

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Twenty-ninth Legislative Day Wednesday, February 10, 2016

1 Prayer by Dr. Cynthia Cearley, Montview Presbyterian Church, Denver.

2

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

4

5 Pledge of Allegiance led by Tobin Snook, Holden Lindquist, Marin
6 Lindquist Chole Walsh, Ryker Wey, Stem Lab Elementary School,
7 Northglenn.

8

9 The roll was called with the following result:

10

11 Present--64.

12 Excused--Representative(s) Pabon--1.

13 Present after roll call--Representative(s) Pabon.

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15 The Speaker declared a quorum present.

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18 On motion of Representative Esgar, the reading of the journal of
19 February 9, 2016, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

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CHANGE IN SPONSORSHIP

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27 The Speaker announced the following change in sponsorship:

28 **HB16-1160**--Senator Tate to replace Senator Neville as prime sponsor.

29 **HB16-1170**--Senator(s) Sonnenberg and Garcia to replace Senator
30 Hodge as prime sponsor.

31 **HB16-1232**--Senator Baumgardner to replace Senator Tate as prime
32 sponsor.

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37 On motion of Representative Melton, the House resolved itself into
38 Committee of the Whole for consideration of General Orders, and he was
39 called to the Chair to act as Chairman.

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GENERAL ORDERS--SECOND READING OF BILLS

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

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

HB16-1237 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of agriculture.

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

HB16-1238 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of corrections.

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

HB16-1239 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

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

HB16-1240 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of health care policy and financing.

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

HB16-1241 by Representative(s) Hamner, Young, Rankin; also Senator(s) Lambert, Grantham, Steadman--Concerning a supplemental appropriation to the department of higher education.

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

- 1 [HB16-1242](#) by Representative(s) Hamner, Young, Rankin; also
2 Senator(s) Lambert, Grantham, Steadman--Concerning a
3 supplemental appropriation to the department of human
4 services.
5
- 6 Ordered engrossed and placed on the Calendar for Third Reading and
7 Final Passage.
8
- 9 [HB16-1243](#) by Representative(s) Hamner, Young, Rankin; also
10 Senator(s) Lambert, Grantham, Steadman--Concerning a
11 supplemental appropriation to the judicial department.
12
- 13 Ordered engrossed and placed on the Calendar for Third Reading and
14 Final Passage.
15
- 16 [HB16-1244](#) by Representative(s) Hamner, Young, Rankin; also
17 Senator(s) Lambert, Grantham, Steadman--Concerning a
18 supplemental appropriation to the department of law.
19
- 20 Ordered engrossed and placed on the Calendar for Third Reading and
21 Final Passage.
22
- 23 [HB16-1245](#) by Representative(s) Hamner, Young, Rankin; also
24 Senator(s) Lambert, Grantham, Steadman--Concerning a
25 supplemental appropriation to the department of military
26 and veterans affairs.
27
- 28 Ordered engrossed and placed on the Calendar for Third Reading and
29 Final Passage.
30
- 31 [HB16-1246](#) by Representative(s) Hamner, Young, Rankin; also
32 Senator(s) Lambert, Grantham, Steadman--Concerning a
33 supplemental appropriation to the department of
34 personnel.
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- 36 Ordered engrossed and placed on the Calendar for Third Reading and
37 Final Passage.
38
- 39 [HB16-1247](#) by Representative(s) Hamner, Young, Rankin; also
40 Senator(s) Lambert, Grantham, Steadman--Concerning a
41 supplemental appropriation to the department of public
42 health and environment.
43
- 44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.
46
- 47 [HB16-1248](#) by Representative(s) Hamner, Young, Rankin; also
48 Senator(s) Lambert, Grantham, Steadman--Concerning a
49 supplemental appropriation to the department of public
50 safety.
51
- 52 Ordered engrossed and placed on the Calendar for Third Reading and
53 Final Passage.
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1 [HB16-1249](#) by Representative(s) Hamner, Young, Rankin; also
2 Senator(s) Lambert, Grantham, Steadman--Concerning a
3 supplemental appropriation to the department of
4 regulatory agencies.
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6 Ordered engrossed and placed on the Calendar for Third Reading and
7 Final Passage.
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10 [HB16-1250](#) by Representative(s) Hamner, Young, Rankin; also
11 Senator(s) Lambert, Grantham, Steadman--Concerning a
12 supplemental appropriation to the department of revenue.
13

14 Ordered engrossed and placed on the Calendar for Third Reading and
15 Final Passage.
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18 [HB16-1251](#) by Representative(s) Hamner, Young, Rankin; also
19 Senator(s) Lambert, Grantham, Steadman--Concerning a
20 supplemental appropriation to the department of the
21 treasury.
22

23 Ordered engrossed and placed on the Calendar for Third Reading and
24 Final Passage.
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26
27 [HB16-1252](#) by Representative(s) Hamner, Young, Rankin; also
28 Senator(s) Lambert, Grantham, Steadman--Concerning
29 funding for capital construction, and making supplemental
30 appropriations in connection therewith.
31

