

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

Sixteenth Legislative Day

Thursday, January 23, 2014

1 Prayer by Representative Tony Exum.

2

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

4

5 Pledge of Allegiance led by Janet Bajikijay, Adlan Suliman, Ashley
6 Carbajal, Nelson Nunez, Highline Community School, Aurora.

7

8 The roll was called with the following result:

9

10 Present--46.

11 Excused--Representative(s) Buckner, Conti, DelGrosso, Dore,
12 Duran, Everett, Holbert, Kagan, Labuda, Landgraf, Lawrence,
13 Melton, Moreno, Navarro, Nordberg, Saine, Scott, Singer,
14 Swalm--19.

15 Present after roll call--Representative(s) Buckner, Conti,
16 DelGrosso, Dore, Duran, Everett, Holbert, Kagan, Labuda,
17 Landgraf, Lawrence, Melton, Moreno, Navarro, Nordberg, Scott.

18

19 The Speaker declared a quorum present.

20

21

22 On motion of Representative Joshi, the reading of the journal of January
23 22, 2014, was declared dispensed with and approved as corrected by the
24 Chief Clerk.

25

26

27

House in recess. House reconvened.

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REPORT(S) OF COMMITTEE(S) OF REFERENCE

32

FINANCE

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

36

37 **HB14-1020** be referred to the Committee of the Whole with favorable
38 recommendation.

39

40

41 **HB14-1074** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:

1 Amend printed bill, page 2, line 16, strike "EXPENSES," and substitute
 2 "EXPENSES ALLOWED IN ACCORDANCE WITH GENERALLY ACCEPTED
 3 ACCOUNTING PRINCIPLES,".

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8 **LOCAL GOVERNMENT**

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

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12 **HB14-1017** be amended as follows, and as so amended, be referred to
 13 the Committee on Finance with favorable
 14 recommendation:

15

16 Amend printed bill, page 4, line 13, after "SECTION." add "FOR ANY GIVEN
 17 STATE FISCAL YEAR, NO MORE THAN THREE PERCENT OF THE MONEYS
 18 APPROPRIATED FROM THE TRUST FUND MAY BE EXPENDED FOR THE
 19 ADMINISTRATIVE COSTS OF THE DIVISION IN ADMINISTERING THE TRUST
 20 FUND.".

21

22 Page 6, strike lines 16 through 19 and substitute:

23

24 ~~"(b) In the case of any loan made from moneys in the fund for~~
 25 ~~which the division is the primary lender, the borrower shall be required~~
 26 ~~to seek replacement loans or funding no later than one hundred eighty~~
 27 ~~days from the date of the loan.".~~

28

29 Page 7, strike lines 4 through 9 and substitute:

30

31 ~~"(b) Notwithstanding any other provision of this section, not more~~
 32 ~~than two hundred fifty thousand dollars may be appropriated from the~~
 33 ~~general fund pursuant to this section in any one state fiscal year for any~~
 34 ~~uses not related to construction grants or loans~~ THE DIVISION, IN ITS
 35 DISCRETION, MAY TRANSFER TWENTY PERCENT OF THE BALANCE OF
 36 MONEYS IN THE FUND INTO THE HOUSING INVESTMENT TRUST FUND
 37 ESTABLISHED IN SECTION 24-32-717 (1) (a), WHICH BALANCE IS
 38 CALCULATED AS OF JULY 1 OF THE STATE FISCAL YEAR IN WHICH THE
 39 MONEY IS TRANSFERRED. FOR ANY GIVEN STATE FISCAL YEAR, NO MORE
 40 THAN THREE PERCENT OF THE MONEYS APPROPRIATED FROM THE FUND
 41 MAY BE EXPENDED FOR THE ADMINISTRATIVE COSTS OF THE DIVISION IN
 42 ADMINISTERING THE FUND.".

