

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

Seventeenth Legislative Day

Friday, January 24, 2014

1 Prayer by Randle Loeb, Community Minister, Denver.

2

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

4

5 Pledge of Allegiance led by Elizabeth Donnici, Hulstron Elementary,  
6 Thornton.

7

8 The roll was called with the following result:

9

10 Present--60.

11 Excused--Representative(s) Navarro, Pettersen--2.

12 Absent--Representative(s) Everett, McCann, Stephens--3.

13 Present after roll call--Representative(s) Everett, McCann,  
14 Pettersen, Stephens.

15

16 The Speaker declared a quorum present.

17

18

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

22

23

24

25

26

**CONSIDERATION OF RESOLUTION(S)**

27

28 [HR14-1004](#) by Representative(s) Hullinghorst, Ferrandino, DelGrosso-  
29 -Concerning a change to the Rules of the House of  
30 Representatives regarding the referral of bills allocating  
31 additional legislative staff resources to the Legislative  
32 Council as a committee of reference.

33

34 (Printed and placed in members' file)

35

36

37 On motion of Representative Hullinghorst, the resolution was **adopted** by  
38 **viva voce** vote.

39

40 Co-sponsor(s) added: Representative(s) Court, Fields, Gardner, Ginal, Hamner,  
41 Labuda, Melton, Mitsch Bush, Schafer, Singer, Wilson

42

43

1 [HJR14-1004](#) by Representative(s) Hullinghorst, Ferrandino, DelGrosso;  
2 also Senator(s) Heath, Carroll, Cadman--Concerning  
3 changes to the Joint Rules of the Senate and House of  
4 Representatives, and, in connection therewith, conforming  
5 the Joint Rules to the changes made to the "State  
6 Measurement for Accountable, Responsive, and  
7 Transparent Government Act" and repealing the Joint Rule  
8 on capitalization in bills.  
9

10 (Printed and placed in members' file)

11  
12 Amendment No. 1, moved by Representative Hullinghorst.

13  
14 Amend printed joint resolution, page 12, strike lines 2 through 7 and  
15 substitute:

16  
17 "(b) For purposes of implementing subsection (a) of this Joint Rule, the  
18 division of responsibilities of the principal departments AND  
19 AGENCIES among House and Senate committees of reference shall  
20 be as follows; except".  
21

22 Page 12, line 31, strike "~~except Division of Insurance~~".  
23

24 Page 12, strike lines 32 through 34 and substitute "except Division of  
25 Insurance and Division of Professions and Occupations Relating to  
26 Health Care Providers".  
27

28 Page 13, strike line 6 and substitute:

29  
30 "• State Planning and Budgeting • State Planning and Budgeting".  
31

32 Page 13, line 30, strike "~~• Regulatory Agencies •~~" and substitute "•  
33 Regulatory Agencies - Division of Insurance and Division of Professions  
34 and Occupations Relating to Health Care Providers".  
35

36 Page 13, line 31, strike "~~Division of Insurance and~~".  
37

38 Page 13, line 32, strike "~~Division of Professions and~~".  
39

40 Page 13, line 33, strike "~~Occupations Relating to Health~~"  
41

42 Page 13, line 34, strike "~~Care Providers~~".  
43

44 Page 14, strike lines 1 through 3.  
45

46 Page 14, strike lines 25 through 27.  
47

48 Page 15, strike line 27 and substitute:

49  
50 "(e) (1) JOINT committees of reference shall also conduct the  
51 hearings".  
52

53 Page 15, after line 29 insert:

54  
55 "(2) UNLESS OTHERWISE DESIGNATED BY THE PRESIDENT OF  
56 THE SENATE OR THE SPEAKER OF THE HOUSE OF

1 REPRESENTATIVES, FOR PURPOSES OF THE HEARINGS AND  
2 DUTIES REQUIRED BY PART 2 OF ARTICLE 7 OF TITLE 2,  
3 COLORADO REVISED STATUTES, THE PRINCIPAL  
4 DEPARTMENTS AND AGENCIES OF STATE GOVERNMENT  
5 SHALL BE ASSIGNED TO COMMITTEES OF REFERENCE AS  
6 IDENTIFIED IN SUBSECTION (b) OF THIS JOINT RULE; EXCEPT  
7 THAT:

