

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Fifty-fifth Legislative Day

Monday, March 7, 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 Joseph Kosht, Nicole Manera, Alexa
6 Paniagua, Sarahi Ruiz, Rifle High School, Rifle.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) DelGrosso, Dore, Everett--3.
12 Present after roll call--Representative(s) Dore, Everett.
13
14 The Speaker declared a quorum present.
15
16 _____
17 On motion of Representative Lontine, the reading of the journal of
18 March 4, 2016, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21 _____
22
23 On motion of Representative Garnett, the House resolved itself into
24 Committee of the Whole for consideration of General Orders, and he was
25 called to act as Chair.
26
27 _____
28 **GENERAL ORDERS--SECOND READING OF BILLS**
29
30 The Committee of the Whole having risen, the Chair reported the titles
31 of the following bills had been read (reading at length had been
32 dispensed with by unanimous consent), the bills considered and action
33 taken thereon as follows:
34
35 (Amendments to the committee amendment are to the printed committee
36 report which was printed and placed in the members' bill file.)
37
38 [HB16-1275](#) by Representative(s) Foote and Pettersen; also Senator(s)
39 Jones and Donovan--Concerning the taxation of a
40 corporation's state income that is sheltered in a foreign
41 jurisdiction for purposes of tax avoidance.
42

1 Amendment No. 1, Finance Report, dated February 25, 2016, and placed
2 in member's bill file; Report also printed in House Journal, February 26,
3 2016

4
5 Amendment No. 2, by Representative(s) Foote.

6
7 Amend printed bill, page 10, after line 8 insert:

8 "SECTION 5. In Colorado Revised Statutes, 39-22-304, **add** (3)
9 (o) and (3) (p) as follows:

10 **39-22-304. Net income of corporation.** (3) There shall be
11 subtracted from federal taxable income:

12 (o) THE AMOUNT OF SUBPART F INCOME, AS DEFINED IN SECTION
13 952 OF THE INTERNAL REVENUE CODE, THAT:

14 (I) ARISES ON OR AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH
15 (o);

16 (II) IS NOT OTHERWISE SUBTRACTED FROM FEDERAL TAXABLE
17 INCOME, EXCEPT FOR THE SUBTRACTION ALLOWED BY SECTION 39-22-303
18 (10); AND

19 (III) IS FROM A CORPORATION INCORPORATED IN A FOREIGN
20 JURISDICTION FOR THE PURPOSES OF TAX AVOIDANCE AND SUCH
21 CORPORATION IS INCLUDED IN THE COMBINED REPORT FILED PURSUANT
22 TO SECTION 39-22-303 (11).

23 (p) THE AMOUNT OF ANY DIVIDEND, INCLUDING ANY DEEMED
24 DIVIDEND PURSUANT TO SECTION 1248 OF THE INTERNAL REVENUE CODE,
25 THAT:

26 (I) IS RECEIVED BY A C CORPORATION INCLUDED IN THE
27 COMBINED REPORT FILED PURSUANT TO SECTION 39-22-303 (11);

28 (II) IS NOT OTHERWISE SUBTRACTED FROM FEDERAL TAXABLE
29 INCOME, EXCEPT FOR THE SUBTRACTION ALLOWED BY SECTION 39-22-303
30 (10); AND

31 (III) IS DISTRIBUTED OUT OF EARNINGS AND PROFITS OF A
32 CORPORATION INCORPORATED IN A FOREIGN JURISDICTION FOR THE
33 PURPOSES OF TAX AVOIDANCE AND SUCH EARNINGS AND PROFITS AROSE
34 IN A YEAR IN WHICH SUCH CORPORATION WAS INCLUDED IN THE
35 COMBINED REPORT FILED PURSUANT TO SECTION 39-22-303 (11) IN SUCH
36 YEAR."

37

38 Renumber succeeding sections accordingly.

39 Page 11, line 9, strike "4, and 5" and substitute "4, 5, and 6".

40

41 Page 11, line 10, after "39-22-303.5 (1) (a)," insert "39-22-304 (3),".

42

43 Page 11, line 18, strike "4, and 5" and substitute "4, 5, and 6".

44

45 Amendment No. 3, by Representative(s) Foote.

46

47 Amend printed bill, page 4, after line 5 insert:

48 "(2) The general assembly further finds and declares that it is not
49 the intention of the general assembly to disallow any foreign source
50 income deduction that is otherwise allowed pursuant to section
51 39-22-303 (1), C.R.S., even though a corporation that is otherwise
52 excludable from the combined report is included as a result of House Bill
53 16-1275."

