

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Twenty-third Legislative Day

Thursday, February 4, 2016

1 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.
 2

3 The Speaker called the House to order at 9:00 a.m.
 4

5 Pledge of Allegiance led by Amanda Ruiz, Arrupe Jesuit High School,
 6 Denver.
 7

8 The roll was called with the following result:
 9

10 Present--65.
 11

12 The Speaker declared a quorum present.
 13
 14

15 On motion of Representative Danielson, the reading of the journal of
 16 February 3, 2016, was declared dispensed with and approved as corrected
 17 by the Chief Clerk.
 18
 19
 20

THIRD READING OF BILL(S)--FINAL PASSAGE

21
 22
 23
 24 The following bill(s) were considered on Third Reading. The title(s)
 25 were publicly read. Reading of the bill at length was dispensed with by
 26 unanimous consent.
 27

28 [HB16-1002](#) by Representative(s) Buckner, Fields; also Senator(s)
 29 Kerr--Concerning the ability of an employee of an
 30 employer who employs at least fifty employees to take up
 31 to eighteen hours of leave from work for purposes of
 32 attending his or her child's academic activities.
 33

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

35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the
 37 bill was declared **passed**.
 38

	YES	35	NO	30	EXCUSED	0	ABSENT	0
40	Arndt	Y	Fields	Y	Lundeen	N	Ryden	Y
41	Becker J.	N	Foote	Y	McCann	Y	Saine	N
42	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
43	Brown	N	Ginal	Y	Mitsch Bush	Y	Sias	N

1	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
2	Buckner	Y	Humphrey	N	Navarro	N	Thurlow	N
3	Carver	N	Joshi	N	Neville P.	N	Tyler	Y
4	Conti	N	Kagan	Y	Nordberg	N	Van Winkle	N
5	Coram	N	Klingenschmitt	N	Pabon	Y	Vigil	Y
6	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	N
7	Danielson	Y	Landgraf	N	Primavera	Y	Williams	Y
8	DelGrosso	N	Lawrence	N	Priola	N	Wilson	N
9	Dore	N	Lebsock	Y	Rankin	N	Windholz	N
10	Duran	Y	Lee	Y	Ransom	N	Winter	Y
11	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	N
12	Everett	N	Lontine	Y	Roupe	Y	Young	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Arndt, Becker K., Court, Danielson,
15 Duran, Esgar, Foote, Garnett, Ginal, Hamner, Kagan, Kraft-Tharp, Lebsock,
16 Lee, Lontine, McCann, Melton, Mitsch Bush, Moreno, Pettersen, Primavera,
17 Rosenthal, Ryden, Salazar, Singer, Tyler, Vigil, Williams, Winter, Young,
18 Speaker

19
20 **HB16-1073** by Representative(s) Duran and DelGrosso; also
21 Senator(s) Guzman and Scheffel--Concerning the
22 qualifications of licensed electricians.

23
24 The question being "Shall the bill 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 bill
27 was declared **passed**.

28	YES	53	NO	12	EXCUSED	0	ABSENT	0
29	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
30	Becker J.	Y	Foote	Y	McCann	Y	Saine	N
31	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
32	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
33	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
34	Buckner	Y	Humphrey	N	Navarro	Y	Thurlow	Y
35	Carver	N	Joshi	N	Neville P.	N	Tyler	Y
36	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
37	Coram	Y	Klingenschmitt	N	Pabon	Y	Vigil	Y
38	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
39	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
40	DelGrosso	Y	Lawrence	Y	Priola	N	Wilson	Y
41	Dore	N	Lebsock	Y	Rankin	Y	Windholz	Y
42	Duran	Y	Lee	Y	Ransom	N	Winter	Y
43	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
44	Everett	N	Lontine	Y	Roupe	Y	Young	Y
45							Speaker	Y

46
47 Co-sponsor(s) added: Representative(s) Brown, Court, Esgar, Fields, Garnett,
48 Ginal, Hamner, Kraft-Tharp, Lebsock, Lontine, Melton, Mitsch Bush, Pabon,
49 Pettersen, Primavera, Roupe, Tyler, Williams, Winter, Young, Speaker

50
51 **HB16-1012** by Representative(s) Ryden; also Senator(s) Scott--
52 Concerning a requirement that a municipal clerk file a
53 copy of each statement of election results with the division
54 of local government in the department of local affairs
55 rather than the secretary of state.