8  
9 (A) THE HOUSE HEALTH, INSURANCE, AND  
10 ENVIRONMENT COMMITTEE, THE HOUSE PUBLIC  
11 HEALTH CARE AND HUMAN SERVICES COMMITTEE,  
12 AND THE SENATE HEALTH AND HUMAN SERVICES  
13 COMMITTEE SHALL MEET TOGETHER AS A JOINT  
14 COMMITTEE OF REFERENCE.

15  
16 (B) ALL DIVISIONS WITHIN THE DEPARTMENT OF  
17 REGULATORY AGENCIES SHALL REPORT TO THE  
18 HOUSE BUSINESS, LABOR, ECONOMIC, AND  
19 WORKFORCE DEVELOPMENT COMMITTEE AND THE  
20 SENATE BUSINESS, LABOR, AND TECHNOLOGY  
21 COMMITTEE."

22  
23 The amendment was declared **passed** by **viva voce** vote.

24  
25 On motion of Representative Hullinghorst, the resolution as amended was  
26 **adopted** by **viva voce** vote.

27  
28 Co-sponsor(s) added: Representative(s) Court, Exum, Fields, Gerou, Ginal,  
29 Hamner, Labuda, Melton, Mitsch Bush, Schafer, Stephens, Tyler, Williams,  
30 Wilson

31  
32 \_\_\_\_\_  
33  
34  
35 On motion of Representative Hullinghorst, **HB14-1020, 1074, 1059, 1031**  
36 were made Special Orders on January 24, 2014, at 9:25 a.m.

37  
38 \_\_\_\_\_  
39 The hour of 9:25 a.m., having arrived, on motion of Representative  
40 Pabon, the House resolved itself into Committee of the Whole for  
41 consideration of Special Orders and he was called to the Chair to act as  
42 Chairman.

43  
44 \_\_\_\_\_  
45  
46 **SPECIAL ORDERS--SECOND READING OF BILLS**

47  
48 The Committee of the Whole having risen, the Chairman reported the  
49 titles of the following bills had been read (reading at length had been  
50 dispensed with by unanimous consent), the bills considered and action  
51 taken thereon as follows:

52  
53 (Amendments to the committee amendment are to the printed committee  
54 report which was printed and placed in the members' bill file.)

55  
56

1 **HB14-1020** by Representative(s) Lebsock; also Senator(s) Balmer,  
2 Nicholson--Concerning the consolidation of two reports  
3 on taxable property that county assessors submit to their  
4 boards of equalization.

5  
6 Ordered engrossed and placed on the Calendar for Third Reading and  
7 Final Passage.

8  
9  
10 **HB14-1074** by Representative(s) Court and DelGrosso--Concerning  
11 payments that a nonprofit owner of a tax-exempt property  
12 may receive for reasonable expenses incurred without  
13 affecting the tax-exempt status of the property.

14  
15 Amendment No. 1, Finance Report, dated January 22, 2014, and placed  
16 in member's bill file; Report also printed in House Journal, January 23,  
17 2014, page(s) 89.

18  
19 As amended, ordered engrossed and placed on the Calendar for Third  
20 Reading and Final Passage.

21  
22  
23 **HB14-1059** by Representative(s) Garcia; also Senator(s) Crowder--  
24 Concerning clarifying that the ritual discharge of blank  
25 ammunition cartridges at a military funeral does not  
26 constitute the criminal offense of disorderly conduct.

27  
28 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
29 January 22, 2014, and placed in member's bill file; Report also printed in  
30 House Journal, January 23, 2014, page(s) 91.

