

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Thirty-seventh Legislative Day Thursday, February 18, 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 Tori Archuleta, Chamisa Edd, Camron
6 Garcia, Jesus Rubio, Ignacia High School, Ignacio.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Kraft-Tharp, Landgraf--2.

12
13 The Speaker declared a quorum present.
14
15

16 On motion of Representative Garnett, the reading of the journal of
17 February 17, 2016, was declared dispensed with and approved as
18 corrected by the Chief Clerk.
19
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

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

28
29 **SB16-015** by Senator(s) Baumgardner; also Representative(s) Vigil--
30 Concerning a requirement that a governor-designated state
31 agency clarify which pesticides may be used in the
32 marijuana industry.
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	56	NO	7	EXCUSED	2	ABSENT	0
40	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
41	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
42	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
43	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y

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

14 Co-sponsor(s) added: Representative(s) Arndt, Becker K., Brown, Duran,
15 Esgar, Fields, Ginal, Mitsch Bush, Pabon, Rosenthal, Tyler, Williams

16
17 **HB16-1083** by Representative(s) Brown and Hamner; also Senator(s)
18 Donovan and Grantham--Concerning the role and mission
19 of Western state Colorado university.

20
21 The question being "Shall the bill pass?".

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

25	YES	63	NO	0	EXCUSED	2	ABSENT	0
27	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
28	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
29	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
30	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
31	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
32	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
33	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
34	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
35	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
36	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	Y
37	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
38	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
39	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
40	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
41	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
42	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Arndt, Garnett, Lontine, Mitsch Bush,
45 Priola, Rosenthal, Salazar, Vigil, Wilson

46
47 **HB16-1067** by Representative(s) Mitsch Bush; also Senator(s)
48 Donovan--Concerning extension of the authorization for
49 a regional transportation authority to impose a uniform
50 mill levy on all taxable property within its territory.

51
52 The question being "Shall the bill pass?".

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

56

	YES	36	NO	27	EXCUSED	2	ABSENT	0
1								
2	Arndt	Y	Fields	Y	Lundeen	N	Ryden	Y
3	Becker J.	N	Foote	Y	McCann	Y	Saine	N
4	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
5	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	N
6	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
7	Buckner	Y	Humphrey	N	Navarro	N	Thurlow	Y
8	Carver	N	Joshi	N	Neville P.	N	Tyler	Y
9	Conti	N	Kagan	Y	Nordberg	N	Van Winkle	N
10	Coram	N	Klingenschmitt	N	Pabon	Y	Vigil	Y
11	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	N
12	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
13	DelGrosso	N	Lawrence	N	Priola	N	Wilson	N
14	Dore	N	Lebsock	Y	Rankin	Y	Windholz	N
15	Duran	Y	Lee	Y	Ransom	N	Winter	Y
16	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	N
17	Everett	N	Lontine	Y	Roupe	N	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Becker K., Hamner, Melton, Winter

20
 21 **HB16-1120** by Representative(s) Ginal; also Senator(s) Tate--
 22 Concerning the requirement that domestic pets be
 23 vaccinated against rabies.

24
 25 The question being "Shall the bill pass?"

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

	YES	38	NO	25	EXCUSED	2	ABSENT	0
31	Arndt	Y	Fields	Y	Lundeen	N	Ryden	Y
32	Becker J.	N	Foote	Y	McCann	Y	Saine	N
33	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
34	Brown	N	Ginal	Y	Mitsch Bush	Y	Sias	N
35	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
36	Buckner	Y	Humphrey	N	Navarro	N	Thurlow	N
37	Carver	N	Joshi	Y	Neville P.	N	Tyler	Y
38	Conti	Y	Kagan	Y	Nordberg	N	Van Winkle	N
39	Coram	N	Klingenschmitt	N	Pabon	Y	Vigil	Y
40	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	N
41	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
42	DelGrosso	N	Lawrence	N	Priola	Y	Wilson	N
43	Dore	N	Lebsock	Y	Rankin	Y	Windholz	N
44	Duran	Y	Lee	Y	Ransom	N	Winter	Y
45	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
46	Everett	N	Lontine	Y	Roupe	N	Young	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Court, Fields, Garnett, Lontine, Pabon,
 49 Primavera, Rosenthal, Williams, Speaker

50
 51 **SB16-009** by Senator(s) Grantham; also Representative(s)
 52 Primavera--Concerning the sharing of professional dental
 53 fees.