43 Page 7, strike lines 10 through 27.

44

45 Page 8, strike lines 1 through 17 and substitute:

46

47 **"SECTION 3.** In Colorado Revised Statutes, 39-22-2102, **amend**
 48 (6) and (7) introductory portion as follows:

49

50 **39-22-2102. Credit against tax - low-income housing**
 51 **developments.** (6) The allocated credit amount may be taken against the
 52 taxes imposed by this article for each taxable year of the credit period.
 53 Any amount of credit that exceeds the tax due for a taxable year may be
 54 carried forward as a tax credit against subsequent years' income tax
 55 liability up to ~~tax year 2012~~ ELEVEN TAX YEARS FOLLOWING THE TAX
 56 YEAR IN WHICH THE ALLOCATION WAS MADE and ~~shall~~ MUST be applied

1 first to the earliest years possible. Any amount of the credit that is not
2 used shall not be refunded to the taxpayer.
3 (7) During each calendar year of the two-year period beginning
4 ~~January 1, 2001~~ JANUARY 1, 2015, and ending ~~December 31, 2002~~
5 DECEMBER 31, 2016, the authority may allocate a credit, the full amount
6 of which may be claimed against the taxes imposed by this article for
7 each taxable year of the four-year credit period. The aggregate amount of
8 all credits allocated by the authority in each calendar year of the two-year
9 period beginning ~~January 1, 2001~~ JANUARY 1, 2015, and ending
10 ~~December 31, 2002~~ DECEMBER 31, 2016, shall not exceed the amount
11 of:".

12
13 Renumber succeeding section accordingly.

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17 **HB14-1064** be postponed indefinitely.

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20 **HB14-1066** be referred favorably to the Committee on Finance.

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25 **STATE, VETERANS, & MILITARY AFFAIRS**

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

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29 **HB14-1059** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32
33 Amend printed bill, page 2, strike lines 2 through 18 and substitute:

34 "SECTION 1. In Colorado Revised Statutes, 18-9-106, **amend**
35 (1) (e) as follows:

36 **18-9-106. Disorderly conduct.** (1) A person commits disorderly
37 conduct if he or she intentionally, knowingly, or recklessly:

38 (e) Not being a peace officer, discharges a firearm in a public
39 place except when engaged in lawful target practice or hunting OR THE
40 RITUAL DISCHARGE OF BLANK AMMUNITION CARTRIDGES AS AN ATTENDEE
41 AT A FUNERAL FOR A DECEASED PERSON WHO WAS A VETERAN OF THE
42 ARMED FORCES OF THE UNITED STATES; or

43 **SECTION 2. Safety clause.** The general assembly hereby finds,
44 determines, and declares that this act is necessary for the immediate
45 preservation of the public peace, health, and safety."

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50 **TRANSPORTATION & ENERGY**

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

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54 **HB14-1031** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

- 1
2 Amend printed bill, page 2, line 4, strike "**advisory committee**" and
3 substitute "**task force**".
4
5 Page 2, line 5, strike "ADVISORY COMMITTEE" and substitute "TASK
6 FORCE".
7
8 Page 2, line 7, strike "COMMITTEE" and substitute "TASK FORCE".
9
10 Page 2, line 10, strike the first "COMMISSION" and substitute "GOVERNOR".
11
12 Page 2, line 14, strike "COMMISSION" and substitute "GOVERNOR".
13
14 Page 3, line 1, strike "COMMISSION" and substitute "GOVERNOR".
15
16 Page 3, line 4, strike "COMMISSION" and substitute "GOVERNOR".
17
18 Page 3, line 7, strike "COMMISSION" and substitute "GOVERNOR".
19
20 Page 3, line 9, strike "COMMISSION" and substitute "GOVERNOR".
21
22 Page 3, line 12, strike "COMMISSION" and substitute "GOVERNOR".
23
24 Page 3, line 14, strike "COMMISSION" and substitute "GOVERNOR".
25
26 Page 3, line 15, strike "COMMITTEE" and substitute "TASK FORCE".
27
28 Page 3, line 20, after the period add "THE CHAIR SHALL SET THE TIMES
29 AND FREQUENCY OF THE TASK FORCE'S MEETINGS."
30
31 Page 3, line 23, strike "COMMITTEE." and substitute "TASK FORCE."
32
33 Page 3, line 25, strike "DEPARTMENT OF REGULATORY AGENCIES" and
34 substitute "COMMISSION".
35
36 Page 3, line 26, strike "COMMITTEE" and substitute "TASK FORCE".
37
38 Page 3, after line 27, insert: "(c) THE COMMISSION NEED NOT ACCEPT THE
39 RECOMMENDATIONS OF THE TASK FORCE."
40
41 Page 4, line 1, strike "COMMITTEE" and substitute "TASK FORCE".
42
43 Page 4, line 5, strike "COMMITTEE" and substitute "TASK FORCE".
44
45 Page 4, line 14, strike "ADVISORY COMMITTEE" and substitute "TASK
46 FORCE".
47
48 Page 5, line 10, strike "ADVISORY COMMITTEE;" and substitute "TASK
49 FORCE;"
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PRINTING REPORT

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53
54 The Chief Clerk reports the following bill has been correctly printed:
55 **HB14-1167**.

