Whole with favorable recommendation and with a	25
	recommendation that it be placed on the Consent Calendar.	26
		27
		28
Appropriations	After consideration on the merits, the Committee recommends that SB15-250 be amended	29
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	30
	recommendation and with a recommendation that it be placed on the Consent Calendar.	31
		32
		33
	Amend printed bill, page 2, line 21, strike "FORTY-FOUR MILLION SIX"	34
	and substitute "FORTY-THREE MILLION NINE".	35
		36
	Page 3, strike line 1 and substitute "HUNDRED FIFTY-ONE THOUSAND SIX	37
	HUNDRED THIRTY-NINE DOLLARS.".	38
		39
		40
Appropriations	After consideration on the merits, the Committee recommends that SB15-251 be referred	41
	to the Committee of the Whole with favorable recommendation and with a	42
	recommendation that it be placed on the Consent Calendar.	43
		44
		45
Appropriations	After consideration on the merits, the Committee recommends that SB15-255 be referred	46
	to the Committee of the Whole with favorable recommendation.	47
		48
		49
Appropriations	After consideration on the merits, the Committee recommends that SB15-239 be amended	50
	as follows, and as so amended, be referred to the Committee of the Whole with favorable	51
	recommendation.	52
		53
		54
	Amend printed bill, page 2, line 23, strike "services" and substitute	55
	"services, including the business enterprise program,".	56
		57
	Page 3, line 8, strike "functions" and substitute "functions, including the	58
	business enterprise program,".	59
		60
	Page 3, after line 22 insert:	61
		62
	"PART 1	63
	VOCATIONAL REHABILITATION PROGRAMS".	64
		65
	Page 11, line 10, strike "PROGRAMS" and substitute "PROGRAMS,	66
	INCLUDING THE BUSINESS ENTERPRISE PROGRAM,".	67
		68
	Page 11, line 19, strike "PROGRAMS" and substitute "PROGRAMS,	69

INCLUDING THE BUSINESS ENTERPRISE PROGRAM,".

Page 12, line 17, strike "SERVICES IS" and substitute "SERVICES, INCLUDING THE BUSINESS ENTERPRISE PROGRAM, ARE".

Page 13, line 7, strike "PROGRAMS" and substitute "PROGRAMS, INCLUDING THE BUSINESS ENTERPRISE PROGRAM,".

Page 13, line 8, after "EMPLOYMENT." add "IN ADDITION TO PREPARING AND PRESENTING A DETAILED TRANSITION PLAN AS REQUIRED BY PARAGRAPH (b) OF THIS SUBSECTION (2), STARTING IN SEPTEMBER 2015, THE DEPARTMENT SHALL PRESENT QUARTERLY REPORTS TO THE JOINT BUDGET COMMITTEE ON THE STATUS OF THE TRANSITION OF VOCATIONAL REHABILITATION PROGRAMS, INCLUDING THE BUSINESS ENTERPRISE PROGRAM, FROM THE DEPARTMENT OF HUMAN SERVICES TO THE DEPARTMENT OF LABOR AND EMPLOYMENT.".

Page 13, line 15, strike "PROGRAMS" and substitute "PROGRAMS, INCLUDING THE BUSINESS ENTERPRISE PROGRAM,".

Page 13, after line 20 insert:

"PART 2
VENDING FACILITIES IN STATE BUILDINGS -
BUSINESS ENTERPRISE PROGRAM

8-84-201. [Formerly 26-8.5-100.1] Short title. This article PART 2 shall be known and may be cited as the "Business Enterprise Program Act".

8-84-202. [Formerly 26-8.5-101] Definitions. As used in this article PART 2, unless the context otherwise requires:

(1) ~~"Blind person"~~ "PERSON WHO IS BLIND" means a person ~~having~~ WHO HAS not more than 20/200 central visual acuity in the better eye with correcting lenses or an equally disabling loss of the visual field as evidenced by a limitation to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than twenty degrees.