54
 55 The question being "Shall the bill pass?"

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
5	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
6	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
7	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
8	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
9	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
10	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
11	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
12	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
13	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
14	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	Y
15	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
16	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
17	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
18	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
19	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
20	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Ginal, Lontine, Vigil, Young

23
24 **HB16-1148** by Representative(s) Sias, Primavera; also Senator(s)
25 Roberts and Kefalas--Concerning the oversight authority
26 of the health insurance exchange oversight committee with
27 regard to policies that affect consumers proposed by the
28 health benefit exchange.

29
30 The question being "Shall the bill pass?"

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
36	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
37	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
38	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
39	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
40	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
41	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
42	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
43	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
44	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
45	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	Y
46	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
47	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
48	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
49	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
50	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
51	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Brown, Fields, Ginal, Lontine, Mitsch
54 Bush

55

1 [HB16-1122](#) by Representative(s) Everett, Humphrey, Joshi,
 2 Klingenschmitt, Neville P., Priola, Ransom, Saine, Van
 3 Winkle; also Senator(s) Hill and Marble, Grantham--
 4 Concerning the use of remote starter systems on
 5 unattended vehicles.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	59	NO	4	EXCUSED	2	ABSENT	0
13	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
14	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
15	Becker K.	N	Garnett	N	Melton	Y	Salazar	Y
16	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
17	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
18	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
19	Carver	Y	Joshi	Y	Neville P.	Y	Tyler	Y
20	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
21	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
22	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	N
23	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
24	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
25	Dore	Y	Lebsock	Y	Rankin	N	Windholz	Y
26	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
27	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
28	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Brown, Court, Melton, Salazar,
 31 Williams, Windholz
 32

33 [HB16-1169](#) by Representative(s) Coram; also Senator(s) Roberts--
 34 Concerning the appointment of representatives of the
 35 Southern Ute and Ute Mountain Ute tribes as voting
 36 members of the statewide transportation advisory
 37 committee.
 38

39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.
 43

	YES	48	NO	15	EXCUSED	2	ABSENT	0
45	Arndt	Y	Fields	Y	Lundeen	N	Ryden	Y
46	Becker J.	N	Foote	Y	McCann	Y	Saine	N
47	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
48	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
49	Buck	N	Hamner	Y	Moreno	Y	Singer	Y
50	Buckner	Y	Humphrey	N	Navarro	Y	Thurlow	Y
51	Carver	Y	Joshi	N	Neville P.	N	Tyler	Y
52	Conti	Y	Kagan	Y	Nordberg	N	Van Winkle	N
53	Coram	Y	Klingenschmitt	N	Pabon	Y	Vigil	Y
54	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	Y
55	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
56	DelGrosso	Y	Lawrence	Y	Priola	N	Wilson	Y

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

6 Co-sponsor(s) added: Representative(s) Brown, Court, Esgar, Fields, Hamner,
7 Lontine, Melton, Mitsch Bush, Rosenthal, Salazar, Vigil, Winter, Young

8
9 **HB16-1151** by Representative(s) Pabon, Nordberg, Rosenthal, Singer;
10 also Senator(s) Holbert, Jahn--Concerning the expansion
11 of penalty mitigation under the alcohol beverage laws for
12 vendors meeting the definition of a "responsible vendor"
13 as provided by law.

14
15 The question being "Shall the bill pass?".
16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.

20	YES	60	NO	3	EXCUSED	2	ABSENT	0
21	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
22	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
23	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
24	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
25	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
26	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
27	Carver	Y	Joshi	Y	Neville P.	N	Tyler	Y
28	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y
29	Coram	Y	Klingenschmitt	N	Pabon	Y	Vigil	Y
30	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	Y
31	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
32	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
33	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
34	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
35	Esgar	Y	Leonard	N	Rosenthal	Y	Wist	Y
36	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Fields, Lontine, Mitsch Bush

39
40 **HB16-1063** by Representative(s) Foote--Concerning an exception to
41 the prohibition against disclosing confidential
42 communications with a mental health professional when
43 school safety is at risk.

44
45 Laid over until February 23, retaining place on Calendar.

