

SENATE JOURNAL
Seventieth General Assembly
STATE OF COLORADO
First Regular Session

59th Legislative Day Friday, March 6, 2015

Prayer By the chaplain, Reverend E.D. Fujii, Tri-State Denver Buddhist Temple.

Call to Order By the President at 9:00 a.m.

Pledge By Senator Garcia.

Roll Call Present--33
Excused--2, Balmer, Ulibarri.

Quorum The President announced a quorum present.

Reading of Journal On motion of Senator Scott, reading of the Journal of Thursday, March 5, 2015 was dispensed with and the Journal was approved as corrected by the Secretary.

COMMITTEE OF REFERENCE REPORTS

Finance After consideration on the merits, the Committee recommends that **HB15-1012** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Finance After consideration on the merits, the Committee recommends that **SB15-118** be postponed indefinitely.

Trans- portation After consideration on the merits, the Committee recommends that **HB15-1207** be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the Consent Calendar.

Health & Human Services The Committee on Health & Human Services 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
COLORADO COMMISSION FOR THE
DEAF AND HARD OF HEARING

for terms expiring July 1, 2018:

Mary Pat Graham-Kelly of Lakewood, Colorado, to serve as a member who is deaf, reappointed;

Kirk B. Neuroth of Denver, Colorado, to serve as a member who is an interpreter for the deaf and hard of hearing, reappointed.

Health & Human Services After consideration on the merits, the Committee recommends that **HB15-1078** be referred to the Committee of the Whole with favorable recommendation.

Health & Human Services	After consideration on the merits, the Committee recommends that HB15-1075 be referred to the Committee of the Whole with favorable recommendation.	1 2 3 4 5
Health & Human Services	After consideration on the merits, the Committee recommends that HB15-1032 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
Health & Human Services	After consideration on the merits, the Committee recommends that SB15-178 be referred to the Committee of the Whole with favorable recommendation.	11 12 13 14 15
Health & Human Services	After consideration on the merits, the Committee recommends that HB15-1144 be referred to the Committee of the Whole with favorable recommendation.	16 17 18 19 20
Education	After consideration on the merits, the Committee recommends that SB15-173 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation. Amend printed bill, strike everything below the enacting clause and substitute: "SECTION 1. In Colorado Revised Statutes, amend 22-2-301 as follows: 22-2-301. Short title. This part 3 shall be known and may be cited as the "Data Reporting and Technology PROTECTION Act". SECTION 2. In Colorado Revised Statutes, add 22-2-310 as follows: 22-2-310. Student data protection - accountability and transparency - legislative declaration - definitions - prohibited actions - remedies. (1) THE GENERAL ASSEMBLY FINDS THAT ALTHOUGH THERE ARE FEDERAL STATUTES LIMITING THE USE OF STUDENT DATA COLLECTED BY SCHOOLS, THESE STATUTES PRIMARILY GOVERN THE ACTIONS OF SCHOOLS AND GOVERNMENT ENTITIES AND HAVE LESS APPLICABILITY TO THIRD-PARTY VENDORS. THE EFFECTIVE USE OF STUDENT DATA TO IMPROVE LEARNING REQUIRES A FRAMEWORK OF TRUST AROUND ITS USE. (2) IT IS THEREFORE THE INTENT OF THE GENERAL ASSEMBLY TO ACHIEVE THE FOLLOWING PURPOSES: (a) TO ENSURE THE PRIVACY OF ALL PUBLIC SCHOOL STUDENTS BY RESTRICTING THIRD-PARTY VENDORS FROM SHARING, MINING, SELLING, OR USING PERSONALLY IDENTIFIABLE DATA COLLECTED BY SCHOOLS AND SCHOOL DISTRICTS; AND (b) TO PROHIBIT AN OPERATOR OF AN INTERNET WEB SITE, ON-LINE SERVICE, ON-LINE APPLICATION, OR MOBILE APPLICATION FROM USING, DISCLOSING, OR COMPILING PERSONAL INFORMATION OF A PUBLIC SCHOOL STUDENT FOR THE PURPOSE OF MARKETING OR ADVERTISING. (3) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES: (a) "COVERED INFORMATION" MEANS PERSONALLY IDENTIFIABLE INFORMATION OR MATERIALS, IN ANY MEDIA OR FORMAT THAT IS: (I) CREATED OR PROVIDED BY A STUDENT, OR THE STUDENT'S PARENT OR LEGAL GUARDIAN, TO AN OPERATOR IN THE COURSE OF THE STUDENT'S, PARENT'S, OR LEGAL GUARDIAN'S USE OF THE OPERATOR'S WEB SITE, SERVICE, OR APPLICATION FOR PUBLIC SCHOOL PURPOSES; (II) CREATED OR PROVIDED BY AN EMPLOYEE OR AGENT OF THE PUBLIC SCHOOL, SCHOOL DISTRICT, CHARTER SCHOOL INSTITUTE, LOCAL EDUCATION AGENCY, OR DEPARTMENT TO AN OPERATOR; OR (III) GATHERED BY AN OPERATOR THROUGH THE OPERATION OF A WEB SITE, ON-LINE SERVICE, OR ON-LINE APPLICATION THAT IS USED PRIMARILY FOR PUBLIC SCHOOL PURPOSES, WAS DESIGNED AND MARKETING FOR PUBLIC SCHOOL PURPOSES, AND IS DESCRIPTIVE OF OR OTHERWISE IDENTIFIES A STUDENT. THIS INCLUDES, BUT IS NOT LIMITED TO:	21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69

(A) INFORMATION IN THE STUDENT'S EDUCATIONAL RECORD OR ELECTRONIC MAIL;