32 Ordered engrossed and placed on the Calendar for Third Reading and
33 Final Passage.
34

35
36 [HB16-1253](#) by Representative(s) Hamner, Young, Rankin; also
37 Senator(s) Steadman, Grantham, Lambert--Concerning
38 adjustments in the amount of total program funding for
39 public schools for the 2015-16 budget year, and, in
40 connection therewith, making and reducing an
41 appropriation.
42

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

46 [HB16-1254](#) by Representative(s) Young, Hamner, Rankin; also
47 Senator(s) Grantham, Lambert, Steadman--Concerning
48 P.O.S.T. board training concerning wrongs to persons
49 with intellectual and developmental disabilities.
50

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

1 [HB16-1082](#) by Representative(s) Garnett and Willett; also Senator(s)
 2 Todd--Concerning area vocational schools, and, in
 3 connection therewith, changing the name of area
 4 vocational schools to area technical colleges and adding
 5 representation for area technical colleges to certain
 6 boards.

7
 8 Ordered engrossed and placed on the Calendar for Third Reading and
 9 Final Passage.

10
 11 [HB16-1061](#) by Representative(s) Carver and Nordberg; also Senator(s)
 12 Todd--Concerning a requirement that the transportation
 13 infrastructure needs of federal military installations be
 14 given full consideration during the preparation of the
 15 comprehensive statewide transportation plan.

16
 17 Ordered engrossed and placed on the Calendar for Third Reading and
 18 Final Passage.

19
 20 [HB16-1144](#) by Representative(s) Becker J. and Pettersen; also
 21 Senator(s) Grantham--Concerning transparency in
 22 postsecondary courses offered to high school students.

23
 24 Amendment No. 1, Education Report, dated February 8, 2016, and
 25 placed in member's bill file; Report also printed in House Journal,
 26 February 9, 2016

27
 28 As amended, ordered engrossed and placed on the Calendar for Third
 29 Reading and Final Passage.

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 33 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

34
 35 Passed Second Reading: **HB16-1237, 1238, 1239, 1240, 1241, 1242,**
 36 **1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253,**
 37 **1254, 1082, 1061, 1144 amended.**

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

43
 44

	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
46	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
47	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
48	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
49	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
50	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
51	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
52	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
53	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
54	Court	Y	Kraft-Tharp	Y	Pettersen	Y	Willett	Y
55	Danielson	Y	Landgraf	Y	Primavera	Y	Williams	Y
56	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y

1	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
2	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
3	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
4	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
5							Speaker	Y

CONSIDERATION OF RESOLUTION(S)

10 **SJR16-003** by Senator(s) Sonnenberg; also Representative(s) Vigil--
 11 Concerning approval of water project revolving fund
 12 eligibility lists administered by the Colorado water
 13 resources and power development authority.
 14

15
 16 (Printed and placed in members' file)

17
 18 On motion of Representative Vigil, the resolution was **adopted** by **viva**
 19 **voce** vote.

20
 21 Co-sponsor(s) added: Representative(s) Becker J., Becker K., Brown, Buck,
 22 Buckner, Carver, Conti, Coram, DelGrosso, Dore, Duran, Esgar, Fields,
 23 Garnett, Ginal, Hamner, Joshi, Kagan, Klingenschmitt, Landgraf, Lawrence,
 24 Lee, Lontine, Lundeen, Melton, Mitsch Bush, Moreno, Navarro, Priola, Rankin,
 25 Rosenthal, Ryden, Salazar, Singer, Thurlow, Tyler, Willett, Williams, Wilson,
 26 Windholz, Winter, Wist, Young, Speaker.

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 28
 29 House in recess. House reconvened.
 30
 31

REPORT(S) OF COMMITTEE(S) OF REFERENCE

HEALTH, INSURANCE & ENVIRONMENT

35
 36 After consideration on the merits, the Committee recommends the
 37 following:

38
 39 **HB16-1141** be amended as follows, and as so amended, be referred to
 40 the Committee on Appropriations with favorable
 41 recommendation:
 42

43 Amend printed bill, page 4, after line 1 insert:

44
 45 "(4) THE DEPARTMENT SHALL USE MONEY IN THE HAZARDOUS
 46 SUBSTANCE RESPONSE FUND, ESTABLISHED IN SECTION 25-16-104.6, TO
 47 FINANCE THE RADON EDUCATION AND AWARENESS PROGRAM AND THE
 48 RADON MITIGATION ASSISTANCE PROGRAM."
 49

50 Page 7, after line 2 insert:

51
 52 "**SECTION 3.** In Colorado Revised Statutes, 25-16-104.6, **amend**
 53 (2) introductory portion; and **add** (2) (h) as follows:

54 **25-16-104.6. Fund established - administration - revenue**
 55 **sources - use.** (2) The general assembly may appropriate up to two and
 56 one-half percent of the ~~moneys~~ MONEY in the hazardous substance

1 response fund for the department's costs of administration and its costs of
2 collection of fees or civil penalties pursuant to section 25-16-104.5. In
3 addition, the department is authorized, subject to appropriation by the
4 general assembly, to use the ~~moneys~~ MONEY in the fund for the following
5 purposes:

6 (h) TO FINANCE THE RADON EDUCATION AND AWARENESS
7 PROGRAM, ESTABLISHED IN SECTION 25-11-114 (2), AND THE RADON
8 MITIGATION ASSISTANCE PROGRAM, ESTABLISHED IN SECTION 25-11-114
9 (3)."