(2) "SATISFACTORY SITE" MEANS AN AREA DETERMINED BY THE DEPARTMENT OF LABOR AND EMPLOYMENT TO HAVE SUFFICIENT SPACE, ELECTRICAL AND PLUMBING OUTLETS, AND OTHER FACILITIES AS PRESCRIBED BY DEPARTMENT RULE FOR THE LOCATION AND OPERATION OF A VENDING FACILITY.

~~(2)~~ (3) "State property" means any building, land, or other real property owned, leased, or occupied by any department or agency of the state of Colorado. ~~but~~ "State property" does not include any property owned, leased, or occupied by any institution of higher education, the Auraria higher education center established in article 70 of title 23, C.R.S., or the board of commissioners of the Colorado state fair authority.

~~(3)~~ (4) "Vending facility" means automatic vending machines, a café, a cafeteria, a restaurant, a snack bar, a concession stand, or any other facility at which food, drinks, drugs, novelties, souvenirs, tobacco products, notions, or related items are regularly sold.

8-84-203. [Formerly 26-8.5-102] Priority for persons who are blind - licensing. The state department OF LABOR AND EMPLOYMENT shall issue licenses to ~~blind~~ persons WHO ARE BLIND AND who are qualified to operate vending facilities, in accordance with the criteria used for the licensing of operators of vending facilities on federal property pursuant to section ~~26-8-106~~ 8-84-107 and the federal "Randolph-Sheppard Vending Stand Act", as ~~from time to time~~ amended. In authorizing vending facilities on state property, THE DEPARTMENT SHALL GIVE priority ~~shall be given to blind~~ TO persons WHO ARE BLIND AND who are licensed by the state department ~~The purpose of this priority is~~ IN ORDER to enlarge the economic opportunities of ~~blind~~ persons WHO ARE BLIND by providing remunerative employment and to stimulate ~~blind~~ persons WHO ARE BLIND to greater efforts in striving to make themselves self-supporting.

8-84-204. [Formerly 26-8.5-103] Satisfactory sites for vending facilities required. (1) ~~Effective July 1, 1977, no~~ A department or

agency of the state of Colorado shall NOT construct, ~~shall~~ acquire by ownership, rent, lease, or ~~otherwise~~ OTHER MEANS, or ~~shall~~ undertake to substantially alter or renovate, in whole or in part, ~~any~~ A building unless, after consultation with the ~~state~~ department OF LABOR AND EMPLOYMENT, it is determined that ~~such~~ THE building will include a satisfactory site or sites for the location and operation of a vending facility by a ~~blind~~ person WHO IS BLIND.

(2) Each ~~such~~ department or agency shall provide notice to the ~~state~~ department OF LABOR AND EMPLOYMENT of its plans for the occupation, acquisition, construction, alteration, or renovation of a building adequate to permit the ~~state~~ department OF LABOR AND EMPLOYMENT to determine whether ~~such~~ THE building includes a satisfactory site ~~or sites~~ for a vending facility.

(3) ~~The provisions of~~ This section ~~shall~~ DOES not apply when the ~~state~~ department OF LABOR AND EMPLOYMENT determines that the number of people using the building will be insufficient to support a vending facility.

~~(4) For the purpose of this section, "satisfactory site" means an area determined by the state department to have sufficient space, electrical and plumbing outlets, and such other facilities as are prescribed by rule of the state department for the location and operation of a vending facility.~~

~~(5) (4) No charge shall be made to~~ The state department OF LABOR AND EMPLOYMENT SHALL NOT BE CHARGED for:

- ~~(a) The use of state-furnished space; for~~
- ~~(b) Maintenance or janitorial services; for~~
- ~~(c) Repair of the building structure in and adjacent to the vending facility area, including any necessary initial and periodical painting and decorating; for~~

~~(d) Utilities required to operate vending facilities and vending machines; or for~~

~~(e) Repairing and replacing floor coverings, cleaning windows, or providing other related building services in accordance with the normal level of building service applicable to the state building on~~ IN which the vending facility is located.