(B) STUDENT DATA;

(C) FIRST AND LAST NAME, HOME ADDRESS, TELEPHONE NUMBER, ELECTRONIC MAIL ADDRESS, OR ANY OTHER INFORMATION THAT ALLOWS PHYSICAL OR ON-LINE CONTACT; OR

(D) DISCIPLINE OR CRIMINAL RECORDS, JUVENILE DEPENDENCY RECORDS, MEDICAL OR HEALTH RECORDS, SOCIAL SECURITY NUMBER, BIOMETRIC INFORMATION, DISABILITIES, SOCIOECONOMIC INFORMATION, POLITICAL AFFILIATIONS, RELIGIOUS INFORMATION, TEXT MESSAGES, DOCUMENTS, STUDENT IDENTIFIERS, SEARCH ACTIVITY, PHOTOS, VOICE RECORDINGS, FOOD PURCHASES, OR GEOLOCATION INFORMATION.

(b) "EDUCATION RECORD" HAS THE SAME MEANING AS DEFINED IN THE FEDERAL "FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", AS AMENDED, 20 U.S.C. SEC. 1232g. "EDUCATION RECORD" INCLUDES AN INDIVIDUALIZED EDUCATION PROGRAM.

(c) "OPERATOR" MEANS ANY OPERATOR OF AN INTERNET WEB SITE; AN ON-LINE SERVICE, INCLUDING CLOUD COMPUTING SERVICES; AN ON-LINE APPLICATION; OR A MOBILE APPLICATION WITH ACTUAL KNOWLEDGE THAT THE SITE, SERVICE, OR APPLICATION IS USED PRIMARILY FOR PUBLIC SCHOOL PURPOSES AND WAS DESIGNED AND MARKETING FOR PUBLIC SCHOOL PURPOSES. "OPERATOR" DOES NOT INCLUDE A SCHOOL, A SCHOOL DISTRICT, THE CHARTER SCHOOL INSTITUTE, THE DEPARTMENT, OR THE STATE BOARD.

(d) "PERSONALLY IDENTIFIABLE INFORMATION" HAS THE SAME MEANING AS DEFINED IN THE FEDERAL "FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974", AS AMENDED, 20 U.S.C. SEC. 1232g.

(e) "PUBLIC SCHOOL PURPOSE" MEANS ANY PURPOSE THAT CUSTOMARILY TAKES PLACE AT THE DIRECTION OF A PUBLIC SCHOOL, TEACHER, SCHOOL DISTRICT, OR CHARTER SCHOOL, OR AIDS IN THE ADMINISTRATION OF SCHOOL ACTIVITIES, INCLUDING, BUT NOT LIMITED TO, INSTRUCTION IN THE CLASSROOM OR AT HOME, ADMINISTRATIVE ACTIVITIES, AND COLLABORATION BETWEEN STUDENTS, SCHOOL PERSONNEL, OR PARENTS, OR ANY OTHER PURPOSE THAT IS FOR THE USE AND BENEFIT OF A PUBLIC SCHOOL OR CHARTER SCHOOL.

(f) "TARGETED ADVERTISING" MEANS DELIVERING ADVERTISEMENTS TO A STUDENT WHERE THE ADVERTISEMENT IS SELECTED BASED ON INFORMATION OBTAINED OR INFERRED FROM THAT STUDENT'S ON-LINE VIEWING BEHAVIOR, USAGE OF APPLICATIONS, OR COVERED INFORMATION. "TARGETED ADVERTISING" DOES NOT INCLUDE USE OF SEARCH ENGINES OR RECOMMENDATION ENGINES, CONTEXTUAL ADVERTISING, RUN OF NETWORK ADVERTISING, OR ADAPTIVE OR INDIVIDUALIZED LEARNING.

(4) AN OPERATOR SHALL NOT KNOWINGLY ENGAGE IN ANY OF THE FOLLOWING ACTIVITIES WITH RESPECT TO ITS WEB SITE, SERVICE, OR APPLICATION:

(a) (I) ENGAGE IN TARGETED ADVERTISING ON THE OPERATOR'S WEB SITE, SERVICE, OR APPLICATION; OR

(II) TARGET ADVERTISING ON ANY OTHER WEB SITE, SERVICE, OR APPLICATION WHEN THE TARGETING OF THE ADVERTISING IS BASED UPON ANY INFORMATION, INCLUDING COVERED INFORMATION AND PERSISTENT UNIQUE IDENTIFIERS, THAT THE OPERATOR HAS ACQUIRED BECAUSE OF THE USE OF THAT OPERATOR'S WEB SITE, SERVICE, OR APPLICATION;

(b) USE INFORMATION, INCLUDING PERSISTENT UNIQUE IDENTIFIERS, CREATED OR GATHERED BY THE OPERATOR'S WEB SITE, SERVICE, OR APPLICATION, TO AMASS A PROFILE ABOUT A PUBLIC SCHOOL STUDENT, EXCEPT IN FURTHERANCE OF A PUBLIC SCHOOL PURPOSE. AMASSING A PROFILE DOES NOT INCLUDE COLLECTION AND RETENTION OF ACCOUNT RECORDS OR INFORMATION THAT REMAINS UNDER THE CONTROL OF THE STUDENT, PARENT, SCHOOL, OR SCHOOL DISTRICT.

(c) SELL A STUDENT'S INFORMATION, INCLUDING COVERED INFORMATION. THIS PROHIBITION DOES NOT APPLY TO THE PURCHASE, MERGER, OR OTHER TYPE OF ACQUISITION OF AN OPERATOR BY ANOTHER ENTITY, PROVIDED THAT THE OPERATOR OR SUCCESSOR ENTITY CONTINUES TO COMPLY WITH THE PROVISIONS OF THIS SECTION CONCERNING PREVIOUSLY ACQUIRED STUDENT INFORMATION.

