

**HOUSE JOURNAL**  
**SIXTY-NINTH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**First Regular Session**

Ninety-fourth Legislative Day

Friday, April 12, 2013

1 Prayer by Reverend Jack Ens as Thomas Jefferson, Denver.

2

3 The Speaker called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Jasper Kurtz, Bill Roberts Elementary,  
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--37.

11 Excused--Representative(s) Buckner, Court, DelGrosso, Dore,  
12 Duran, Everett, Fields, Garcia, Gardner, Gerou, Hamner, Holbert,  
13 Joshi, Kagan, Labuda, Lee, Levy, McCann, McLachlan, Navarro,  
14 Pabon, Singer, Sonnenberg, Stephens, Tyler, Waller, Wilson,  
15 Young--28.

16 Present after roll call--Representative(s) Buckner, Court,  
17 DelGrosso, Dore, Duran, Everett, Fields, Garcia, Gardner, Gerou,  
18 Hamner, Holbert, Kagan, Lee, Levy, McCann, Navarro, Pabon,  
19 Singer, Sonnenberg, Stephens, Tyler, Waller, Wilson, Young.

20

21 The Speaker declared a quorum present.

22

23

24 On motion of Representative May, the reading of the journal of April 11,  
25 2013, was declared dispensed with and approved as corrected by the  
26 Chief Clerk.

27

28

29

**CONSIDERATION OF RESOLUTION(S)**

30

31 **SJR13-026** by Senator(s) Nicholson, Grantham; also Representative(s)  
32 Schafer and Gardner, Buck, Buckner, Conti, Coram,  
33 Court, DelGrosso, Dore, Duran, Everett, Exum,  
34 Ferrandino, Fields, Fischer, Foote, Garcia, Gerou, Ginal,  
35 Hamner, Holbert, Hulinghorst, Humphrey, Joshi, Kagan,  
36 Kraft-Tharp, Labuda, Landgraf, Lawrence, Lebsock, Lee,  
37 Levy, May, McCann, McLachlan, McNulty, Melton,  
38 Mitsch Bush, Moreno, Murray, Navarro, Nordberg, Pabon,  
39 Peniston, Pettersen, Primavera, Priola, Rankin, Rosenthal,  
40 Ryden, Saine, Salazar, Scott, Singer, Sonnenberg,  
41 Stephens, Swalm, Szabo, Tyler, Vigil, Waller, Williams,  
42 Wilson, Wright, Young--Concerning the declaration of  
43 April 7 through 14, 2013, as "Holocaust Awareness  
44 Week".

1 (Printed and placed in members' files.)

2

3 On motion of Representative Schafer, the resolution was read at length  
4 and **adopted** by **viva voce** vote.

5

6

7

House in recess. House reconvened.

8

9

10 **THIRD READING OF BILL(S)--FINAL PASSAGE**

11

12 The following bill(s) were considered on Third Reading. The title(s)  
13 were publicly read. Reading of the bill at length was dispensed with by  
14 unanimous consent.

15

16 **HB13-1247** by Representative(s) Duran and Singer; also Senator(s)  
17 Johnston, Ulibarri--Concerning the innovative motor  
18 vehicle income tax credit.

19

20 The question being "Shall the bill pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a  
22 majority of those elected to the House voted in the affirmative and the bill  
23 was declared **passed**.

24

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	YES	40	NO	21	EXCUSED	4	ABSENT	0
Buck	N		Ginal	Y	McLachlan	E	Saine	N
Buckner	Y		Hamner	Y	McNulty	Y	Salazar	Y
Conti	N		Holbert	E	Melton	Y	Schafer	Y
Coram	Y		Hullinghorst	Y	Mitsch Bush	Y	Scott	Y
Court	Y		Humphrey	N	Moreno	Y	Singer	Y
DelGrosso	N		Joshi	E	Murray	N	Sonnenberg	N
Dore	Y		Kagan	Y	Navarro	N	Stephens	N
Duran	Y		Kraft-Tharp	Y	Nordberg	N	Swalm	N
Everett	N		Labuda	E	Pabon	Y	Szabo	N
Exum	Y		Landgraf	N	Peniston	Y	Tyler	Y
Fields	Y		Lawrence	N	Pettersen	Y	Vigil	Y
Fischer	Y		Lebsock	Y	Primavera	Y	Waller	N
Foote	Y		Lee	Y	Priola	N	Williams	Y
Garcia	Y		Levy	Y	Rankin	N	Wilson	N
Gardner	N		May	Y	Rosenthal	Y	Wright	N
Gerou	Y		McCann	Y	Ryden	Y	Young	Y
							Speaker	Y

43

44 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Gerou,  
45 Hullinghorst, Lebsock, Levy, Mitsch Bush, Moreno, Pabon, Primavera, Salazar,  
46 Schafer, Williams, Young.

47

48 **HB13-1253** by Representative(s) Lee, Court, Exum, Garcia, Hamner,  
49 Kraft-Tharp, Pabon, Ryden, Tyler; also Senator(s) Kerr--  
50 Concerning a study to assess the availability of capital for  
51 small businesses in Colorado, and, in connection  
52 therewith, making an appropriation.

53

54 The question being "Shall the bill pass?".

55 A roll call vote was taken. As shown by the following recorded vote, a  
56 majority of those elected to the House voted in the affirmative and the bill  
was declared **passed**.

	YES	35	NO	26	EXCUSED	4	ABSENT	0
1								
2	Buck	N	Ginal	Y	McLachlan	E	Saine	N
3	Buckner	Y	Hamner	Y	McNulty	N	Salazar	Y
4	Conti	N	Holbert	E	Melton	Y	Schafer	Y
5	Coram	N	Hullinghorst	Y	Mitsch Bush	Y	Scott	N
6	Court	Y	Humphrey	N	Moreno	Y	Singer	Y
7	DelGrosso	N	Joshi	E	Murray	N	Sonnenberg	N
8	Dore	N	Kagan	Y	Navarro	N	Stephens	N
9	Duran	Y	Kraft-Tharp	Y	Nordberg	N	Swalm	N
10	Everett	N	Labuda	E	Pabon	Y	Szabo	N
11	Exum	Y	Landgraf	N	Peniston	Y	Tyler	Y
12	Fields	Y	Lawrence	N	Pettersen	Y	Vigil	Y
13	Fischer	Y	Lebsock	Y	Primavera	Y	Waller	N
14	Foote	Y	Lee	Y	Priola	N	Williams	Y
15	Garcia	Y	Levy	Y	Rankin	N	Wilson	N
16	Gardner	N	May	Y	Rosenthal	Y	Wright	N
17	Gerou	N	McCann	Y	Ryden	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Buckner, Fischer, Hullinghorst,  
20 Lebsock, Levy, Peniston, Primavera, Rosenthal, Salazar, Schafer, Williams,  
21 Young.

22  
23  
24 **HB13-1263** by Representative(s) Primavera, Buckner, Court, Hamner,  
25 Peniston, Pettersen; also Senator(s) Heath--Concerning the  
26 regulation of private occupational schools by the private  
27 occupational school board, and, in connection therewith,  
28 making nonprofit private occupational schools subject to  
29 regulation by the private occupational school board.

30  
31 The question being "Shall the bill pass?".  
32 A roll call vote was taken. As shown by the following recorded vote, a  
33 majority of those elected to the House voted in the affirmative and the bill  
34 was declared **passed**.

	YES	38	NO	23	EXCUSED	4	ABSENT	0
37	Buck	N	Ginal	Y	McLachlan	E	Saine	N
38	Buckner	Y	Hamner	Y	McNulty	N	Salazar	Y
39	Conti	N	Holbert	E	Melton	Y	Schafer	Y
40	Coram	N	Hullinghorst	Y	Mitsch Bush	Y	Scott	N
41	Court	Y	Humphrey	N	Moreno	Y	Singer	Y
42	DelGrosso	N	Joshi	E	Murray	Y	Sonnenberg	N
43	Dore	N	Kagan	Y	Navarro	N	Stephens	N
44	Duran	Y	Kraft-Tharp	Y	Nordberg	N	Swalm	N
45	Everett	N	Labuda	E	Pabon	Y	Szabo	N
46	Exum	Y	Landgraf	N	Peniston	Y	Tyler	Y
47	Fields	Y	Lawrence	N	Pettersen	Y	Vigil	Y
48	Fischer	Y	Lebsock	Y	Primavera	Y	Waller	N
49	Foote	Y	Lee	Y	Priola	N	Williams	Y
50	Garcia	Y	Levy	Y	Rankin	N	Wilson	Y
51	Gardner	N	May	Y	Rosenthal	Y	Wright	N
52	Gerou	Y	McCann	Y	Ryden	Y	Young	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Exum, Fields, Ginal, Hullinghorst, Lee,  
55 Melton, Ryden, Schafer, Williams, Young.

56

1 House in recess. House reconvened.

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3  
4 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

5  
6 **APPROPRIATIONS**

7 After consideration on the merits, the Committee recommends the  
8 following:

9  
10 **HB13-1002** be amended as follows, and as so amended, be referred to  
11 the Committee of the Whole with favorable  
12 recommendation:

13  
14 Amend printed bill, strike everything below the enacting clause and  
15 substitute:

16  
17 "SECTION 1. In Colorado Revised Statutes, **add** 24-48.5-102.5  
18 as follows:

19 **24-48.5-102.5. Appropriations for small business development**  
20 **centers - report - small business development centers fund - creation**  
21 **- legislative declaration - repeal.** (1) (a) THERE IS HEREBY CREATED IN  
22 THE STATE TREASURY THE SMALL BUSINESS DEVELOPMENT CENTERS FUND.  
23 THE FUND CONSISTS OF ALL MONEYS TRANSFERRED PURSUANT TO  
24 PARAGRAPH (b) OF THIS SUBSECTION (1) AND ANY OTHER MONEYS THE  
25 GENERAL ASSEMBLY APPROPRIATES TO THE FUND. ALL INTEREST EARNED  
26 ON THE INVESTMENT OF MONEYS IN THE FUND SHALL BE CREDITED TO THE  
27 FUND. THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE MONEYS  
28 IN THE FUND FOR THE PURPOSES SET FORTH IN THIS SECTION. ANY MONEYS  
29 IN THE FUND NOT EXPENDED SHALL REMAIN IN THE FUND AND SHALL NOT  
30 BE TRANSFERRED OR REVERT TO THE GENERAL FUND OF THE STATE AT THE  
31 END OF ANY FISCAL YEAR; EXCEPT THAT, ON JUNE 30, 2016, ANY MONEYS  
32 REMAINING IN THE FUND ARE TRANSFERRED TO THE GENERAL FUND.

33 (b) THE STATE TREASURER SHALL TRANSFER THE FOLLOWING  
34 AMOUNTS FROM THE GENERAL FUND TO THE SMALL BUSINESS  
35 DEVELOPMENT CENTERS FUND:

36 (I) FOUR HUNDRED THOUSAND DOLLARS ON JULY 1, 2013;

37 (II) THREE HUNDRED THOUSAND DOLLARS ON JULY 1, 2014; AND

38 (III) THREE HUNDRED THOUSAND DOLLARS ON JULY 1, 2015.

39 (c) (I) THE ECONOMIC GARDENING PILOT PROJECT ACCOUNT IS  
40 HEREBY CREATED IN THE SMALL BUSINESS DEVELOPMENT CENTERS FUND.  
41 OF THE AMOUNTS TRANSFERRED TO THE FUND PURSUANT TO  
42 SUBPARAGRAPH (I) OF PARAGRAPH (b) OF THIS SUBSECTION (1), THE STATE  
43 TREASURER SHALL FURTHER DEPOSIT THE FOLLOWING AMOUNTS INTO THE  
44 ACCOUNT:

45 (A) TWO HUNDRED THOUSAND DOLLARS OF THE AMOUNT  
46 TRANSFERRED ON JULY 1, 2013;

47 (B) ONE HUNDRED THOUSAND DOLLARS OF THE AMOUNT  
48 TRANSFERRED ON JULY 1, 2014; AND

49 (C) ONE HUNDRED THOUSAND DOLLARS OF THE AMOUNT  
50 TRANSFERRED ON JULY 1, 2015.

51 (II) THE MONEYS IN THE ECONOMIC GARDENING PILOT PROJECT  
52 ACCOUNT ARE NOT SUBJECT TO THE USES REQUIRED PURSUANT TO  
53 PARAGRAPH (d) OF THIS SUBSECTION (1).

54 (d) (I) THE STATE DIRECTOR OF SMALL BUSINESS DEVELOPMENT  
55 CENTERS IN THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT SHALL  
56 USE AT LEAST TEN, BUT NO MORE THAN FIFTEEN, PERCENT PER YEAR OF

1 THE MONEYS TRANSFERRED PURSUANT TO PARAGRAPH (b) OF THIS  
2 SUBSECTION (1) TO INCREASE AWARENESS OF SMALL BUSINESS  
3 DEVELOPMENT CENTERS IN THE STATE.

4 (II) SUBJECT TO AVAILABLE APPROPRIATIONS, THE STATE  
5 DIRECTOR OF SMALL BUSINESS DEVELOPMENT CENTERS IN THE COLORADO  
6 OFFICE OF ECONOMIC DEVELOPMENT SHALL EQUITABLY DISTRIBUTE ANY  
7 MONEYS REMAINING IN THE FUND AFTER USE PURSUANT TO  
8 SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) TO EACH OF THE SMALL  
9 BUSINESS DEVELOPMENT CENTERS IN THE STATE.

10 (e) THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE  
11 MONEYS APPROPRIATED FOR THE PURPOSES OF THIS SECTION ARE  
12 INTENDED TO SUPPLEMENT, NOT SUPPLANT, ANY OTHER MONEYS THAT ARE  
13 APPROPRIATED BY THE GENERAL ASSEMBLY TO THE COLORADO OFFICE OF  
14 ECONOMIC DEVELOPMENT FOR ANY PURPOSE.

15 (2) ON OR BEFORE JANUARY 15, 2014, ON OR BEFORE JANUARY 15,  
16 2015, AND ON OR BEFORE JANUARY 15, 2016, THE COLORADO OFFICE OF  
17 ECONOMIC DEVELOPMENT SHALL SUBMIT A REPORT TO THE BUSINESS,  
18 LABOR, AND TECHNOLOGY COMMITTEE OF THE SENATE AND THE BUSINESS,  
19 LABOR, ECONOMIC, AND WORKFORCE DEVELOPMENT COMMITTEE OF THE  
20 HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES,  
21 REGARDING THE DISBURSEMENT OF MONEYS EXPENDED PURSUANT TO THIS  
22 SECTION AND THE CAPITAL FORMATION AND JOBS CREATED AS A RESULT  
23 OF RECEIPT OF ANY SUCH MONEYS.

24 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.  
25

26 **SECTION 2. Appropriation.** (1) In addition to any other  
27 appropriation, there is hereby appropriated, out of any moneys in the  
28 small business development centers fund created in section 24-48.5-102.5  
29 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the  
30 governor-lieutenant governor-state planning and budgeting, for the fiscal  
31 year beginning July 1, 2013, the sum of \$200,000, or so much thereof as  
32 may be necessary, for allocation to economic development programs for  
33 small business development centers' activities related to the  
34 implementation of this act.

35 (2) In addition to any other appropriation, there is hereby  
36 appropriated, out of any moneys in the economic gardening pilot project  
37 account created in section 24-48.5-102.5 (1) (c) (I), Colorado Revised  
38 Statutes, not otherwise appropriated, to the governor-lieutenant  
39 governor-state planning and budgeting, for the fiscal year beginning July  
40 1, 2013, the sum of \$200,000, or so much thereof as may be necessary,  
41 for allocation to economic development programs for economic  
42 gardening pilot project established in section 24-48.5-102.5 (2), Colorado  
43 Revised Statutes.  
44

45 **SECTION 3. Appropriation.** In addition to any other  
46 appropriation, there is hereby appropriated, out of any moneys in the  
47 small business development centers fund created in section 24-48.5-102.5  
48 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the  
49 governor-lieutenant governor-state planning and budgeting, for the fiscal  
50 year beginning July 1, 2013, the sum of \$400,000, or so much thereof as  
51 may be necessary, for allocation to economic development programs for  
52 small business development centers' activities related to the  
53 implementation of this act.

54 **SECTION 4. Effective date.** (1) Except as otherwise provided  
55 in subsection (2) of this section, this act takes effect upon passage.

56 (2) (a) Section 24-48.5-102.5 (1) (c), Colorado Revised Statutes,

1 as enacted in section 1 of this act, and section 2 of this act take effect only  
2 if House Bill 13-1003 becomes law and takes effect on the effective date  
3 of this act or House Bill 13-1003, whichever is later.

4 (b) Section 3 of this act takes effect only if House Bill 13-1003  
5 does not become law.