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

34  
35  
36 **HB14-1031** by Representative(s) Moreno, Fischer, Lee, Mitsch Bush,  
37 Peniston, Primavera, Tyler; also Senator(s) Hodge--  
38 Concerning the weight of motor vehicles that are subject  
39 to rate regulation when being towed without the owner's  
40 consent.

41  
42 Amendment No. 1, Transportation & Energy Report, dated January 22,  
43 2014, and placed in member's bill file; Report also printed in House  
44 Journal, January 23, 2014, page(s) 91-92.

45  
46 Amendment No. 2, by Representative(s) Moreno.

47  
48 Amend printed bill, page 4, line 9, strike "DEPARTMENT OF REGULATORY  
49 AGENCIES" and substitute "COMMISSION".

50  
51 As amended, ordered engrossed and placed on the Calendar for Third  
52 Reading and Final Passage.

53  
54  
55  
56



1 Hullinghorst, Humphrey, Joshi, Kagan, Kraft-Tharp, Labuda, Landgraf,  
2 Lawrence, Lebsock, Lee, May, McCann, McLachlan, McNulty, Melton,  
3 Mitsch Bush, Moreno, Murray, Nordberg, Pabon, Peniston, Pettersen,  
4 Primavera, Priola, Rankin, Rosenthal, Ryden, Saine, Salazar, Schafer,  
5 Scott, Singer, Stephens, Swalm, Szabo, Tyler, Vigil, Waller, Williams,  
6 Wilson, Wright, Young, Speaker.

7  
8  
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10 House in recess. House reconvened.

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11  
12

## 13 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

14  
15

### 15 **APPROPRIATIONS**

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

18

19 **HB14-1050** be amended as follows, and as so amended, be referred to  
20 the Committee of the Whole with favorable  
21 recommendation:

22

23 Amend printed bill, page 2, after line 5 insert:

24

25 **"SECTION 2. Appropriation.** (1) In addition to any other  
26 appropriation, there is hereby appropriated, out of any moneys in the  
27 general fund not otherwise appropriated, to the judicial department, for  
28 the fiscal year beginning July 1, 2014, the sum of \$600,756 and 7.3 FTE,  
29 or so much thereof as may be necessary, to be allocated to the trial courts  
30 for the implementation of this act as follows:

31 (a) \$583,656 and 7.3 FTE for trial court programs for personal  
32 services; and

33 (b) \$17,100 for trial court programs for operating expenses.

34 (2) In addition to any other appropriation, there is hereby  
35 appropriated, out of any moneys in the general fund not otherwise  
36 appropriated, to the judicial department, for the fiscal year beginning July  
37 1, 2014, the sum of \$150,718, or so much thereof as may be necessary, to  
38 be allocated for courthouse capital expenses related to the implementation  
39 of this act.

40 (3) In addition to any other appropriation, there is hereby  
41 appropriated, out of any moneys in the general fund not otherwise  
42 appropriated, to the judicial department, for the fiscal year beginning July  
43 1, 2014, the sum of \$86,350 and 1.5 FTE, or so much thereof as may be  
44 necessary, to be allocated to the office of the state public defender for the  
45 implementation of this act as follows:

46 (a) \$79,647 and 1.5 FTE for personal services;

47 (b) \$1,810 for operating and travel expenses;

48 (c) \$4,703 for capital outlay; and

49 (d) \$190 for attorney registration."