54

55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

- 1 [**HB16-1100**](#) by Representative(s) Pettersen and Esgar--Concerning the
2 ability of unaccompanied homeless youth to determine
3 domicile for purposes of in-state tuition status at
4 institutions of higher education.
5
- 6 Laid over until March 9, retaining place on Calendar.
7
- 8 [**HB16-1272**](#) by Representative(s) Kraft-Tharp; also Senator(s) Tate--
9 Concerning procedures to be followed in connection with
10 the disconnection by ordinance of land from a
11 municipality.
12
- 13 Amendment No. 1, Local Government Report, dated March 2, 2016, and
14 placed in member's bill file; Report also printed in House Journal, March
15 3, 2016
16
- 17 Amendment No. 2, by Representative(s) Kraft-Tharp.
18
- 19 Amend the Local Government Committee Report, dated March 2, 2016,
20 page 1, strike lines 18 through 21 and substitute:
21
- 22 "REQUESTED. FAILURE BY EITHER THE BOARD OF COUNTY
23 COMMISSIONERS OR THE BOARD OF ANY AFFECTED SPECIAL DISTRICT TO
24 REQUEST A MEETING CONSTITUTES AN ACKNOWLEDGMENT BY THE
25 PARTICULAR BOARD THAT THE DISCONNECTION WILL NOT ADVERSELY
26 AFFECT THE COUNTY OR AN AFFECTED SPECIAL DISTRICT, AS
27 APPLICABLE."
28
- 29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.
31
- 32 [**HB16-1183**](#) by Representative(s) Buckner; also Senator(s) Crowder--
33 Concerning aligning changes made to the federal child
34 care and development block grant reauthorization of 2014
35 to the Colorado child care assistance program.
36
- 37 Ordered engrossed and placed on the Calendar for Third Reading and
38 Final Passage.
39
- 40 [**SB16-063**](#) by Senator(s) Roberts; also Representative(s) Vigil--
41 Concerning the authority of a local government to enter
42 into an intergovernmental agreement with an out-of-state
43 local government to provide critical public services.
44
- 45 Ordered revised and placed on the Calendar for Third Reading and Final
46 Passage.
47
- 48 [**SB16-055**](#) by Senator(s) Grantham, Donovan, Crowder, Sonnenberg;
49 also Representative(s) Moreno--Concerning the conduct
50 of elections to choose the board of directors of a
51 cooperative electric association.
52
- 53 Ordered revised and placed on the Calendar for Third Reading and Final
54 Passage.
55

1 [HB16-1060](#) by Representative(s) Tyler, Garnett, Kraft-Tharp,
2 Lawrence, Priola, Wilson; also Senator(s) Baumgardner--
3 Concerning roadside memorials for fallen state patrol
4 officers.
5

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

10 [HB16-1070](#) by Representative(s) Neville P.; also Senator(s)
11 Neville T.--Concerning a signature verification
12 requirement for municipal mail ballot elections.
13

14 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
15 February 11, 2016, and placed in member's bill file; Report also printed
16 in House Journal, February 12, 2016
17

18 Amendment No. 2, Appropriations Report, dated March 4, 2016, and
19 placed in member's bill file; Report also printed in House Journal, March
20 4, 2016.
21

22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.
24
25

26 [HB16-1103](#) by Representative(s) Kraft-Tharp and Landgraf; also
27 Senator(s) Martinez Humenik and Todd--Concerning
28 clarifying license pathways for the mental health
29 professional workforce.
30

31 Amendment No. 1, Public Health Care & Human Services Report, dated
32 February 11, 2016, and placed in member's bill file; Report also printed
33 in House Journal, February 12, 2016
34

35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.
37
38

39 [HB16-1141](#) by Representative(s) Becker K. and Coram; also
40 Senator(s) Jahn and Roberts--Concerning the protection
41 of Colorado residents from the hazards associated with
42 naturally occurring radioactive materials in buildings.
43

44 Amendment No. 1, Health, Insurance, & Environment Report, dated
45 February 10, 2016, and placed in member's bill file; Report also printed
46 in House Journal, February 11, 2016
47

48 Amendment No. 2, Appropriations Report, dated March 4, 2016, and
49 placed in member's bill file; Report also printed in House Journal, March
50 4, 2016.
51

52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.
54

1 [HB16-1184](#) by Representative(s) Rankin, Hamner, Young; also
2 Senator(s) Grantham, Lambert, Steadman--Concerning the
3 administration of money that is required under existing
4 law to be transferred from the high cost support
5 mechanism to the broadband fund.
6