6 **SECTION 5. Safety clause.** The general assembly hereby finds,  
7 determines, and declares that this act is necessary for the immediate  
8 preservation of the public peace, health, and safety."  
9

10 Page 1, line 101, strike "CENTERS." and substitute "CENTERS, AND, IN  
11 CONNECTION THEREWITH, MAKING AN APPROPRIATION."  
12  
13  
14

15 **HB13-1003** be amended as follows, and as so amended, be referred to  
16 the Committee of the Whole with favorable  
17 recommendation:  
18

19 Amend the Business, Labor, Economic, and Workforce Development  
20 Committee Report, dated January 29, 2013, page 2, after line 5 insert:  
21

22 "Page 9, after line 1 insert:  
23

24 **"SECTION 3. Appropriation.** In addition to any other  
25 appropriation, there is hereby appropriated, out of any moneys in the  
26 general fund not otherwise appropriated, to the governor-lieutenant  
27 governor-state planning and budgeting, for the fiscal year beginning July  
28 1, 2013, the sum of \$200,000, or so much thereof as may be necessary,  
29 for allocation to economic development programs for the economic  
30 development gardening pilot project created by this act."  
31

32 Renumber succeeding section accordingly."  
33

34 Page 2 of the Committee Report, line 11, strike "takes" and substitute  
35 "and section 3 of this act, take".  
36

37 Page 2 of the Committee Report, after line 12 insert:  
38

39 "Page 1, line 103, strike "DEVELOPMENT." and substitute  
40 "DEVELOPMENT, AND, IN CONNECTION THEREWITH, MAKING AN  
41 APPROPRIATION."."  
42  
43  
44

45 **HB13-1020** be amended as follows, and as so amended, be referred to  
46 the Committee of the Whole with favorable  
47 recommendation:  
48

49 Amend the Judiciary Committee Report, dated February 7, 2013, page 2,  
50 line 6, strike the first "THAT" and substitute "THAT, ONCE THE BACKLOG  
51 DESCRIBED IN SUBSECTION (4) OF THIS SECTION IS RESOLVED,".  
52

53 Page 2, line 20, strike "PURPOSES." and substitute "PURPOSES;".  
54

55 Page 2 of the report, after line 20 insert:  
56

1           "(V) A PLAN FOR PRIORITIZING THE TESTING OF THE BACKLOG OF  
2 FORENSIC MEDICAL EVIDENCE TO BE FORWARDED TO THE COLORADO  
3 BUREAU OF INVESTIGATION PURSUANT TO SUBSECTION (4) OF THIS  
4 SECTION AND A PLAN FOR TESTING NEWLY COLLECTED FORENSIC MEDICAL  
5 EVIDENCE ONCE THE BACKLOG IS RESOLVED; AND

6           (VI) THE DATE, AS SOON AS PRACTICABLE, BY WHICH A LAW  
7 ENFORCEMENT AGENCY MUST ANALYZE ITS BACKLOG OF FORENSIC  
8 MEDICAL EVIDENCE IF IT DOES NOT FORWARD SUCH EVIDENCE TO THE  
9 COLORADO BUREAU OF INVESTIGATION FOR ANALYSIS."

10  
11 Page 3 of the report, line 23, strike "NINETY" and substitute "ONE  
12 HUNDRED TWENTY".

13  
14 Page 3 of the report, line 32, strike "BY JUNE 30," and substitute "AS SOON  
15 AS PRACTICABLE".

16  
17 Page 3 of the report, line 33, strike "2014,".

18  
19 Page 3, line 35, strike "(4)." and substitute "(4) AND FOR ANALYZING  
20 NEWLY COLLECTED FORENSIC MEDICAL EVIDENCE AS SOON AS  
21 PRACTICABLE."

22  
23 Page 3 of the report, line 38, strike "JUNE 30, 2014." and substitute "THE  
24 DATE SPECIFIED BY RULE PURSUANT TO SUBSECTION (1) OF THIS SECTION."

25  
26 Page 4 of the report, after line 1 insert:

27           "(5) THE DEPARTMENT OF PUBLIC SAFETY SHALL INCLUDE WITHIN  
28 ITS BUDGET REQUESTS AND SUPPLEMENTAL BUDGET REQUESTS SUBMITTED  
29 TO THE JOINT BUDGET COMMITTEE FUNDING REQUESTS TO ANALYZE AS  
30 SOON AS PRACTICABLE THE BACKLOG OF FORENSIC MEDICAL EVIDENCE OF  
31 ANY ALLEGED SEXUAL ASSAULTS FORWARDED TO THE COLORADO BUREAU  
32 OF INVESTIGATION PURSUANT TO SUBSECTION (4) OF THIS SECTION AND TO  
33 ANALYZE NEWLY COLLECTED FORENSIC MEDICAL EVIDENCE AS SOON AS  
34 PRACTICABLE.

35           **SECTION 2. Appropriation.** In addition to any other  
36 appropriation, there is hereby appropriated, out of any moneys in the  
37 general fund not otherwise appropriated, to the department of public  
38 safety, for the fiscal year beginning July 1, 2013, the sum of \$6,351,002,  
39 or so much thereof as may be necessary, for allocation to the Colorado  
40 bureau of investigation, laboratory and investigative services, operating  
41 expenses, for contract services for testing of backlog evidence related to  
42 the implementation of this act.

43  
44 Renumber succeeding sections accordingly."

45  
46 Page 4 of the report, line 4, strike "safety." and substitute "safety."

47  
48 Page 4 of the report, after line 4 insert:

49  
50 "Page 1, strike line 102 and substitute:

51  
52 "ASSAULT, AND, IN CONNECTION THEREWITH, MAKING AN  
53 APPROPRIATION."."

54  
55  
56

1 **HB13-1136** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend the Judiciary Committee Report, dated February 14, 2013, page  
6 1, strike line 1 and substitute:  
7

8 "Amend printed bill, page 3, strike line 10 and substitute "APPROPRIATE,  
9 INCLUDING THE FOLLOWING RELIEF, AGAINST A RESPONDENT WHO IS  
10 FOUND TO HAVE ENGAGED IN AN UNFAIR OR DISCRIMINATORY  
11 EMPLOYMENT PRACTICE:".  
12

13 Page 4 of the bill, line 4, after "SECTION," insert "AND EXCEPT".  
14

15 Page 1 of the committee report, after line 2 insert:  
16

17 "Page 4 of the bill, line 9, strike "A" and substitute "THE COMMISSION OR  
18 COURT SHALL NOT AWARD A COMPLAINING PARTY OR PLAINTIFF".  
19

20 Page 4 of the bill, strike line 10."  
21

22 Page 1 of the committee report, after line 5 insert:  
23

24 "Page 4 of the bill, line 17, strike "DEFENDANT" and substitute  
25 "DEFENDANT, OTHER THAN THE STATE OR ANY POLITICAL SUBDIVISION,  
26 COMMISSION, DEPARTMENT, INSTITUTION, OR SCHOOL DISTRICT OF THE  
27 STATE,"."  
28

29 Page 2 of the committee report, after line 12 insert:  
30

31 "Page 6 of the bill, after line 8 insert:  
32

33 "(7) (a) THE PROCEDURES SET FORTH IN THIS SUBSECTION (7)  
34 APPLY TO A COMPLAINT FILED BY AN APPLICANT FOR A POSITION IN THE  
35 STATE PERSONNEL SYSTEM OR BY AN EMPLOYEE IN THE STATE PERSONNEL  
36 SYSTEM, COLLECTIVELY REFERRED TO IN THIS SUBSECTION (7) AS THE  
37 "AGGRIEVED PARTY", ALLEGING AN INTENTIONAL DISCRIMINATORY OR  
38 UNFAIR EMPLOYMENT PRACTICE.

39 (b) THE STATE PERSONNEL BOARD ESTABLISHED PURSUANT TO  
40 SECTION 14 OF ARTICLE XII OF THE STATE CONSTITUTION SHALL NOT  
41 AWARD COMPENSATORY DAMAGES TO AN AGGRIEVED PARTY ALLEGING AN  
42 INTENTIONAL DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE. AN  
43 AGGRIEVED PARTY WHO IS SEEKING COMPENSATORY DAMAGES AS  
44 AUTHORIZED IN SUBSECTION (3) OF THIS SECTION MUST FILE A CIVIL  
45 ACTION IN A COURT OF COMPETENT JURISDICTION TO RECOVER  
46 COMPENSATORY DAMAGES.

47 (c) (I) UPON ISSUANCE OF A WRITTEN DECISION BY THE STATE  
48 PERSONNEL BOARD PURSUANT TO SECTION 24-50-125.4 IN WHICH THE  
49 STATE PERSONNEL BOARD MAKES A FINDING OF AN INTENTIONAL  
50 DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE, AN AGGRIEVED  
51 PARTY MAY FILE A CIVIL ACTION IN A DISTRICT COURT IN THIS STATE  
52 SEEKING COMPENSATORY DAMAGES AS AUTHORIZED IN SUBSECTION (3) OF  
53 THIS SECTION.

54 (II) IF AN ADMINISTRATIVE LAW JUDGE ISSUES THE INITIAL  
55 WRITTEN DECISION ON BEHALF OF THE STATE PERSONNEL BOARD, THE  
56 AGGRIEVED PARTY MAY NOT FILE A CIVIL ACTION UNTIL AFTER THE

1 EXPIRATION OF THE THIRTY-DAY PERIOD SPECIFIED IN SECTION  
2 24-50-125.4 (4) FOR FILING AN APPEAL. IF A PARTY DOES NOT FILE AN  
3 APPEAL OF THE ADMINISTRATIVE LAW JUDGE'S INITIAL DECISION WITH THE  
4 STATE PERSONNEL BOARD IN ACCORDANCE WITH SECTION 24-50-125.4 (4),  
5 THE AGGRIEVED PARTY MUST FILE THE CIVIL ACTION FOR COMPENSATORY  
6 DAMAGES WITHIN THIRTY DAYS AFTER THE EXPIRATION OF THE APPEAL  
7 PERIOD SPECIFIED IN SECTION 24-50-125.4 (4). IF A PARTY FILES AN  
8 APPEAL WITH THE STATE PERSONNEL BOARD IN ACCORDANCE WITH  
9 SECTION 24-50-125.4 (4), THE AGGRIEVED PARTY MUST FILE THE CIVIL  
10 ACTION FOR COMPENSATORY DAMAGES WITHIN THIRTY DAYS AFTER THE  
11 DATE THE STATE PERSONNEL BOARD TRANSMITS THE NOTICE OF ITS  
12 DECISION ON THE APPEAL IN ACCORDANCE WITH SECTION 24-50-125.4 (6).

13 (III) IF THE AGGRIEVED PARTY FAILS TO FILE AN ACTION FOR  
14 COMPENSATORY DAMAGES WITHIN THIRTY DAYS AFTER THE APPEAL  
15 PERIOD EXPIRES OR THE DATE THE STATE PERSONNEL BOARD'S NOTICE OF  
16 DECISION IS TRANSMITTED, WHICHEVER IS APPLICABLE PURSUANT TO  
17 SUBPARAGRAPH (II) OF THIS PARAGRAPH (c), THE ACTION FOR  
18 COMPENSATORY DAMAGES IS BARRED, NO DISTRICT COURT HAS  
19 JURISDICTION TO HEAR THE ACTION, AND THE STATE PERSONNEL BOARD'S  
20 DECISION BECOMES FINAL AND IS SUBJECT TO JUDICIAL REVIEW PURSUANT  
21 TO SECTIONS 24-50-125.4 (3) AND 24-4-106 (11).

22 (d) THE AGGRIEVED PARTY AND THE DISTRICT COURT SHALL SERVE  
23 A COPY OF THE CIVIL ACTION COMPLAINT ON THE STATE PERSONNEL  
24 BOARD, AND UPON RECEIPT OF THE COMPLAINT, THE STATE PERSONNEL  
25 BOARD'S DECISION IS AUTOMATICALLY STAYED PENDING THE OUTCOME OF  
26 THE CIVIL ACTION, IN WHICH CASE THE STATE PERSONNEL BOARD'S  
27 DECISION IS NOT A FINAL ORDER SUBJECT TO JUDICIAL REVIEW PURSUANT  
28 TO SECTIONS 24-50-125.4 (3) AND 24-4-106 (11) UNTIL THE DISTRICT  
29 COURT ISSUES A FINAL JUDGMENT IN THE CIVIL ACTION FOR  
30 COMPENSATORY DAMAGES.

31 (e) (I) IN A CIVIL ACTION BROUGHT PURSUANT TO THIS SUBSECTION  
32 (7) FOR COMPENSATORY DAMAGES AFTER THE STATE PERSONNEL BOARD  
33 MAKES A FINDING OF AN INTENTIONAL DISCRIMINATORY OR UNFAIR  
34 EMPLOYMENT PRACTICE, THE DISTRICT COURT SHALL CONSIDER THE ISSUE  
35 OF WHETHER THE AGGRIEVED PARTY IS ENTITLED TO COMPENSATORY  
36 DAMAGES AND THE AMOUNT OF DAMAGES, IF AWARDED.

37 (II) THE DISTRICT COURT MAY AWARD ATTORNEY FEES AND COSTS  
38 IN CONNECTION WITH THE ACTION FOR COMPENSATORY DAMAGES  
39 CONSISTENT WITH SUBSECTION (5) OF THIS SECTION.

40 (III) THE DISTRICT COURT SHALL EXPEDITE THE ACTION FOR  
41 COMPENSATORY DAMAGES AND SET THE MATTER FOR TRIAL AT THE  
42 EARLIEST PRACTICAL TIME.

43 (f) UPON ENTERING A FINAL JUDGMENT IN A CIVIL ACTION  
44 BROUGHT PURSUANT TO THIS SUBSECTION (7), THE DISTRICT COURT SHALL  
45 SERVE NOTICE OF THE JUDGMENT ON THE PARTIES AND THE STATE  
46 PERSONNEL BOARD. ONCE THE STATE PERSONNEL BOARD RECEIVES A  
47 FINAL JUDGMENT FROM THE DISTRICT COURT, THE STATE PERSONNEL  
48 BOARD SHALL INCORPORATE THE DISTRICT COURT JUDGMENT IN ITS  
49 DECISION, WHICH BECOMES A FINAL ORDER SUBJECT TO JUDICIAL REVIEW  
50 IN ACCORDANCE WITH SECTIONS 24-50-125.4 (3) AND 24-4-106 (11).

51 (g) A CLAIM FILED PURSUANT TO THIS SUBSECTION (7) BY AN  
52 AGGRIEVED PARTY AGAINST THE STATE FOR COMPENSATORY DAMAGES  
53 FOR AN INTENTIONAL UNFAIR OR DISCRIMINATORY EMPLOYMENT PRACTICE  
54 IS NOT SUBJECT TO THE "COLORADO GOVERNMENTAL IMMUNITY ACT",  
55 ARTICLE 10 OF THIS TITLE.

56

1           **SECTION 2.** In Colorado Revised Statutes, 24-30-1510, **amend**  
2 (3) (a) as follows:

3           **24-30-1510. Risk management fund - creation - authorized**  
4 **and unauthorized payments.** (3) Expenditures shall be made out of the  
5 risk management fund in accordance with subsection (1) of this section  
6 only for the following purposes:

7           (a) To pay liability claims and expenses related thereto, brought  
8 against the state, its officials, or its employees pursuant to the "Colorado  
9 Governmental Immunity Act", article 10 of this title; ~~and~~ claims against  
10 the state, its officials, or its employees arising under federal law, which  
11 the state is legally obligated to pay and which are compromised or settled  
12 pursuant to section 24-30-1515 or in which a final money judgment  
13 against the state has been entered; OR CLAIMS FOR COMPENSATORY  
14 DAMAGES AGAINST THE STATE, ITS OFFICIALS, OR ITS EMPLOYEES  
15 PURSUANT TO SECTION 24-34-405;"

16  
17 Renumber succeeding sections accordingly."

18  
19

20

21 **HB13-1153** be amended as follows, and as so amended, be referred to  
22 the Committee of the Whole with favorable  
23 recommendation:

24

25 Amend printed bill, page 3, before line 19 insert:

26

27           **"SECTION 2. Appropriation.** In addition to any other  
28 appropriation, there is hereby appropriated, out of any moneys in the  
29 general fund not otherwise appropriated, to the department of revenue, for  
30 the fiscal year beginning July 1, 2013, the sum of \$120,348 and 0.9 FTE,  
31 or so much thereof as may be necessary, for allocation to the taxation  
32 business group for personal services and contract programming services  
33 related to the implementation of this act."

34

35 Renumber succeeding sections accordingly.

36

37 Page 1, line 103, strike "**PROCESS.**" and substitute "**PROCESS, AND, IN**  
38 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

39

40

41

42 **HB13-1165** be amended as follows, and as so amended, be referred to  
43 the Committee of the Whole with favorable  
44 recommendation:

45

46 Amend printed bill, page 7, line 24, strike "In" and substitute "(1) In".

47

48 Page 8, strike lines 1 through 3 and substitute:

49

50 "\$559,165, or so much thereof as may be necessary, to be allocated for  
51 the implementation of this act as follows:

52           (a) \$84,565 for Colorado commission on higher education  
53 financial aid for need based grants; and

54           (b) \$474,600 for the college opportunity fund program for fee-for-  
55 service contracts with state institutions.