(d) DISCLOSE COVERED INFORMATION UNLESS THE DISCLOSURE IS MADE, TO THE EXTENT REASONABLY NECESSARY:

(I) IN FURTHERANCE OF THE PUBLIC SCHOOL PURPOSE OF THE WEB

SITE, SERVICE, OR APPLICATION, PROVIDED THE RECIPIENT OF THE COVERED INFORMATION DISCLOSED PURSUANT TO THIS PARAGRAPH (d):

(A) DOES NOT FURTHER DISCLOSE THE COVERED INFORMATION UNLESS DONE TO ALLOW OR IMPROVE OPERABILITY AND FUNCTIONALITY WITHIN THAT STUDENT'S CLASSROOM OR SCHOOL; AND

(B) IS LEGALLY REQUIRED TO COMPLY WITH SUBSECTION (6) OF THIS SECTION;

(II) TO PROTECT THE SECURITY OR INTEGRITY OF ITS WEB SITE, SERVICE, OR APPLICATION;

(III) TO TAKE PRECAUTIONS AGAINST LIABILITY;

(IV) TO RESPOND TO THE JUDICIAL PROCESS;

(V) TO THE EXTENT PERMITTED UNDER OTHER PROVISIONS OF LAW, TO PROVIDE INFORMATION TO LAW ENFORCEMENT AGENCIES OR FOR AN INVESTIGATION ON A MATTER RELATED TO PUBLIC SAFETY; OR

(VI) TO A SERVICE PROVIDER, PROVIDED THAT THE OPERATOR CONTRACTUALLY:

(A) PROHIBITS THE SERVICE PROVIDER FROM USING ANY COVERED INFORMATION FOR ANY PURPOSE OTHER THAN PROVIDING THE CONTRACTED SERVICE TO, OR ON BEHALF OF, THE OPERATOR;

(B) PROHIBITS THE SERVICE PROVIDER FROM DISCLOSING ANY COVERED INFORMATION PROVIDED BY THE OPERATOR WITH SUBSEQUENT THIRD PARTIES, EXCEPT TO THE EXTENT NECESSARY TO CARRY OUT LEGITIMATE EDUCATIONAL FUNCTIONS DELEGATED TO IT BY THE AGENCY OR INSTITUTION; AND

(C) REQUIRES THE SERVICE PROVIDER TO IMPLEMENT AND MAINTAIN REASONABLE SECURITY PROCEDURES AND PRACTICES AS PROVIDED FOR IN SUBSECTION (6) OF THIS SECTION.

(5) NOTHING IN SUBSECTION (4) OF THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE OPERATOR'S USE OF INFORMATION FOR MAINTAINING, DEVELOPING, SUPPORTING, IMPROVING, OR DIAGNOSING THE OPERATOR'S WEB SITE, SERVICE, OR APPLICATION.

(6) AN OPERATOR SHALL:

(a) IMPLEMENT AND MAINTAIN REASONABLE SECURITY PROCEDURES AND PRACTICES THAT, AT A MINIMUM, MEET THE REQUIREMENTS DEVELOPED BY THE DEPARTMENT AND STATE BOARD PURSUANT TO SECTION 22-2-309 AND THAT ARE APPROPRIATE TO THE NATURE OF THE COVERED INFORMATION AND PROTECT THAT INFORMATION FROM UNAUTHORIZED ACCESS, DESTRUCTION, USE, MODIFICATION, OR DISCLOSURE;

(b) DELETE A STUDENT'S COVERED INFORMATION IF THE PUBLIC SCHOOL, SCHOOL DISTRICT, CHARTER SCHOOL, OR CHARTER SCHOOL INSTITUTE REQUESTS SUCH DELETION OF ANY DATA UNDER THE CONTROL OF THE PUBLIC SCHOOL, SCHOOL DISTRICT, CHARTER SCHOOL OR CHARTER SCHOOL INSTITUTE;

(c) PUBLICLY AND CONSPICUOUSLY POST:

(I) THE NAME, CONTACT INFORMATION, AND LOCATION OF ANY DATA REPOSITORY WHERE ANY COVERED INFORMATION WOULD BE MAINTAINED BY THE OPERATOR, SERVICE PROVIDER, OR OTHER THIRD PARTY TO WHOM THE OPERATOR DISCLOSED THE COVERED INFORMATION;

(II) THE PRINCIPAL PURPOSE OR PURPOSES FOR WHICH THE COVERED INFORMATION IS INTENDED TO BE USED;

(III) A DATA DICTIONARY OF THE COVERED INFORMATION OR ANY OTHER INFORMATION THAT IS COLLECTED OR MAINTAINED BY THE OPERATOR, SERVICE PROVIDER, OR OTHER THIRD PARTY TO WHOM THE OPERATOR DISCLOSED COVERED INFORMATION;

(IV) THE PROCESS BY WHICH COVERED INFORMATION IS COLLECTED;

(V) THE OPERATOR'S POLICIES AND PRACTICES REGARDING STORAGE, RETRIEVABILITY, ACCESS CONTROLS, RETENTION, AND DISPOSAL OF COVERED INFORMATION;

(VI) DATE OF ANY TRANSFER, MERGE, OR SHARE OF COVERED INFORMATION; AND

(VII) THE NAME AND CONTACT INFORMATION OF THE SOURCE AND CONTENTS OF ANY DATA SETS MERGED WITH ANY COVERED INFORMATION MAINTAINED BY THE OPERATOR; AND

(d) RETAIN PERSONAL INFORMATION COLLECTED ON-LINE FROM A STUDENT FOR ONLY AS LONG AS IS REASONABLY NECESSARY TO FULFILL THE PURPOSE FOR WHICH THE INFORMATION WAS COLLECTED, BUT IN NO INSTANCE LONGER THAN THREE YEARS. THE OPERATOR SHALL DELETE

SUCH INFORMATION USING REASONABLE MEASURES TO PROTECT AGAINST UNAUTHORIZED ACCESS TO OR USE OF THE INFORMATION IN CONNECTION WITH ITS DELETION.