50

51 Renumber succeeding section accordingly.

52

53 Page 1, line 102, strike "**DISTRICT.**" and substitute "**DISTRICT, AND, IN**  
54 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

55

56

1 **FINANCE**  
2 After consideration on the merits, the Committee recommends the  
3 following:  
4  
5 **HB14-1077** be referred to the Committee of the Whole with favorable  
6 recommendation.  
7  
8  
9 **HB14-1092** be referred to the Committee of the Whole with favorable  
10 recommendation.  
11  
12  
13  
14  
15  
16 **JUDICIARY**  
17 After consideration on the merits, the Committee recommends the  
18 following:  
19  
20 **HB14-1035** be amended as follows, and as so amended, be referred to  
21 the Committee of the Whole with favorable  
22 recommendation:  
23  
24 Amend printed bill, page 2, strike lines 2 through 12 and substitute the  
25 following:  
26  
27 "SECTION 1. In Colorado Revised Statutes, **add** 16-18.5-111 as  
28 follows:  
29  
30 **16-18.5-111. Effect of termination of deferred judgment and**  
31 **sentence or deferred adjudication.** THE PROVISIONS OF THIS ARTICLE  
32 APPLY NOTWITHSTANDING THE TERMINATION OF A DEFERRED JUDGMENT  
33 AND SENTENCE OR A DEFERRED ADJUDICATION.  
34  
35 **SECTION 2.** In Colorado Revised Statutes, 18-1.3-603, **amend**  
36 (4) (a) as follows:  
37  
38 **18-1.3-603. Assessment of restitution - corrective orders.**  
39 (4) (a) Any order for restitution entered pursuant to this section shall be  
40 a final civil judgment in favor of the state and any victim.  
41 Notwithstanding any other civil or criminal statute or rule, any such  
42 judgment shall remain in force until the restitution is paid in full. THE  
43 PROVISIONS OF ARTICLE 18.5 OF TITLE 16, C.R.S., APPLY  
44 NOTWITHSTANDING THE TERMINATION OF A DEFERRED JUDGMENT AND  
45 SENTENCE OR A DEFERRED ADJUDICATION."  
46  
47 Renumber succeeding section accordingly.  
48  
49  
50  
51 **HB14-1057** be referred favorably to the Committee on Finance.  
52  
53  
54  
55

1 **LOCAL GOVERNMENT**

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

4  
5 **HB14-1086** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 2, line 10, strike "ALL NOTICES REQUIRED FOR".

10  
11 Page 2, strike lines 11 through 14.

12  
13  
14  
15  
16 **TRANSPORTATION & ENERGY**

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

19  
20 **HB14-1021** be amended as follows, and as so amended, be referred to  
21 the Committee on Appropriations with favorable  
22 recommendation:

23  
24 Amend printed bill, page 2, lines 2 and 3, strike "**add** (5) (a) (IV.5)" and  
25 substitute "**add** (4.5)".

26  
27 Page 2, line 4, strike "**highways.**" and substitute "**highways - repeal.**".

28  
29 Page 2, strike lines 5 through 9 and substitute:

30  
31 "(4.5) (a) THE DEPARTMENT OF TRANSPORTATION HAS AUTHORITY TO  
32 CLOSE ANY PORTION OF A STATE HIGHWAY TO PUBLIC TRAVEL.

33 (b) (I) A PERSON WHO OPERATES A MOTOR VEHICLE OR VEHICLE  
34 COMBINATION OVER THIRTY-FIVE FEET IN LENGTH ON STATE HIGHWAY 82  
35 BETWEEN MILE MARKERS 47 AND 72 IN VIOLATION OF A CLOSURE UNDER  
36 PARAGRAPH (a) OF THIS SUBSECTION (4.5) IS SUBJECT TO AN ENHANCED  
37 PENALTY AS SET FORTH IN SECTION 42-4-1701 (4) (a) (I) (F).

38 (II) A PERSON WHO OPERATES A MOTOR VEHICLE OR VEHICLE  
39 COMBINATION OVER THIRTY-FIVE FEET IN LENGTH ON STATE HIGHWAY 82  
40 BETWEEN MILE MARKERS 47 AND 72 IN VIOLATION OF A CLOSURE UNDER  
41 TO PARAGRAPH (a) OF THIS SUBSECTION (4.5), WHERE THE RESULT OF THE  
42 VIOLATION IS AN INCIDENT THAT CAUSES THE CLOSURE OF A TRAVEL LANE  
43 IN ONE OR BOTH DIRECTIONS, IS SUBJECT TO AN ENHANCED PENALTY AS  
44 SET FORTH IN SECTION 42-4-1701 (4) (a) (I) (F).