56

1 (2) In addition to any other appropriation, there is hereby  
 2 appropriated to the department of higher education, for the fiscal year  
 3 beginning July 1, 2013, the sum of \$474,600 and 1.5 FTE, or so much  
 4 thereof as may be necessary, for allocation to the state board for  
 5 community colleges and occupational education state system community  
 6 colleges for expenditures related to the implementation of this act. Said  
 7 sum is from reappropriated funds received from the appropriation made  
 8 in paragraph (b) of subsection (1) of this section."  
 9

10  
 11

12 **HB13-1210** be amended as follows, and as so amended, be referred to  
 13 the Committee of the Whole with favorable  
 14 recommendation:  
 15

16 Amend printed bill, page 5, after line 25 insert:  
 17

18 **"SECTION 5. Appropriation.** (1) In addition to any other  
 19 appropriation, there is hereby appropriated, out of any moneys in the  
 20 general fund not otherwise appropriated, to the judicial department, for  
 21 the fiscal year beginning July 1, 2013, the sum of \$54,366 and 0.8 FTE,  
 22 or so much thereof as may be necessary, to be allocated to the trial courts  
 23 for the implementation of this act as follows:

24 (a) \$52,228 and 0.8 FTE for trial court programs for personal  
 25 services; and  
 26

27 (b) \$2,138 for trial court programs for operating expenses.  
 28

29 (2) In addition to any other appropriation, there is hereby  
 30 appropriated, out of any moneys in the general fund not otherwise  
 31 appropriated, to the judicial department, for the fiscal year beginning July  
 32 1, 2013, the sum of \$30,125, or so much thereof as may be necessary, to  
 33 be allocated to the courts administration division for courthouse capital  
 34 expenses related to the implementation of this act.  
 35

36 (3) In addition to any other appropriation, there is hereby  
 37 appropriated, out of any moneys in the general fund not otherwise  
 38 appropriated, to the judicial department, for the fiscal year beginning July  
 39 1, 2013, the sum of \$3,710,909 and 37.1 FTE, or so much thereof as may  
 40 be necessary, to be allocated to the office of the state public defender for  
 41 the implementation of this act as follows:  
 42

43	Personal Services	\$2,359,574 and 37.1 FTE
44	Short-term Disability	4,017
45	Health, Life, and Dental	295,099
46	S.B. 04-257 Amortization Equalization Disbursement	80,344
47	S.B. 06-235 Supplemental Amortization Equalization	
48	Disbursement	74,001
49	Capital Outlay Expenses	419,037
50	Leased Space/Utilities	389,893
51	Operating and Travel Expenses	79,566
52	Attorney Registration	9,378".

53  
 54 Renumber succeeding section accordingly.  
 55

56 Page 5, line 27, strike "This act takes effect January 1, 2014;" and

1 substitute "Sections 1 through 4 of this act take effect January 1, 2014,  
2 and this section and section 5 of this act take effect September 1, 2013;"

3

4 Page 1, line 102, strike "**DEFENDANTS.**" and substitute "**DEFENDANTS,**  
5 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

6

7

8

9 **HB13-1211** be amended as follows, and as so amended, be referred to  
10 the Committee of the Whole with favorable  
11 recommendation:

12

13 Amend the Education Committee Report, dated March 27, 2013, page 9,  
14 line 37, strike "**rules - repeal.**" and substitute "**rules.**"

15

16 Page 11, strike lines 3 and 4.

17

18 Page 11, before line 5 insert:

19

20 **"SECTION 2. Appropriation.** (1) In addition to any other  
21 appropriation, there is hereby appropriated, out of any moneys in the state  
22 education fund created in section 17 (4) (a) of article IX of the state  
23 constitution, not otherwise appropriated, to the department of education,  
24 for the fiscal year beginning July 1, 2013, the sum of \$3,090, or so much  
25 thereof as may be necessary, for the purchase of legal services.

26 (2) In addition to any other appropriation, there is hereby  
27 appropriated to the department of law, for the fiscal year beginning July  
28 1, 2013, the sum of \$3,090, or so much thereof as may be necessary, for  
29 the provision of legal services for the department of education related to  
30 the implementation of this act. Said sum is from reappropriated funds  
31 received from the department of education out of the appropriation made  
32 in subsection (1) of this section.

33 (3) In addition to any other appropriation, there is hereby  
34 appropriated, out of any moneys in the state education fund created in  
35 section 17 (4) (a) of article IX of the state constitution, not otherwise  
36 appropriated, to the department of education, for the fiscal year beginning  
37 July 1, 2013, the sum of \$479,144 and 6.0 FTE, or so much thereof as  
38 may be necessary, for the implementation of this act as follows:

39 (a) \$424,426 and 6.0 FTE for personal services; and

40 (b) \$54,718 for operating expenses and other expenses.

41 (4) In addition to any other appropriation, for the fiscal year  
42 beginning July 1, 2013, there is hereby appropriated, out of any moneys  
43 in the state education fund created in section 17 (4) (a) of article IX of the  
44 state constitution, not otherwise appropriated, to the department of  
45 education to be credited to the excellence awards fund created in section  
46 22-24-107 (4) (a), Colorado Revised Statutes, the sum of \$250,000, to be  
47 used for purposes consistent with the creation of the fund.

48 (5) In addition to any other appropriation, there is hereby  
49 appropriated, out of the excellence awards fund, to the department of  
50 education, for the fiscal year beginning July 1, 2013, the sum of  
51 \$250,000, or so much thereof as may be necessary, for allocation to grant  
52 programs, distributions, and other assistance for awards to local education  
53 providers pursuant to section 22-24-107, Colorado Revised Statutes.

54 (6) In addition to any other appropriation, for the fiscal year  
55 beginning July 1, 2013, there is hereby appropriated, out of any moneys  
56 in the state education fund created in section 17 (4) (a) of article IX of the

1 state constitution, not otherwise appropriated, to the department of  
2 education to be credited to the professional development and student  
3 support fund created in section 22-24-108 (3) (a), Colorado Revised  
4 Statutes, the sum of \$6,267,766, to be used for purposes consistent with  
5 the creation of the fund.

6 (7) In addition to any other appropriation, there is hereby  
7 appropriated, out of the professional development and student support  
8 fund, to the department of education, for the fiscal year beginning July 1,  
9 2013, the sum of \$6,267,766, or so much thereof as may be necessary, for  
10 allocation to grant programs, distributions, and other assistance for  
11 distribution to local education providers pursuant to section 22-24-108,  
12 Colorado Revised Statutes."

13  
14 Page 11 of the committee report, line 5, strike "**SECTION 2.**" and  
15 substitute "**SECTION 3.**".

16  
17 Page 11 of the committee report, after line 7 insert:

18  
19 "Page 1 of the printed bill, line 102, strike "**SCHOOLS.**" and substitute  
20 "**SCHOOLS, AND, IN CONNECTION THEREWITH, MAKING AN**  
21 **APPROPRIATION.**".".

22  
23  
24  
25 **HB13-1238** be referred to the Committee of the Whole with favorable  
26 recommendation.

27  
28  
29 **HB13-1239** be amended as follows, and as so amended, be referred to  
30 the Committee of the Whole with favorable  
31 recommendation:

32  
33 Amend the Health, Insurance, and Environment Committee Report, dated  
34 March 28, 2013, page 3, strike lines 39 and 40 and substitute "**as**  
35 **amended by House Bill 13-1117** (2) (a) and (2) (b) as follows:".

36  
37 Page 4, line 12, after the period insert "FOR ONE GRANT CYCLE, UP TO  
38 THREE HUNDRED THOUSAND DOLLARS OF THE APPROPRIATION MADE FOR  
39 THE PURPOSE SET FORTH IN THIS PARAGRAPH (b) MAY BE USED TO AWARD  
40 TECHNICAL ASSISTANCE GRANTS FOR COMMUNITY-BASED PREVENTION  
41 AND INTERVENTION ORGANIZATIONS THAT WORK WITH YOUTH.  
42 ORGANIZATIONS THAT APPLY FOR MONEYS PURSUANT TO THIS PARAGRAPH  
43 (b) MUST USE THE MONEYS TO ASSIST WITH INDEPENDENT CERTIFICATION  
44 AS AN EVIDENCE-BASED PROGRAM. EVIDENCE-BASED PROGRAMS MUST  
45 DEMONSTRATE AN ABILITY TO MEET RIGOROUS REQUIREMENTS FOR  
46 EVALUATION AND EFFECTIVENESS TO REFLECT AN ABILITY TO CHANGE  
47 TARGETED BEHAVIORS AND PROMOTE POSITIVE YOUTH DEVELOPMENT  
48 OUTCOMES.".

49  
50 Page 8, after line 26 insert:

51  
52 "**SECTION 12. Appropriation.** In addition to any other  
53 appropriation, there is hereby appropriated, out of any moneys in the  
54 general fund not otherwise appropriated, to the department of human  
55 services, for the fiscal year beginning July 1, 2013, the sum of \$300,000,  
56 or so much thereof as may be necessary, for allocation to the Tony

1 Grampsas youth services program, for grants to organizations seeking  
2 independent certification as evidence-based programs.

3 **SECTION 13. Appropriation.** In addition to any other  
4 appropriation, there is hereby appropriated, out of any moneys in the  
5 general fund not otherwise appropriated, to the department of public  
6 health and environment, for the fiscal year beginning July 1, 2013, the  
7 sum of \$300,000, or so much thereof as may be necessary, for allocation  
8 to the Tony Grampsas youth services program, for grants to organizations  
9 seeking independent certification as evidence-based programs."

10

11 Page 8, line 29, after "9" insert "and 12" and strike "takes" and substitute  
12 "take".

13

14 Page 8, line 32, strike "10 and 11" and substitute "10, 11, and 13".

15

16 Renumber succeeding sections accordingly.

17

18 Page 8, after line 37 insert:

19

20 "Page 1 of the bill, line 103, strike "PLAN." and substitute "PLAN, AND, IN  
21 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

22

23

24

25 **HB13-1259** be amended as follows, and as so amended, be referred to  
26 the Committee of the Whole with favorable  
27 recommendation:

28

29 Amend printed bill, page 43, after line 18 insert:

30

31 **"SECTION 23. Appropriation.** (1) In addition to any other  
32 appropriation, there is hereby appropriated, out of any moneys in the  
33 judicial stabilization cash fund created in section 13-32-101 (6), Colorado  
34 Revised Statutes, not otherwise appropriated, to the judicial department,  
35 for the fiscal year beginning July 1, 2013, the sum of \$217,942 and 3.2  
36 FTE, or so much thereof as may be necessary, to be allocated to the trial  
37 courts for the implementation of this act as follows:

38 (a) \$211,102 and 3.2 FTE for trial court programs for personal  
39 services; and

40 (b) \$6,840 for trial court programs for operating expenses.

41 (2) In addition to any other appropriation, there is hereby  
42 appropriated, out of any moneys in the judicial stabilization cash fund  
43 created in section 13-32-101 (6), Colorado Revised Statutes, not  
44 otherwise appropriated, to the judicial department, for the fiscal year  
45 beginning July 1, 2013, the sum of \$57,457, or so much thereof as may  
46 be necessary, to be allocated to the courts administration division for  
47 courthouse capital expenses related to the implementation of this act."

48

49 Renumber succeeding sections accordingly.

50

51 Page 1, line 107, strike "AND AMENDING" and substitute "AMENDING".

52

53 Page 1, line 108, strike "ORDERS." and substitute "ORDERS; AND MAKING  
54 AN APPROPRIATION."

55

56

1 **HB13-1261** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend printed bill, page 6, after line 8 insert:  
6

7 **"SECTION 2. Appropriation.** (1) In addition to any other  
8 appropriation, there is hereby appropriated, out of any moneys in the  
9 general fund not otherwise appropriated, to the department of local  
10 affairs, for the fiscal year beginning July 1, 2013, the sum of \$2,788,851,  
11 or so much thereof as may be necessary, to be allocated to the division of  
12 housing for the implementation of this act as follows:  
13

- 14 (a) \$605,000 for client care contract personal services;  
15 (b) \$686,835 for maintenance and operations contract personal  
16 services;  
17 (c) \$245,000 for maintenance and operations contract operating  
18 expenses;  
19 (d) \$10,000 for pharmaceuticals;  
20 (e) \$48,000 for risk management insurance premiums; and  
21 (f) \$1,194,016 for utilities."  
22

23 Renumber succeeding section accordingly.  
24

25 Page 1, line 102, strike "**LOCATED.**" and substitute "**LOCATED, AND, IN**  
26 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"  
27  
28  
29

30 **HB13-1283** be referred to the Committee of the Whole with favorable  
31 recommendation.  
32  
33

34 **SB13-007** be amended as follows, and as so amended, be referred to  
35 the Committee of the Whole with favorable  
36 recommendation:  
37

38 Amend reengrossed bill, page 2, after line 5, insert:  
39

40 **"SECTION 2.** In Colorado Revised Statutes, 16-11.3-103, **amend**  
41 (5) as follows:  
42

43 **16-11.3-103. Duties of the commission - mission - staffing -**  
44 **repeal.** (5) (a) The division of criminal justice in the department of  
45 public safety, in consultation with the department of corrections, shall  
46 provide resources for data collection, research, analysis, and publication  
47 of the commission's findings and reports.  
48

49 (b) UPON THE REQUEST OF THE COMMISSION, THE OFFICE OF  
50 LEGISLATIVE LEGAL SERVICES CREATED PURSUANT TO SECTION 2-3-501,  
51 C.R.S., SHALL PROVIDE A STAFF MEMBER TO ATTEND MEETINGS OF THE  
52 COMMISSION."  
53

54 Renumber succeeding sections accordingly.  
55

56 Page 2, line 6, before "In" insert "(1)".

1 Page 2, after line 13 insert:

2

3 "(2) In addition to any other appropriation, there is hereby  
4 appropriated, out of any moneys in the general fund not otherwise  
5 appropriated, to the department of corrections, for the fiscal year  
6 beginning July 1, 2013, the sum of \$56,160, or so much thereof as may  
7 be necessary, for allocation to the executive director's office, for support  
8 of the Colorado commission on criminal and juvenile justice related to the  
9 implementation of this act.

10

11 (3) In addition to any other appropriation, there is hereby  
12 appropriated, out of any moneys in the general fund not otherwise  
13 appropriated, to the legislative department, for the fiscal year beginning  
14 July 1, 2013, the sum of \$6,061 and 0.1 FTE, or so much thereof as may  
15 be necessary, for allocation to the committee on legal services, for support  
16 of the Colorado commission on criminal and juvenile justice related to the  
17 implementation of this act."

18

19

20

21 **SB13-083** be amended as follows, and as so amended, be referred to  
22 the Committee of the Whole with favorable  
23 recommendation:

24

25 Amend reengrossed bill, page 20, after line 11 insert:

26

27 **"SECTION 14. Appropriation.** (1) The general assembly  
28 anticipates that, for the fiscal year beginning July 1, 2013, the department  
29 of public safety, executive director's office, will receive the sum of  
30 \$4,635 in federal funds for the purchase of legal services related to the  
31 implementation of this act. Although these funds are not appropriated in  
32 this act, they are noted for the purpose of indicating the assumptions used  
33 relative to these funds.

34

35 (2) In addition to any other appropriation, there is hereby  
36 appropriated to the department of law, for the fiscal year beginning July  
37 1, 2013, the sum of \$4,635, or so much thereof as may be necessary, for  
38 the provision of legal services for the department of public safety related  
39 to the implementation of this act. Said sum is from reappropriated funds  
40 received from the department of public safety out of the appropriation  
41 made in subsection (1) of this section."

42

43 Renumber succeeding section accordingly.

44

45 Page 1, line 105, strike "**PROGRAM.**" and substitute "**PROGRAM AND**  
46 **MAKING AN APPROPRIATION.**"

47

48

49

50 **SB13-167** be referred to the Committee of the Whole with favorable  
51 recommendation.

52

53

54 **SB13-197** be amended as follows, and as so amended, be referred to  
55 the Committee of the Whole with favorable  
56 recommendation:

1 Amend reengrossed bill, page 43, strike lines 22 through 27.

2

3 Page 44, strike line 1.

4

5

6 On motion of Representative Hullinghorst, **HB13-1267, 1134, 1276 ,**  
7 **1281, 1153, 1136, 1165, 1210, 1211, 1238, 1239, 1259, 1261, 1283, 1020**

8 were made Special Orders on April 12, 2013, at 11:05 a.m.

9

10

11 The hour of 11:05 a.m., having arrived, on motion of Representative  
12 Fischer, the House resolved itself into Committee of the Whole for  
13 consideration of Special Orders and he was called to the Chair to act as  
14 Chairman.

15

16

### 17 **SPECIAL ORDERS--SECOND READING OF BILLS**

18

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

23

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

26

27 **HB13-1267** by Representative(s) Foote; also Senator(s) Jones--  
28 Concerning increased penalties for violations by oil and  
29 gas operators.