(7) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (d) OF SUBSECTION (4) OF THIS SECTION, AN OPERATOR MAY DISCLOSE COVERED INFORMATION OF A STUDENT UNDER THE FOLLOWING CIRCUMSTANCES, AS LONG AS PARAGRAPHS (a) TO (c) OF SUBSECTION (4) OF THIS SECTION, INCLUSIVE, ARE NOT VIOLATED:

(a) IF OTHER PROVISIONS OF STATE OR FEDERAL LAW REQUIRE THE OPERATOR TO DISCLOSE THE COVERED INFORMATION AND THE OPERATOR COMPLIES WITH THE APPLICABLE REQUIREMENTS OF STATE AND FEDERAL LAW IN PROTECTING AND DISCLOSING THE INFORMATION;

(b) FOR LEGITIMATE RESEARCH PURPOSES APPROVED BY THE SCHOOL DISTRICT OR THE CHARTER SCHOOL INSTITUTE:

(I) AS REQUIRED BY STATE OR FEDERAL LAW AND SUBJECT TO THE RESTRICTIONS UNDER APPLICABLE STATE AND FEDERAL LAW; OR

(II) AS ALLOWED BY STATE OR FEDERAL LAW AND UNDER THE DIRECTION OF A PUBLIC SCHOOL, SCHOOL DISTRICT, CHARTER SCHOOL, CHARTER SCHOOL INSTITUTE, OR THE DEPARTMENT, IF NO COVERED INFORMATION IS USED FOR ANY PURPOSE IN FURTHERANCE OF ADVERTISING OR TO AMASS A PROFILE ON A STUDENT FOR A PURPOSE OTHER THAN A PUBLIC SCHOOL PURPOSE; AND

(c) TO A STATE OR LOCAL EDUCATION AGENCY, INCLUDING PUBLIC SCHOOLS, SCHOOL DISTRICTS, CHARTER SCHOOLS, OR THE CHARTER SCHOOL INSTITUTE FOR A PUBLIC SCHOOL PURPOSE, AS PERMITTED BY STATE OR FEDERAL LAW.

(8) NOTHING IN THIS SECTION PROHIBITS AN OPERATOR FROM USING DEIDENTIFIED COVERED INFORMATION AS FOLLOWS:

(a) WITHIN THE OPERATOR'S WEB SITE, SERVICE, OR APPLICATION, OR OTHER WEB SITES, SERVICES, OR APPLICATIONS OWNED BY THE OPERATOR, TO IMPROVE ITS EDUCATIONAL PRODUCTS; OR

(b) TO DEMONSTRATE THE EFFECTIVENESS OF THE OPERATOR'S PRODUCTS OR SERVICES, INCLUDING ITS MARKETING.

(9) NOTHING IN THIS SECTION PROHIBITS AN OPERATOR FROM SHARING AGGREGATED AND DEIDENTIFIED COVERED INFORMATION FOR THE DEVELOPMENT AND IMPROVEMENT OF EDUCATIONAL WEB SITES, SERVICES, OR APPLICATIONS.

(10) THIS SECTION DOES NOT:

(a) LIMIT THE AUTHORITY OF A LAW ENFORCEMENT AGENCY TO OBTAIN ANY CONTENT OR INFORMATION FROM AN OPERATOR AS AUTHORIZED BY LAW OR PURSUANT TO AN ORDER OF A COURT OF COMPETENT JURISDICTION;

(b) LIMIT THE ABILITY OF AN OPERATOR TO USE STUDENT DATA, INCLUDING COVERED INFORMATION, FOR ADAPTIVE LEARNING OR CUSTOMIZED STUDENT LEARNING PURPOSES;

(c) APPLY TO GENERAL-AUDIENCE INTERNET WEB SITES, ON-LINE SERVICES, ON-LINE APPLICATIONS, OR MOBILE APPLICATIONS, EVEN IF LOG-IN CREDENTIALS CREATED FOR AN OPERATOR'S WEB SITE, SERVICE, OR APPLICATION MAY BE USED TO ACCESS THE GENERAL-AUDIENCE WEB SITE, SERVICE, APPLICATION, OR MOBILE APPLICATION;

(d) LIMIT INTERNET SERVICE PROVIDERS FROM PROVIDING INTERNET CONNECTIVITY TO SCHOOLS OR STUDENTS AND THEIR FAMILIES;

(e) PROHIBIT AN OPERATOR OF AN INTERNET WEB SITE, ON-LINE SERVICE, ON-LINE APPLICATION, OR MOBILE APPLICATION FROM MARKETING EDUCATIONAL PRODUCTS DIRECTLY TO PARENTS, SO LONG AS THE MARKETING DID NOT RESULT FROM THE USE OF COVERED INFORMATION OBTAINED BY THE OPERATOR THROUGH THE PROVISION OF SERVICES COVERED UNDER THIS SECTION;

(f) IMPOSE A DUTY UPON A PROVIDER OF AN ELECTRONIC STORE, GATEWAY, MARKETPLACE, OR OTHER MEANS OF PURCHASING OR DOWNLOADING SOFTWARE OR APPLICATIONS TO REVIEW OR ENFORCE COMPLIANCE OF THIS SECTION ON THOSE APPLICATIONS OR SOFTWARE;

(g) IMPOSE A DUTY UPON A PROVIDER OF AN INTERACTIVE COMPUTER SERVICE, AS DEFINED IN SECTION 230 OF TITLE 47, U.S.C., TO REVIEW OR ENFORCE COMPLIANCE WITH THIS SECTION BY THIRD-PARTY CONTENT PROVIDERS; AND

(h) IMPEDE THE ABILITY OF A STUDENT TO DOWNLOAD, EXPORT, OR OTHERWISE SAVE OR MAINTAIN HIS OR HER STUDENT-CREATED DATA OR DOCUMENTS.