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

10 [HB16-1229](#) by Representative(s) Rankin, Hamner, Young; also
11 Senator(s) Steadman, Grantham, Lambert--Concerning
12 modification of the means of repayment for certain
13 ongoing financial obligations incurred by the state in
14 order to fund capital construction projects for state-
15 supported institutions of higher education.
16

17 Amendment No. 1, Finance Report, dated February 25, 2016, and placed
18 in member's bill file; Report also printed in House Journal, February 26,
19 2016
20

21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.
23

24 [SB16-089](#) by Senator(s) Lambert, Grantham, Steadman; also
25 Representative(s) Hamner, Young, Rankin--Concerning
26 the establishment of an alternative maximum reserve for
27 the department of state cash fund.
28

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

32 [SB16-090](#) by Senator(s) Steadman, Grantham, Lambert; also
33 Representative(s) Young, Hamner, Rankin--Concerning
34 the ability of the department of public health and
35 environment to collect data on marijuana health effects at
36 a regional level.
37

38 Ordered revised and placed on the Calendar for Third Reading and Final
39 Passage.
40

41 [SB16-091](#) by Senator(s) Lambert, Grantham, Steadman; also
42 Representative(s) Hamner, Young, Rankin--Concerning
43 timing of the statewide discovery sharing system.
44

45 Ordered revised and placed on the Calendar for Third Reading and Final
46 Passage.
47

48 [SB16-092](#) by Senator(s) Grantham, Lambert, Steadman; also
49 Representative(s) Rankin, Hamner, Young--Concerning
50 the authorization of the state to act pursuant to the federal
51 "Oil Pollution Act of 1990".
52

53 Ordered revised and placed on the Calendar for Third Reading and Final
54 Passage.
55

1 [SB16-093](#) by Senator(s) Lambert, Grantham, Steadman; also
2 Representative(s) Young, Hamner, Rankin--Concerning
3 transfer of the oversight of independent living services
4 from the department of human services to the department
5 of labor and employment.
6

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

10 [SB16-095](#) by Senator(s) Steadman, Grantham, Lambert; also
11 Representative(s) Young, Hamner, Rankin--Concerning
12 the five-year appropriations requirement for bills that
13 change the periods of incarceration in state correctional
14 facilities.
15

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

19 [HB16-1270](#) by Representative(s) Lee--Concerning the limitation of
20 laws governing security interests to an owner's interest in
21 a business entity.
22

23 Amendment No. 1, Business Affairs and Labor Report, dated March 3,
24 2016, and placed in member's bill file; Report also printed in House
25 Journal, March 4, 2016
26

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

30 [HB16-1279](#) by Representative(s) Rosenthal--Concerning the creation
31 of an international sister-state relationship program by the
32 Colorado office of economic development.
33

34 Amendment No. 1, Business Affairs and Labor Report, dated March 3,
35 2016, and placed in member's bill file; Report also printed in House
36 Journal, March 4, 2016
37

38 As amended, ordered engrossed and placed on the Calendar for Third
39 Reading and Final Passage.
40

41 [HB16-1269](#) by Representative(s) Melton; also Senator(s) Cooke--
42 Concerning the ability of the department of revenue to
43 allow additional application methods for identification
44 cards.
45

46 Ordered engrossed and placed on the Calendar for Third Reading and
47 Final Passage.
48

49 [HB16-1285](#) by Representative(s) Pabon; also Senator(s) Crowder--
50 Concerning a procedure by which an applicant for a
51 driver's license may use a private vendor to readminister
52 the driving test after the applicant fails on the first attempt.
53

54 Laid over until March 9, retaining place on Calendar.
55

1 [HB16-1101](#) by Representative(s) Young--Concerning medical
 2 decisions for unrepresented patients.
 3

4 Laid over until March 14, retaining place on Calendar.
 5

6 [HB16-1215](#) by Representative(s) McCann and Kagan, Court, Foote,
 7 Lawrence, Lee, Melton, Pettersen, Salazar, Sias, Willett;
 8 also Senator(s) Guzman--Concerning changing the
 9 statutory purposes of parole to successfully reintegrate
 10 parolees into society by providing enhanced supportive
 11 services.
 12

13 Ordered engrossed and placed on the Calendar for Third Reading and
 14 Final Passage.
 15

16 [HB16-1027](#) by Representative(s) Danielson--Concerning depositions
 17 in criminal cases in which an at-risk person may not be
 18 available for trial.
 19

20 Amendment No. 1, Judiciary Report, dated March 3, 2016, and placed in
 21 member's bill file; Report also printed in House Journal, March 4, 2016
 22