45 (c) (I) BY OCTOBER 1, 2014, THE DEPARTMENT OF  
46 TRANSPORTATION SHALL ERECT SIGNS ON STATE HIGHWAY 82 GIVING  
47 NOTICE OF ENHANCED PENALTIES SET FORTH IN SECTION  
48 42-4-1701 (4) (a) (I) (F).

49 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2016".

50  
51 Page 3, after line 13, insert:

|    |                       |          |          |
|----|-----------------------|----------|----------|
| 52 |                       |          |          |
| 53 | "42-4-106 (4.5)(b)(I) | 1,000.00 | 156.00   |
| 54 | 42-4-106 (4.5)(b)(II) | 1,500.00 | 156.00". |

55  
56 Page 3, strike line 18.



1 Page 1, line 101, strike "**RESTRICTION.**" and substitute "**RESTRICTION**  
2 **FOR VEHICLE COMBINATIONS OVER THIRTY-FIVE FEET IN LENGTH**  
3 **TRAVELING ON INDEPENDENCE PASS.**".  
4  
5

6  
7 **HB14-1081** be referred to the Committee of the Whole with favorable  
8 recommendation.  
9

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10  
11 **MESSAGE FROM THE SENATE**  
12

13 The Senate has passed on Third Reading and transmitted to the Revisor  
14 of Statutes:  
15 SB14-026.  
16

17 The Senate has passed on Third Reading and transmitted to the Revisor  
18 of Statutes:  
19 SB14-025 amended as printed in Senate Journal, January 23, 2014,  
20 page 99.  
21 SB14-009 amended as printed in Senate Journal, January 23, 2014,  
22 page 100.  
23

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24  
25 **MESSAGE(S) FROM THE REVISOR**  
26

27 We herewith transmit:  
28 without comment, **SB14-026**.  
29 without comment, as amended, **SB14-009 and 025**.  
30

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31  
32 **INTRODUCTION OF BILLS**  
33 **First Reading**  
34

35 The following bills were read by title and referred to the committees  
36 indicated:  
37

38 **HB14-1168** by Representative(s) Duran, May, Gerou; also Senator(s)  
39 Lambert, Hodge, Steadman--Concerning the repeal of the  
40 "Private Investigators Voluntary Licensure Act".  
41 Committee on Business, Labor, Economic, & Workforce Development  
42

43 **HB14-1169** by Representative(s) Dore and Garcia, Exum, Fields,  
44 Landgraf, Navarro, Rankin; also Senator(s) Tochtrop--  
45 Concerning the repeal of the volunteer firefighter advisory  
46 committee.  
47 Committee on Local Government  
48

49 **HB14-1170** by Representative(s) Garcia, Court, Foote, Hullinghorst,  
50 May, Moreno, Navarro, Pabon, Rosenthal, Salazar,  
51 Schafer; also Senator(s) Steadman, Guzman--Concerning  
52 the authority of the state to enter into lease-purchase  
53 agreements for the Colorado bureau of investigation's  
54 Pueblo regional office and forensic laboratory.  
55 Committee on Finance  
56