(11) ANY INTERESTED PARTY MAY MAKE AN INITIAL REPORT OF ALLEGED VIOLATIONS OF THIS SECTION TO THE DEPARTMENT. THE DEPARTMENT SHALL CONTACT THE OPERATOR DIRECTLY AND PROVIDE THE OPERATOR WITH THE OPPORTUNITY TO EXPLAIN OR RECTIFY. IF THE DEPARTMENT CONTINUES TO RECEIVE COMPLAINTS ABOUT THE SAME OPERATOR, IT MAY BRING THE ISSUE TO THE OFFICE OF THE ATTORNEY GENERAL FOR REVIEW AND ACTION.

SECTION 3. In Colorado Revised Statutes, **add** 22-2-311 as follows:

22-2-311. Data protection - disclosure and transparency - definition. (1) BEGINNING WITH THE START OF THE 2015-16 ACADEMIC YEAR, AND AT THE START OF EACH ACADEMIC YEAR THEREAFTER:

(a) EACH SCHOOL DISTRICT, CHARTER SCHOOL, AND THE CHARTER SCHOOL INSTITUTE SHALL PROVIDE AN ANNUAL NOTICE TO PARENTS AND LEGAL GUARDIANS LISTING ALL OPERATORS WITH WHOM THE SCHOOL DISTRICT, CHARTER SCHOOL, OR CHARTER SCHOOL INSTITUTE HAS ENTERED INTO A NEGOTIATED CONTRACT, EXCLUDING END-USER AGREEMENTS, THAT PROVIDES FOR THE TRANSFER OF COVERED INFORMATION FOR THE UPCOMING ACADEMIC YEAR; AND

(b) EACH OPERATOR THAT HAS ENTERED INTO A NEGOTIATED CONTRACT, EXCLUDING END-USER AGREEMENTS, WITH A SCHOOL DISTRICT, CHARTER SCHOOL, OR THE CHARTER SCHOOL INSTITUTE FOR THE UPCOMING ACADEMIC YEAR SHALL POST ALL SUCH CONTRACTS ON THE OPERATOR'S WEB SITE.

(2) THE REQUIREMENTS OF SUBSECTION (1) OF THIS SECTION DO NOT APPLY TO RURAL PUBLIC SCHOOLS, RURAL SCHOOL DISTRICTS, OR RURAL CHARTER SCHOOLS AS THOSE TERMS ARE DEFINED BY THE DEPARTMENT.

(3) AS USED IN THIS SECTION, "OPERATOR" MEANS ANY OPERATOR OF AN INTERNET WEB SITE; AN ON-LINE SERVICE, INCLUDING CLOUD COMPUTING SERVICES; AN ON-LINE APPLICATION; OR A MOBILE APPLICATION WITH ACTUAL KNOWLEDGE THAT THE SITE, SERVICE, OR APPLICATION IS USED PRIMARILY FOR PUBLIC SCHOOL PURPOSES AND WAS DESIGNED AND MARKETING FOR PUBLIC SCHOOL PURPOSES. "OPERATOR" DOES NOT INCLUDE A SCHOOL, A SCHOOL DISTRICT, THE DEPARTMENT, OR THE STATE BOARD.

SECTION 4. In Colorado Revised Statutes, 22-1-123, **add** (14) as follows:

22-1-123. Protection of student data - parental or legal guardian consent for surveys. (14) (a) IF A PUBLIC SCHOOL, SCHOOL DISTRICT, CHARTER SCHOOL, OR THE CHARTER SCHOOL INSTITUTE UTILIZES CLOUD COMPUTING SERVICES, WEB SITES, ON-LINE PROGRAMS, OR APPLICATIONS THAT COLLECT OR STORE STUDENT INFORMATION, WHETHER THE INFORMATION IS PERSONALLY IDENTIFIABLE OR NOT, IT SHALL DEVELOP AN EDUCATION TECHNOLOGY PLAN THAT PROVIDES FOR THE FOLLOWING:

(I) ANNUAL NOTICE TO PARENTS AND LEGAL GUARDIANS CONCERNING THE TYPE OF DATA TRANSFERRED TO CLOUD COMPUTING SERVICE PROVIDERS;

(II) TRAINING FOR STUDENTS AND STAFF CONCERNING THE APPROPRIATE USE OF TECHNOLOGY, INCLUDING SAFETY AND PRIVACY SAFEGUARDS AND PROTOCOLS; AND

(III) NOTICE TO THE PARENT OR LEGAL GUARDIAN IF THERE IS A SECURITY BREACH OR OTHER UNAUTHORIZED DISCLOSURE OF HIS OR HER CHILD'S INFORMATION.

(b) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO RURAL PUBLIC SCHOOLS, RURAL SCHOOL DISTRICTS, OR RURAL CHARTER SCHOOLS, AS THOSE TERMS ARE DEFINED BY THE DEPARTMENT OF EDUCATION.