30

31 Amendment No. 1, Appropriations Report, dated April 9, 2013, and  
32 placed in member's bill file; Report also printed in House Journal, April  
33 9, 2013, page(s) 875-876.

34

35 Amendment No. 2, by Representative(s) Foote.

36

37 Amend the Appropriations Committee Report, dated April 9, 2013, page  
38 1, line 9, strike "1.5" and substitute "0.9".

39

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

42

43

44 A motion by Representative Hullinghorst that the Committee rise, report  
45 progress and beg leave to sit again at 12:10 p.m., was adopted by  
46 unanimous consent. (Special Orders continued on page 947.)

47

48

49

50 House reconvened.

51

52 The Committee of the Whole reported it had risen, reported progress and  
53 would sit again at 12:10 p.m.

54

55

56



**SPECIAL ORDERS--SECOND READING OF BILLS**

(Continued from page 945)

1  
2  
3  
4 **HB13-1134** by Representative(s) Ryden; also Senator(s) Carroll--  
5 Concerning unit owners' associations under the "Colorado  
6 Common Interest Ownership Act".  
7

8 Amendment No. 1, Business, Labor, Economic, & Workforce  
9 Development Report, dated April 9, 2013, and placed in member's bill  
10 file; Report also printed in House Journal, April 10, 2013, page(s) 897-  
11 900.  
12

13 As amended, ordered engrossed and placed on the Calendar for Third  
14 Reading and Final Passage.  
15

16 **HB13-1276** by Representative(s) Williams, Buckner, Court, Dore,  
17 Exum, Ferrandino, Fields, Gardner, Hulinghorst, Labuda,  
18 Lebsock, McCann, Melton, Moreno, Murray, Navarro,  
19 Pabon, Peniston, Primavera, Rosenthal, Ryden, Salazar,  
20 Schafer, Scott, Singer, Szabo, Tyler; also Senator(s)  
21 Carroll, Balmer--Concerning limitations on the actions a  
22 unit owners' association under the "Colorado Common  
23 Interest Ownership Act" may take against a unit owner  
24 with respect to the collection of debt owed to the unit  
25 owners' association.  
26

27 Amendment No. 1, Business, Labor, Economic, & Workforce  
28 Development Report, dated April 9, 2013, and placed in member's bill  
29 file; Report also printed in House Journal, April 10, 2013, page(s) 901.  
30

31 Amendment No. 2, by Representative(s) Williams.  
32

33 Amend printed bill, page 3, line 1, after "ASSOCIATION" insert "OR A  
34 HOLDER OR ASSIGNEE OF THE ASSOCIATION'S DEBT".  
35

36 Page 3, line 5, strike "ASSOCIATION" and substitute "ENTITY".  
37

38 Page 3, line 7, strike "ASSOCIATION" and substitute "ENTITY".  
39

40 Page 3, line 9, strike "ASSOCIATION" and substitute "ENTITY".  
41

42 Page 3, line 12, strike "ASSOCIATION" and substitute "ENTITY".  
43

44 Page 3, line 15, strike "ASSOCIATION" and substitute "ENTITY".  
45

46 Page 3, line 17, strike "ASSOCIATION" and substitute "ENTITY".  
47

48 Page 3, line 23, strike "ASSOCIATION" and substitute "ENTITY".  
49

50 Page 4, line 8, strike "ASSOCIATION" and substitute "ENTITY".  
51

52 Page 4, line 10, strike "ASSOCIATION" and substitute "ENTITY".  
53

54 Page 5, line 2, after "ASSOCIATION" insert "OR A HOLDER OR ASSIGNEE OF  
55 THE ASSOCIATION'S LIEN".  
56

1 Page 5, line 21, after "ASSOCIATION" insert "OR A HOLDER OR ASSIGNEE  
2 OF THE ASSOCIATION'S LIEN".

3

4 Page 6, line 1, after "ASSOCIATION" insert "OR A HOLDER OR ASSIGNEE OF  
5 THE ASSOCIATION'S DEBT".

6

7 Page 6, line 9, strike "ASSOCIATION" and substitute "ENTITY".

8

9 Page 6, line 12, after "ASSOCIATION" insert "OR A HOLDER OR ASSIGNEE  
10 OF THE ASSOCIATION'S DEBT".

11

12 Page 6, line 16, after "ASSOCIATION" insert "OR A HOLDER OR ASSIGNEE  
13 OF THE ASSOCIATION'S DEBT".

14

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

17

18 **HB13-1153** by Representative(s) Tyler, Fischer, Priola, Scott, Young;  
19 also Senator(s) Hudak--Concerning the authorization of  
20 owners of rental special mobile machinery to pay specific  
21 ownership tax through an electronic reporting process.

22

23 Amendment No. 1, Transportation & Energy Report, dated February 14,  
24 2013, and placed in member's bill file; Report also printed in House  
25 Journal, February 18, 2013, page(s) 331.)

26

27 Amendment No. 2, Appropriations Report, dated April 12, 2013, and  
28 placed in member's bill file; Report also printed in House Journal, April  
29 12, 2013, page(s) 938 .

30

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

33

34 **HB13-1165** by Representative(s) Wilson; also Senator(s) Heath--  
35 Concerning the creation of a manufacturing career  
36 pathway for Colorado, and, in connection therewith,  
37 making an appropriation.

38

39 Amendment No. 1, Education Report, dated February 18, 2013, and  
40 placed in member's bill file; Report also printed in House Journal,  
41 February 19, 2013, page(s) 346-347.

42

43 Amendment No. 2, Appropriations Report, dated April 12, 2013, and  
44 placed in member's bill file; Report also printed in House Journal, April  
45 12, 2013, page(s) 938-939.

46

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

49

50 **HB13-1211** by Representative(s) Buckner and Navarro, Duran; also  
51 Senator(s) Roberts, Kerr--Concerning English language  
52 proficiency programs in public schools.

53

54 Amendment No. 1, Education Report, dated March 27, 2013, and placed  
55 in member's bill file; Report also printed in House Journal, March 28,  
56 2013, page(s) 718-727.

1 Amendment No. 2, Appropriations Report, dated April 12, 2013, and  
2 placed in member's bill file; Report also printed in House Journal, April  
3 12, 2013, page(s) 940-941.

4  
5 Amendment No. 3, by Representative(s) Buckner.

6  
7 Amend the Education Committee Report, dated March 27, 2013, page 3,  
8 line 29, strike "22-24-105 (1) (f)" and substitute "22-24-105 (1) (e)".

9  
10 Page 3, line 40, after "OF", insert "THE REPEAL AND REENACTMENT OF".

11  
12 Page 6, line 35, strike "OF" and substitute "WITH REGARD TO".

13  
14 As amended, ordered engrossed and placed on the Calendar for Third  
15 Reading and Final Passage.

16  
17 **HB13-1239** by Representative(s) McCann; also Senator(s) Hodge--  
18 Concerning the creation of a statewide youth development  
19 plan.

20  
21 Amendment No. 1, Health, Insurance & Environment Report, dated  
22 March 28, 2013, and placed in member's bill file; Report also printed in  
23 House Journal, April 1, 2013, page(s) 748-754.

24  
25 Amendment No. 2, Appropriations Report, dated April 12, 2013, and  
26 placed in member's bill file; Report also printed in House Journal, April  
27 12, 2013, page(s) 941-942.

28  
29 As amended, ordered engrossed and placed on the Calendar for Third  
30 Reading and Final Passage.

31  
32  
33 **HB13-1261** by Representative(s) Garcia and Dore, Buck, Buckner,  
34 Conti, Coram, Court, Exum, Fischer, Foote, Hamner,  
35 Hullinghorst, Joshi, Kagan, Labuda, Landgraf, Lawrence,  
36 Lebsock, Lee, McLachlan, McNulty, Melton, Mitsch  
37 Bush, Moreno, Murray, Navarro, Pabon, Primavera,  
38 Rankin, Rosenthal, Ryden, Salazar, Singer, Stephens,  
39 Szabo, Tyler, Vigil, Wilson, Ferrandino, Ginal, Pettersen;  
40 also Senator(s) Crowder--Concerning the use of the  
41 property where the Fort Lyon correctional facility was  
42 located.

43  
44 Amendment No. 1, Appropriations Report, dated April 12, 2013, and  
45 placed in member's bill file; Report also printed in House Journal, April  
46 12, 2013, page(s) 943.

47  
48 As amended, ordered engrossed and placed on the Calendar for Third  
49 Reading and Final Passage.

50  
51  
52 **HB13-1283** by Representative(s) Fischer; also Senator(s) Schwartz--  
53 Concerning the species conservation trust fund.

54  
55 Ordered engrossed and placed on the Calendar for Third Reading and  
56 Final Passage.

1 **HB13-1020** by Representative(s) McNulty; also Senator(s) Roberts--  
2 Concerning evidence collected in connection with a sexual  
3 assault.  
4

5 Amendment No. 1, Judiciary Report, dated February 7, 2013, and placed  
6 in member's bill file; Report also printed in House Journal, February 8,  
7 2013, page(s) 221-223.  
8

9 Amendment No. 2, Appropriations Report, dated April 12, 2013, and  
10 placed in member's bill file; Report also printed in House Journal, April  
11 12, 2013, page(s) 934-935.  
12

13 As amended, ordered engrossed and placed on the Calendar for Third  
14 Reading and Final Passage.  
15

16 **HB13-1259** by Representative(s) McCann; also Senator(s) Newell--  
17 Concerning civil actions, and, in connection therewith,  
18 procedures for allocating parental rights and  
19 responsibilities in the best interests of the child in cases  
20 involving child abuse and neglect and domestic violence;  
21 provisions relating to parenting time orders; provisions  
22 relating to parenting time evaluations and reports; and  
23 amending and relocating provisions relating to civil  
24 protection orders.  
25

26 Amendment No. 1, Public Health Care & Human Services Report, dated  
27 April 2, 2013, and placed in member's bill file; Report also printed in  
28 House Journal, April 3, 2013, page(s) 791.  
29

30 Amendment No. 2, Appropriations Report, dated April 12, 2013, and  
31 placed in member's bill file; Report also printed in House Journal, April  
32 12, 2013, page(s) 942.  
33

34 Amendment No. 3, by Representative(s) McCann.  
35

36 Amend printed bill, page 24, line 22, strike "CONSIDER THE" and  
37 substitute "DENY A PETITIONER THE RELIEF REQUESTED BECAUSE OF THE".  
38

39 Page 35, line 13, strike "FELONY," and substitute "FELONY AGAINST THE  
40 PROTECTED PERSON,".  
41

42 Page 37, line 15, after "HAS" insert "BEEN ORDERED TO PARTICIPATE IN  
43 AND HAS EITHER".  
44

45 Page 37, line 17, strike "C.R.S.;" and substitute "C.R.S., OR HAS MADE  
46 SIGNIFICANT PROGRESS IN A SEX OFFENDER TREATMENT PROGRAM AS  
47 REPORTED BY THE SEX OFFENDER TREATMENT PROVIDER;".  
48

49 Page 38, line 8, strike "FELONY," and substitute "FELONY AGAINST THE  
50 PROTECTED PERSON,".  
51

51 Page 38, strike lines 17 through 20 and substitute:  
52

53 "(j) WHETHER THE CONTINUED SAFETY OF THE PROTECTED PERSON  
54 DEPENDS UPON THE PROTECTION ORDER REMAINING IN PLACE BECAUSE  
55 THE ORDER HAS BEEN SUCCESSFUL IN PREVENTING FURTHER HARM TO THE  
56 PROTECTED PERSON.".

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

3  
4  
5  
6 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

7  
8 Passed Second Reading: **HB13-1267 amended, 1134 amended, 1276**  
9 **amended, 1153 amended, 1165 amended, 1211 amended, 1239**  
10 **amended, 1261 amended, 1283, 1020 amended, 1259 amended.**

11  
12 The Chairman moved the adoption of the Committee of the Whole  
13 Report. As shown by the following roll call vote, a majority of those  
14 elected to the House voted in the affirmative, and the Report was  
15 **adopted.**

16  
17

YES	57	NO	0	EXCUSED	8	ABSENT	0
Buck	E	Ginal	Y	McLachlan	E	Saine	Y
Buckner	Y	Hamner	Y	McNulty	Y	Salazar	Y
Conti	Y	Holbert	Y	Melton	Y	Schafer	Y
Coram	Y	Hullinghorst	Y	Mitsch Bush	Y	Scott	Y
Court	Y	Humphrey	Y	Moreno	Y	Singer	Y
DelGrosso	Y	Joshi	E	Murray	Y	Sonnenberg	Y
Dore	Y	Kagan	Y	Navarro	Y	Stephens	Y
Duran	E	Kraft-Tharp	Y	Nordberg	Y	Swalm	E
Everett	Y	Labuda	E	Pabon	Y	Szabo	Y
Exum	Y	Landgraf	Y	Peniston	Y	Tyler	Y
Fields	Y	Lawrence	Y	Pettersen	Y	Vigil	Y
Fischer	Y	Lebsock	Y	Primavera	Y	Waller	Y
Foote	Y	Lee	Y	Priola	Y	Williams	Y
Garcia	Y	Levy	E	Rankin	Y	Wilson	Y
Gardner	Y	May	Y	Rosenthal	Y	Wright	Y
Gerou	E	McCann	Y	Ryden	Y	Young	Y
						Speaker	Y

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36  
37 **MESSAGE(S) FROM THE SENATE**

38  
39 In response to the request of the House for a Second Conference  
40 Committee on SB13-230, the President has appointed Senators Steadman,  
41 Chair, Hodge and Lambert as Senate conferees on the Second Conference  
42 Committee on SB13-230. Members were granted permission to go  
43 beyond the scope of the differences between the two houses.

44  
45  
46 House in recess. House reconvened.

47  
48  
49 **FIRST REPORT OF SECOND CONFERENCE COMMITTEE**  
50 **on SB13-230**

51  
52 This Report Amends the Reengrossed Bill.

53  
54 To the President of the Senate and the  
55 Speaker of the House of Representatives:

56

1 Your second conference committee appointed on SB13-230,  
2 concerning the provision for payment of the expenses of the executive,  
3 legislative, and judicial departments of the state of Colorado, and of its  
4 agencies and institutions, for and during the fiscal year beginning July 1,  
5 2013, except as otherwise noted, has met and reports that it has agreed  
6 upon the following:

7  
8 1. That the House recede from its amendments made to the bill, as  
9 the amendments appear in the rerevised bill, and that the following  
10 amendments be substituted therefor:

11  
12 Amend reengrossed bill, page 108, line 1, strike "**PREMIUMS**<sup>8,9,10</sup>" and  
13 substitute "**PREMIUMS**<sup>8,9,10,10a</sup>".  
14

15 Page 108, line 4, in the TOTAL column strike "4,437,682,794" and  
16 substitute "4,438,829,600", in the GENERAL FUND column strike  
17 "1,044,071,030(M)" and substitute "1,044,644,433(M)", and in the  
18 FEDERAL FUNDS column strike "2,203,317,631" and substitute  
19 "2,203,891,034".  
20

21 Adjust affected totals accordingly.  
22

23 Page 121, after line 14 insert:  
24

25 10a Department of Health Care Policy and  
26 Financing, Medical Services Premiums --  
27 The appropriation in this line item includes  
28 \$1,146,806 total funds comprised of  
29 \$573,403 General Fund and \$573,403  
30 federal funds for treatment of women with  
31 breast and cervical cancer regardless of the  
32 clinic responsible for the diagnoses."  
33

34 Page 190, line 2, in the ITEM & SUBTOTAL column strike "2,487,431"  
35 and substitute "2,987,431".  
36

37 Page 190, line 4, in the ITEM & SUBTOTAL column strike  
38 "421,362,499" and substitute "421,862,499" and in the GENERAL  
39 FUND column strike "15,984,491" and substitute "16,484,491".  
40

41 Adjust affected totals accordingly.  
42

43 Page 203, line 9, in the ITEM & SUBTOTAL column strike "670,857"  
44 and substitute "170,857" and in the GENERAL FUND column strike  
45 "650,000" and substitute "150,000".  
46

47 Adjust affected totals accordingly.  
48

49 Page 283, line 12, in the ITEM & SUBTOTAL column strike "680,552"  
50 and substitute "780,552" and in the GENERAL FUND column strike  
51 "638,355" and substitute "738,355".  
52