46
47
48 _____

49
50 On motion of Representative Danielson, the House resolved itself into
51 Committee of the Whole for consideration of General Orders, and she
52 was called to the Chair to act as Chairman.

53
54 _____
55

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.)

HB16-1260 by Representative(s) Fields; also Senator(s) Cooke-- Concerning extending the criminal statute of limitations for a sexual assault to twenty years.

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

HB16-1098 by Representative(s) Lawrence--Concerning updates to provisions related to school discipline reporting.

Amendment No. 1, Education Report, dated February 10, 2016, and placed in member's bill file; Report also printed in House Journal, February 11, 2016.

Amendment No. 2, by Representative(s) Lawrence.

Amend printed bill, page 4, strike lines 21 through 26 and substitute "information. Provided that the division adheres to all state and federal privacy and confidentiality laws concerning student information, the division shall MAY provide the underlying AGGREGATE data gathered by a law enforcement agency to any independent research or community-based organization working to analyze school-based criminal behavior and the response to that behavior by the juvenile and criminal justice systems. THE DATA PROVIDED MUST NOT INCLUDE ANY INFORMATION THAT WOULD IDENTIFY ANY INDIVIDUAL STUDENT."

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

HB16-1145 by Representative(s) Lebsock, Thurlow; also Senator(s) Tate, Holbert, Kefalas--Concerning the determination of the documentary fee imposed for recording a grant or conveyance of residential real property.

Amendment No. 1, Business Affairs and Labor Report, dated February 16, 2016, and placed in member's bill file; Report also printed in House Journal, February 17, 2016

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

HB16-1157 by Representative(s) Garnett and Kraft-Tharp; also Senator(s) Tate--Concerning the establishment of a future sunset review of the functions delegated to the director of the division of professions and occupations under the "Michael Skolnik Medical Transparency Act of 2010" to

1 implement the recommendation of the department of
2 regulatory agencies as contained in its 2015 sunset report
3 pertaining to the division of professions and occupations.
4

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

8 [HB16-1176](#) by Representative(s) Lebsack, Duran, DelGrosso, Joshi,
9 Landgraf, McCann, Rosenthal, Ryden; also Senator(s)
10 Tate, Woods, Martinez Humenik, Todd--Concerning the
11 authority of a licensed wholesaler to establish an
12 employee purchase program under which its employees
13 may purchase directly from the wholesaler alcohol
14 beverage products sold by that wholesaler.
15

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

19 [HB16-1066](#) by Representative(s) Roupe, Carver, Lundeen; also
20 Senator(s) Newell--Concerning an habitual domestic
21 violence offender.
22

23 Amendment No. 1, Judiciary Report, dated February 16, 2016, and
24 placed in member's bill file; Report also printed in House Journal,
25 February 17, 2016
26

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

30 [HB16-1094](#) by Representative(s) Dore, Wist, Van Winkle, Wilson,
31 Hulinghorst, Foote, Nordberg, Rankin, Lundeen, Becker
32 K., Court, Conti, Hamner, Kagan, Landgraf, Lawrence,
33 Roupe, Windholz; also Senator(s) Roberts--Concerning
34 making references to the attorney general in the Colorado
35 Revised Statutes gender neutral.
36

37 Ordered engrossed and placed on the Calendar for Third Reading and
38 Final Passage.
39

40 [HB16-1104](#) by Representative(s) Roupe; also Senator(s) Cooke--
41 Concerning the issuance of a summons in lieu of a warrant
42 for certain non-violent offenders.
43

44 Amendment No. 1, Judiciary Report, dated February 16, 2016, and
45 placed in member's bill file; Report also printed in House Journal,
46 February 17, 2016
47

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

51 [HB16-1152](#) by Representative(s) Foote; also Senator(s) Cooke--
52 Concerning the authority of the department of corrections
53 to distribute medication.
54

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

1 [HB16-1158](#) by Representative(s) Lee; also Senator(s) Holbert--
2 Concerning continuation under the sunset law of the
3 identity theft and financial fraud board.
4

5 Amendment No. 1, Judiciary Report, dated February 16, 2016, and
6 placed in member's bill file; Report also printed in House Journal,
7 February 17, 2016
8