56

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
7 Arndt	Y		Fields	Y	Lundeen	Y	Ryden	Y
8 Becker J.	Y		Foote	Y	McCann	Y	Saine	Y
9 Becker K.	Y		Garnett	Y	Melton	Y	Salazar	Y
10 Brown	Y		Ginal	Y	Mitsch Bush	Y	Sias	Y
11 Buck	Y		Hamner	Y	Moreno	Y	Singer	Y
12 Buckner	Y		Humphrey	Y	Navarro	Y	Thurlow	Y
13 Carver	Y		Joshi	Y	Neville P.	Y	Tyler	Y
14 Conti	Y		Kagan	Y	Nordberg	Y	Van Winkle	Y
15 Coram	Y		Klingenschmitt	Y	Pabon	Y	Vigil	Y
16 Court	Y		Kraft-Tharp	Y	Pettersen	Y	Willett	Y
17 Danielson	Y		Landgraf	Y	Primavera	Y	Williams	Y
18 DelGrosso	Y		Lawrence	Y	Priola	Y	Wilson	Y
19 Dore	Y		Lebsock	Y	Rankin	Y	Windholz	Y
20 Duran	Y		Lee	Y	Ransom	Y	Winter	Y
21 Esgar	Y		Leonard	Y	Rosenthal	Y	Wist	Y
22 Everett	Y		Lontine	Y	Roupe	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Court, Lontine, Pettersen, Rosenthal

25
 26 **HB16-1086** by Representative(s) Ryden and Nordberg, Saine; also
 27 Senator(s) Holbert, Jahn--Concerning a modification of
 28 the dates on which the required performance audits of
 29 certain governmental entities are due.

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	65	NO	0	EXCUSED	0	ABSENT	0
37 Arndt	Y		Fields	Y	Lundeen	Y	Ryden	Y
38 Becker J.	Y		Foote	Y	McCann	Y	Saine	Y
39 Becker K.	Y		Garnett	Y	Melton	Y	Salazar	Y
40 Brown	Y		Ginal	Y	Mitsch Bush	Y	Sias	Y
41 Buck	Y		Hamner	Y	Moreno	Y	Singer	Y
42 Buckner	Y		Humphrey	Y	Navarro	Y	Thurlow	Y
43 Carver	Y		Joshi	Y	Neville P.	Y	Tyler	Y
44 Conti	Y		Kagan	Y	Nordberg	Y	Van Winkle	Y
45 Coram	Y		Klingenschmitt	Y	Pabon	Y	Vigil	Y
46 Court	Y		Kraft-Tharp	Y	Pettersen	Y	Willett	Y
47 Danielson	Y		Landgraf	Y	Primavera	Y	Williams	Y
48 DelGrosso	Y		Lawrence	Y	Priola	Y	Wilson	Y
49 Dore	Y		Lebsock	Y	Rankin	Y	Windholz	Y
50 Duran	Y		Lee	Y	Ransom	Y	Winter	Y
51 Esgar	Y		Leonard	Y	Rosenthal	Y	Wist	Y
52 Everett	Y		Lontine	Y	Roupe	Y	Young	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Becker K., Kagan, Lawrence, Lontine,
 55 Pabon, Pettersen, Primavera, Priola, Windholz

56

1 [HB16-1130](#) by Representative(s) Priola, Saine, Neville P., Wilson,
 2 Brown, Lawrence, Thurlow, Windholz; also Senator(s)
 3 Johnston--Concerning changes to annual reports prepared
 4 by the department of education.
 5

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
11	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
12	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
13	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
14	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
15	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
16	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
17	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
18	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
19	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
20	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
21	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
22	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
23	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
24	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
25	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
26	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Becker J., Fields, Garnett, Hamner,
 29 Kraft-Tharp, Pettersen, Van Winkle, Windholz, Young
 30

31
 32 **CONSIDERATION OF RESOLUTION(S)**
 33

34 [HJR16-1002](#) by Representative(s) Coram and Mitsch Bush; also
 35 Senator(s) Baumgardner, Roberts--Concerning timely
 36 access to federal lands for dam restoration projects.
 37

38 (Printed and placed in member's files.)
 39

40 Representative Coram moved the following amendment:
 41

42 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
 43 dated January 27, 2016, and placed in member's bill file; Report also
 44 printed in House Journal, January 28, 2016.
 45

46 The amendment was declared **passed** by **viva voce** vote.
 47

48 On motion of Representative Coram, the resolution as amended was
 49 **adopted** by **viva voce** vote.
 50

51 Co-sponsor(s) added: Representative(s) Becker J., Brown, Buck, Court,
 52 DelGrosso, Esgar, Garnett, Ginal, Hamner, Joshi, Landgraf, Lawrence, Leonard,
 53 Lontine, Lundeen, Melton, Moreno, Navarro, Neville P., Pettersen, Priola,
 54 Ransom, Ryden, Saine, Salazar, Singer, Thurlow, Tyler, Van Winkle, Vigil,
 55 Willett, Williams, Windholz, Winter, Young
 56

1 **MESSAGE FROM THE SENATE**

2
3 Madam Speaker:

4
5 The Senate has adopted and transmits herewith: SJR16-006.

6
7
8 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

9
10 On motion of Representative Duran, the rules were suspended and the
11 following resolution was given immediate consideration.

12
13 **SJR16-006** by Senator(s) Sonnenberg; also Representative(s) Fields
14 and Lawrence--Concerning the designation of February 4
15 as "Missing Persons Day" in Colorado.

16
17 (Printed and placed in members' files).