23 As amended, ordered engrossed and placed on the Calendar for Third
 24 Reading and Final Passage.
 25

26
 27
 28
 29 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

30
 31 Passed Second Reading: **HB16-1275 amended, 1272 amended, 1183,**
 32 **SB16-063, 055, HB16-1060, 1070 amended, 1103 amended, 1141**
 33 **amended, 1184, 1229 amended, SB16-089, 090, 091, 092, 093, 095,**
 34 **HB16-1270 amended, 1279 amended, 1269, 1215, 1027 amended.**
 35

36 Laid over until date indicated retaining place on Calendar:
 37 **HB16-1100, 1285--March 9, 2016.**
 38 **HB16-1101--March 14, 2015**
 39

40 The Chairman moved the adoption of the Committee of the Whole
 41 Report. As shown by the following roll call vote, a majority of those
 42 elected to the House voted in the affirmative, and the Report was
 43 **adopted.**
 44

| | YES | 64 | NO | 0 | EXCUSED | 1 | ABSENT | 0 |
|----|-----------|----|----------------|---|-------------|---|------------|---|
| 46 | Arndt | Y | Fields | Y | Lundeen | Y | Ryden | Y |
| 47 | Becker J. | Y | Foote | Y | McCann | Y | Saine | Y |
| 48 | Becker K. | Y | Garnett | Y | Melton | Y | Salazar | Y |
| 49 | Brown | Y | Ginal | Y | Mitsch Bush | Y | Sias | Y |
| 50 | Buck | Y | Hamner | Y | Moreno | Y | Singer | Y |
| 51 | Buckner | Y | Humphrey | Y | Navarro | Y | Thurlow | Y |
| 52 | Carver | Y | Joshi | Y | Neville P. | Y | Tyler | Y |
| 53 | Conti | Y | Kagan | Y | Nordberg | Y | Van Winkle | Y |
| 54 | Coram | Y | Klingenschmitt | Y | Pabon | Y | Vigil | Y |
| 55 | Court | Y | Kraft-Tharp | Y | Pettersen | Y | Willett | Y |
| 56 | Danielson | Y | Landgraf | Y | Primavera | Y | Williams | Y |

| | | | | | | | | |
|---|-----------|---|----------|---|-----------|---|----------|---|
| 1 | DelGrosso | E | Lawrence | Y | Priola | Y | Wilson | Y |
| 2 | Dore | Y | Lebsock | Y | Rankin | Y | Windholz | Y |
| 3 | Duran | Y | Lee | Y | Ransom | Y | Winter | Y |
| 4 | Esgar | Y | Leonard | Y | Rosenthal | Y | Wist | Y |
| 5 | Everett | Y | Lontine | Y | Roupe | Y | Young | Y |
| 6 | | | | | | | Speaker | Y |

7
8
9

CHANGE IN SPONSORSHIP

10
11
12
13 The Speaker announced the following changes in sponsorship:
14 **HB16-1129**--Senator Heath to be added as dual prime sponsor with
15 Senator Crowder.

16
17
18

19 House in recess. House reconvened.

20
21
22

REPORT(S) OF COMMITTEE(S) OF REFERENCE

23
24

LEGAL SERVICES

25
26

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

28
29

29 **HB16-1257** be referred to the Committee of the Whole with favorable
30 recommendation.

31
32
33

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

34
35

36 The Speaker has signed: **HB16-1013, 1032, 1043, 1161, 1241.**

37
38

MESSAGE FROM THE SENATE

39
40
41

42
43 The Senate has passed on Third Reading and returns herewith:
44 HB16-1119.

45
46

INTRODUCTION OF BILLS

47
48

First Reading

49
50

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

52
53

53 **HB16-1344** by Representative(s) Foote; also Senator(s) Cooke--
54 Concerning creating a drug special offender offense when
55 the use of the drug results in death.

56

Committee on Judiciary

1 **HB16-1345** by Representative(s) Kagan, Court--Concerning the
2 continuation of the sex offender management board, and,
3 in connection therewith, implementing the
4 recommendations of the 2015 sunset report issued by the
5 department of regulatory agencies.

6 Committee on Judiciary

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8
9

10 On motion of Representative Duran, the following bill(s) will be
11 calendared for Third Reading on March 9, 2016: **HB16-1275, 1027.**

12
13
14
15

16 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
17 March 8, 2016.

18
19
20

Approved:
DICKEY LEE HULLINGHORST,
Speaker

21
22 Attest:
23 MARILYN EDDINS,
24 Chief Clerk

25
26