53 Page 283, line 13, in the ITEM & SUBTOTAL column strike "(9.8 FTE)"  
54 and substitute "(11.8 FTE)".  
55

56 Adjust affected totals accordingly.

- 1 Page 296, line 4, in the ITEM & SUBTOTAL column strike "7,911,972"  
2 and substitute "8,407,012" and in the CASH FUNDS column strike  
3 "7,911,972<sup>a</sup>" and substitute "8,407,012<sup>a</sup>".  
4  
5 Page 296, line 5, in the CASH FUNDS column strike "(88.4 FTE)" and  
6 substitute "(93.4 FTE)".  
7  
8 Adjust affected totals accordingly.  
9  
10 Page 297, line 7, strike "\$4,699,940" and substitute "\$5,194,980".  
11  
12 Page 317, line 3, in the GENERAL FUND column strike "472,747" and  
13 substitute "1,123,815" and in the REAPPROPRIATED FUNDS column  
14 strike "1,451,841<sup>b</sup>" and substitute "800,773<sup>b</sup>".  
15  
16 Adjust affected totals accordingly.  
17  
18 Page 317, line 13, strike "\$6,904,523" and substitute "\$6,267,078" and  
19 strike "\$1,950,092" and substitute "\$1,936,469".  
20  
21 Page 327, line 5, in the ITEM & SUBTOTAL column strike "65,463" and  
22 substitute "51,840".  
23  
24 Page 327, line 6, in the ITEM & SUBTOTAL column strike "773,158"  
25 and substitute "759,535", in the CASH FUNDS column strike "13,623<sup>a</sup>",  
26 and in the REAPPROPRIATED FUNDS column strike "759,535<sup>b</sup>" and  
27 substitute "759,535<sup>a</sup>".  
28  
29 Adjust affected totals accordingly.  
30  
31 Page 327, strike line 8.  
32  
33 Page 327, line 9, strike "<sup>b</sup>This" and substitute "<sup>a</sup>This".  
34  
35 Page 323, strike lines 7 through 9.  
36  
37 Page 323, line 10, strike "12-1361<sup>55a</sup>" and substitute "Additional  
38 Payments from Recommendation by the State Claims Board Pursuant to  
39 Section 24-10-114 (5) (b), C.R.S.".   
40  
41 Page 335, strike lines 12 through 15.  
42  
43 Page 477, strike lines 5 and 6.  
44  
45 Adjust affected totals accordingly.  
46  
47 Page 484, strike line 3.  
48  
49 Adjust affected totals accordingly.  
50  
51 Page 487, strike lines 6 through 7.  
52  
53 Adjust affected totals accordingly.  
54  
55 Page 488, strike lines 6 through 9.  
56

- 1 Adjust affected totals accordingly.
- 2
- 3 Page 490, strike line 4.
- 4
- 5 Adjust affected totals accordingly.
- 6
- 7 Page 490, line 14, in the ITEM & SUBTOTAL column strike "935,700"
- 8 and in the TOTAL column insert "935,700".
- 9
- 10 Page 490, strike lines 15 and 16.
- 11
- 12 Page 491, strike line 1.
- 13
- 14 Adjust affected totals accordingly.
- 15
- 16 Page 499, strike lines 7 through 9.
- 17
- 18 Adjust affected totals accordingly.
- 19
- 20 Page 501, strike lines 6 through 8.
- 21
- 22 Page 501, line 12, in the ITEM & SUBTOTAL column strike "2,000,000"
- 23 and in the TOTAL column insert "2,000,000".
- 24
- 25 Page 501, strike line 13.
- 26
- 27 Adjust affected totals accordingly.
- 28
- 29 Page 501 strike lines 15 and 16.
- 30
- 31 Page 502, strike lines 1 and 2.
- 32
- 33 Adjust affected totals accordingly.
- 34
- 35 Renumber succeeding subsection accordingly.
- 36
- 37 Page 504, line 6, in the ITEM & SUBTOTAL column strike "1,148,050"
- 38 and in the TOTAL column insert "1,148,050".
- 39
- 40 Page 504, strike lines 7 through 10.
- 41
- 42 Adjust affected totals accordingly.
- 43
- 44 Page 508, strike lines 10 and 11.
- 45
- 46 Renumber succeeding subsection accordingly.
- 47
- 48 Adjust affected totals accordingly.
- 49
- 50 2. That, under the authority granted the committee to consider
- 51 matters not at issue between the two houses, the following amendments
- 52 be recommended:
- 53
- 54 Page 523, after line 21 insert:

**APPROPRIATION FROM**

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	<b>"SECTION 8. Appropriation to the department of corrections for the fiscal year beginning July 1, 2012.</b> In Session Laws of Colorado 2012, section 2 of						
2	chapter 305, (HB 12-1335), as amended by Senate Bill 13-086, add footnotes to Part II (5) (A) and (5) (B) as follows:						
3							
4	Section 2. <b>Appropriation.</b>						
5	<b>PART II</b>						
6	<b>DEPARTMENT OF CORRECTIONS</b>						
7							
8	<b>(5) COMMUNITY SERVICES</b>						
9	<b>(A) Parole Subprogram</b>						
10	Personal Services SERVICES <sup>4a</sup>	9,811,825		9,811,825			
11				(154.0 FTE)			
12	Operating Expenses	1,080,877		1,080,877			
13	Administrative Law Judge Services	4,604		4,604			
14	Contract Services	3,489,563		1,707,463		1,782,100 <sup>a</sup>	
15	Wrap-Around Services Program	1,207,225		1,207,225			
16	Start-up Costs	<u>25,652</u>		25,652			
17		15,619,746					
18							

19 <sup>a</sup> Of this amount \$1,757,100 shall be transferred from appropriations made to the Judicial Department, Probation and Related Services, Offender Treatment and Services,  
20 pursuant to Section 18-19-103 (3.5) (a), C.R.S. (H.B. 10-1352), and \$25,000 shall be transferred from appropriations made to the Judicial Department for day reporting  
21 services.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 <b>(B) Parole Intensive Supervision Subprogram</b>							
2 Personal <del>Services</del> SERVICES <sup>4a</sup>	4,544,186						
3	(77.7 FTE)						
4 Operating Expenses	451,495						
5 Contract Services	1,486,319						
6 Non-residential Services	1,109,270						
7 Home Detention	69,383						
8 Start-up Costs	<u>15,391</u>						
9	7,676,044			7,676,044			

**FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

4a DEPARTMENT OF CORRECTIONS, COMMUNITY SERVICES, PAROLE SUBPROGRAM, PERSONAL SERVICES AND PAROLE INTENSIVE SUPERVISION SUBPROGRAM, PERSONAL SERVICES – A TOTAL OF \$500,000 OF THESE APPROPRIATIONS MAY ROLL FORWARD TO FY 2013-14."

Renumber succeeding sections accordingly.

- 1 Page 325, line 5, strike "Compensation" and substitute  
2 "Compensation<sup>55a</sup>".  
3
- 4 Page 335, after line 15 insert:  
5  
6 55a Department of Personnel and Administration,  
7 Division of Human Resources, Risk Management  
8 Services, Workers' Compensation -- It is the intent  
9 of the General Assembly that the Department of  
10 Personnel be authorized to transfer spending  
11 authority for the Workers' Compensation  
12 subsection among the line items within this  
13 subsection."  
14
- 15 Page 61, line 5, strike "\$470,240,736" and substitute "\$471,776,852" and  
16 strike "\$76,904,505" and substitute "\$75,368,389".  
17
- 18 Page 61, line 7, strike "\$67,142,522" and substitute "\$65,606,406".  
19
- 20 Page 525, line 9, strike "\$327,464,882" and substitute "\$332,464,882"  
21 and strike "\$186,922,411" and substitute "\$181,922,411".  
22
- 23 Page 525, line 12, strike "\$66,824,000" and substitute "\$61,824,000".  
24
- 25 Page 82, line 1, strike "\$17,404,527" and substitute "\$17,921,661".  
26
- 27 Page 82, line 2, strike "\$1,446,413" and substitute "\$929,279".  
28
- 29 Page 131, line 10, strike "**Mesa State**" and substitute "**Colorado Mesa**".  
30
- 31 Page 146, line 5, strike "Mesa State" and substitute "Colorado Mesa".  
32
- 33 Page 146, line 11, strike "Mesa State" and substitute "Colorado Mesa".  
34
- 35 Page 482, line 11, strike "**MESA STATE**" and substitute "**COLORADO**  
36 **MESA**".  
37
- 38 Page 242, line 3, strike "Support" and substitute "and Training  
39 Technology" and strike "(a) (1)," and substitute "(a.9) (I) (A),".  
40
- 41 Page 337, line 1, in the ITEM & SUBTOTAL column strike "881,681"  
42 and substitute "983,956", in the GENERAL FUND column strike  
43 "122,616" and substitute "136,839", in the CASH FUNDS column strike  
44 "590,057<sup>b</sup>" and substitute "658,504<sup>b</sup>", and in the REAPPROPRIATED  
45 FUNDS column strike "169,008<sup>c</sup>" and substitute "188,613<sup>c</sup>".  
46
- 47 Adjust affected totals accordingly.  
48
- 49 Page 339, line 2, strike "\$5,831,339" and substitute "\$5,899,786".  
50
- 51 Page 339, line 6, strike "\$92,124" and substitute "\$111,729".  
52
- 53 Page 337, line 2, in the ITEM & SUBTOTAL column strike "608,253"  
54 and substitute "600,659" and in the GENERAL FUND column strike  
55 "91,128" and substitute "83,534".  
56

1 Adjust affected totals accordingly.  
 2  
 3 Page 337, line 13, in the ITEM & SUBTOTAL column strike "286,552"  
 4 and substitute "257,112" and in the GENERAL FUND column strike  
 5 "30,060" and substitute "620".

6  
 7 Adjust affected totals accordingly.  
 8  
 9 Page 350, line 3, in the ITEM & SUBTOTAL column strike "589,297"  
 10 and substitute "618,737" and in the GENERAL FUND column strike  
 11 "126,950" and substitute "156,390".

12  
 13 Adjust affected totals accordingly.  
 14  
 15 Page 351, line 10, in the ITEM & SUBTOTAL column strike "8,837,991"  
 16 and substitute "8,826,371" and in the GENERAL FUND column strike  
 17 "1,860,793" and substitute "1,849,173".

18  
 19 Page 351, line 11, in the GENERAL FUND column strike "(27.8 FTE)"  
 20 and substitute "(27.5 FTE)".  
 21  
 22 Adjust affected totals accordingly.

23  
 24 Page 352, line 10, in the ITEM & SUBTOTAL column strike "6,031,728"  
 25 and substitute "6,024,756" and in the GENERAL FUND column strike  
 26 "897,532" and substitute "890,560".  
 27  
 28 Page 352, line 11, in the GENERAL FUND column strike "(15.6 FTE)"  
 29 and substitute "(15.5 FTE)".

30  
 31 Adjust affected totals accordingly.  
 32  
 33 Page 397, line 13, strike "\$45,958" and substitute "\$35,993" and strike  
 34 "\$2,584" and substitute "\$12,549".  
 35

36 Respectfully submitted,	
37 Senate Committee:	House Committee:
38 (signed)	(signed)
39 Pat Steadman	Claire Levy
40 Mary Hodge	Crisanta Duran
41 Kent Lambert	Cheri Gerou

---

44  
 45 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT**

46  
 47 **SB13-230** by Senator(s) Steadman, Hodge; also Representative(s)  
 48 Levy, Duran, Gerou--Concerning the provision for  
 49 payment of the expenses of the executive, legislative, and  
 50 judicial departments of the state of Colorado, and of its  
 51 agencies and institutions, for and during the fiscal year  
 52 beginning July 1, 2013, except as otherwise noted.  
 53

54 (First report of the second Conference Committee Report printed in  
 55 House Journal, April 11, 2013, page(s) 951-958.)  
 56

1 On motion of Representative Levy, the first report of the Second  
2 Conference Committee was **adopted** by the following roll call vote:

	<b>YES</b>	<b>34</b>	<b>NO</b>	<b>24</b>	<b>EXCUSED</b>	<b>7</b>	<b>ABSENT</b>	<b>0</b>
5	Buck	E	Ginal	Y	McLachlan	E	Saine	N
6	Buckner	Y	Hamner	Y	McNulty	N	Salazar	Y
7	Conti	N	Holbert	N	Melton	Y	Schafer	Y
8	Coram	N	Hullinghorst	Y	Mitsch Bush	Y	Scott	N
9	Court	Y	Humphrey	N	Moreno	Y	Singer	Y
10	DelGrosso	N	Joshi	E	Murray	N	Sonnenberg	N
11	Dore	N	Kagan	Y	Navarro	N	Stephens	N
12	Duran	Y	Kraft-Tharp	Y	Nordberg	N	Swalm	E
13	Everett	N	Labuda	E	Pabon	Y	Szabo	N
14	Exum	Y	Landgraf	N	Peniston	Y	Tyler	Y
15	Fields	E	Lawrence	N	Pettersen	Y	Vigil	Y
16	Fischer	Y	Lebsock	Y	Primavera	Y	Waller	N
17	Foote	Y	Lee	Y	Priola	N	Williams	Y
18	Garcia	Y	Levy	Y	Rankin	N	Wilson	N
19	Gardner	N	May	Y	Rosenthal	Y	Wright	N
20	Gerou	Y	McCann	Y	Ryden	Y	Young	E
21							Speaker	Y

22  
23  
24 The question being "Shall the bill, as amended, pass?".  
25 A roll call vote was taken. As shown by the following recorded vote, a  
26 majority of those elected to the House voted in the affirmative and the  
27 bill, as amended, was declared **repassed**.

	<b>YES</b>	<b>39</b>	<b>NO</b>	<b>19</b>	<b>EXCUSED</b>	<b>7</b>	<b>ABSENT</b>	<b>0</b>
30	Buck	E	Ginal	Y	McLachlan	E	Saine	N
31	Buckner	Y	Hamner	Y	McNulty	Y	Salazar	Y
32	Conti	N	Holbert	N	Melton	Y	Schafer	Y
33	Coram	Y	Hullinghorst	Y	Mitsch Bush	Y	Scott	N
34	Court	Y	Humphrey	N	Moreno	Y	Singer	Y
35	DelGrosso	N	Joshi	E	Murray	Y	Sonnenberg	N
36	Dore	N	Kagan	Y	Navarro	N	Stephens	N
37	Duran	Y	Kraft-Tharp	Y	Nordberg	N	Swalm	E
38	Everett	N	Labuda	E	Pabon	Y	Szabo	N
39	Exum	Y	Landgraf	N	Peniston	Y	Tyler	Y
40	Fields	E	Lawrence	N	Pettersen	Y	Vigil	Y
41	Fischer	Y	Lebsock	Y	Primavera	Y	Waller	Y
42	Foote	Y	Lee	Y	Priola	N	Williams	Y
43	Garcia	Y	Levy	Y	Rankin	N	Wilson	N
44	Gardner	Y	May	Y	Rosenthal	Y	Wright	N
45	Gerou	Y	McCann	Y	Ryden	Y	Young	E
46							Speaker	Y

47  
48  
49  
50 House in recess. House reconvened.  
51  
52  
53  
54  
55

1           **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2  
3           **BUSINESS, LABOR, ECONOMIC, & WORKFORCE DEVELOPMENT**  
4           **COMMITTEE**

5           After consideration on the merits, the Committee recommends the  
6           following:

7  
8           **HB13-1004** be amended as follows, and as so amended, be rereferred  
9           to the Committee on Appropriations with favorable  
10          recommendation:

11  
12          Amend the Appropriations Committee Report, dated April 1, 2013, page  
13          1, strike lines 1 through 20 and substitute:

14  
15          "Amend the Business, Labor, Economic and Workforce Development  
16          Committee Report, dated February 7, 2013, strike pages 1 through 3 and  
17          substitute:

18  
19          "Amend the printed bill, strike everything below the enacting clause and  
20          substitute:

21                 "**SECTION 1.** In Colorado Revised Statutes, **add** part 11 to  
22          article 2 of title 26 as follows:

23                         **26-2-1101. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
24          HEREBY FINDS AND DECLARES:

25                         (a) TRANSITIONAL JOBS HAVE PROVEN TO BE AN EFFECTIVE POLICY  
26          RESPONSE TO STUBBORNLY HIGH UNEMPLOYMENT RATES AND THE  
27          DIFFICULTIES THAT MANY SMALLER EMPLOYERS FACE IN FILLING JOB  
28          VACANCIES AND EXPANDING JOB OPPORTUNITIES. TRANSITIONAL JOBS  
29          HAVE HELPED TO:

30                                 (I) STABILIZE INDIVIDUALS AND FAMILIES WITH EARNED INCOME;

31                                 (II) STIMULATE LOCAL ECONOMIES THROUGH WAGES PAID;

32                                 (III) CONTRIBUTE TO THE ECONOMIC HEALTH OF EMPLOYERS;

33                                 (IV) PROVIDE UNEMPLOYED AND UNDEREMPLOYED ADULTS AN  
34          OPPORTUNITY TO EXPERIENTIALLY LEARN, MODEL, AND PRACTICE  
35          SUCCESSFUL WORKPLACE BEHAVIORS THAT WILL HELP THEM TO GET AND  
36          KEEP UNSUBSIDIZED EMPLOYMENT;

37                                 (V) BUILD WORK HISTORIES AND REFERENCES FOR PARTICIPANTS  
38          TO MORE EASILY MOVE INTO UNSUBSIDIZED AND STABLE EMPLOYMENT;

39                                 (VI) ADDRESS BARRIERS TO WORK THAT HAVE KEPT THE  
40          UNEMPLOYED AND UNDEREMPLOYED OUT OF THE REGULAR LABOR  
41          MARKET; AND

42                                 (VII) REDUCE RECIDIVISM AND PUBLIC COSTS.

