

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

Tenth Legislative Day

Friday, January 17, 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 Valerie Delgado, Southmoor Elementary,
6 Jonathan Delgado, Hamilton Middle School, Denver.
7
8 The roll was called with the following result:
9
10 Present--56.
11 Excused--Representative(s) DelGrosso, Mitsch Bush, Moreno,
12 Pettersen, Singer, Swalm, Szabo--7.
13 Absent--Representative(s) Everett, Stephens--2.
14 Present after roll call--Representative(s) Everett, Moreno,
15 Pettersen, Singer, Stephens, Szabo.

16
17 The Speaker declared a quorum present.
18
19

20 On motion of Representative Buck, the reading of the journal of January
21 16, 2014, was declared dispensed with and approved as corrected by the
22 Chief Clerk.
23
24

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26 On motion of Representative Foote, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and he was
28 called to the Chair to act as Chairman.
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30

GENERAL ORDERS--SECOND READING OF BILLS

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34
35 The Committee of the Whole having risen, the Chairman reported the
36 titles of the following bills had been read (reading at length had been
37 dispensed with by unanimous consent), the bills considered and action
38 taken thereon as follows:
39

40 (Amendments to the committee amendment are to the printed committee
41 report which was printed and placed in the members' bill file.)
42
43
44
45

1 **HB14-1078** by Representative(s) Pettersen--Concerning changes to the
 2 public education accreditation statutes as a result of
 3 legislative review of the rules of the state board of
 4 education, and, in connection therewith, clarifying the
 5 term "public school" in the accreditation statutes and
 6 allowing automatic renewal of the accreditation contract
 7 for an entity with an improvement plan.
 8

9 Ordered engrossed and placed on the Calendar for Third Reading and
 10 Final Passage.
 11

12 **HB14-1053** by Representative(s) McCann; also Senator(s) Aguilar,
 13 Nicholson--Concerning the authority of the commissioner
 14 of insurance to adopt rules to ensure consistent
 15 requirements for pediatric dental benefits in health benefit
 16 plans offered in Colorado regardless of the method by
 17 which a plan is purchased.
 18

19 Ordered engrossed and placed on the Calendar for Third Reading and
 20 Final Passage.
 21

22 **HB14-1019** by Representative(s) Gardner, Foote, Labuda, Scott; also
 23 Senator(s) Steadman, Guzman, Roberts--Concerning the
 24 enactment of Colorado Revised Statutes 2013 as the
 25 positive and statutory law of the state of Colorado.
 26

27 Ordered engrossed and placed on the Calendar for Third Reading and
 28 Final Passage.
 29

30
 31
 32 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 33

34 Passed Second Reading: **HB14-1078, 1053, 1019.**
 35

36 The Chairman moved the adoption of the Committee of the Whole
 37 Report. As shown by the following roll call vote, a majority of those
 38 elected to the House voted in the affirmative, and the Report was
 39 **adopted.**
 40

| | YES | 62 | NO | 0 | EXCUSED | 3 | ABSENT | 0 |
|----|-----------|----|--------------|---|-------------|---|------------|---|
| 42 | Becker | Y | Gerou | Y | McLachlan | Y | Saine | Y |
| 43 | Buck | Y | Ginal | Y | McNulty | Y | Salazar | Y |
| 44 | Buckner | Y | Hamner | Y | Melton | Y | Schafer | Y |
| 45 | Conti | Y | Holbert | Y | Mitsch Bush | E | Scott | Y |
| 46 | Coram | Y | Hullinghorst | Y | Moreno | Y | Singer | Y |
| 47 | Court | Y | Humphrey | Y | Murray | Y | Sonnenberg | Y |
| 48 | DelGrosso | E | Joshi | Y | Navarro | Y | Stephens | Y |
| 49 | Dore | Y | Kagan | Y | Nordberg | Y | Swalm | E |
| 50 | Duran | Y | Kraft-Tharp | Y | Pabon | Y | Szabo | Y |
| 51 | Everett | Y | Labuda | Y | Peniston | Y | Tyler | Y |
| 52 | Exum | Y | Landgraf | Y | Pettersen | Y | Vigil | Y |
| 53 | Fields | Y | Lawrence | Y | Primavera | Y | Waller | Y |
| 54 | Fischer | Y | Lebsock | Y | Priola | Y | Williams | Y |
| 55 | Foote | Y | Lee | Y | Rankin | Y | Wilson | Y |
| 56 | Garcia | Y | May | Y | Rosenthal | Y | Wright | Y |

