

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Thirteenth Legislative Day

Monday, January 25, 2016

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission, Denver.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Philip Lorton, Sean Lorton, Brodie Lorton,
6 Home School, Highlands Ranch.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Vacancy---1.

12
13 The Speaker declared a quorum present.

14 _____
15
16 On motion of Representative Carver, the reading of the journal of
17 January 22, 2016, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19 _____
20
21 style="text-align:center">**CONSIDERATION OF MEMORIAL**

22
23 [HM16-1001](#) by Representative(s) Roupe--Memorializing former
24 Representative Dr. William Truett Martin.

25
26 (Printed and placed in members' files.)

27
28 On motion of Representative Hullinghorst, the memorial was read at
29 length.

30 _____
31
32 Pursuant to House Rule 26(f) the House stood in recess to allow the
33 following former members to speak on behalf of the Honorable Dr.
34 William Truett Martin: Former Speaker Chuck Berry, Former Majority
35 Leader Norma Anderson, Senator Matt Jones, Former Speaker
36 Doug Dean.

37 _____
38
39 House reconvened.

40 _____
41
42 On motion of Representative Roupe, the memorial was **adopted** by the
43 following roll call vote:

	YES	64	NO	0	EXCUSED	0	ABSENT	0	VACANCY	1
1	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y		
2	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y		
3	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y		
4	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y		
5	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y		
6	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y		
7	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y		
8	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y		
9	Coram	Y		V	Pabon	Y	Vigil	Y		
10	Court	Y	Klingenschmitt	Y	Pettersen	Y	Willett	Y		
11	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Williams	Y		
12	DelGrosso	Y	Landgraf	Y	Priola	Y	Wilson	Y		
13	Dore	Y	Lawrence	Y	Rankin	Y	Windholz	Y		
14	Duran	Y	Lebsock	Y	Ransom	Y	Winter	Y		
15	Esgar	Y	Lee	Y	Rosenthal	Y	Wist	Y		
16	Everett	Y	Lontine	Y	Roupe	Y	Young	Y		
17							Speaker	Y		

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

28
 29 Representative Roupe introduced members of the family that were
 30 present.

31 _____
 32
 33 House in recess. House reconvened.
 34 _____
 35

36
 37 **MESSAGE FROM THE SENATE**
 38

39 Madam Speaker:

40
 41 The Senate has adopted and transmits herewith: SJR16-004.
 42
 43 _____
 44
 45

46 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**
 47

48 On motion of Representative Duran, the rules were suspended and the
 49 following resolution was given immediate consideration.

50
 51 **SJR16-004** by Senator(s) Sonnenberg; also Representative(s)
 52 Becker J.--Concerning the designation of January 25,
 53 2016, as Colorado 4-H Day.
 54

55 (Printed and placed in members' files).
 56

1 On motion of Representative Becker J., the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Current Roll Call added as co-sponsor(s): Representative(s) Arndt, Becker K.,
5 Brown, Buck, Buckner, Carver, Conti, Coram, Court, Danielson, DelGrosso,
6 Dore, Duran, Esgar, Everett, Fields, Foote, Garnett, Ginal, Hamner, Humphrey,
7 Joshi, Kagan, Klingenschmitt, Kraft-Tharp, Landgraf, Lawrence, Lebsock, Lee,
8 Lontine, Lundeen, McCann, Melton, Mitsch Bush, Moreno, Navarro, Neville
9 P., Nordberg, Pabon, Pettersen, Primavera, Priola, Rankin, Ransom, Rosenthal,
10 Roupe, Ryden, Saine, Salazar, Sias, Singer, Thurlow, Tyler, Van Winkle, Vigil,
11 Willett, Williams, Wilson, Windholz, Winter, Wist, Young, Speaker.

12
13
14
15 On motion of Representative Foote, the House resolved itself into
16 Committee of the Whole for consideration of General Orders, and he was
17 called to the Chair to act as Chairman.

18
19
20
21 **GENERAL ORDERS--SECOND READING OF BILLS**

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

27
28 (Amendments to the committee amendment are to the printed committee
29 report which was printed and placed in the members' bill file.)

30
31 **HB16-1026** by Representative(s) Thurlow and Kraft-Tharp; also
32 Senator(s) Holbert--Concerning the repeal of the
33 department of revenue's revenue impact accounting
34 requirements related to a group of bills enacted in 2010.

35
36 Ordered engrossed and placed on the Calendar for Third Reading and
37 Final Passage.

38
39 **HB16-1028** by Representative(s) Van Winkle, Buck, Lontine, Ginal;
40 also Senator(s) Cooke--Concerning modifications to the
41 statewide death and disability plan administered by the
42 fire and police pension association.