43                         (b) COLORADO HAS ALREADY DEMONSTRATED THE VALUE OF  
44          TRANSITIONAL JOBS THROUGH ITS SUCCESSFUL HIRE COLORADO  
45          INITIATIVE. OPERATED WITH FEDERAL FUNDS FROM OCTOBER 2009  
46          THROUGH SEPTEMBER 2010, HIRE COLORADO PROVIDED TRANSITIONAL  
47          JOBS TO OVER ONE THOUSAND SEVEN HUNDRED UNEMPLOYED  
48          COLORADANS, ENABLING THEM TO DO PRODUCTIVE, WAGE-PAYING WORK  
49          FOR LOCAL GOVERNMENTS, NON-PROFIT AGENCIES, AND FOR-PROFIT  
50          EMPLOYERS. ACCORDING TO DATA FROM THE COLORADO DEPARTMENT OF  
51          HUMAN SERVICES, HIRE COLORADO HELPED NEARLY SEVENTY-FIVE  
52          PERCENT OF ITS PARTICIPANTS TO MOVE INTO UNSUBSIDIZED  
53          EMPLOYMENT. IN STATES WHOSE TRANSITIONAL JOBS PROGRAMS FOCUSED  
54          ON THOSE WITH THE MOST ACUTE JOB SEARCH CHALLENGES, NEARLY FIFTY  
55          PERCENT, AN UNUSUALLY HIGH SUCCESS RATE FOR SUCH A POPULATION,  
56          MOVED INTO UNSUBSIDIZED WORK.

1 (c) WHILE NATIONALLY UNEMPLOYMENT IS FALLING SLOWLY AND  
2 ALTHOUGH COLORADO'S UNEMPLOYMENT RATE IS BETTER THAN THE  
3 NATIONAL AVERAGE, COLORADANS STILL FACE DIFFICULTY IN FINDING  
4 FULL-TIME JOBS. ACCORDING TO A RECENT ANALYSIS, NEARLY TWO  
5 HUNDRED THOUSAND COLORADANS ARE "OFFICIALLY" UNEMPLOYED, BUT  
6 THERE ARE FEWER THAN SEVENTY-FIVE THOUSAND JOB OPENINGS. AT THE  
7 SAME TIME THAT UNEMPLOYED AND UNDEREMPLOYED COLORADANS  
8 STRUGGLE TO FIND EMPLOYMENT IN THE FACE OF THIS JOB SHORTAGE,  
9 MANY EMPLOYERS HAVE FOUND IT DIFFICULT TO FILL THE JOB VACANCIES  
10 THEY DO HAVE. TRANSITIONAL JOBS ARE PART OF THE SOLUTION TO BOTH  
11 UNEMPLOYMENT AND UNFILLED JOB VACANCIES.

12 **26-2-1102. Definitions.** AS USED IN THIS PART 11, UNLESS THE  
13 CONTEXT OTHERWISE REQUIRES:

14 (1) "EMPLOYER OF RECORD" MEANS AN ORGANIZATION THAT HAS  
15 BEEN SELECTED BY THE STATE DEPARTMENT TO BE RESPONSIBLE FOR  
16 PROVIDING THE FOLLOWING EMPLOYER SERVICES, IN AN EFFECTIVE AND  
17 EFFICIENT MANNER AND AT THE LOWEST COST, WITH RESPECT TO  
18 TRANSITIONAL JOB WORKERS WHO PERFORM WORK FOR A HOST SITE  
19 EMPLOYER:

20 (a) PAYMENT OF WAGES TO A TRANSITIONAL JOB WORKER, UPON  
21 RECEIPT FROM THE HOST SITE EMPLOYER OF CERTIFICATION, IN THE  
22 MANNER PRESCRIBED BY THE STATE DEPARTMENT, THAT THE  
23 TRANSITIONAL JOB WORKER HAS WORKED A SPECIFIED NUMBER OF HOURS;

24 (b) WITHHOLDING AND PAYMENT OF PAYROLL TAXES, INCLUDING  
25 FICA, MEDICARE, AND, IF APPLICABLE, UNEMPLOYMENT INSURANCE  
26 TAXES, TO THE APPROPRIATE FEDERAL AND STATE AGENCIES;

27 (c) PROVISION, IF APPLICABLE, OF WORKER'S COMPENSATION  
28 COVERAGE;

29 (d) PREPARATION AND DISTRIBUTION OF FEDERAL AND STATE TAX  
30 FORMS, INCLUDING W-2 AND I-9 FORMS; AND

31 (e) PROVISION OF SUCH OTHER FORMAL EMPLOYER FUNCTIONS AS  
32 THE DEPARTMENT OF HUMAN SERVICES MAY PRESCRIBE.

33 (2) "HOST SITE EMPLOYER" MEANS THE EMPLOYER THAT AGREES  
34 WITH THE LOCAL AGENCY CONTRACTOR TO BE RESPONSIBLE FOR:

35 (a) SELECTING, TRAINING, AND SUPERVISING A TRANSITIONAL JOBS  
36 WORKER;

37 (b) CERTIFYING TO THE EMPLOYER OF RECORD, IN THE MANNER  
38 PRESCRIBED BY THE DEPARTMENT OF HUMAN SERVICES, THE NUMBER OF  
39 HOURS THAT THE TRANSITIONAL JOBS WORKER HAS WORKED FOR THE  
40 EMPLOYER; AND

41 (c) COOPERATING WITH THE LOCAL AGENCY CONTRACTOR IN  
42 FACILITATING THE MOVEMENT OF THE TRANSITIONAL JOBS WORKER INTO  
43 UNSUBSIDIZED EMPLOYMENT; EXCEPT THAT THE HOST SITE EMPLOYER  
44 SHALL NOT BE REQUIRED TO OFFER UNSUBSIDIZED EMPLOYMENT TO THE  
45 TRANSITIONAL JOBS WORKER.

46 (3) "LOCAL AGENCY CONTRACTOR" MEANS THE GOVERNMENTAL,  
47 NON-PROFIT, OR FOR-PROFIT ORGANIZATIONS THAT THE STATE  
48 DEPARTMENT HAS CHOSEN, THROUGH A COMPETITIVE REQUEST FOR  
49 PROPOSALS AND CONTRACTING PROCESS, TO BE RESPONSIBLE FOR  
50 ADMINISTERING THE TRANSITIONAL JOBS PROGRAM AT THE LOCAL LEVEL,  
51 INCLUDING:

52 (a) OUTREACH TO PROSPECTIVE TRANSITIONAL JOBS WORKERS;

53 (b) RECRUITMENT OF POTENTIAL TRANSITIONAL JOBS WORKERS;

54 (c) ORIENTATION OF TRANSITIONAL JOBS WORKERS;

55 (d) PROVISION TO TRANSITIONAL JOBS WORKERS OF ACCESS TO  
56 CASE MANAGEMENT;

1 (e) PROVISION OF JOB COACHING TO TRANSITIONAL JOBS WORKERS,  
2 BOTH PRIOR TO AND FOLLOWING THEIR SELECTION BY HOST SITES  
3 EMPLOYERS;

4 (f) INTRODUCTION OF TRANSITIONAL JOBS WORKERS TO HOST SITES  
5 EMPLOYERS;

6 (g) ONGOING COMMUNICATION WITH HOST SITE EMPLOYERS  
7 CONCERNING WORKPLACE ISSUES WITH THE GOAL THAT EARLY  
8 IDENTIFICATION AND PROMPT RESOLUTION WILL HELP TRANSITIONAL JOBS  
9 WORKERS TO SUCCEED ON THE JOB AND MOVE INTO UNSUBSIDIZED  
10 EMPLOYMENT; AND

11 (h) COLLECTION OF DATA REQUIRED BY THE STATE DEPARTMENT,  
12 INCLUDING UTILIZATION OF THE COMMON STATEWIDE DATA COLLECTION  
13 SYSTEM IDENTIFIED BY THE STATE DEPARTMENT FOR DATA REPORTING  
14 AND DOCUMENTATION OF TRANSITIONAL JOBS PROGRAM OUTCOMES AND  
15 PERFORMANCE.

16 **26-2-1103. Transitional jobs programs.** (1) THE STATE  
17 DEPARTMENT SHALL ADMINISTER A TRANSITIONAL JOBS PROGRAM. THE  
18 TRANSITIONAL JOBS PROGRAM MUST:

19 (a) SEEK TO OFFER THE OPPORTUNITY TO WORK IN TRANSITIONAL  
20 JOBS TO AT LEAST ONE THOUSAND EIGHT HUNDRED ELIGIBLE INDIVIDUALS  
21 FROM JULY 1, 2013, THROUGH DECEMBER 30, 2014;

22 (b) TO THE GREATEST EXTENT POSSIBLE, PROVIDE PRIORITY  
23 TRANSITIONAL JOB OFFERS TO THE FOLLOWING GROUPS OF ELIGIBLE  
24 INDIVIDUALS, WITH THE HIGHEST PRIORITY BEING GIVEN TO INDIVIDUALS  
25 MEETING ALL OF THE FOLLOWING CATEGORIES:

26 (I) NON-CUSTODIAL PARENTS;

27 (II) VETERANS; OR

28 (III) DISPLACED WORKERS THAT ARE FIFTY YEARS OF AGE OR  
29 OLDER;

30 (c) PAY ELIGIBLE WORKERS AT LEAST THE APPLICABLE MINIMUM  
31 WAGE; AND

32 (d) PLACE TRANSITIONAL JOB WORKERS, TO THE GREATEST EXTENT  
33 FEASIBLE, WITH HOST SITE EMPLOYERS THAT ARE SMALL AND  
34 MEDIUM-SIZED FIRMS THAT HAVE NO MORE THAN FIFTY  
35 FULL-TIME-EQUIVALENT EMPLOYEES.

36 (2) TO BE ELIGIBLE FOR A TRANSITIONAL JOB, AN INDIVIDUAL  
37 MUST:

38 (a) BE A LEGAL UNITED STATES RESIDENT OR OTHERWISE  
39 LAWFULLY PRESENT AND ELIGIBLE FOR WORK IN THE UNITED STATES;

40 (b) BE A RESIDENT OF COLORADO;

41 (c) BE AT LEAST EIGHTEEN YEARS OF AGE;

42 (d) NOT BE INCARCERATED AND BE ABLE TO WORK;

43 (e) HAVE A FAMILY INCOME OF BELOW ONE HUNDRED FIFTY  
44 PERCENT OF THE FEDERAL POVERTY LEVEL, AS ADJUSTED FOR FAMILY SIZE;

45 (f) BE UNEMPLOYED OR UNDEREMPLOYED FOR NO MORE THAN  
46 TWENTY HOURS PER WEEK, FOR AT LEAST FOUR CONSECUTIVE WEEKS; AND

47 (g) DEMONSTRATE THAT HE OR SHE HAS ACTIVELY SOUGHT  
48 EMPLOYMENT UTILIZING THE PUBLIC WORKFORCE SYSTEM.

49 (3) AN INDIVIDUAL WHO IS ELIGIBLE FOR A TRANSITIONAL JOB  
50 UNDER SUBSECTION (2) OF THIS SECTION MAY BE OFFERED A  
51 TRANSITIONAL JOB, SUBJECT TO THE AVAILABILITY OF FUNDS, ON THE  
52 FOLLOWING TERMS:

53 (a) THE TRANSITIONAL JOB MAY NOT DISPLACE ANY EXISTING  
54 EMPLOYEE, OR RESULT IN FILLING A JOB FROM WHICH AN EMPLOYEE WAS  
55 RECENTLY TERMINATED, OR INVOLVE THE TRANSITIONAL JOB WORKER IN  
56 A LABOR DISPUTE;

- 1 (b) THE TRANSITIONAL JOB MUST PAY AT LEAST THE APPLICABLE  
2 MINIMUM WAGE, AND THE WAGE MAY BE INCREASED WITH FUNDS  
3 PROVIDED BY THE HOST SITE OR A THIRD PARTY;
- 4 (c) THE TRANSITIONAL JOB MUST PROVIDE NO FEWER THAN EIGHT  
5 HOURS OF WORK PER WEEK OF TRANSITIONAL JOB WORK AND MAY  
6 PROVIDE UP TO FORTY HOURS OF WORK PER WEEK OF TRANSITIONAL JOB  
7 WORK;
- 8 (d) EACH TRANSITIONAL JOB MAY PROVIDE UP TO THIRTY TOTAL  
9 WEEKS OF TRANSITIONAL JOB WORK, NOT TO EXCEED THREE PLACEMENTS  
10 AS A TRANSITIONAL JOB WORKER WITH UP TO THREE HOST SITES; EXCEPT  
11 THAT, SUBJECT TO GUIDELINES PROVIDED BY THE STATE DEPARTMENT, A  
12 LOCAL AGENCY CONTRACTOR MAY OFFER AND PROVIDE AN INDIVIDUAL  
13 WHO REMAINS ELIGIBLE FOR A TRANSITIONAL JOB ADDITIONAL WEEKS OF  
14 TRANSITIONAL JOB WORK; AND
- 15 (e) THE INDIVIDUAL EMPLOYED IN A TRANSITIONAL JOB MUST  
16 DEMONSTRATE THAT HE OR SHE IS ACTIVELY SEEKING EMPLOYMENT  
17 UTILIZING THE PUBLIC WORKFORCE SYSTEM.
- 18 (4) THE TRANSITIONAL JOBS PROGRAM MUST OPERATE  
19 THROUGHOUT COLORADO, BUT, BASED ON THE AVAILABILITY OF FUNDING,  
20 THE STATE DEPARTMENT MAY:
- 21 (a) PHASE IN THE TRANSITIONAL JOBS PROGRAM IN 2013 AND 2014  
22 OR OVER A LONGER TIME PERIOD AS DETERMINED NECESSARY BY THE  
23 STATE DEPARTMENT; OR
- 24 (b) LIMIT THE TRANSITIONAL JOBS PROGRAMS TO URBAN AND  
25 RURAL COUNTIES DESIGNATED BY THE STATE DEPARTMENT BASED ON  
26 CRITERIA RELATING TO UNEMPLOYMENT, POVERTY, AND OTHER FACTORS  
27 THAT THE STATE DEPARTMENT IDENTIFIES.
- 28 (5) THE STATE DEPARTMENT SHALL:
- 29 (a) REQUIRE DATA REPORTING AND PERFORMANCE OUTCOMES;
- 30 (b) EVALUATE THE OUTCOMES OF THE TRANSITIONAL JOBS  
31 PROGRAM AND PRESENT THE RESULTS OF ITS EVALUATION IN A TIMELY  
32 AND STRUCTURED MANNER; AND
- 33 (c) RIGOROUSLY MONITOR ALL CONTRACTS AND ENSURE FULL  
34 COMPLIANCE BY ALL CONTRACTORS WITH THEIR CONTRACTUAL  
35 OBLIGATIONS.
- 36 (6) THE STATE DEPARTMENT SHALL USE A COMPETITIVE REQUEST  
37 FOR PROPOSAL PROCESS TO SELECT LOCAL AGENCY CONTRACTORS AND  
38 SHALL NEGOTIATE CONTRACTS WITH THE GOVERNMENT OR NON-PROFIT OR  
39 FOR-PROFIT ORGANIZATIONS THAT SUBMIT THE STRONGEST PROPOSALS.
- 40 (7) THE STATE DEPARTMENT MAY OFFER INCENTIVES TO LOCAL  
41 AGENCY CONTRACTORS FOR HIGH PERFORMANCE.
- 42 (8) THE STATE DEPARTMENT SHALL:
- 43 (a) DETERMINE THE MOST EFFECTIVE AND EFFICIENT PROCESS AND  
44 MECHANISMS TO PROVIDE EMPLOYER OF RECORD SERVICES;
- 45 (b) ESTABLISH STANDARDS AND PROCEDURES FOR CONSIDERING  
46 AND APPROVING THE APPLICATIONS OF ORGANIZATIONS THAT APPLY TO  
47 FUNCTION AS EMPLOYERS OF RECORD; AND
- 48 (c) APPROVE THE APPLICATIONS OF THOSE ORGANIZATIONS THAT  
49 APPLY TO BE EMPLOYERS OF RECORD IF THE STATE DEPARTMENT  
50 DETERMINES THE ORGANIZATIONS WILL MEET ALL APPLICABLE STANDARDS  
51 IN THE MOST EFFECTIVE AND EFFICIENT MANNER AND AT THE LOWEST  
52 COST.
- 53 (9) AN ORGANIZATION MAY SUBMIT AN APPLICATION TO BE AN  
54 EMPLOYER OF RECORD, A LOCAL AGENCY CONTRACTOR, OR BOTH. THE  
55 STATE DEPARTMENT SHALL REVIEW AND MAKE DECISIONS ABOUT THE  
56 APPLICATION OF AN ORGANIZATION TO BE AN EMPLOYER OF RECORD IN

1 THE SAME MANNER, AND USING THE SAME CRITERIA, REGARDLESS OF  
 2 WHETHER THE ORGANIZATION PREVIOUSLY NEVER WAS, PREVIOUSLY WAS,  
 3 CURRENTLY IS, PREVIOUSLY APPLIED TO BE, OR IS CURRENTLY APPLYING  
 4 TO BE A LOCAL AGENCY CONTRACTOR. THE STATE DEPARTMENT SHALL  
 5 REVIEW AND MAKE DECISIONS ABOUT THE APPLICATION OF AN  
 6 ORGANIZATION TO BE A LOCAL AGENCY CONTRACTOR IN THE SAME  
 7 MANNER, AND USING THE SAME CRITERIA, REGARDLESS OF WHETHER THE  
 8 ORGANIZATION NEVER WAS, PREVIOUSLY WAS, CURRENTLY IS, PREVIOUSLY  
 9 APPLIED TO BE, OR IS CURRENTLY APPLYING TO BE AN EMPLOYER OF  
 10 RECORD. AN EMPLOYER OF RECORD OR A LOCAL AGENCY CONTRACTOR,  
 11 CONSISTENT WITH CRITERIA THAT THE STATE DEPARTMENT MAY  
 12 ESTABLISH, MAY ALSO SERVE AS A HOST SITE EMPLOYER.