| | | | | | | | | |
|---|---------|---|--------|---|-------|---|---------|---|
| 1 | Gardner | Y | McCann | Y | Ryden | Y | Young | Y |
| 2 | | | | | | | Speaker | Y |

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

JUDICIARY

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

HB14-1004 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, line 1, strike "14-____," and substitute "14-1004,".

Page 3, strike lines 4 and 5 and substitute:

"(I) THE DUTY TO PROMULGATE ANY RULES NECESSARY FOR".

Page 3, line 9, strike "INCLUDING THE DUTY" and substitute "THE OTHER POWERS AND DUTIES DESCRIBED UNDER SECTION 24-33.5-1503.5 (2), AND THE DUTY TO ADMINISTER THE SARA TITLE III FUND CREATED IN SECTION 24-33.5-1506,".

Page 3, strike line 10.

Page 3, strike lines 14 through 19 and substitute:

"(II) ALL OTHER FUNCTIONS RELATING TO IMPLEMENTATION OF THE FEDERAL "EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT OF 1986", 42 U.S.C. SEC. 11001 ET SEQ., TITLE III OF THE FEDERAL "SUPERFUND AMENDMENTS AND REAUTHORIZATION ACT OF 1986", PUB.L. 99-499, THAT WERE ENJOYED BY THE COLORADO EMERGENCY PLANNING COMMISSION PRIOR TO ITS REPEAL BY HOUSE BILL 14-1004, ARE".

Page 11, line 11, strike "14-____," and substitute "14-1004,".

Page 12, line 8, strike "COMMUNITIES" and substitute "COMMITTEES".

HB14-1050 be referred favorably to the Committee on Appropriations.

PRINTING REPORT1
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The Chief Clerk reports the following bills have been correctly printed:
HB14-1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150.

MESSAGE FROM THE SENATE

Mr. Speaker,

Upon announcement of President Carroll, Representative Swalm will be added as a joint-prime sponsor with Representative Gardner and Senator Herpin on SB14-041.

**INTRODUCTION OF BILLS
First Reading**

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

HB14-1151 by Representative(s) Holbert and Saine, Humphrey, Wright, Sonnenberg, Waller, Buck, Conti, Coram, DelGrosso, Dore, Everett, Gardner, Joshi, Landgraf, Lawrence, McNulty, Murray, Navarro, Nordberg, Priola, Rankin, Scott, Stephens, Swalm, Szabo, Wilson; also Senator(s) Marble, Harvey, Renfroe, Hill, Balmer, Baumgardner, Brophy, Cadman, Crowder, Grantham, Herpin, King, Lambert, Lundberg, Rivera, Roberts, Scheffel, Tochtrop--Concerning repealing certain provisions concerning large-capacity ammunition magazines.

Committee on State, Veterans, & Military Affairs

HB14-1152 by Representative(s) Lawrence, Dore, Holbert, Joshi, Landgraf, Navarro, Rankin, Scott, Stephens, Waller, Wilson; also Senator(s) Scheffel--Concerning passive surveillance records of governmental entities.

Committee on Judiciary

HB14-1153 by Representative(s) Priola, Holbert, Humphrey, Saine, Swalm, Szabo; also Senator(s) Tochtrop--Concerning attorney fees when an action is dismissed prior to trial.

Committee on Judiciary

HB14-1154 by Representative(s) Fischer; also Senator(s) Kefalas--Concerning employment of community college faculty.