8-84-205. [Formerly 26-8.5-104] Vending machines - income. ~~Effective July 1, 1977,~~ One hundred percent of all commission income from vending machines on state property ~~shall accrue~~ ACCRUES to the ~~state~~ department OF LABOR AND EMPLOYMENT, which shall disburse ~~such~~ THE income in accordance with the rules and regulations of the ~~state~~ department. The office of state planning and budgeting shall notify the ~~state~~ department of the location of all vending machines on state property, and the ~~state~~ department shall ~~be responsible for the collection and~~ COLLECT AND PROVIDE AN accounting ~~for~~ OF income from these vending machines.

8-84-206. [Formerly 26-8.5-105] Cooperation - locations - rules. (1) ~~It is the duty of~~ The heads of all state departments and agencies ~~to~~ SHALL negotiate and ~~to~~ cooperate in good faith to accomplish the purposes of this article relating to vending facilities. ~~including vending machines and other coin-operated devices in operation on or before July 1, 1977.~~

(2) If the ~~state~~ department OF LABOR AND EMPLOYMENT determines that the operation of a vending facility IN A STATE BUILDING by a ~~blind~~ person ~~in a state building~~ WHO IS BLIND is not feasible, ~~the location may be operated by another person, in the discretion of the office of state planning and budgeting~~ MAY AUTHORIZE ANOTHER PERSON TO OPERATE THE VENDING FACILITY.

(3) When no person is immediately available on the premises for the management of vending machines, the commission income from ~~such~~ THE machines shall be given to the ~~state~~ department OF LABOR AND EMPLOYMENT in accordance with section ~~26-8.5-104~~ 8-84-205.

(4) The ~~state~~ department OF LABOR AND EMPLOYMENT shall ~~be responsible for the operation of~~ OPERATE a vending facility program in accordance with its rules and regulations and in accordance with federal guidelines under the federal "Randolph-Sheppard Vending Stand Act", as ~~from time to time~~ amended.

8-84-207. [Formerly 26-8.5-106] Status of existing contracts. ~~The provisions of this article shall~~ THIS PART 2 DOES not extend to existing contracts until the expiration of those contracts.

8-84-208. [Formerly 26-8.5-107] Business enterprise program cash fund - creation. There is hereby created in the state treasury the business enterprise program cash fund, referred to in this article as the "fund", ~~that shall consist~~ WHICH CONSISTS of moneys accruing to the state department from assessments against the net proceeds of each vending facility operator consistent with ~~the provisions of this article~~ THIS PART 2, any income from vending machines on federal or state property that accrues to the state department, and any federal moneys that may become available. Any moneys currently attributed to the business enterprise program and any reserves shall be transferred to this fund for future use consistent with this ~~article~~ PART 2. The moneys in the fund ~~shall be~~ ARE subject to annual appropriation by the general assembly for the direct and indirect costs associated with the administration of this ~~article~~ PART 2. THE STATE TREASURER MAY INVEST any moneys in the fund not expended for the purposes of this ~~article may be invested by the state treasurer~~ PART 2 as provided in sections 24-36-109, 24-36-112, and 24-36-113, C.R.S. All interest and income derived from the investment and deposit of moneys in the fund shall be credited to the fund. Any unexpended and unencumbered moneys remaining in the fund at the end of any fiscal year shall remain in the fund and shall not be credited or transferred to the general fund or any other fund."

Page 13, line 23, strike "and 26-8-106;" and substitute "26-8-106, 26-8.5-100.1, 26-8.5-101, 26-8.5-102, 26-8.5-103, 26-8.5-104, 26-8.5-105, 26-8.5-106, and 26-8.5-107;".

Page 14, line 14, strike "REHABILITATION," and substitute "REHABILITATION PROGRAMS, INCLUDING THE BUSINESS ENTERPRISE PROGRAM,".

Page 14, line 17, after "(l)" insert "and (1) (p)".

Page 14, strike lines 24 through 27 and substitute:

"(p) ~~The vending facilities in state buildings program, as specified in article 8.5 of this title,~~".

Page 15, strike lines 1 through 9.

Renumber succeeding sections accordingly.