18
19 On motion of Representative Lawrence, the resolution was read at length
20 and **adopted** by **viva voce** vote.

21
22 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker J.,
23 Becker K., Brown, Buck, Buckner, Carver, Conti, Coram, Court, Danielson,
24 DelGrosso, Dore, Duran, Esgar, Everett, Foote, Garnett, Ginal, Hamner,
25 Humphrey, Joshi, Kagan, Klingenschmitt, Kraft-Tharp, Landgraf, Lebsock, Lee,
26 Leonard, Lontine, Lundeen, McCann, Melton, Mitsch Bush, Moreno, Navarro,
27 Neville P., Nordberg, Pabon, Pettersen, Primavera, Priola, Rankin, Ransom,
28 Rosenthal, Roupe, Ryden, Saine, Salazar, Sias, Singer, Thurlow, Tyler, Van
29 Winkle, Vigil, Willett, Williams, Wilson, Windholz, Winter, Wist, Young,
30 Speaker.

31
32
33 House in recess. House reconvened.

34
35
36 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

37
38 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

41
42 **HB16-1124** be postponed indefinitely.

43
44
45 **SJM16-002** be referred to the House for final action.

46
47
48
49
50 **EDUCATION**

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

53
54 **HB16-1082** be referred to the Committee of the Whole with favorable
55 recommendation.

56

1 **FINANCE**

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

4
5 **HB16-1030** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend Local Government Committee Report, dated January 27, 2016,
10 page 2, strike lines 12 through 17 and substitute:

11
12 **"33-14.5-110. Regulation by political subdivisions.** (3) FOR A
13 CITY OR TOWN TO REGULATE THE CROSSING OF A STATE HIGHWAY UNDER
14 THE JURISDICTION OF THE COLORADO DEPARTMENT OF TRANSPORTATION,
15 THE CITY OR TOWN MUST REQUEST IN WRITING THAT THE REGIONAL OFFICE
16 OF THE DEPARTMENT APPROVE THE REGULATION. THE REGIONAL OFFICE
17 SHALL NOT UNREASONABLY WITHHOLD APPROVAL. IF THE REGIONAL
18 OFFICE DOES NOT APPROVE OR DENY THE REQUEST WITHIN SIXTY DAYS
19 AFTER RECEIVED, THE REQUEST IS DEEMED APPROVED."
20

21
22
23 **HB16-1090** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend printed bill, page 2, after line 1 insert:

28
29 **"SECTION 1.** In Colorado Revised Statutes, 6-1-105, **add** (1)
30 (iii) as follows:

31 **6-1-105. Deceptive trade practices.** (1) A person engages in a
32 deceptive trade practice when, in the course of the person's business,
33 vocation, or occupation, the person:

34 (iii) KNOWINGLY ENTERS INTO, OR ATTEMPTS TO ENFORCE, AN
35 AGREEMENT REGARDING THE RECOVERY OF AN OVERBID ON FORECLOSED
36 PROPERTY IF THE AGREEMENT:

37 (I) CONCERNS THE RECOVERY OF FUNDS IN THE POSSESSION OF A
38 PUBLIC TRUSTEE AND IS NOT ENFORCEABLE UNDER SECTION 38-38-111
39 (2.5), C.R.S.; OR

40 (II) CONCERNS THE RECOVERY OF FUNDS IN THE POSSESSION OF
41 THE STATE TREASURER AND IS NOT ENFORCEABLE UNDER SECTION
42 38-13-128.5, C.R.S.

43 **SECTION 2.** In Colorado Revised Statutes, 6-1-1103, **amend** (5)
44 as follows:

45 **6-1-1103. Definitions.** As used in this part 11, unless the context
46 otherwise requires:

47 (5) "Foreclosure consulting contract" means any agreement
48 between a foreclosure consultant and a home owner; EXCEPT THAT THE
49 TERM DOES NOT INCLUDE AN AGREEMENT DESCRIBED IN SECTION
50 38-13-128.5 OR 38-38-111 (2.5), C.R.S."
51

52 Renumber succeeding sections accordingly.

53
54 Page 3, after line 6 insert:

55
56 "(D) THE AGREEMENT CONTAINS A STATEMENT THAT THE OWNER

1 MAY DIRECT ANY QUESTIONS ABOUT ITS LEGALITY TO THE COLORADO
2 FORECLOSURE HOTLINE MAINTAINED BY THE COLORADO HOUSING AND
3 FINANCE AUTHORITY. THE STATEMENT MUST INCLUDE A CURRENT, VALID
4 TELEPHONE NUMBER FOR THE COLORADO FORECLOSURE HOTLINE."
5

6 Reletter succeeding sub-subparagraphs accordingly.
7

8 Page 3, after line 13 insert:
9

10 "(III) A PERSON WHO INDUCES OR ATTEMPTS TO INDUCE ANOTHER
11 PERSON TO ENTER INTO AN AGREEMENT DESCRIBED IN THIS PARAGRAPH (c)
12 THAT DOES NOT COMPLY WITH ALL REQUIREMENTS OF SUBPARAGRAPH (II)
13 OF THIS PARAGRAPH (c) COMMITS A MISDEMEANOR, AS DEFINED IN
14 SECTION 18-1.3-504, C.R.S., AND IS SUBJECT TO IMPRISONMENT IN
15 COUNTY JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO TEN THOUSAND
16 DOLLARS, OR BOTH."
17