9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.
11

12 [HB16-1159](#) by Representative(s) Lee, Court, Foote, Kagan; also
13 Senator(s) Holbert--Concerning continuation under the
14 sunset law of the Colorado fraud investigators unit.
15

16 Amendment No. 1, Judiciary Report, dated February 16, 2016, and
17 placed in member's bill file; Report also printed in House Journal,
18 February 17, 2016
19

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

23 [SB16-022](#) by Senator(s) Martinez Humenik, Merrifield; also
24 Representative(s) Pettersen, Singer, Wilson--Concerning
25 removing certain limitations on the pilot program to
26 mitigate cliff effect for low-income families who are
27 working and receiving child care assistance.
28

29 Laid over until February 22, retaining place on Calendar.
30
31

32 ADOPTION OF COMMITTEE OF THE WHOLE REPORT

34 Passed Second Reading: **HB16-1260, 1098 amended, 1145 amended,**
35 **1157, 1176, 1066 amended, 1094, 1104 amended, 1152, 1158 amended,**
36 **1159 amended.**
37
38

39 Laid over until date indicated retaining place on Calendar:
40 **SB16-022--February 22, 2016.**
41
42

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

48	YES	62	NO	1	EXCUSED	2	ABSENT	0
49	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
50	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
51	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
52	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
53	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
54	Buckner	Y	Humphrey	Y	Navarro	Y	Thurlow	Y
55	Carver	Y	Joshi	Y	Neville P.	N	Tyler	Y
56	Conti	Y	Kagan	Y	Nordberg	Y	Van Winkle	Y

1	Coram	Y	Klingenschmitt	Y	Pabon	Y	Vigil	Y
2	Court	Y	Kraft-Tharp	E	Pettersen	Y	Willett	Y
3	Danielson	Y	Landgraf	E	Primavera	Y	Williams	Y
4	DelGrosso	Y	Lawrence	Y	Priola	Y	Wilson	Y
5	Dore	Y	Lebsock	Y	Rankin	Y	Windholz	Y
6	Duran	Y	Lee	Y	Ransom	Y	Winter	Y
7	Esgar	Y	Leonard	Y	Rosenthal	Y	Wist	Y
8	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
9							Speaker	Y

APPOINTMENT

The Speaker announced the following temporary appointment for February 18, 2016 only:

Health Insurance & Environment

Representative DelGrosso to replace Representative Landgraf

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

FINANCE

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

HB16-1006 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, **amend 29-4-227** as follows:

29-4-227. Tax exemptions. (1) (a) ~~The AN authority is exempt from the payment of any taxes or fees to the state or any subdivision thereof, or to any officer or employee of the state or any subdivision thereof~~ COUNTY, CITY AND COUNTY, MUNICIPALITY, OR OTHER POLITICAL SUBDIVISION OF THE STATE. ~~The~~ ALL property of an authority ~~shall be~~ IS exempt from all local and municipal taxes. Bonds, notes, debentures, and other evidences of indebtedness of an authority are declared to be issued for a public purpose and to be public instruments, and, together with interest thereon, ~~shall be~~ ARE exempt from taxes. All property leased to ~~the~~ AN authority for the purposes of a project ~~shall likewise be~~ IS ALSO exempt from taxation, as ~~shall~~ IS the income derived from the authority by the lessor under such THE lease. ~~The portion of a project that is not used as a store, office, or other commercial facility that is occupied by persons of low income and that is owned by or leased to an entity that is wholly owned by an authority, an entity in which an authority has an ownership interest, or an entity in which an entity wholly owned by an authority has an ownership interest shall likewise be exempt from~~

1 ~~taxation, and the income derived from the above entities by the lessor~~
2 ~~under a lease shall likewise be exempt from taxation.~~