Committee on State, Veterans, & Military Affairs

- 1 **HB14-1155** by Representative(s) Wright, Humphrey, Lebsock, Everett,
2 Saine, Salazar, Ferrandino, Holbert, Joshi, Rankin, Scott,
3 Sonnenberg; also Senator(s) Ulibarri--Concerning a
4 prohibition against assistance by the state with
5 enforcement of certain provisions of the federal "National
6 Defense Authorization Act for Fiscal Year 2012".
7 Committee on State, Veterans, & Military Affairs
8
- 9 **HB14-1156** by Representative(s) Moreno, Fields, Exum, Lebsock,
10 Peniston, Rosenthal, Salazar, Singer; also Senator(s)
11 Ulibarri--Concerning extending the age of eligibility for
12 the child nutrition school lunch protection program.
13 Committee on Education
14 Committee on Appropriations
15
- 16 **HB14-1157** by Representative(s) Humphrey, Buck, DelGrosso,
17 Everett, Holbert, Joshi, Landgraf, Nordberg, Priola,
18 Rankin, Saine, Sonnenberg, Swalm, Wright; also
19 Senator(s) Renfroe, Grantham, Harvey, Lambert,
20 Lundberg, Marble, Scheffel--Concerning authorization for
21 local policies to allow carrying of concealed handguns on
22 public elementary and secondary school properties.
23 Committee on Judiciary
24
- 25 **HB14-1158** by Representative(s) Lawrence; also Senator(s) King--
26 Concerning the sentence for persons convicted of certain
27 vehicular offenses.
28 Committee on Judiciary
29
- 30 **HB14-1159** by Representative(s) Young and Dore, Fischer, Lebsock,
31 McLachlan, Mitsch Bush, Vigil; also Senator(s) Schwartz
32 and Crowder--Concerning a state sales and use tax
33 exemption for components used in biogas production
34 systems.
35 Committee on Agriculture, Livestock, & Natural Resources
36 Committee on Finance
37
- 38 **HB14-1160** by Representative(s) Mitsch Bush and Coram, Fischer,
39 Lee, Primavera, Tyler; also Senator(s) Todd--Concerning
40 overweight vehicle permits for divisible loads.
41 Committee on Transportation & Energy
42
- 43 **HB14-1161** by Representative(s) Garcia, Tyler, Buckner, Court,
44 Duran, Exum, Fields, Fischer, Hamner, Hullinghorst,
45 Labuda, Lebsock, Lee, McLachlan, Melton, Moreno,
46 Navarro, Pabon, Primavera, Rankin, Rosenthal, Ryden,
47 Salazar, Singer, Vigil, Williams--Concerning interstate rail
48 service in southern Colorado, and, in connection therewith,
49 creating a commission and a fund for the purposes of
50 encouraging Amtrak to continue its southwest chief rail
51 line service at all current Colorado stops, expanding such
52 service to include a stop in Pueblo, and studying the
53 potential benefits of expanding such service to include a
54 stop in Walsenburg.
55 Committee on Local Government
56

1 **HB14-1162** by Representative(s) Landgraf, Joshi, Navarro, Rankin,
 2 Saine, Stephens, Wilson--Concerning protection of the
 3 victim of a sexual assault in cases where a child was
 4 conceived as a result of the sexual assault, and, in
 5 connection therewith, making legislative changes in
 6 response to the study by and the report of the
 7 recommendations from the task force on children
 8 conceived through rape.
 9 Committee on Judiciary
 10 Committee on Appropriations

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15 **INTRODUCTION OF RESOLUTION**

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17 The following resolution was read by title and laid over one day under the
 18 rules:

19
20 **HJR14-1003** by Representative(s) Exum, Williams, Buckner, Fields,
 21 Melton; also Senator(s) Steadman--Concerning the
 22 commemoration of the birthday of the Reverend Dr.
 23 Martin Luther King, Jr.

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26
27 On motion of Representative McNulty, the House adjourned until
 28 10:00 a.m., January 21, 2014.

29
30 Approved:
 31 MARK FERRANDINO,
 32 Speaker

33 Attest:
 34 MARILYN EDDINS,
 35 Chief Clerk

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