18 Page 6, after line 20 insert:
19

20 "(3) A PERSON WHO INDUCES OR ATTEMPTS TO INDUCE ANOTHER
21 PERSON TO ENTER INTO AN AGREEMENT DESCRIBED IN THIS SECTION THAT
22 DOES NOT COMPLY WITH ALL REQUIREMENTS OF SUBSECTION (2) OF THIS
23 SECTION COMMITS A MISDEMEANOR, AS DEFINED IN SECTION 18-1.3-504,
24 C.R.S., AND IS SUBJECT TO IMPRISONMENT IN COUNTY JAIL FOR UP TO SIX
25 MONTHS, A FINE OF UP TO TEN THOUSAND DOLLARS, OR BOTH."
26

27 Renumber succeeding subsections accordingly.
28

29 Page 7, line 11, strike "Sections 2 and 3" and substitute "Sections 4 and
30 5".
31

32 Page 7, line 14, strike "Section 1" and substitute "Section 3".
33
34
35

36 **HB16-1161** be referred to the Committee of the Whole with favorable
37 recommendation.
38
39
40
41

42 **LOCAL GOVERNMENT**

43 After consideration on the merits, the Committee recommends the
44 following:
45

46 **HB16-1064** be referred to the Committee of the Whole with favorable
47 recommendation.
48
49

50 **HB16-1078** be amended as follows, and as so amended, be referred to
51 the Committee on Appropriations with favorable
52 recommendation:
53

54 Amend printed bill, page 3, line 7, strike "A" and substitute "EXCEPT AS
55 SET FORTH IN PARAGRAPH (c) OF THIS SUBSECTION (2), A".
56

1 Page 3, line 17, strike "MISMANAGEMENT;" and substitute "GROSS
2 MISMANAGEMENT;".

3
4 Page 4, after line 5 insert:

5
6 "(c) IT IS THE OBLIGATION OF AN EMPLOYEE WHO WISHES TO
7 DISCLOSE INFORMATION UNDER THE PROTECTION OF THIS SECTION TO
8 MAKE A GOOD FAITH EFFORT TO INFORM HIS OR HER SUPERVISOR, AN
9 ADMINISTRATOR ABOVE THE LEVEL OF HIS OR HER SUPERVISOR, OR A
10 BOARD MEMBER OF THE LOCAL EDUCATION PROVIDER OF THE NATURE OF
11 THE INFORMATION TO BE DISCLOSED PRIOR TO THE TIME OF DISCLOSURE."

12
13 Page 4, strike lines 11 through 20 and substitute "RELIEF AND DAMAGES.
14 THE EMPLOYEE MUST SERVE THE LOCAL EDUCATION PROVIDER IN
15 ACCORDANCE WITH THE COLORADO RULES OF CIVIL PROCEDURE. PRIOR TO
16 THE TIME THAT AN ANSWER IS DUE, THE LOCAL EDUCATION PROVIDER MAY
17 FILE A WRITTEN NOTICE REJECTING THE ADMINISTRATIVE LAW JUDGE'S
18 JURISDICTION, AND, IN WHICH CASE, THE JUDGE SHALL DISMISS THE
19 COMPLAINT WITHOUT PREJUDICE. HEARINGS ARE CONDUCTED CONSISTENT
20 WITH THE PROVISIONS OF SECTION 24-4-105, C.R.S., UNLESS THE
21 DIRECTOR OF THE OFFICE OF ADMINISTRATIVE COURTS ESTABLISHES
22 DIFFERENT RULES THAT APPLY. THE FINAL DECISION OF THE
23 ADMINISTRATIVE LAW JUDGE IS SUBJECT TO JUDICIAL REVIEW BY THE
24 COURT OF APPEALS IN THE SAME MANNER AS AN AGENCY ACTION THAT IS
25 APPEALED IN ACCORDANCE WITH SECTION 24-4-106 (11), C.R.S.

26 (4) AN EMPLOYEE WHO DID NOT FILE A WRITTEN COMPLAINT WITH
27 THE OFFICE OF ADMINISTRATIVE COURTS OR WHO FILED A WRITTEN
28 COMPLAINT BUT THE LOCAL EDUCATION PROVIDER REJECTED THE
29 JURISDICTION MAY BRING A CIVIL ACTION IN THE APPROPRIATE DISTRICT
30 COURT OF THE STATE ALLEGING A VIOLATION OF THIS SECTION AND
31 SEEKING DAMAGES AND INJUNCTIVE RELIEF."

32
33 Page 5, line 7, strike "SHALL" and substitute "MAY".