Page 15, after line 18 insert:

"SECTION 9. In Colorado Revised Statutes, 17-24-126, **amend** (4) as follows:

17-24-126. Canteen, vending machine, and library account created - receipts - disbursements. (4) ~~Article 8.5 of title 26, C.R.S. PART 2 OF ARTICLE 84 OF TITLE 8, C.R.S., regarding vending facilities in state buildings, shall DOES not apply to vending machines operated in visiting areas of any department facility.~~".

Renumber succeeding sections accordingly.

Page 17, after line 18 insert:

"SECTION 12. In Colorado Revised Statutes, 43-1-1202, **amend** (3) (b) as follows:

43-1-1202. Department powers. (3) Retail goods and services shall not be authorized under this part 12. This subsection (3) shall not prohibit:

(b) Any vending facilities, AS defined in section ~~26-8.5-101~~ 8-84-202 (4), C.R.S.;".

Renumber succeeding sections accordingly.

Page 17, line 20, strike "\$665,300" and substitute "\$665,330".

Page 18, line 19, strike "12, 13, and 14" and substitute "13, 14, and 15".

MESSAGE FROM THE HOUSE

March 30, 2015

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1266.

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1203, amended as printed in House Journal, March 27.
HB15-1294, amended as printed in House Journal, March 27.
HB15-1295, amended as printed in House Journal, March 27.

The House has passed on Third Reading and returns herewith SB15-122, 060, 046.

The House has passed on Third Reading and transmitted to the Revisor of Statutes; SB15-182, amended as printed in House Journal, March 27.
SB15-065, amended as printed in House Journal, March 27.

The House has voted not to concur in the Senate amendments to HB15-1204 and requests that a conference committee be appointed. The Speaker has appointed Representatives Pabon, chairman, Lontine, and Tate as House conferees on the First Conference Committee on HB15-1204. The bill is transmitted herewith.

The House has voted to concur in the Senate amendments to HB15-1197 and has repassed the bill as so amended.

MESSAGE FROM THE REVISOR OF STATUTES

March 30, 2015

We herewith transmit:

Without comment, HB15-1266.
Without comment, as amended, HB15-1203, 1294, and 1295.
Without comment, as amended, SB15-065 and 182.

INTRODUCTION OF BILLS -- FIRST READING

The following bill was read by title and referred to the committee indicated:

- SB15-256

by Senator(s) Roberts, Aguilar, Kefalas, Lundberg, Martinez Humenik; also Representative(s) McCann, Landgraf, Primavera, Ryden, Sias--Concerning the operation of the legislative committee that oversees the Colorado health benefit exchange.
Health & Human Services
- SB15-257

by Senator(s) Hill and Merrifield, Holbert, Marble, Neville T., Todd, Woods; also Representative(s) Becker J. and Singer, Lebsock--Concerning accountability in public schools.
Education

HB15-1266 by Representative(s) Rankin, Hamner, Young, Singer, Tate, Tyler; also Senator(s) Lambert, Grantham, Steadman, Martinez Humenik, Neville T., Newell--Concerning the information technology budget request process.
Appropriations

SIGNING OF BILLS -- RESOLUTIONS -- MEMORIALS

The President has signed: SJR15-004, 015, 016, 017 and 019; HB15-1184.

DELIVERY TO THE GOVERNOR

To the Governor for signature on Monday, March 30, 2015, at 1:33 p.m.:
SB15-161.

MESSAGE FROM THE GOVERNOR

March 30, 2015

Colorado Senate
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 Acts:

SB15-191: CONCERNING PAYMENT OF EXPENSES OF THE LEGISLATIVE DEPARTMENT.

Approved March 30, 2015, at 2:05 p.m.

SB15-128: CONCERNING REPORTS TO LAW ENFORCEMENT BY MEDICAL FACILITIES WITH THE CONSENT OF A VICTIM OF A SEXUAL ASSAULT.

Approved March 30, 2015, at 2:36 p.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

On motion of Majority Leader Scheffel, the Senate adjourned until 9:00 a.m., Tuesday, March 31, 2015.

Approved:

Bill L. Cadman
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16