10

11 Renumber succeeding section accordingly.

12

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16 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

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18 The Speaker has signed: **HJR16-1002**.

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24 **MESSAGE FROM THE SENATE**

25

26 Madam Speaker:

27

28 The Senate has passed on Third Reading and transmitted to the Revisor
29 of Statutes:

30 SB16-055, 041, and 068.

31

32 The Senate has passed on Third Reading and transmitted to the Revisor
33 of Statutes:

34 SB16-006 amended in General Orders as printed in Senate Journal,
35 February 9, 2015.

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Committee on Legal Services

48 **INTRODUCTION OF BILLS**

49 **First Reading**

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

52 **HB16-1257** by Representative(s) McCann, Foote, Kagan; also
53 Senator(s) Scheffel, Johnston, Steadman--Concerning
54 implementation of recommendations of the committee on
55 legal services in connection with legislative review of
56 rules and regulations of state agencies.

- 1 **HB16-1258** by Representative(s) Melton, Salazar; also Senator(s)
2 Lundberg--Concerning the posting by court clerks of
3 process when a respondent is served by publication.
4 Committee on Judiciary
5
- 6 **HB16-1259** by Representative(s) Mitsch Bush and Wilson, Hamner,
7 Rankin; also Senator(s) Cooke and Donovan--Concerning
8 local district junior colleges, and, in connection therewith,
9 changing the term local district junior college to local
10 district college.
11 Committee on Education
12
- 13 **HB16-1260** by Representative(s) Fields; also Senator(s) Cooke--
14 Concerning extending the criminal statute of limitations
15 for a sexual assault to twenty years.
16 Committee on Judiciary
17
- 18 **HB16-1261** by Representative(s) Pabon, Conti, Court, Foote, Garnett,
19 Kagan, Priola, Roupe, Wilson; also Senator(s) Jahn and
20 Baumgardner--Concerning continuation of the Colorado
21 retail marijuana code, and, in connection therewith,
22 implementing the recommendations of the 2015 sunset
23 report issued by the department of regulatory agencies.
24 Committee on Finance
25
- 26 **SB16-006** by Senator(s) Martinez Humenik, Lundberg, Roberts,
27 Tate; also Representative(s) Sias, Landgraf--Concerning
28 the use of qualified insurance brokers to enroll eligible
29 participants in health benefit plans through the Colorado
30 health benefit exchange.
31 Committee on State, Veterans, & Military Affairs
32
- 33 **SB16-008** by Senator(s) Crowder; also Representative(s) Vigil--
34 Concerning the use of an off-highway vehicle to cross
35 state highways within the jurisdiction of a municipality.
36 Committee on Transportation & Energy
37
- 38 **SB16-012** by Senator(s) Heath; also Representative(s) Singer--
39 Concerning the authority of a local assessor to grant
40 additional time for a landowner to reconstruct residential
41 improvements that were destroyed by a natural cause.
42 Committee on Local Government
43
- 44 **SB16-029** by Senator(s) Scheffel and Heath; also Representative(s)
45 Duran and Lawrence--Concerning changes to Colorado
46 insurance laws necessary to maintain accreditation with
47 the national association of insurance commissioners
48 (NAIC), and, in connection therewith, adopting a new own
49 risk and solvency assessment law (ORSA) in a form
50 substantially similar to the NAIC model and enhancing
51 Colorado's insurance holding company system law by
52 adding a required NAIC model provision specifying the
53 insurance commissioner's power to issue subpoenas and
54 examine witnesses.
55 Committee on Business Affairs and Labor
56

- 1 **SB16-041** by Senator(s) Baumgardner; also Representative(s) Pabon-
2 -Concerning data collected by the division of criminal
3 justice in the department of public safety concerning the
4 study of marijuana implementation.
5 Committee on State, Veterans, & Military Affairs
6
- 7 **SB16-055** by Senator(s) Grantham, Donovan, Crowder, Sonnenberg;
8 also Representative(s) Moreno--Concerning the conduct of
9 elections to choose the board of directors of a cooperative
10 electric association.
11 Committee on Transportation & Energy
12
- 13 **SB16-068** by Senator(s) Donovan, Marble, Cadman, Johnston; also
14 Representative(s) Esgar and Willett--Concerning wearing
15 fluorescent pink garments to hunt big game.
16 Committee on Agriculture, Livestock, & Natural Resources
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21 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
22 February 11, 2016.

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27 Attest:
28 MARILYN EDDINS,
29 Chief Clerk

Approved:
DICKEY LEE HULLINGHORST,
Speaker

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