13 (10) THE STATE DEPARTMENT SHALL UTILIZE ANY MONEYS FOR  
 14 THE TRANSITIONAL JOBS PROGRAM IN THE FOLLOWING MANNER:

15 (a) TRANSITIONAL JOBS PROGRAM MONEYS MUST BE USED TO  
 16 REIMBURSE THE EMPLOYER OF RECORD FOR THE FOLLOWING  
 17 WAGE-RELATED COSTS FOR EACH INDIVIDUAL WHO WORKS IN A  
 18 TRANSITIONAL JOB:

19 (I) WAGE COSTS EQUAL TO THE NUMBER OF HOURS OF  
 20 TRANSITIONAL JOBS WORK PERFORMED FOR AND CERTIFIED BY A HOST SITE  
 21 EMPLOYER TIMES THE AGREED UPON WAGE, WHICH WAGE MUST BE AT  
 22 LEAST THE APPLICABLE MINIMUM WAGE BUT MAY BE DEFINED BY THE  
 23 FUNDING SOURCE; AND

24 (II) ALL RESULTING PAYROLL TAXES, INCLUDING THE EMPLOYER  
 25 OF RECORD'S SHARE OF FICA TAXES, MEDICARE TAXES, ANY APPLICABLE  
 26 UNEMPLOYMENT INSURANCE TAXES, AND ANY APPLICABLE WORKER'S  
 27 COMPENSATION COSTS.

28 (b) THE HOST SITE OR A THIRD PARTY MAY INCREASE THE WAGE  
 29 PER HOUR OR OTHER COMPENSATION THAT AN INDIVIDUAL EMPLOYED IN  
 30 A TRANSITIONAL JOB RECEIVES AND SHALL BE RESPONSIBLE FOR ALL  
 31 WAGES, PAYROLL TAX, AND OTHER COSTS ASSOCIATED WITH THE  
 32 INCREASE.

33 (c) TRANSITIONAL JOBS PROGRAM MONEYS ALSO SHALL BE USED  
 34 TO PAY FOR:

35 (I) ADMINISTRATIVE COSTS INCURRED BY THE STATE  
 36 DEPARTMENT, INCLUDING PAYMENTS TO EMPLOYERS OF RECORD; AND

37 (II) PAYMENTS TO COMPETITIVELY SELECTED LOCAL  
 38 CONTRACTING AGENCIES, PURSUANT TO THEIR CONTRACTS, FOR PROGRAM  
 39 AND ADMINISTRATIVE COSTS ACTUALLY INCURRED.

40 **26-2-1104. Repeal.** THIS PART 11 IS REPEALED, EFFECTIVE JULY  
 41 1, 2017.

42 **SECTION 2. Appropriation.** In addition to any other  
 43 appropriation, there is hereby appropriated, out of any moneys in the  
 44 general fund not otherwise appropriated, to the department of human  
 45 services, for the fiscal year beginning July 1, 2013, the sum of  
 46 \$2,400,000, or so much thereof as may be necessary, for the transitional  
 47 jobs program related to the implementation of this act.

48 **SECTION 3. Effective date.** This act takes effect July 1, 2013.

49 **SECTION 4. Safety clause.** The general assembly hereby finds,  
 50 determines, and declares that this act is necessary for the immediate  
 51 preservation of the public peace, health, and safety."  
 52

53 Page 1, line 101, strike "2013." and substitute "2013, AND, IN  
 54 CONNECTION THEREWITH, ESTABLISHING A TRANSITIONAL JOBS  
 55 PROGRAM AND MAKING AN APPROPRIATION."."

56

1 **HB13-1249** be postponed indefinitely.

2  
3

4 **HB13-1277** be amended as follows, and as so amended, be referred to  
5 the Committee on Appropriations with favorable  
6 recommendation:

7

8 Amend printed bill, page 4, strike lines 21 through 24 and substitute:

9

10 "COMMUNITY MANAGEMENT IN COLORADO. THE TERM INCLUDES:

11 (I) THE CHIEF EXECUTIVE OFFICER OF A BUSINESS ENTITY THAT  
12 EMPLOYS INDIVIDUALS OR CONTRACTS WITH OTHER BUSINESS ENTITIES TO  
13 PERFORM COMMUNITY ASSOCIATION MANAGEMENT SERVICES; AND

14 (II) ANY EXECUTIVE OF A BUSINESS ENTITY WHO HAS DIRECT  
15 SUPERVISION OR OVERSIGHT OF AN INDIVIDUAL WHO PERFORMS  
16 COMMUNITY ASSOCIATION MANAGEMENT SERVICES."

17

18 Page 6, strike lines 6 and 7 and substitute "ASSOCIATION OR UNIT OWNERS'  
19 ASSOCIATION, AS DEFINED IN SECTION 38-33.3-103 (3), WHETHER  
20 ORGANIZED BEFORE, ON, OR AFTER JULY 1, 1992."

21

22 Page 6, line 12, strike "2014," and substitute "2015,"

23

24 Page 7, line 18, after (b)" insert "(I)".

25

26 Page 8, after line 5 insert:

27

28 "(II) IF A PERSON HAS COMPLIED WITH THIS PARAGRAPH (b) AND  
29 HAS SUBMITTED AN OTHERWISE COMPLETE APPLICATION FOR A LICENSE  
30 BEFORE JULY 1, 2014, BUT, AS OF JULY 1, 2015, THE RESULTS OF THE  
31 PERSON'S FINGERPRINT-BASED CRIMINAL HISTORY RECORD CHECK HAVE  
32 NOT BEEN FORWARDED TO THE DIRECTOR, THE DIRECTOR MAY ISSUE A  
33 TEMPORARY LICENSE PENDING THE RECEIPT OF THE RESULTS. THE  
34 DIRECTOR MAY ADOPT RULES TO IMPLEMENT THIS SUBPARAGRAPH (II),  
35 BUT MAY NOT IMPOSE A FIXED EXPIRATION DATE FOR THE TEMPORARY  
36 LICENSE."

37

38 Page 10, line 20, after the semicolon add "AND".

39

40 Page 10, strike lines 21 through 27.

41 Page 11, strike lines 1 through 24 and substitute:

42

43 "(II) OTHER CORE COMPETENCIES AS SPECIFIED BY THE DIRECTOR.

44 (c) EXAMINATION RESULTS MEASURING AN APPLICANT'S  
45 KNOWLEDGE OF THE MATTERS DESCRIBED IN SUBPARAGRAPH (I) OF  
46 PARAGRAPH (b) OF THIS SUBSECTION (5) ARE VALID FOR ONE YEAR. A  
47 PERSON WHO TAKES THE EXAMINATION AND DOES NOT APPLY FOR A  
48 LICENSE WITHIN ONE YEAR THEREAFTER MUST RETAKE THAT PORTION OF  
49 THE EXAMINATION BEFORE APPLYING."

50

51 Page 12, line 5, after the period add "THE DIRECTOR MAY REQUIRE A  
52 PERSON SO LICENSED TO TAKE THE PORTION OF THE EXAMINATION  
53 PERTAINING TO THE MATTERS DESCRIBED IN SUBPARAGRAPH (I) OF  
54 PARAGRAPH (b) OF THIS SUBSECTION (5) WITHIN A SPECIFIED TIME AFTER  
55 FIRST RECEIVING A COLORADO LICENSE."

56

- 1 Page 12, strike lines 21 through 24 and substitute "ISSUE A DESIGNATED  
2 MANAGER'S LICENSE TO THE DESIGNATED MANAGER."  
3
- 4 Page 13, line 9, strike "ENTITY AS WELL AS" and substitute "ENTITY."  
5 Page 13, strike lines 10 through 13.  
6
- 7 Page 17, strike lines 15 through 23.  
8
- 9 Reletter succeeding paragraphs accordingly.  
10 Page 17, line 24, after "ANY" insert "APPLICABLE".  
11
- 12 Page 18, line 9, strike "AN ESCROW OR A TRUSTEE" and substitute "A  
13 SEGREGATED".  
14
- 15 Page 19, line 8, strike "(k)" and substitute "(h)".  
16
- 17 Page 27, line 26, strike "2014;" and substitute "2015;".  
18  
19  
20
- 21 **HB13-1285** be amended as follows, and as so amended, be referred to  
22 the Committee on Appropriations with favorable  
23 recommendation:  
24
- 25 Amend printed bill, page 4, line 2, strike "SEVEN" and substitute "THOSE".  
26
- 27 Page 4, line 3, strike "DEPARTMENTS" and substitute "ENTITIES".  
28
- 29 Page 6, line 15, strike "AND".  
30 Page 6, strike line 17 and substitute "24-1-128.5; AND  
31 (VIII) INSTITUTIONS OF HIGHER EDUCATION AND THE COLORADO  
32 COMMISSION ON HIGHER EDUCATION; EXCEPT FOR THOSE ENTITIES THAT  
33 HAVE ELECTED TO BE EXEMPT FROM THE CODE PURSUANT TO SECTION  
34 24-101-105 (1) (b).".  
35
- 36 Page 6, line 18, after "(b)" insert "(I)".  
37 Page 6, after line 21 insert:  
38
- 39 "(II) THE ENTITIES SUBJECT TO THE STUDY PURSUANT TO  
40 PARAGRAPH (a) OF THIS SUBSECTION (1) SHALL COOPERATE FULLY WITH  
41 THE INDEPENDENT CONTRACTOR ENGAGED TO CONDUCT THE STUDY."  
42
- 43 Page 9, line 13, strike "DISPARITY." and substitute "DISPARITY, INCLUDING  
44 ANY STATUTORY CHANGES LIKELY TO CURE, MITIGATE, OR REDRESS SUCH  
45 DISPARITY."  
46  
47  
48  
49
- 50 **FINANCE**  
51 After consideration on the merits, the Committee recommends the  
52 following:  
53
- 54 **HB13-1212** be amended as follows, and as so amended, be referred to  
55 the Committee of the Whole with favorable  
56 recommendation:

1 Amend printed bill, page 3, after line 16 insert:

2

3 "(1) "AGRICULTURAL LAND" MEANS ANY ONE PARCEL OF LAND OR  
4 ANY TWO OR MORE CONTIGUOUS PARCELS OF LAND THAT, REGARDLESS OF  
5 THE USES FOR WHICH THE LAND HAS BEEN ZONED, HAS BEEN CLASSIFIED  
6 BY THE COUNTY ASSESSOR AS AGRICULTURAL LAND FOR PURPOSES OF THE  
7 LEVYING AND COLLECTION OF PROPERTY TAX PURSUANT TO SECTIONS  
8 39-1-102 (1.6) (a) AND 39-1-103 (5) (a), C.R.S., AT ANY TIME DURING THE  
9 FIVE-YEAR PERIOD PRIOR TO THE DATE ON WHICH A DISTRICT PLAN  
10 CONTAINING ANY PORTION OF SUCH LAND IS SUBMITTED TO A GOVERNING  
11 BODY UNDER SECTION 29-30-104 (1)."

12

13 Renumber succeeding sections accordingly.

14

15 Amend the Local Government Committee report, dated February 27,  
16 2013, page 1, line 8, strike ""(9)" and substitute ""(10)".

17

18 Page 1 of the report, line 17, strike "(10)" and substitute "(11)".

19

20 Page 1 of the report, line 18, strike "(11)" and substitute "(12)".

21

22 Page 2 of the report, line 7, strike "(12)" and substitute "(13)".

23 Page 2 of the report, line 14, strike ""(22)" and substitute ""(23)".

24 Page 2 of the report, after line 29 insert:

25

26 "Page 10 of the bill, line 18, strike "EXCEEDING" and substitute "OF AN  
27 AMOUNT EQUAL TO AT LEAST ONE HUNDRED FIFTEEN PERCENT OF".

28

29 Page 3 of the report, after line 1 insert:

30

31 "Page 10 of the bill, line 21, strike "EXCEEDING" and substitute "OF AN  
32 AMOUNT EQUAL TO AT LEAST ONE HUNDRED TEN PERCENT OF".

33

34 Page 3 of the report, line 5, strike "EXCEEDING" and substitute "OF AN  
35 AMOUNT EQUAL TO AT LEAST ONE HUNDRED FIVE PERCENT OF".

36

37 Page 3 of the report, after line 9 insert:

38

39 "Page 10 of the bill, line 25, strike "EXCEEDING" and substitute "OF AN  
40 AMOUNT EQUAL TO AT LEAST ONE HUNDRED PERCENT OF".

41

42 Page 11 of the bill, line 8, strike "SIXTY" and substitute "FIFTY".

43

44 Page 13 of the bill, before line 1 insert:

45

46 "(c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
47 NO AREA THAT COMPRISES ANY PART OF A PROPOSED JOB CREATION  
48 DISTRICT SHALL CONTAIN ANY AGRICULTURAL LAND UNLESS EACH TAXING  
49 ENTITY THAT LEVIES PROPERTY TAX ON SUCH AGRICULTURAL LAND  
50 AGREES, IN WRITING AND REGARDLESS OF WHETHER EACH SUCH TAXING  
51 ENTITY WILL PARTICIPATE IN THE DISTRICT PLAN, TO THE INCLUSION OF  
52 THE AGRICULTURAL LAND WITHIN THE JOB CREATION DISTRICT."

53

54

55

56

1 **HB13-1245** be amended as follows, and as so amended, be referred to  
2 the Committee on Appropriations with favorable  
3 recommendation:  
4

5 Amend the Health, Insurance, and Environment Committee Report, dated  
6 March 28, 2013, page 2, after line 16 insert:  
7

8 "SECTION 2. In Colorado Revised Statutes, 10-22-106, **add** (3)  
9 as follows:

10 **10-22-106. Powers and duties of the board.** (3) THE BOARD  
11 MAY CREATE A SEPARATE PROGRAM THAT SHARES RESOURCES AND  
12 INFRASTRUCTURE WITH THE EXCHANGE TO OFFER ANCILLARY PRODUCTS."  
13

14 Renumber succeeding sections accordingly.  
15

16 Page 3, line 16, strike "AND".

17 Page 3, strike line 21 and substitute "10-22-110; AND

18 (c) MONEYS FROM THE UNCLAIMED PROPERTY TRUST FUND  
19 TRANSMITTED PURSUANT TO SECTION 38-13-116.5 (2.9), C.R.S."  
20

21 Page 3, line 39, after "10," insert "AND ANY MONEYS RECEIVED FROM THE  
22 UNCLAIMED PROPERTY TRUST FUND".  
23

24 Page 6, after line 34, insert:

25 "SECTION 6. In Colorado Revised Statutes, 38-13-116.5, **amend**  
26 (1) (b); and **add** (2.9) as follows:

27 **38-13-116.5. Unclaimed property trust fund - creation -**  
28 **payments - interest - appropriations - records - rules - repeal.**  
29 (1) (b) Except as provided in subsections (2), ~~and~~ (2.7), AND (2.9) of this  
30 section, the principal of the trust fund shall not be expended except to pay  
31 claims made pursuant to this article. Moneys comprising the principal of  
32 the trust fund shall not constitute fiscal year spending of the state for  
33 purposes of section 20 of article X of the state constitution and are not  
34 subject to appropriation by the general assembly.

35 (2.9) (a) ON JULY 1, 2013, THE STATE TREASURER SHALL  
36 TRANSMIT FIFTEEN MILLION DOLLARS TO THE COLORADO HEALTH BENEFIT  
37 EXCHANGE, CREATED IN ARTICLE 22 OF TITLE 10, C.R.S., FROM THE  
38 UNCLAIMED PROPERTY TRUST FUND.