SECTION 5. In Colorado Revised Statutes, **amend** 22-2-106.5 as follows:

22-2-106.5. State board - duties with regard to student data - memorandum of understanding. (1) Notwithstanding the provisions of section 22-2-111 (3) (a), the state board shall enter into a memorandum of understanding on or before September 1, 2006, with the Colorado commission on higher education to adopt a policy to share student data. At a minimum, the policy shall ensure that the exchange of information is conducted in conformance with the requirements of the federal "Family Educational Rights and Privacy Act of 1974", as

amended, 20 U.S.C. sec. 1232g, and all federal regulations and applicable guidelines adopted in accordance therewith. The policy shall additionally require the state board, upon request, to share student data with qualified researchers. For purposes of this section, qualified researchers shall include, but need not be limited to, institutions of higher education, school districts, and public policy research and advocacy organizations.

(2) ANY RELEASE OF DATA PURSUANT TO SUBSECTION (1) OF THIS SECTION MUST CONFORM TO THE REQUIREMENTS OF SECTION 22-2-310.

SECTION 6. In Colorado Revised Statutes, 22-2-111, **add** (4) as follows:

22-2-111. Commissioner of education - office - records - confidential nature. (4) ANY RELEASE OF DATA PURSUANT TO SUBSECTION (3) OF THIS SECTION MUST CONFORM TO THE REQUIREMENTS OF SECTION 22-2-310.

SECTION 7. In Colorado Revised Statutes, 25-1-1202, **amend** (1) (II) as follows:

25-1-1202. Index of statutory sections regarding medical record confidentiality and health information. (1) Statutory provisions concerning policies, procedures, and references to the release, sharing, and use of medical records and health information include the following:

(II) ~~Section~~ SECTIONS 22-1-123 (5) AND 22-2-310, C.R.S., concerning the protection of student data;

SECTION 8. 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."

Education The Committee on Education 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:

**MEMBER OF THE
CHARTER SCHOOL INSTITUTE BOARD**

effective July 1, 2014, for a term expiring July 1, 2017:

Elizabeth Dina Aybar Conti of Denver, Colorado, a Democrat who has experience as a public school teacher and as a public school administrator working with charter schools, appointed.

Education The Committee on Education 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
COLORADO COMMISSION ON HIGHER EDUCATION**

for terms expiring July 1, 2018:

Vanecia B. Kerr of Aurora, Colorado, a resident of the Sixth Congressional District and a Democrat, appointed;

Paula E. Sandoval of Denver, Colorado, a resident of the 1st Congressional District and a Democrat, appointed.

Education	The Committee on <u>Education</u> 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:	1 2 3 4 5 6 7 8 9 10
	<div>MEMBERS OF THE BOARD OF TRUSTEES FOR THE <u>UNIVERSITY OF NORTHERN COLORADO</u></div>	11 12 13 14 15 16 17 18
	for terms expiring December 31, 2018:	19
	Shane Kato Crews of Monument, Colorado, to serve as an Unaffiliated, appointed;	20 21 22 23 24
	Kelly Marie Johnson, PhD, RN, MSN, NEA-BC, CRRN, of Parker, Colorado, to serve as an Unaffiliated, appointed.	25 26 27 28 29
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that HB15-1038 be postponed indefinitely .	30 31 32 33 34 35
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB15-183 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation.	36 37 38 39 40
	Amend printed bill, page 2, line 11, strike "YEARS OF".	41 42 43 44
	Page 3, line 4, strike "conduct occurring" and substitute "applications pending or filed".	45 46 47 48 49
Agriculture, Natural Resources, & Energy	After consideration on the merits, the Committee recommends that SB15-046 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.	50 51 52 53 54 55 56
	Amend printed bill, page 2, strike line 3 and substitute "(c) (II) (A); and add (1) (c) (II) (A.5) as follows:".	57 58 59 60
	Page 3, line 1, strike "(I)" and substitute "(I),".	
	Page 3, strike line 2 and substitute "sub-subparagraph (D) of subparagraph (V), and subparagraph (V.5) of".	
	Page 3, after line 5 insert:	
	"(A.5) NOTWITHSTANDING SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II), A QUALIFYING RETAIL UTILITY THAT IS A COOPERATIVE ELECTRIC ASSOCIATION MAY SUBTRACT INDUSTRIAL RETAIL SALES FROM TOTAL RETAIL SALES IN CALCULATING ITS MINIMUM RETAIL DISTRIBUTED GENERATION REQUIREMENT.".	
	Page 3, strike lines 6 through 20.	

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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
GROUND WATER COMMISSION

for a term expiring May 1, 2016:
Carolyn F. Burr of Denver, Colorado, to serve as a representative of municipal or industrial users, reappointed;
for a term expiring May 1, 2017:
Marc Christopher Arnusch of Keenesburg, Colorado, to serve as a resident agriculturist from the Lost Creek Basin, appointed;
for a term expiring May 1, 2018:
Virgil Francisco Valdez of Alamosa, Colorado, to serve as a representative from Water Division 3 and as an agriculturist, reappointed.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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:

MEMBER OF THE
COAL MINE BOARD OF EXAMINERS

for a term expiring July 1, 2016:
John Carral Poulos, P.E. of Paonia, Colorado, to serve as a Colorado mine owner, operator, manager or other mine official actively engaged in the underground coal mining industry during the term of office, and occasioned by the resignation of Justin Kenneth Evans of Crawford, Colorado, appointed.