3 (b) A PROJECT THAT IS OWNED BY, LEASED TO, OR UNDER
4 CONSTRUCTION BY AN ENTITY THAT IS WHOLLY OWNED BY AN AUTHORITY,
5 AN ENTITY IN WHICH AN AUTHORITY HAS AN OWNERSHIP INTEREST, OR AN
6 ENTITY IN WHICH AN ENTITY WHOLLY OWNED BY AN AUTHORITY OR OF
7 WHICH AN AUTHORITY IS THE SOLE MEMBER HAS AN OWNERSHIP INTEREST
8 IS EXEMPT FROM PROPERTY TAX, AND DURING CONSTRUCTION IS EXEMPT
9 FROM THE PAYMENT OF SALES TAX AND USE TAX TO THE STATE OR ANY
10 COUNTY, CITY AND COUNTY, MUNICIPALITY, OR OTHER POLITICAL
11 SUBDIVISION OF THE STATE IN PROPORTION TO THE PERCENTAGE OF THE
12 PROJECT THAT IS FOR OCCUPANCY BY PERSONS OF LOW INCOME. THE
13 DETERMINATION BY AN AUTHORITY OF THE PERCENTAGE OF THE PROJECT
14 THAT QUALIFIES FOR THE EXEMPTIONS FROM PAYMENT OF SALES AND USE
15 TAXES MAY BE MADE ON THE BASIS OF EITHER THE RELATIVE SQUARE
16 FOOTAGE OR COST AND IS PRESUMED VALID ABSENT MANIFEST ERROR.

17 (2) THIS SECTION, AS AMENDED, APPLIES TO PROPERTY OWNED BY
18 OR LEASED TO AN AUTHORITY AND PROPERTY OWNED BY, LEASED TO, OR
19 UNDER CONSTRUCTION BY AN ENTITY IN WHICH AN AUTHORITY HAS AN
20 OWNERSHIP INTEREST, OR AN ENTITY IN WHICH AN ENTITY WHOLLY OWNED
21 BY AN AUTHORITY OR OF WHICH AN AUTHORITY IS THE SOLE MEMBER HAS
22 AN OWNERSHIP INTEREST ON OR AFTER AUGUST 2, 2000. NOTHING IN THIS
23 SECTION, AS AMENDED, ENTITLES OR SHALL BE INTERPRETED TO ENTITLE
24 ANY ENTITY TO A REFUND OF TAXES FROM THE STATE FOR ANY PERIOD
25 BEGINNING BEFORE JANUARY 1, 2013, OR TO A REFUND OF TAXES FROM
26 ANY COUNTY, CITY AND COUNTY, MUNICIPALITY, OR OTHER POLITICAL
27 SUBDIVISION OF THE STATE PAID PRIOR TO THE EFFECTIVE DATE OF THIS
28 SECTION, AS AMENDED. NOTWITHSTANDING THE PROVISIONS OF SECTION
29 39-26-703 (2) (d), C.R.S., FROM THE EFFECTIVE DATE OF THIS SECTION, AS
30 AMENDED, UNTIL DECEMBER 31, 2016, AN ENTITY MAY FILE A CLAIM FOR
31 A REFUND OF ALL STATE TAXES OVERPAID UNDER THIS SECTION FOR THE
32 PERIOD FROM JANUARY 1, 2013, TO THE EFFECTIVE DATE OF THIS SECTION,
33 AS AMENDED. ON AND AFTER JANUARY 1, 2017, ALL CLAIMS FOR REFUND
34 UNDER THIS SECTION ARE SUBJECT TO THE PROVISIONS OF SECTION
35 39-26-703 (2) (d) C.R.S.

36 **SECTION 2. Act subject to petition - effective date.** This act
37 takes effect at 12:01 a.m. on the day following the expiration of the
38 ninety-day period after final adjournment of the general assembly (August
39 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
40 referendum petition is filed pursuant to section 1 (3) of article V of the
41 state constitution against this act or an item, section, or part of this act
42 within such period, then the act, item, section, or part will not take effect
43 unless approved by the people at the general election to be held in
44 November 2016 and, in such case, will take effect on the date of the
45 official declaration of the vote thereon by the governor."

46
47 Page 1, line 101, strike "THAT" and substitute "OF THE SCOPE OF".

48
49 Page 1, strike lines 103 through 110 and substitute:

50
51 "TO A HOUSING AUTHORITY OR OWNED BY, LEASED TO, OR UNDER
52 CONSTRUCTION BY AN ENTITY THAT IS WHOLLY OWNED BY AN
53 AUTHORITY, AN ENTITY IN WHICH AN AUTHORITY HAS AN OWNERSHIP
54 INTEREST, OR AN ENTITY IN WHICH AN ENTITY WHOLLY OWNED BY AN
55 AUTHORITY OR OF WHICH AN AUTHORITY IS THE SOLE MEMBER HAS AN
56 OWNERSHIP INTEREST."