34
35 Page 5, line 22, strike "A" and substitute "EXCEPT AS SET FORTH IN
36 PARAGRAPH (c) OF THIS SUBSECTION (2), A".

37
38 Page 6, line 4, strike "MISMANAGEMENT;" and substitute "GROSS
39 MISMANAGEMENT;".

40
41 Page 6, after line 19 insert:

42
43 "(c) IT IS THE OBLIGATION OF AN EMPLOYEE WHO WISHES TO
44 DISCLOSE INFORMATION UNDER THE PROTECTION OF THIS SECTION TO
45 MAKE A GOOD FAITH EFFORT TO INFORM HIS OR HER SUPERVISOR, AN
46 ADMINISTRATOR ABOVE THE LEVEL OF HIS OR HER SUPERVISOR, OR A
47 COUNTY COMMISSIONER OF THE NATURE OF THE INFORMATION TO BE
48 DISCLOSED PRIOR TO THE TIME OF DISCLOSURE."

49
50 Page 6, strike lines 25 through 27.

51
52 Page 7, strike lines 1 through 7 and substitute "RELIEF AND DAMAGES. THE
53 EMPLOYEE MUST SERVE THE COUNTY IN ACCORDANCE WITH THE
54 COLORADO RULES OF CIVIL PROCEDURE. PRIOR TO THE TIME THAT AN
55 ANSWER IS DUE, THE COUNTY MAY FILE A WRITTEN NOTICE REJECTING THE
56 ADMINISTRATIVE LAW JUDGE'S JURISDICTION, AND, IN WHICH CASE, THE

1 JUDGE SHALL DISMISS THE COMPLAINT WITHOUT PREJUDICE. HEARINGS
2 ARE CONDUCTED CONSISTENT WITH THE PROVISIONS OF SECTION 24-4-105,
3 C.R.S., UNLESS THE DIRECTOR OF THE OFFICE OF ADMINISTRATIVE COURTS
4 ESTABLISHES DIFFERENT RULES THAT APPLY. THE FINAL DECISION OF THE
5 ADMINISTRATIVE LAW JUDGE IS SUBJECT TO JUDICIAL REVIEW BY THE
6 COURT OF APPEALS IN THE SAME MANNER AS AN AGENCY ACTION THAT IS
7 APPEALED IN ACCORDANCE WITH SECTION 24-4-106 (11), C.R.S.

8 (4) AN EMPLOYEE WHO DID NOT FILE A WRITTEN COMPLAINT WITH
9 THE OFFICE OF ADMINISTRATIVE COURTS OR WHO FILED A WRITTEN
10 COMPLAINT BUT THE COUNTY REJECTED THE JURISDICTION MAY BRING A
11 CIVIL ACTION IN THE APPROPRIATE DISTRICT COURT OF THE STATE
12 ALLEGING A VIOLATION OF THIS SECTION AND SEEKING DAMAGES AND
13 INJUNCTIVE RELIEF."

14
15 Page 7, line 27, strike "A" and substitute "EXCEPT AS SET FORTH IN
16 PARAGRAPH (c) OF THIS SUBSECTION (2), A".

17
18 Page 8, line 9, strike "MISMANAGEMENT;" and substitute "GROSS
19 MISMANAGEMENT;".

20
21 Page 8, after line 24 insert:

22
23 "(c) IT IS THE OBLIGATION OF AN EMPLOYEE WHO WISHES TO
24 DISCLOSE INFORMATION UNDER THE PROTECTION OF THIS SECTION TO
25 MAKE A GOOD FAITH EFFORT TO INFORM HIS OR HER SUPERVISOR, AN
26 ADMINISTRATOR ABOVE THE LEVEL OF HIS OR HER SUPERVISOR, OR A
27 MEMBER OF THE MUNICIPALITY'S GOVERNING BODY TO BE DISCLOSED
28 PRIOR TO THE TIME OF DISCLOSURE."

29
30 Page 9, strike lines 3 through 12 and substitute "RELIEF AND DAMAGES.
31 THE EMPLOYEE MUST SERVE THE MUNICIPALITY IN ACCORDANCE WITH THE
32 COLORADO RULES OF CIVIL PROCEDURE. PRIOR TO THE TIME THAT AN
33 ANSWER IS DUE, THE MUNICIPALITY MAY FILE A WRITTEN NOTICE
34 REJECTING THE ADMINISTRATIVE LAW JUDGE'S JURISDICTION, AND, IN
35 WHICH CASE, THE JUDGE SHALL DISMISS THE COMPLAINT WITHOUT
36 PREJUDICE. HEARINGS ARE CONDUCTED CONSISTENT WITH THE PROVISIONS
37 OF SECTION 24-4-105, C.R.S., UNLESS THE DIRECTOR OF THE OFFICE OF
38 ADMINISTRATIVE COURTS ESTABLISHES DIFFERENT RULES THAT APPLY.
39 THE FINAL DECISION OF THE ADMINISTRATIVE LAW JUDGE IS SUBJECT TO
40 JUDICIAL REVIEW BY THE COURT OF APPEALS IN THE SAME MANNER AS AN
41 AGENCY ACTION THAT IS APPEALED IN ACCORDANCE WITH SECTION
42 24-4-106 (11), C.R.S.