Agriculture, Natural Resources, & Energy The Committee on Agriculture, Natural Resources, & Energy 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
PARKS AND WILDLIFE COMMISSION

for a term expiring July 1, 2015:
John Vincent Howard of Boulder, Colorado, as a representative of sports persons, and occasioned by the resignation of Gaspar Perricone of Denver, Colorado, appointed.
for terms expiring July 1, 2018:
Hon. Robert "Dean" Wingfield of Vernon, Colorado, as a representative of agriculture, reappointed;
Alexander Markus Zipp of Pueblo, Colorado, as a representative of sports persons, appointed;
Dale E. Pizel of Creede, Colorado, as a member at large, appointed.

Agriculture, The Committee on Agriculture, Natural Resources, & Energy has had under consideration 1
Natural and has had a hearing on the following appointments and recommends that the 2
Resources, & appointments be placed on the consent calendar and confirmed: 3
Energy 4

5
6 MEMBERS OF THE
7 COLORADO WILDLIFE HABITAT STAMP COMMITTEE
8

9
10 effective December 31, 2014, for terms expiring December 31, 2018:

11
12 Thomas Duane Brossia of Durango, Colorado, a sportsperson, appointed;

13
14 Luke B. Schafer of Craig, Colorado, a representative of a national or regionally
15 recognized conservation organization whose mission is focused on nongame wildlife and
16 whose membership is composed primarily of nongame wildlife users, reappointed;

17
18 Kelly D. Van Cleave of Fort Collins, Colorado, a sportsperson, reappointed.
19

20
21
22
23 **SENATE SERVICES REPORT**
24

25 **Correctly Engrossed:** SB15-110, 182, 186, 187, 188, 189, 190 and 191.

26 **Correctly Revised:** HB15-1034, 1055, 1070, 1094, 1137 and 1174.

27 **Correctly Enrolled:** SB15-159.
28

29
30
31
32 **INTRODUCTION OF BILLS -- FIRST READING**
33

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

35
36
37 **SB15-203** by Senator(s) Cooke; also Representative(s) Pabon--Concerning continuation of the
38 regulation of debt-management service providers by the attorney general, and, in
39 connection therewith, implementing the recommendations of the 2014 sunset report by the
40 department of regulatory agencies.
41 Judiciary
42

43
44
45
46 **THIRD READING OF BILLS -- FINAL PASSAGE --**
47 **CONSENT CALENDAR**
48

49 On third reading, the titles of the following bills were publicly read, the reading at length
50 having been dispensed with by unanimous consent:
51

52
53 **HB15-1070** by Representative(s) Buckner; also Senator(s) Martinez Humenik--Concerning changes to
54 the crime profits distribution statute.
55

56 The question being "Shall the bill pass?", the roll call was taken with the following result:
57

58

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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		

68
69

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

Co-sponsor(s) added: Cooke, Guzman, Lambert, Marble, Merrifield, Neville T., Newell, Roberts, Todd and Woods.

HB15-1094 by Representative(s) Lee, Arndt, Becker K., Court, Esgar, Foote, Garnett, Ginal, Kagan, Nordberg, Rosenthal, Roupe, Vigil; also Senator(s) Cooke and Newell--Concerning restorative justice.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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, Carroll, Donovan, Guzman, Heath, Hodge, Johnston, Jones, Kefalas, Kerr, Merrifield, Roberts, Steadman and Todd.

HB15-1137 by Representative(s) Becker K.; also Senator(s) Cooke--Concerning requests for multiple booking photographs.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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, Jahn, Lundberg, Marble, Merrifield and Roberts.

HB15-1174 by Representative(s) Carver, McCann, Windholz, Danielson, Saine, Dore, Roupe; also Senator(s) Woods, Newell--Concerning the confidentiality of personal information for participants in the address confidentiality program, and, in connection therewith, protecting victims of domestic violence, sexual assault, and stalking.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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, Cadman, Cooke, Crowder, Donovan, Grantham, Guzman, Heath, Jahn, Johnston, Jones, Kefalas, Kerr, Lambert, Lundberg, Marble, Martinez Humenik, Merrifield, Neville T., Roberts, Scheffel, Scott, Sonnenberg, Steadman and Todd.

HB15-1034 by Representative(s) Vigil; also Senator(s) Crowder--Concerning an increase in the number of district court judges in the twelfth judicial district, and, in connection therewith, making an appropriation.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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 constitutional two-thirds of all members elected to the Senate having voted in the affirmative, the bill was **passed**.

Co-sponsor(s) added: Cadman, Cooke, Donovan, Garcia, Grantham, Guzman, Heath, Martinez Humenik, Newell, Roberts, Scheffel and Steadman.

SB15-189 by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Rankin, Hamner, Young--Concerning the repeal of consolidated tobacco settlement program monitoring and reporting requirements, and, in connection therewith, reducing an appropriation.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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, Newell and Todd.

SB15-190 by Senator(s) Grantham, Lambert, Steadman; also Representative(s) Hamner, Young, Rankin--Concerning the repeal of the requirement that the executive director of the department of personnel promulgate rules to establish state archives' fees.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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: Cadman and Newell.

SB15-110 by Senator(s) Baumgardner, Aguilar, Newell; also Representative(s) Ginal--Concerning the continuation of the regulation by the director of the division of professions and occupations of funeral establishments, and, in connection therewith, implementing the recommendations of the department of regulatory agencies as contained in the 2014 sunset report 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	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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: Cadman, Steadman and Todd.

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.

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:

SB15-100 by Senator(s) Steadman, Guzman, Johnston; also Representative(s) Foote and McCann, Kagan--Concerning implementation of recommendations of the committee on legal services in connection with legislative review of rules and regulations of state agencies.