1 **HB16-1037** be postponed indefinitely.

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6 **LOCAL GOVERNMENT**

7 After consideration on the merits, the Committee recommends the
8 following:

9

10 **HB16-1106** be amended as follows, and as so amended, be referred to
11 the Committee of the Whole with favorable
12 recommendation:

13

14 Amend printed bill, page 2, line 10, strike "IF ANY OF".

15

16 Page 2, strike lines 11 through 16 and substitute "THE BOARD SHALL NOT
17 DESIGNATE A PIONEER TRAIL ACROSS PUBLIC LANDS ON A ROAD
18 ADMINISTERED BY THE FEDERAL GOVERNMENT UNLESS THE ROAD IS
19 DESIGNATED AS OPEN TO TRAVEL BY THE APPROPRIATE FEDERAL LAND
20 MANAGEMENT AGENCY. EXCEPT AS SET FORTH IN SUBSECTION (2) OF THIS
21 SECTION, THE DESIGNATION OF THE PIONEER TRAIL IS EFFECTIVE UPON THE
22 DATE OF THE RESOLUTION.

23 (2) IF A COUNTY DESIGNATES ANY PORTION OF A STATE HIGHWAY
24 AS A PIONEER TRAIL, THE DESIGNATION IS NOT EFFECTIVE UNLESS THE
25 GENERAL ASSEMBLY, ACTING BY JOINT RESOLUTION, ALSO DESIGNATES
26 THE PORTION OF THE STATE HIGHWAY AS PART OF THE PIONEER TRAIL.

27 (3) IF ANY OF THE DESIGNATED ROADS ARE PART OF THE STATE
28 HIGHWAY SYSTEM, THE BOARD OF COUNTY COMMISSIONERS SHALL SEND
29 A COPY OF THE RESOLUTION TO THE DEPARTMENT OF TRANSPORTATION.
30 IF ANY OF THE DESIGNATED ROADS ARE ON PUBLIC LANDS ADMINISTERED
31 BY THE FEDERAL GOVERNMENT, THE BOARD SHALL SEND A COPY OF THE
32 RESOLUTION TO THE APPROPRIATE FEDERAL LAND MANAGEMENT AGENCY.

33 (4) A COUNTY MAY POST, OR ALLOW TO BE POSTED, IDENTIFYING
34 AND INFORMATIVE SIGNS RELATED TO THE PIONEER TRAIL ALONG COUNTY
35 ROADS.

36 (5) THE AUTHORITY TO DESIGNATE A PIONEER TRAIL IS INTENDED
37 TO HIGHLIGHT COLORADO'S CULTURAL AND HISTORICAL HERITAGE AND TO
38 PROMOTE HISTORICAL TOURISM AND EDUCATION. NOTHING IN THIS
39 SECTION AFFECTS EXISTING RIGHTS-OF-WAY OR OWNERSHIP OF PUBLIC
40 ROADS."

41

42

43

44 **HB16-1150** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47

48 Amend printed bill, page 2, line 3, before "(4)" insert "(2), (3), and".

49

50 Page 2, strike lines 4 and 5 and substitute:

51

52 **"25-14-301. Possession of cigarettes, tobacco products, or
53 nicotine products by a person under eighteen prohibited - definitions.**

54 (2) (a) Possession of a cigarette, or tobacco product, OR NICOTINE
55 PRODUCT by a person who is under eighteen years of age is prohibited.

56 (b) It ~~shall~~ IS not ~~be~~ an offense under paragraph (a) of this

1 subsection (2) if the person under eighteen years of age was acting at the
2 direction of an employee of a governmental agency authorized to enforce
3 or ensure compliance with laws relating to the prohibition of the sale of
4 cigarettes, ~~and~~ tobacco products, AND NICOTINE PRODUCTS to minors.

5 (3) As used in this section, unless the context otherwise requires:

6 (a) ~~"Cigarette" shall have the same meaning as set forth in section~~
7 ~~39-28-202 (4), C.R.S.~~

8 (b) "Possession" means that a person:

9 (I) Has or holds any amount of cigarettes, ~~or~~ tobacco products, OR
10 NICOTINE PRODUCTS anywhere on his or her person;

11 (II) Owns or has custody of cigarettes, ~~or~~ tobacco products, OR
12 NICOTINE PRODUCTS; or

13 (III) Has cigarettes, ~~or~~ tobacco products, OR NICOTINE PRODUCTS
14 within his or her immediate presence and control.