43 (4) AN EMPLOYEE WHO DID NOT FILE A WRITTEN COMPLAINT WITH
44 THE OFFICE OF ADMINISTRATIVE COURTS OR WHO FILED A WRITTEN
45 COMPLAINT BUT THE MUNICIPALITY REJECTED THE JURISDICTION MAY
46 BRING A CIVIL ACTION IN THE APPROPRIATE DISTRICT COURT OF THE STATE
47 ALLEGING A VIOLATION OF THIS SECTION AND SEEKING DAMAGES AND
48 INJUNCTIVE RELIEF."

49
50
51
52 **HB16-1139** be referred to the Committee of the Whole with favorable
53 recommendation.
54
55
56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HB16-1015** be postponed indefinitely.
6

7
8 **HB16-1125** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 3, strike lines 7 through 27.

13
14 Page 4, strike lines 1 through 6.

15
16 Renumber succeeding sections accordingly.
17

18
19
20 **HB16-1132** be postponed indefinitely.
21

22
23
24
25 **TRANSPORTATION & ENERGY**

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

28
29 **HB16-1029** be postponed indefinitely.
30

31
32 **HB16-1091** be referred to the Committee of the Whole with favorable
33 recommendation.
34

35
36 **PRINTING REPORT**

37
38 The Chief Clerk reports the following bills have been correctly printed:
39 **HB16-1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192,**
40 **1193, 1194, 1195, 1196.**
41

42
43 **INTRODUCTION OF BILLS**
44 **First Reading**
45

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

48
49 **HB16-1197** by Representative(s) Carver and Melton, Lebsock, Priola,
50 Joshi, Roupe, Wist, Windholz, Lee, Lundeen, McCann,
51 Becker J., Brown, Landgraf, Nordberg, Rosenthal; also
52 Senator(s) Todd and Crowder--Concerning a requirement
53 that state agencies implement a program to streamline the
54 granting of occupational credentials to veterans based on
55 military training.

56 Committee on Business Affairs and Labor

- 1 **HB16-1198** by Representative(s) Pabon and Wilson, Arndt; also
2 Senator(s) Tate and Kerr--Concerning computer science
3 courses fulfilling certain graduation requirements.
4 Committee on Education
5
- 6 **HB16-1199** by Representative(s) Everett, Buck, Humphrey, Joshi,
7 Neville P., Nordberg, Ransom, Saine, Van Winkle; also
8 Senator(s) Marble, Neville T.--Concerning elimination of
9 the exemption from bill limitations established by the joint
10 rules of the Colorado general assembly for legislation
11 recommended by certain committees that meet during the
12 legislative interim.
13 Committee on State, Veterans, & Military Affairs
14
- 15 **HB16-1200** by Representative(s) Ransom, Humphrey, Saine, Neville
16 P., Carver, Van Winkle, Leonard, Nordberg, Lundeen,
17 Everett, Dore, Buck, Klingenschmitt, Joshi, Becker J.,
18 Brown, Landgraf, Navarro; also Senator(s) Lundberg,
19 Baumgardner, Lambert, Sonnenberg--Concerning
20 providing enforcement authority to the attorney general
21 over unlawful transfers of fetal tissue from an induced
22 termination of pregnancy.
23 Committee on State, Veterans, & Military Affairs
24
- 25 **HB16-1201** by Representative(s) Willett--Concerning the requirement
26 that certain medical professionals make a finding
27 regarding the disability of a patient who requests the use
28 of an animal as a reasonable accommodation in housing
29 when that animal does not meet the definition of a service
30 animal.
31 Committee on Health, Insurance, & Environment
32
- 33 **HB16-1202** by Representative(s) Wist, Humphrey, Klingenschmitt,
34 Dore, Rankin, Willett, Joshi; also Senator(s) Tate--
35 Concerning the requirement that all employers in the state
36 verify the work eligibility status of new employees through
37 the federal electronic verification program.
38 Committee on State, Veterans, & Military Affairs
39
- 40 **HB16-1203** by Representative(s) Neville P., Humphrey, Everett,
41 Nordberg, Ransom, Buck, Joshi, Saine, Lundeen,
42 Windholz, Leonard, Becker J., Conti, Landgraf, Navarro,
43 Van Winkle--Concerning the adoption of the "Women's
44 Health Protection Act".
45 Committee on Health, Insurance, & Environment
46
- 47 **HB16-1204** by Representative(s) Neville P., Humphrey, Ransom, Van
48 Winkle, Leonard, Nordberg, Becker J., Saine, Joshi,
49 Everett, Klingenschmitt, Lundeen, Navarro, Wilson,
50 Carver, Brown, Buck, Sias, Windholz; also Senator(s)
51 Neville T., Lambert, Marble, Baumgardner, Grantham,
52 Holbert--Concerning permitting the carrying of concealed
53 handguns on public elementary and secondary school
54 properties.
55 Committee on State, Veterans, & Military Affairs
56