43
44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.

46
47 **HB16-1038** by Representative(s) Melton and Salazar, Lontine, Ginal;
48 also Senator(s) Jones--Concerning optional affiliation
49 with the fire and police pension association by a county
50 sheriff department that does not participate in social
51 security.

52
53 Ordered engrossed and placed on the Calendar for Third Reading and
54 Final Passage.

55

1 [HB16-1049](#) by Representative(s) Lee; also Senator(s) Scheffel and
 2 Hill--Concerning an escrow account held by a depository
 3 institution on behalf of an issuer of an intrastate offering
 4 of securities.

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

8
 9 [HB16-1043](#) by Representative(s) Brown, Becker K., Vigil; also
 10 Senator(s) Baumgardner, Kefalas, Sonnenberg--
 11 Concerning the joint technology committee's authority to
 12 approve the request for a waiver of certain deadlines after
 13 moneys for a project have been appropriated.

14
 15 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
 16 January 20, 2016, and placed in member's bill file; Report also printed in
 17 House Journal, January 21, 2016

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

21
 22 [HB16-1018](#) by Representative(s) Carver and Mitsch Bush; also
 23 Senator(s) Todd--Concerning a requirement that the
 24 statewide transportation advisory committee provide
 25 advice and comments regarding transportation-related
 26 matters to both the department of transportation and the
 27 transportation commission rather than to the department
 28 only.

29
 30 Ordered engrossed and placed on the Calendar for Third Reading and
 31 Final Passage.

32
 33 [HB16-1053](#) by Representative(s) Kraft-Tharp; also Senator(s) Hill--
 34 Concerning the regulation of retail hydrogen fuel systems
 35 for vehicles.

36
 37 Ordered engrossed and placed on the Calendar for Third Reading and
 38 Final Passage.

41
 42 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

43
 44 Passed Second Reading: **HB16-1026, 1028, 1038, 1049, 1043 amended,**
 45 **1018, 1053.**

46
 47 The Chairman moved the adoption of the Committee of the Whole
 48 Report. As shown by the following roll call vote, a majority of those
 49 elected to the House voted in the affirmative, and the Report was
 50 **adopted.**

51

YES	64	NO	0	EXCUSED	0	ABSENT	0	VACANCY	1
Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y		Y
Becker J.	Y	Foote	Y	McCann	Y	Saine	Y		Y
Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y		Y
Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y		Y

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

House in recess. House reconvened.

SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

The Speaker has signed: **SJR16-005**.

INTRODUCTION OF BILLS

First Reading

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

HB16-1149 by Representative(s) Melton--Concerning a requirement that the executive board of a common interest community created in Colorado before July 1, 1992, comply with the budget reporting provision of the "Colorado Common Interest Ownership Act".

Committee on Local Government

HB16-1150 by Representative(s) Conti, Lawrence, Singer, Windholz--Concerning a clarification of the prohibition against the possession of nicotine products by persons under eighteen years of age by explicitly allowing a county to enact its own prohibition.

Committee on Local Government

HB16-1151 by Representative(s) Pabon, Nordberg, Rosenthal, Singer; also Senator(s) Holbert, Jahn--Concerning the expansion of penalty mitigation under the alcohol beverage laws for vendors meeting the definition of a "responsible vendor" as provided by law.

Committee on Business Affairs and Labor

1 **HB16-1152** by Representative(s) Foote; also Senator(s) Cooke--
 2 Concerning the authority of the department of corrections
 3 to distribute medication.
 4 Committee on Judiciary

5
 6 **HB16-1153** by Representative(s) Melton; also Senator(s) Cooke--
 7 Concerning the annual date by which the general assembly
 8 receives a report regarding outcomes of decisions made by
 9 the state board of parole.
 10 Committee on Judiciary

11
 12 **HB16-1154** by Representative(s) DelGrosso--Concerning clarification
 13 of the construction of the definition of "employer" dealing
 14 with the employer-employee relationship to include a
 15 requirement that an employer must exert a level of control
 16 over an employee, and, in connection therewith, providing
 17 that a franchisor is not an employer of a franchisee or a
 18 franchisee's employees.
 19 Committee on Local Government

20
 21 _____
 22
 23 On motion of Representative Duran, the following bill(s) calendared for
 24 General Orders, January 26, will be calendared for January 27, 2016:
 25 **HB16-1051, 1032, 1057.**

26
 27 _____
 28
 29 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
 30 January 26, 2016.

31
 32 Approved:
 33 DICKY LEE HULLINGHORST,
 34 Speaker
 35 Attest:
 36 MARILYN EDDINS,
 37 Chief Clerk