15 (c) "CIGARETTE, tobacco product, OR NICOTINE PRODUCT" ~~shall~~
16 ~~have~~ the same meaning as set forth in section 18-13-121 (5), C.R.S.

17 (4) Nothing in this".

18 Page 2, line 8, strike "cigarettes or tobacco products" and substitute
19 "cigarettes, ~~or~~ tobacco products, OR NICOTINE PRODUCTS".
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22

23 **HB16-1209** be amended as follows, and as so amended, be referred to
24 the Committee on Appropriations with favorable
25 recommendation:
26

27 Amend printed bill, page 3, after line 10 insert:
28

29 "(2) "PROGRAM OR PRACTICE" OR "PROGRAM" MEANS A STATE
30 ADMINISTERED, STATE SUPERVISED, AND STATE FUNDED PROGRAM."
31

32 Renumber succeeding subsections accordingly.
33

34 Page 3, strike line 27 and substitute "MEMBERS. TWO MEMBERS OF THE
35 RESULTS FIRST WORKING GROUP ARE MEMBERS OF THE GENERAL
36 ASSEMBLY, ONE APPOINTED BY THE SPEAKER OF THE HOUSE OF
37 REPRESENTATIVES AND ONE APPOINTED BY THE PRESIDENT OF THE
38 SENATE, AND BOTH APPOINTED NO LATER THAN AUGUST 15, 2016. EIGHT
39 MEMBERS ARE APPOINTED BY THE GOVERNOR NO LATER THAN AUGUST
40 15,".
41

42 Page 4, line 1, after "GROUP" insert "APPOINTED BY THE GOVERNOR".
43

44 Page 4, strike line 6.
45

46 Renumber succeeding subparagraphs accordingly.
47

48 Page 4, line 12, strike "TERMS." and substitute "TERMS; EXCEPT THAT
49 MEMBERS OF THE GENERAL ASSEMBLY SERVE TWO-YEAR TERMS."
50

51 Page 6, line 9, strike "AND LOCAL".
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1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

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5 **HB16-1087** be amended as follows, and as so amended, be referred to
6 the Committee on Finance with favorable
7 recommendation:

8
9 Amend printed bill, page 2, strike lines 9 through 19 and substitute:

10
11 "~~shall be~~ PRIOR TO JANUARY 1, 2018, IS three and one-third percent of all
12 sales tax reported, AND, ON AND AFTER JANUARY 1, 2018, IS FOUR AND
13 ONE-HALF PERCENT OF ALL SALES TAX REPORTED BY A RETAILER WHOSE
14 LIABILITY FOR STATE SALES TAX ONLY FOR THE PREVIOUS CALENDAR YEAR
15 WAS SEVENTY-FIVE THOUSAND DOLLARS OR LESS OR THREE AND
16 ONE-THIRD PERCENT OF ALL SALES TAX REPORTED BY A RETAILER WHOSE
17 LIABILITY FOR STATE SALES TAX ONLY FOR THE PREVIOUS CALENDAR YEAR
18 WAS MORE THAN SEVENTY-FIVE THOUSAND DOLLARS."

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21
22 **HB16-1174** be referred favorably to the Committee on Finance.

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27 **TRANSPORTATION & ENERGY**

28 After consideration on the merits, the Committee recommends the
29 following:

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31 **HB16-1205** be postponed indefinitely.

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34 **SB16-011** be postponed indefinitely.

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38 **PRINTING REPORT**

39
40 The Chief Clerk reports the following bills have been correctly printed:
41 **HB16-1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275.**

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45 **MESSAGE FROM THE SENATE**

46
47 Madam Speaker:

48
49 The Senate has passed on Third Reading and transmitted to the Revisor
50 of Statutes:
51 SB16-089, 091, 092, 093, and 094.

52
53 The Senate has passed on Third Reading and transmitted to the Revisor
54 of Statutes:
55 SB16-027 amended in General Orders as printed in Senate Journal,
56 February 17, 2016.