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1 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

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3 The Speaker has signed: **HM14-1001**.

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

9
10 The following bill(s) were considered on Third Reading. The title(s)
11 were publicly read. Reading of the bill at length was dispensed with by
12 unanimous consent.

13
14 **HB14-1027** by Representative(s) Fischer, Lee, Mitsch Bush,
15 Primavera, Tyler; also Senator(s) Jones, Todd--Concerning
16 the clarification of the definition of a plug-in electric
17 motor vehicle.

18
19 The question being "Shall the bill pass?".

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

23

24	YES	59	NO	0	EXCUSED	6	ABSENT	0
25	Becker	Y	Gerou	Y	McLachlan	Y	Saine	E
26	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
27	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
28	Conti	Y	Holbert	Y	Mitsch Bush	Y	Scott	Y
29	Coram	Y	Hullinghorst	Y	Moreno	Y	Singer	E
30	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	Y
31	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
32	Dore	E	Kagan	Y	Nordberg	Y	Swalm	E
33	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
34	Everett	E	Labuda	Y	Peniston	Y	Tyler	Y
35	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
36	Fields	Y	Lawrence	E	Primavera	Y	Waller	Y
37	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
38	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
39	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
40	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Court, Fields, Foote, Ginal,
43 Hullinghorst, Labuda, Lebsock, McCann, Melton, Pabon, Pettersen, Salazar,
44 Schafer, Young

45
46 **HB14-1004** by Representative(s) Foote and Humphrey, Singer; also
47 Senator(s) Nicholson, Lambert, Lundberg--Concerning
48 emergency management, and, in connection therewith,
49 eliminating and reorganizing two entities within the
50 division of homeland security and emergency management
51 in the department of public safety and authorizing the
52 governor to provide individual assistance during a disaster
53 absent a presidential declaration of the same.

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

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	55	NO	5	EXCUSED	5	ABSENT	0
5	Becker	Y	Gerou	N	McLachlan	Y	Saine	E
6	Buck	Y	Ginal	Y	McNulty	Y	Salazar	Y
7	Buckner	Y	Hamner	Y	Melton	Y	Schafer	Y
8	Conti	N	Holbert	Y	Mitsch Bush	Y	Scott	N
9	Coram	N	Hullinghorst	Y	Moreno	Y	Singer	E
10	Court	Y	Humphrey	Y	Murray	Y	Sonnenberg	N
11	DelGrosso	Y	Joshi	Y	Navarro	Y	Stephens	Y
12	Dore	E	Kagan	Y	Nordberg	Y	Swalm	E
13	Duran	Y	Kraft-Tharp	Y	Pabon	Y	Szabo	Y
14	Everett	E	Labuda	Y	Peniston	Y	Tyler	Y
15	Exum	Y	Landgraf	Y	Pettersen	Y	Vigil	Y
16	Fields	Y	Lawrence	Y	Primavera	Y	Waller	Y
17	Fischer	Y	Lebsock	Y	Priola	Y	Williams	Y
18	Foote	Y	Lee	Y	Rankin	Y	Wilson	Y
19	Garcia	Y	May	Y	Rosenthal	Y	Wright	Y
20	Gardner	Y	McCann	Y	Ryden	Y	Young	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Duran, Fields, Ginal, Hullinghorst,
23 Kagan, May, Rosenthal, Salazar, Schafer, Williams, Young

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26
27 House in recess. House reconvened.
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29

30 LAY OVER OF CALENDAR ITEM(S)

31
32 On motion of Representative Hullinghorst, the following item(s) on the
33 Calendar were laid over until January 24, retaining place on Calendar:
34

35 Consideration of Resolution(s)--**HR14-1004, HJR14-1004**.
36
37

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40 On motion of Representative Hamner, the House adjourned until
41 9:00 a.m., January 24, 2014.
42

43 Approved:
44 MARK FERRANDINO,
45 Speaker

46 Attest:
47 MARILYN EDDINS,
48 Chief Clerk