- 1 **HB16-1205** by Representative(s) Klingenschmitt, Lebsock; also
2 Senator(s) Cooke, Marble--Concerning an exception to the
3 prohibitions against driving a motorcycle around motor
4 vehicles blocking the lanes of traffic moving in the same
5 direction.
6 Committee on Transportation & Energy
7
- 8 **HB16-1206** by Representative(s) Nordberg--Concerning the ability of
9 persons with certain connections to post-September 11,
10 2001, military service to make their current location
11 information exempt from electronic disclosure under the
12 "Colorado Open Records Act".
13 Committee on State, Veterans, & Military Affairs
14
- 15 **HB16-1207** by Representative(s) Rosenthal--Concerning a requirement
16 that the public employees' retirement association invest a
17 certain percentage of moneys in renewable energy
18 companies.
19 Committee on Finance
20
- 21 **HB16-1208** by Representative(s) Carver and Singer, Lebsock,
22 Humphrey, Joshi, Roupe, Windholz, Lundeen, Ginal,
23 Klingenschmitt, Wist, Brown, Landgraf, Rosenthal, Saine;
24 also Senator(s) Lundberg and Newell--Concerning the
25 creation of a subcommittee to address information
26 security, and, in connection therewith, charging the
27 subcommittee to consider strategies for protecting data and
28 other information resources of the state against
29 unauthorized access, disclosure, use, modification, or
30 destruction.
31 Committee on State, Veterans, & Military Affairs
32
- 33 **HB16-1209** by Representative(s) Rankin and Becker K.--Concerning
34 the creation of a results first working group to examine
35 ways to build program evaluation capacity for state and
36 local programs.
37 Committee on Local Government
38
- 39 **HB16-1210** by Representative(s) Rosenthal, Esgar, Ginal, Moreno;
40 also Senator(s) Steadman, Guzman, Ulibarri--Concerning
41 a prohibition on conversion therapy by a licensed mental
42 health provider.
43 Committee on Public Health Care & Human Services
44
- 45 **HB16-1211** by Representative(s) Melton--Concerning licensing
46 marijuana transporters.
47 Committee on Business Affairs and Labor
48
- 49 **HB16-1212** by Representative(s) Roupe--Concerning a temporary tax
50 incentive for the unreimbursed fees charged by health care
51 providers for providing services to medicaid clients.
52 Committee on State, Veterans, & Military Affairs
53 Committee on Finance
54
- 55 **HB16-1213** by Representative(s) Lawrence, Van Winkle, Wilson; also
56 Senator(s) Lundberg and Newell--Concerning a civil

- 1 remedy for certain damages caused by an intrusion
2 committed through the use of a device.
3 Committee on Judiciary
4
- 5 **HB16-1214** by Representative(s) Conti--Concerning measures related
6 to marijuana.
7 Committee on Judiciary
8
- 9 **HB16-1215** by Representative(s) McCann and Kagan, Court, Foote,
10 Lawrence, Lee, Melton, Pettersen, Salazar, Sias, Willett;
11 also Senator(s) Guzman--Concerning changing the
12 statutory purposes of parole to successfully reintegrate
13 parolees into society by providing enhanced supportive
14 services.
15 Committee on Judiciary
16
- 17 **HB16-1216** by Representative(s) McCann, Becker K., Court, Fields,
18 Lee, Melton, Primavera, Salazar, Tyler; also Senator(s)
19 Steadman--Concerning measures to facilitate the
20 administration of the independent ethics commission.
21 Committee on Judiciary
22
- 23 **HB16-1217** by Representative(s) Ryden, Lontine, Pettersen,
24 Primavera, Williams; also Senator(s) Carroll--Concerning
25 the implementation of certain recommendations set forth
26 in the 2013 study of comparable HOA information and
27 resource centers prepared by the Colorado division of real
28 estate pursuant to House Bill 13-1134.
29 Committee on State, Veterans, & Military Affairs
30
- 31 **HB16-1218** by Representative(s) Saine, Neville P., Humphrey,
32 Windholz, Priola, Everett, Navarro, Nordberg, Ransom;
33 also Senator(s) Neville T., Woods, Holbert, Lambert,
34 Grantham, Marble, Lundberg, Baumgardner--Concerning
35 the creation of the "Women's Reproductive Information
36 Guarantee for Health and Transparency (RIGHT) Act".
37 Committee on Health, Insurance, & Environment
38
- 39 **HB16-1219** by Representative(s) Priola, Van Winkle, Windholz; also
40 Senator(s) Woods--Concerning the assumption of the
41 functions of state drivers' license offices by county vehicle
42 titling and registration offices.
43 Committee on State, Veterans, & Military Affairs
44
- 45 **HB16-1220** by Representative(s) Willett and Vigil--Concerning
46 changing the legal starting date for the black bear hunting
47 season.
48 Committee on State, Veterans, & Military Affairs
49
- 50 **HB16-1221** by Representative(s) Joshi, Humphrey, Saine, Neville P.,
51 Everett, Leonard, Klingenschmitt, Nordberg--Concerning
52 using savings from reductions in funding for an executive
53 state agency's subordinate activities to increase medicaid
54 provider rates.
55 Committee on State, Veterans, & Military Affairs
56