- 1 SB16-030 amended in General Orders as printed in Senate Journal,
 2 February 17, 2016.
 3 SB16-095 amended in General Orders as printed in Senate Journal,
 4 February 17, 2016.
 5 SB16-073 amended in General Orders as printed in Senate Journal,
 6 February 17, 2016.
 7 SB16-090 amended in General Orders as printed in Senate Journal,
 8 February 17, 2016.
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 12 **MESSAGE(S) FROM THE REVISOR**
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14 We herewith transmit:
 15 without comment, **SB16-089, 091, 092, 093, and 094.**
 16 without comment, as amended, **SB16-027, 030, 073, 090, and 095.**
 17

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 19
 20 **INTRODUCTION OF BILLS**
 21 **First Reading**
 22

23 The following bills were read by title and referred to the committees
 24 indicated:
 25

26 **HB16-1276** by Representative(s) Hamner and Coram; also Senator(s)
 27 Roberts and Donovan--Concerning the division of
 28 reclamation, mining, and safety's ability to conduct
 29 emergency responses at legacy hard rock mining sites.
 30 Committee on Agriculture, Livestock, & Natural Resources
 31

32 **SB16-027** by Senator(s) Martinez Humenik and Todd; also
 33 Representative(s) Primavera and Landgraf--Concerning
 34 allowing the option for medicaid clients to obtain
 35 prescribed drugs through the mail, and, in connection
 36 therewith, reducing an appropriation.
 37 Committee on Health, Insurance, & Environment
 38

39 **SB16-030** by Senator(s) Hodge; also Representative(s) Tyler--
 40 Concerning the surcharges for violating motor vehicle
 41 weight limits, and, in connection therewith, making an
 42 appropriation.
 43 Committee on Transportation & Energy
 44

45 **SB16-073** by Senator(s) Grantham; also Representative(s)
 46 Lawrence--Concerning the authority of the state auditor to
 47 audit the use of state gaming tax revenues transferred from
 48 the state historical fund directly to the gaming cities for
 49 historic preservation.
 50 Committee on Finance
 51

52 **SB16-089** by Senator(s) Lambert, Grantham, Steadman; also
 53 Representative(s) Hamner, Young, Rankin--Concerning
 54 the establishment of an alternative maximum reserve for
 55 the department of state cash fund.
 56 Committee on Appropriations

1 **SB16-090** by Senator(s) Steadman, Grantham, Lambert; also
 2 Representative(s) Young, Hamner, Rankin--Concerning
 3 the ability of the department of public health and
 4 environment to collect data on marijuana health effects at
 5 a regional level.

6 Committee on Appropriations

7
 8 **SB16-091** by Senator(s) Lambert, Grantham, Steadman; also
 9 Representative(s) Hamner, Young, Rankin--Concerning
 10 timing of the statewide discovery sharing system.

11 Committee on Appropriations

12
 13 **SB16-092** by Senator(s) Grantham, Lambert, Steadman; also
 14 Representative(s) Rankin, Hamner, Young--Concerning
 15 the authorization of the state to act pursuant to the federal
 16 "Oil Pollution Act of 1990".

17 Committee on Appropriations

18
 19 **SB16-093** by Senator(s) Lambert, Grantham, Steadman; also
 20 Representative(s) Young, Hamner, Rankin--Concerning
 21 transfer of the oversight of independent living services
 22 from the department of human services to the department
 23 of labor and employment.

24 Committee on Appropriations

25
 26 **SB16-094** by Senator(s) Crowder; also Representative(s) Vigil,
 27 Brown--Concerning the shared costs of a district public
 28 health agency by the counties in the district.

29 Committee on Public Health Care & Human Services

30
 31 **SB16-095** by Senator(s) Steadman, Grantham, Lambert; also
 32 Representative(s) Young, Hamner, Rankin--Concerning
 33 the five-year appropriations requirement for bills that
 34 change the periods of incarceration in state correctional
 35 facilities.

36 Committee on Appropriations

37
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 39
 40 On motion of Representative Duran, the following bill(s) will be
 41 calendared for General Orders on February 24, 2016: **HB16-1150**.

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 45
 46 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
 47 February 19, 2016.

48
 49 Approved:
 50 DICKY LEE HULLINGHORST,
 51 Speaker

52 Attest:
 53 MARILYN EDDINS,
 54 Chief Clerk