- 1 **HB14-1171** by Representative(s) McNulty; also Senator(s) Roberts--  
 2 Concerning rules on forensic medical evidence in sexual  
 3 assault cases.  
 4 Committee on Judiciary  
 5
- 6 **SB14-009** by Senator(s) Hodge; also Representative(s) Moreno--  
 7 Concerning a disclosure of possible separate ownership of  
 8 the mineral estate in the sale of real property.  
 9 Committee on Transportation & Energy  
 10
- 11 **SB14-025** by Senator(s) Hodge, Brophy, Jones, Roberts, Schwartz;  
 12 also Representative(s) Fischer, Coram, Mitsch Bush,  
 13 Sonnenberg, Vigil--Concerning grants for domestic  
 14 wastewater treatment works for small communities.  
 15 Committee on Agriculture, Livestock, & Natural Resources  
 16
- 17 **SB14-026** by Senator(s) Hodge, Brophy, Jones, Roberts, Schwartz;  
 18 also Representative(s) Vigil, Coram, Fischer, Mitsch Bush,  
 19 Sonnenberg--Concerning the removal of certain statutory  
 20 printing requirements for information provided by the  
 21 division of water resources.  
 22 Committee on Agriculture, Livestock, & Natural Resources  
 23  
 24  
 25  
 26

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## INTRODUCTION OF RESOLUTIONS

- 27  
 28  
 29 The following resolutions were read by title and laid over one day under  
 30 the rules:  
 31
- 32 **HJR14-1005** by Representative(s) Ryden and Wright, Conti, Exum,  
 33 Foote, Garcia, Ginal, Kraft-Tharp, Lawrence, Lee,  
 34 McCann, Melton, Moreno, Nordberg, Pabon, Peniston,  
 35 Primavera, Schafer, Williams, Young; also Senator(s)  
 36 Todd and Cadman--Concerning recognition of Military,  
 37 Veterans, and MIA/POW Appreciation Day.  
 38
- 39 **HJR14-1006** by Representative(s) Melton and Landgraf, Becker, Buck,  
 40 Buckner, Conti, Coram, Court, DelGrosso, Dore, Duran,  
 41 Everett, Exum, Ferrandino, Fields, Fischer, Foote, Garcia,  
 42 Gardner, Gerou, Ginal, Hamner, Holbert, Hullinghorst,  
 43 Humphrey, Joshi, Kagan, Kraft-Tharp, Labuda, Lawrence,  
 44 Lebsock, Lee, May, McCann, McLachlan, McNulty,  
 45 Mitsch Bush, Moreno, Murray, Navarro, Nordberg, Pabon,  
 46 Peniston, Pettersen, Primavera, Priola, Rankin, Rosenthal,  
 47 Ryden, Saine, Salazar, Schafer, Scott, Singer, Sonnenberg,  
 48 Stephens, Swalm, Szabo, Tyler, Vigil, Waller, Williams,  
 49 Wilson, Wright, Young; also Senator(s) Heath and  
 50 Balmer--Concerning recognition of military personnel  
 51 from Colorado who have served in Operation New Dawn  
 52 and Operation Enduring Freedom and in the Global War  
 53 on Terrorism, and honoring those who have died while  
 54 serving their country in Iraq, Afghanistan, and elsewhere  
 55 around the world.  
 56

1 **HJR14-1007** by Representative(s) Garcia and Navarro, Vigil, Duran,  
2 Kraft-Tharp, Lebsock, Lee, Melton, Nordberg, Pabon,  
3 Rosenthal, Singer, Wright, Young; also Senator(s) Ulibarri  
4 and Rivera, Crowder--Concerning the U.S.S. Pueblo.  
5

6 **HJR14-1008** by Representative(s) Exum and Stephens, Conti, Foote,  
7 Garcia, Ginal, Kraft-Tharp, Lawrence, McLachlan,  
8 Moreno, Nordberg, Pabon, Peniston, Pettersen, Primavera,  
9 Schafer, Williams, Young; also Senator(s) Nicholson and  
10 Roberts--Concerning the Colorado National Guard and, in  
11 connection therewith, honoring Guard members for their  
12 firefighting and flood recovery efforts.  
13

14  
15  
16  
17 On motion of Representative Hullinghorst, the House adjourned until  
18 10:00 a.m., January 27, 2014.  
19

20  
21  
22

Approved:  
MARK FERRANDINO,  
Speaker

23 Attest:  
24 MARILYN EDDINS,  
25 Chief Clerk  
26