 Laid over until Monday, March 9, retaining its place on the calendar.

SB15-104 by Senator(s) Holbert, Johnston, Kerr; also Representative(s) Lee--Concerning the continuation of the Colorado division of securities, and, in connection therewith, implementing the recommendations of the 2014 sunset report by the department of regulatory agencies.

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

YES	31	NO	2	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	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	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: Neville T.

SB15-102 by Senator(s) Holbert, Johnston, Kerr; also Representative(s) Lee--Concerning the continuation of the securities board, and, in connection therewith, implementing the recommendations of the 2014 sunset report by the department of regulatory agencies.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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**.

HB15-1055 by Representative(s) Esgar; also Senator(s) Grantham--Concerning the participation of people who are not state employees in the state employee assistance program established by the state personnel director.

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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.	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, Cadman, Crowder, Garcia, Guzman, Heath, Hodge, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Steadman and Todd.

SB15-188

by Senator(s) Steadman, Grantham, Lambert; also Representative(s) Rankin, Hamner, Young--Concerning the use of the first tier of statutorily allocated tobacco litigation settlement money, and, in connection therewith, making an annual statutory allocation of such money to the tobacco settlement defense account of the tobacco litigation settlement cash fund and making an offsetting reduction in the annual statutory allocation of such money to the children's basic health plan trust, authorizing the department of revenue to use money in the tobacco settlement defense account for settlement enforcement related activities, and making an appropriation.

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

YES	31	NO	2	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	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	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: Crowder and Todd.

SB15-191

by Senator(s) Scheffel and Carroll, Cadman; also Representative(s) Duran and DelGrosso, Hullinghorst--Concerning payment of expenses of the legislative department.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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: Donovan, Guzman, Kefalas, Lambert, Martinez Humenik, Merrifield, Roberts and Todd.

SB15-187 by Senator(s) Grantham, Lambert, Steadman; also Representative(s) Young, Hamner, Rankin--Concerning authorization for the high-performance transportation enterprise to deposit money received as a loan from the state highway fund to a separate account within the statewide transportation enterprise special revenue fund.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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: Crowder, Heath, Jahn, Jones, Kefalas, Martinez Humenik, Merrifield, Newell and Todd.

SB15-182 by Senator(s) Garcia and Crowder; also Representative(s) Navarro and Esgar--Concerning allowing the department of corrections to transfer certain offenders to the youthful offender system to participate in age-appropriate programs.

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

YES	33	NO	0	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	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, Cooke, Grantham, Jahn, Johnston, Lambert, Martinez Humenik, Merrifield, Roberts and Todd.

SB15-186 by Senator(s) Woods, Guzman, Holbert, Jahn, Martinez Humenik; also Representative(s) Dore and Garnett, Priola, Rankin, Becker J., Lundeen, Klingenschmitt, Lawrence, Lebsock, Neville P., Nordberg, Pabon, Sias, Tate, Van Winkle--Concerning the exemption of yoga teacher training from regulation under statutes governing private occupational education, and, in connection therewith, reducing an appropriation.

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

YES	32	NO	1	EXCUSED	2	ABSENT	0
Aguilar	Y	Guzman	Y	Kerr	Y	Scheffel	Y
Balmer	E	Heath	Y	Lambert	Y	Scott	Y
Baumgardner	Y	Hill	Y	Lundberg	Y	Sonnenberg	Y
Carroll	N	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, Cadman, Cooke, Crowder, Donovan, Grantham, Heath, Hill, Johnston, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Neville T., Scheffel, Scott, Sonnenberg, Steadman and Todd.

On motion of Majority Leader Scheffel, and with a majority of those elected to the Senate having voted in the affirmative, the General Orders -- Second Reading of Bills Calendar (SB15-135) of Friday, March 6 was laid over until Monday, March 9, retaining its place on the calendar.

Senate in recess. Senate reconvened.

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR15-011 by Senator(s) Todd and Martinez Humenik; --Concerning the recognition of March as Colorectal Cancer Awareness Month.

Laid over until Thursday, March 12, retaining its place on the calendar.

MESSAGE FROM THE HOUSE

March 6, 2015

Mr. President:

The House has passed on Third Reading and transmitted to the Revisor of Statutes HB15-1173, amended as printed in House Journal, February 26, 2015.

Senate in recess. Senate reconvened.

MESSAGE FROM THE REVISOR OF STATUTES

March 6, 2015

We herewith transmit:

Without comment, as amended, HB15-1173.

INTRODUCTION OF BILLS -- FIRST READING

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

SB15-204

by Senator(s) Newell and Lundberg, Aguilar, Baumgardner, Carroll, Cooke, Crowder, Grantham, Guzman, Hodge, Holbert, Johnston, Kefalas, Kerr, Lambert, Marble, Martinez Humenik, Merrifield, Scott, Steadman, Todd, Ulibarri, Woods; also Representative(s) Singer, Garnett, Kraft-Tharp, Lebsock, Lee, Lontine, McCann, Melton, Moreno, Primavera, Rankin, Rosenthal, Ryden, Salazar, Tate, Tyler, Winter, Young--Concerning the independent functioning of the office of the child protection ombudsman.
Health & Human Services

INTRODUCTION OF RESOLUTIONS

The following resolution was read by title:

SJR15-012

by Senator(s) Aguilar and Grantham; also Representative(s) Lontine and Landgraf-- Concerning recognition of the 25th anniversary of the signing into law of the "Americans with Disabilities Act of 1990".

Laid over until Wednesday, March 11, retaining its place on the calendar.

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

Approved:

Bill L. Cadman
President of the Senate

Attest:

Cindi L. Markwell
Secretary of the Senate