39 (b) THIS SUBSECTION (2.9) IS REPEALED, EFFECTIVE JULY 1, 2014."  
40

41 Renumber succeeding section accordingly.  
42  
43

44 **HB13-1280** be referred to the Committee of the Whole with favorable  
45 recommendation.  
46  
47  
48  
49

## 50 **HEALTH, INSURANCE & ENVIRONMENT**

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

54 **HB13-1273** be amended as follows, and as so amended, be referred to  
55 the Committee on Appropriations with favorable  
56 recommendation:

1 Amend printed bill, page 3, line 5, strike "**rules.**" and substitute "**rules -**  
2 **local government designee fund.**".

3  
4 Page 3, line 20, after the period insert "THE COMMISSION SHALL TRANSFER  
5 THE FEES TO THE STATE TREASURER, WHO SHALL DEPOSIT THEM IN THE  
6 LOCAL GOVERNMENT DESIGNEE FUND, WHICH IS HEREBY CREATED IN THE  
7 STATE TREASURY. ALL INTEREST EARNED ON DEPOSITS IN THE FUND ARE  
8 CREDITED TO THE FUND."

9  
10 Page 3, line 21, strike "ALLOCATE THE FEE" and substitute "QUARTERLY  
11 DISTRIBUTE REVENUES IN THE FUND".

12  
13 Page 3, line 22, strike "COMMISSION AND" and substitute "COMMISSION."

14  
15 Page 3, strike line 23.

16  
17 Page 3, line 24, strike "THE PERMIT IS LOCATED."

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**HB13-1275** be postponed indefinitely.

## **JUDICIARY**

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

**HB13-1251** be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 2, strike line 3 and substitute "(1) (g); and **add** (7) as follows:".

Page 2, line 11, strike "CLASS 1, 2," and substitute "CLASS 1 MISDEMEANOR CONVICTION FOR A CRIME IN TITLE 18, C.R.S.;".

Page 2, line 12, strike "OR 3 MISDEMEANOR;".

Page 3, after line 8 insert:

"(7) (a) IF AN OFFENDER'S MISDEMEANOR CONVICTION IS OVERTURNED ON POST-CONVICTION RELIEF OR APPEAL, THE OFFENDER MAY SUBMIT A WRITTEN REQUEST FOR EXPUNGEMENT TO THE COLORADO BUREAU OF INVESTIGATION. THE REQUEST SHALL INCLUDE THE ITEMS LISTED IN THIS PARAGRAPH (a) AND ANY ADDITIONAL INFORMATION THAT MAY ASSIST THE BUREAU IN LOCATING THE RECORDS OF CONVICTION OR THE BIOLOGICAL SUBSTANCE SAMPLE OR TESTING RESULTS. THE FOLLOWING INFORMATION MUST BE INCLUDED IN THE REQUEST:

(I) THE PERSON'S NAME, DATE OF BIRTH, AND MAILING ADDRESS;

(II) THE NAME OF THE AGENCY THAT COLLECTED THE BIOLOGICAL SUBSTANCE SAMPLE;

(III) THE DATE WHEN THE SAMPLE WAS TAKEN;

(IV) A COPY OF THE POST-CONVICTION OR APPELLATE ORDER OVERTURNING THE CONVICTION; AND

1 (V) A DECLARATION THAT, TO THE BEST OF THE PERSON'S  
2 KNOWLEDGE, HE OR SHE QUALIFIES FOR EXPUNGEMENT.

3 (b) WITHIN NINETY DAYS AFTER RECEIVING THE REQUEST  
4 SUBMITTED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION, THE  
5 COLORADO BUREAU OF INVESTIGATION SHALL DESTROY THE BIOLOGICAL  
6 SUBSTANCE SAMPLE COLLECTED AND EXPUNGE THE RESULTS OF THE  
7 TESTING OF THE SAMPLE FROM THE FEDERAL COMBINED DNA INDEX  
8 SYSTEM AND ANY STATE INDEX SYSTEM.

9 (c) THE COLORADO BUREAU OF INVESTIGATION SHALL SEND  
10 NOTIFICATION BY FIRST CLASS MAIL TO THE OFFENDER, EITHER STATING  
11 THAT THE BUREAU DESTROYED THE BIOLOGICAL SUBSTANCE SAMPLE AND  
12 EXPUNGED THE SAMPLE TEST RESULTS OR STATING WHY THE BUREAU HAS  
13 NOT DESTROYED THE SAMPLE AND EXPUNGED THE TEST RESULTS.

14 (d) A DATA BANK OR DATABASE MATCH SHALL NOT BE ADMITTED  
15 AS EVIDENCE AGAINST A PERSON IN A CRIMINAL PROSECUTION AND SHALL  
16 NOT BE USED AS A BASIS TO IDENTIFY A PERSON IF THE MATCH IS:

17 (I) DERIVED FROM A BIOLOGICAL SUBSTANCE SAMPLE THAT IS  
18 REQUIRED TO BE EXPUNGED PURSUANT TO THIS SECTION; AND

19 (II) OBTAINED AFTER THE REQUIRED DATE OF EXPUNGEMENT."  
20

21 Page 1, line 102, strike "MISDEMEANOR." and substitute "CLASS 1  
22 MISDEMEANOR IN THE COLORADO CRIMINAL CODE."  
23  
24  
25

26 **HB13-1254** be amended as follows, and as so amended, be referred to  
27 the Committee on Appropriations with favorable  
28 recommendation:  
29

30 Amend the Judiciary Committee Report, dated March 26, 2013, page 1,  
31 strike line 1 and substitute:

32 "Amend printed bill, page 3, line 19, strike "requested by" and substitute  
33 "requested by".  
34

35 Page 3 of the bill, strike line 20 and substitute "~~the victim who has been~~  
36 ~~informed about restorative justice practices pursuant to section~~  
37 ~~24-4.1-303 (11) (g), C.R.S.,"~~.  
38

39 Page 3 of the bill, strike line 21.  
40

41 Page 3 of the bill, line 22, strike "section 24-4.1-303 (11) (g), C.R.S.,".  
42

43 Page 1 of the committee report, after line 1 insert:

44 "Page 3 of the bill, line 23, after "facilitator." insert "IF A"."  
45

46 Page 1 of the committee report, strike lines 9 through 14 and substitute:  
47 "Page 5 of the bill, strike lines 14 through 17.  
48

49 Page 5 of the bill, line 18, strike "ATTORNEY.". "  
50

51 Page 1 of the committee report, after line 15 insert:

52 "Page 6 of the bill, line 10, after "2013." insert "THE EVALUATION MUST  
53 BE BASED ON RESEARCH PRINCIPLES."  
54

55 Page 6 of the bill, line 14, strike "VICTIMS," and substitute  
56 "PARTICIPATING VICTIMS,"."  
57

- 1 Page 2 of the committee report, after line 4 insert:  
2 "Page 8 of the bill, line 14, "FACE-TO-FACE MEETINGS WITH" and  
3 substitute "RESTORATIVE JUSTICE PRACTICES,".  
4
- 5 Page 8 of the bill, strike line 15 and substitute "THEY CAN BETTER  
6 UNDERSTAND THE".  
7
- 8 Page 8 of the bill, line 25, after "RECIDIVISM," insert "TO ASSIST IN  
9 REPAIRING THE HARM CAUSED TO VICTIMS AND THE COMMUNITY,".".  
10
- 11 Page 2 of the committee report, before line 5 insert:  
12 "Page 10 of the bill, line 1, strike "AND GENDER;" and substitute "GENDER,  
13 AND EACH CHARGE AT ARREST;" .  
14
- 15 Page 10 of the bill, line 11, after "SUBSEQUENT" insert "ARREST OR".  
16
- 17 Page 11 of the bill, line 7, strike "ATTORNEY" and substitute "ATTORNEY,  
18 AFTER CONSULTATION WITH THE VICTIM IN A VICTIMS' RIGHTS ACT  
19 CRIME,".".  
20
- 21 Page 2 of the committee report, strike lines 5 through 9 and substitute:  
22 "Page 12 of the bill, strike lines 17 through 19 and substitute:  
23 "(4) BEFORE IMPLEMENTING A RESTORATIVE JUSTICE PILOT  
24 PROJECT, EACH JUDICIAL DISTRICT SHALL, IN CONSULTATION WITH THE  
25 COUNCIL, ESTABLISH GUIDELINES TO BE FOLLOWED FOR SUCH PROJECT.  
26 SUCH GUIDELINES SHALL INCLUDE: A FRONT-END ASSESSMENT OF THE  
27 OFFENDER, THE CRIME, VICTIM IMPACT, AND THE BEST METHODOLOGY TO  
28 INVOLVE VICTIMS; CONSIDERATION FOR SERVICES AND PROGRAMMATIC  
29 SUPPORT AVAILABLE; AND A THOROUGH AND APPROPRIATE EVALUATION  
30 OF THE PILOT PROJECT.  
31 (5) THE RESTORATIVE JUSTICE PILOT PROJECT SITES SHALL  
32 RECEIVE FUNDS FROM THE RESTORATIVE JUSTICE SURCHARGE FUND  
33 CREATED IN SECTION 18-25-101 (3), C.R.S.".  
34
- 35 Renumber succeeding subsection accordingly.  
36
- 37 Page 13, line 10, after "PROSECUTION;" insert "THE SERIOUSNESS OF THE  
38 CRIME; THE CRIME'S IMPACT ON THE VICTIM; THE BEST METHODOLOGY TO  
39 INVOLVE THE VICTIM;" .  
40
- 41 Page 13, line 12, strike "and" and substitute "**and**".  
42
- 43 Page 13, line 13, strike "process." and substitute "process; AND OTHER  
44 PROGRAMMATIC SUPPORT AVAILABLE.".".  
45  
46  
47  
48
- 49 **LOCAL GOVERNMENT**  
50 After consideration on the merits, the Committee recommends the  
51 following:  
52
- 53 **SB13-183** be amended as follows, and as so amended, be referred to  
54 the Committee of the Whole with favorable  
55 recommendation:  
56

1 Amend reengrossed bill, page 2, line 4, after "**add**" insert "(11) (b) (II.5)  
2 and".

3  
4 Page 3, before line 1 insert:

5  
6 "(II.5) "TURF" MEANS A COVERING OF MOWED VEGETATION,  
7 USUALLY TURF GRASS, GROWING INTIMATELY WITH AN UPPER SOIL  
8 STRATUM OF INTERMINGLED ROOTS AND STEMS."

9  
10 Page 3, line 8, after "die" insert "OR GO DORMANT".

11 Page 3, line 17, after "DEAD" insert "OR DORMANT".

12  
13 Page 4, strike lines 3 through 7 and substitute:

14  
15 "(33) "XERISCAPE" MEANS THE COMBINED APPLICATION OF THE  
16 SEVEN PRINCIPLES OF LANDSCAPE PLANNING AND DESIGN, SOIL ANALYSIS  
17 AND IMPROVEMENT, HYDRO ZONING OF PLANTS, USE OF PRACTICAL TURF  
18 AREAS, USES OF MULCHES, IRRIGATION EFFICIENCY, AND APPROPRIATE  
19 MAINTENANCE UNDER SECTION 38-35.7-107 (1) (a) (III) (A), C.R.S."

20  
21  
22  
23  
24 **TRANSPORTATION & ENERGY**

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

27  
28 **SB13-212** be amended as follows, and as so amended, be referred to  
29 the Committee of the Whole with favorable  
30 recommendation:

31  
32 Amend reengrossed bill, page 3, line 4, after "(f)," insert "(5) (h), (5) (i),".

33  
34 Page 3, line 5, after "(1.5)" insert "and (5) (j)".

35  
36 Page 3, after line 27 insert:

37  
38 "(h) Daylighting systems; and  
39 (i) ~~Any other modification, installation, or remodeling approved~~  
40 ~~as a utility cost-savings measure by the district.~~ ELECTRIC VEHICLE  
41 CHARGING EQUIPMENT ADDED TO THE BUILDING OR ITS ASSOCIATED  
42 PARKING AREA; AND  
43 (j) ANY OTHER MODIFICATION, INSTALLATION, OR REMODELING  
44 APPROVED AS A UTILITY COST-SAVINGS MEASURE BY THE DISTRICT."

45  
46  
47 **PRINTING REPORT**

48  
49 The Chief Clerk reports the following bills have been correctly printed:  
50 **HB13-1304, 1305.**

51  
52  
53 **MESSAGE(S) FROM THE SENATE**

54  
55 The Senate has passed on Third Reading and transmitted to the Revisor  
56 of Statutes: SB13-166.

1 The Senate has passed on Third Reading and transmitted to the Revisor  
2 of Statutes:  
3 **SB13-047** amended in General Orders as printed in Senate Journal,  
4 April 10, 2013, page 772.  
5 **SB13-170** amended in General Orders as printed in Senate Journal,  
6 April 10, 2013, page 772.  
7 **SB13-231** amended in General Orders as printed in Senate Journal,  
8 April 10, 2013, page 772.  
9

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### 11 MESSAGE(S) FROM THE REVISOR

12  
13 We herewith transmit:  
14 without comment, SB13-166.  
15 without comment, as amended, SB13-047, 170, and 231.  
16

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### 18 INTRODUCTION OF BILLS

#### 19 First Reading

20  
21  
22 The following bills were read by title and referred to the committees  
23 indicated:

24  
25 **HB13-1306** by Representative(s) McCann; also Senator(s) Todd--  
26 Concerning creating a task force to consider persons who  
27 pose a threat of harm to themselves or others.  
28 Committee on Health, Insurance & Environment  
29

30 **HB13-1307** by Representative(s) Kagan, Gardner--Concerning the  
31 effect of the inclusion of a legal description on the validity  
32 of documents affecting title to real property.  
33 Committee on Judiciary  
34

35 **HB13-1308** by Representative(s) Kagan and Gardner--Concerning  
36 allowing a law enforcement agency to acquire call location  
37 information from a telecommunications device without a  
38 court order in an emergency situation.  
39 Committee on Judiciary  
40

41 **SB13-047** by Senator(s) Newell; also Representative(s) Fields--  
42 Concerning protections for youth in foster care against  
43 identity theft, and, in connection therewith, making an  
44 appropriation.  
45 Committee on Public Health Care & Human Services  
46

47 **SB13-166** by Senator(s) Aguilar; also Representative(s) Schafer--  
48 Concerning the development of standardized rules for use  
49 in processing medical claims, and, in connection  
50 therewith, extending the deadlines for development and  
51 implementation of the standardized rules, authorizing an  
52 appropriation of state moneys to help fund the  
53 development of the rules, and making an appropriation.  
54 Committee on Public Health Care & Human Services  
55

1 **SB13-170** by Senator(s) Aguilar; also Representative(s) Gerou--  
 2 Concerning the sale of uniquely valuable registration  
 3 numbers for vehicles, and, in connection therewith,  
 4 making an appropriation.  
 5 Committee on Transportation & Energy  
 6

7 **SB13-231** by Senator(s) Steadman, Hodge, Lambert; also  
 8 Representative(s) Levy, Duran, Gerou--Concerning the  
 9 creation of the Title IV-E waiver demonstration project.  
 10 Committee on Public Health Care & Human Services  
 11

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12 **APPOINTMENT**

13  
 14  
 15 The Speaker announced the following temporary appointment:  
 16 **STATE, VETERANS, & MILITARY AFFAIRS**  
 17 Representative Levy to replace Representative Labuda for the  
 18 committee meeting on April 15, 2013.  
 19

---

20 **NOTICE OF CALENDARED ITEM(S)**

21  
 22  
 23 On motion of Representative Hullinghorst, the following bill(s) currently  
 24 on the Special Orders Calendar are moved to the General Orders Calendar  
 25 for Monday, April 15, 2013: **HB13-1281, 1136, 1210, 1238.**  
 26

27  
 28 On motion of Representative Hullinghorst, the following bill(s)  
 29 calendared for April 16, 2013, are calendared for April 15, 2013: **HB13-**  
 30 **1002, 1003, SB13-007, 083, 167, 197, HB13-1280, 1212, SB13-183,**  
 31 **SB13-212.**  
 32

---

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

34  
 35  
 36 On motion of Representative Hullinghorst, the following item(s) on the  
 37 Calendar were laid over until April 15, retaining place on Calendar:  
 38

39 Consideration of General Orders--**SB13-195, HB13-1013, 1240, 1242,**  
 40 **SB13-025, SB13-178, 198, 137.**

41 Consideration of Conference Committee Report(s)--**HB13-1058.**

42 Consideration of Resolution(s)--**HR13-1008, SJR13-018, HJR13-1020,**  
 43 **HJR13-1021, HJR13-1022.**

44 Consideration of Memorial(s)--**SJM13-001.**

45 Consideration of Senate Amendment(s)--**HB13-1144.**  
 46

47  
 48 On motion of Representative Hullinghorst, the House adjourned until  
 49 10:00 a.m., April 15, 2013.  
 50

51 Approved:  
 52 MARK FERRANDINO,  
 53 Speaker

54 Attest:  
 55 MARILYN EDDINS,  
 56 Chief Clerk