- 1 **HB16-1222** by Representative(s) Rankin and Tyler, Dore, Thurlow,
2 Wilson, Garnett, Hamner, Lee, Moreno, Pettersen; also
3 Senator(s) Todd and Hill--Concerning increasing the
4 availability of supplemental online education resources,
5 and, in connection therewith, creating the statewide
6 supplemental online and blended learning program.
7 Committee on Education
8
- 9 **HB16-1223** by Representative(s) Rankin, Hamner, Young; also
10 Senator(s) Grantham, Lambert, Steadman--Concerning an
11 exception to the application of a statutory reduction in the
12 amount of contributions that the public utilities
13 commission requires telecommunications companies to
14 pay to fund the high cost support mechanism if the amount
15 of the contributions assessed by the public utilities
16 commission would be reduced by an amount greater than
17 that reflected in the statutory reduction when compared to
18 the amount of contributions from the previous year.
19 Committee on Transportation & Energy
20
- 21 **HB16-1224** by Representative(s) Lundeen, Becker J., Carver,
22 Nordberg--Concerning child abuse involving human
23 trafficking of minors.
24 Committee on Public Health Care & Human Services
25
- 26 **HB16-1225** by Representative(s) Priola; also Senator(s) Tate--
27 Concerning a requirement that school districts with a
28 certain minimum number of enrolled pupils post
29 information online that is submitted by director candidates
30 prior to the election.
31 Committee on Education
32
33
- 34 **HB16-1226** by Representative(s) Young and Arndt, Coram, Vigil; also
35 Senator(s) Grantham--Concerning a program for funding
36 the development of agricultural businesses, and, in
37 connection therewith, making an appropriation.
38 Committee on Agriculture, Livestock, & Natural Resources
39 Committee on Appropriations
40
- 41 **HB16-1227** by Representative(s) Kagan and DelGrosso, Lawrence,
42 Becker J., Becker K., Brown, Buckner, Coram, Duran,
43 Esgar, Fields, Garnett, Hamner, Kraft-Tharp, Landgraf,
44 Lee, Lontine, Lundeen, McCann, Melton, Moreno,
45 Nordberg, Pettersen, Primavera, Rankin, Rosenthal,
46 Roupe, Sias, Thurlow, Winter, Young, Ryden; also
47 Senator(s) Hill and Crowder, Holbert, Martinez Humenik,
48 Neville T., Tate--Concerning exemptions from child
49 support enforcement requirements as a condition of receipt
50 of child care assistance under the Colorado child care
51 assistance program.
52 Committee on Public Health Care & Human Services
53
- 54 **HB16-1228** by Representative(s) Arndt and Becker J., Brown; also
55 Senator(s) Donovan--Concerning an alternative transfer
56 mechanism for water rights that protects the agricultural

1 use for which a water right was originally decreed while
2 permitting renewable one-year transfers of a portion of the
3 water subject to the water right.

4 Committee on Agriculture, Livestock, & Natural Resources

5
6 **HB16-1229** by Representative(s) Rankin, Hamner, Young; also
7 Senator(s) Steadman, Grantham, Lambert--Concerning
8 modification of the means of repayment for certain
9 ongoing financial obligations incurred by the state in order
10 to fund capital construction projects for state-supported
11 institutions of higher education.

12 Committee on Finance

13
14 **HB16-1230** by Representative(s) Dore, Rankin, Lebsock,
15 Klingenschmitt, Van Winkle, Wist, Arndt, Brown,
16 Nordberg--Concerning the inclusion of a county's financial
17 information in the state's financial information database,
18 which is known as the transparency online project.

19 Committee on Local Government

20
21 **SB16-009** by Senator(s) Grantham; also Representative(s) Primavera--
22 Concerning the sharing of professional dental fees.

23 Committee on Public Health Care & Human Services

24
25 **SB16-011** by Senator(s) Neville T., Marble; also Representative(s)
26 Neville P., Humphrey, Ransom, Saine--Concerning the
27 repeal of statutory requirements that a portion of the
28 revenue from specified motor vehicle related fees imposed
29 under the "Funding Advancements for Surface
30 Transportation and Economic Recovery Act of 2009" be
31 used for transit-related projects.

32 Committee on Transportation & Energy

33
34 **SB16-015** by Senator(s) Baumgardner; also Representative(s) Vigil--
35 Concerning a requirement that a governor-designated state
36 agency clarify which pesticides may be used in the
37 marijuana industry.

38 Committee on Agriculture, Livestock, & Natural Resources

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44 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
45 February 5, 2016.

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Approved:
DICKEY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

