

**HOUSE JOURNAL**  
**SEVENTIETH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**First Regular Session**

Sixty-fifth Legislative Day

Thursday, March 12, 2015

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 Alexis Lucero, Arrupe Jesuit High School,  
6 Denver.  
7  
8 The roll was called with the following result:  
9  
10 Present--63.  
11 Excused--Representative(s) Conti, Everett--2.  
12 Present after roll call--Representative(s) Conti, Everett.

13  
14 The Speaker declared a quorum present.  
15  
16

17 On motion of Representative Lundeen, the reading of the journal of  
18 March 11, 2015, was declared dispensed with and approved as corrected  
19 by the Chief Clerk.  
20  
21

**THIRD READING OF BILL(S)--FINAL PASSAGE**

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 **SB15-116** by Senator(s) Steadman; also Representative(s) Garnett--  
29 Concerning needle-stick prevention.

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**.  
35

	YES	62	NO	2	EXCUSED	1	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	N	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	Tate	Y
43	Carver	Y	Joshi	Y	Neville P.	Y	Thurlow	Y

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

11 Co-sponsor(s) added: Representative(s) Court, Duran, Esgar, Fields, Ginal,  
12 Lontine, Mitsch Bush, Moreno, Pettersen, Primavera, Rosenthal, Ryden, Singer,  
13 Williams, Young

14  
15 **SB15-128** by Senator(s) Carroll; also Representative(s) Landgraf and  
16 Primavera--Concerning reports to law enforcement by  
17 medical facilities with the consent of a victim of a sexual  
18 assault.

19  
20 The question being "Shall the bill pass?".

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

25	YES	64	NO	0	EXCUSED	1	ABSENT	0
26	Arndt	Y	Fields	Y	Lundeen	Y	Ryden	Y
27	Becker J.	Y	Foote	Y	McCann	Y	Saine	Y
28	Becker K.	Y	Garnett	Y	Melton	Y	Salazar	Y
29	Brown	Y	Ginal	Y	Mitsch Bush	Y	Sias	Y
30	Buck	Y	Hamner	Y	Moreno	Y	Singer	Y
31	Buckner	Y	Humphrey	Y	Navarro	Y	Tate	Y
32	Carver	Y	Joshi	Y	Neville P.	Y	Thurlow	Y
33	Conti	E	Kagan	Y	Nordberg	Y	Tyler	Y
34	Coram	Y	Keyser	Y	Pabon	Y	Van Winkle	Y
35	Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y
36	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y
37	DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y
38	Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y
39	Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y
40	Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y
41	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Becker K., Danielson, Fields, Ginal,  
44 Kagan, Lee, Lontine, McCann, Melton, Mitsch Bush, Pabon, Pettersen, Priola,  
45 Rosenthal, Ryden, Salazar, Singer, Tyler, Williams, Winter

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### MESSAGE FROM THE SENATE

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51 Madam Speaker:

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53 The Senate has adopted and transmits herewith: SJR15-011.

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55  
56

1     **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2

3     On motion of Representative Moreno, the rules were suspended and the  
4     following resolution was given immediate consideration.

5

6     **SJR15-011**    by Senator(s) Todd and Martinez Humenik; also  
7                    Representative(s) Primavera and Navarro--Concerning the  
8                    recognition of March as Colorectal Cancer Awareness  
9                    Month.

10

11    (Printed and placed in members' files).

12

13    On motion of Representative Primavera, the resolution was read at length  
14    and **adopted** by **viva voce** vote.

15

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

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28                    **LAY OVER OF CALENDAR ITEM(S)**

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30    On motion of Representative Duran, the following item(s) on the  
31    Calendar were laid over until March 13, retaining place on Calendar:

32

33    Consideration of Senate Amendment(s)--**HB15-1031, 1092.**

34

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House in recess. House reconvened.

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42                    **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

43

44     **EDUCATION**

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

47

48     **HB15-1200**    be amended as follows, and as so amended, be referred to  
49                    the Committee on Appropriations with favorable  
50                    recommendation:

51

Amend printed bill, page 2, line 7, strike "ARE" and substitute "ARE".

52

53    Page 4, strike line 11 and substitute:

54

55                    "(3) "HIGHLY EFFECTIVE TEACHER" MEANS:

56                    (a) A TEACHER WHO, IN HIS".

- 1 Page 4, line 14, strike "22-9-104." and substitute "22-9-104; OR  
2 (b) A TEACHER WHO HOLDS A CURRENT CERTIFICATION FROM THE  
3 NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS."  
4
- 5 Page 7, line 7, strike "ELEMENTARY, MIDDLE, OR JUNIOR HIGH SCHOOL"  
6 and substitute "ELEMENTARY SCHOOL."  
7
- 8 Page 7, strike lines 8 through 11.  
9
- 10 Page 7, line 12, strike "PRINCIPAL."  
11
- 12 Page 7, line 15, strike "ELEMENTARY, MIDDLE," and substitute  
13 "ELEMENTARY".  
14
- 15 Page 7, line 16, strike "OR JUNIOR HIGH".  
16
- 17 Page 7, line 26, strike "ELEMENTARY," and substitute "ELEMENTARY".  
18
- 19 Page 7, line 27, strike "MIDDLE, OR JUNIOR HIGH".  
20
- 21 Page 8, line 13, after "SCHOOL;" add "OR".  
22 Page 8, strike lines 14 through 16.  
23
- 24 Reletter succeeding paragraphs accordingly.  
25
- 26 Page 8, line 20, strike "YEAR; OR" and substitute "YEAR."  
27
- 28 Page 8, strike line 21 through 24.  
29
- 30 Page 1, line 105, strike "ARE" and substitute "ARE".  
31  
32  
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34
- 35 **FINANCE**  
36 After consideration on the merits, the Committee recommends the  
37 following:  
38
- 39 **HB15-1143** be postponed indefinitely.  
40  
41
- 42 **HB15-1205** be amended as follows, and as so amended, be referred to  
43 the Committee on Appropriations with favorable  
44 recommendation:  
45
- 46 Amend printed bill, page 2, strike lines 19 and 20.  
47
- 48 Page 3, strike line 1.  
49
- 50 Page 4, line 17, strike "JULY 1, 2015." and substitute "JULY 1, 2017."  
51
- 52 Page 6, strike lines 13 through 15.  
53
- 54 Renumber succeeding subparagraphs accordingly.  
55
- 56 Page 6, line 25, strike "MAY" and substitute "SHALL".

1 Page 7, line 6, strike "AND".

2 Page 7, line 10, strike "GOAL." and substitute "GOAL; AND".

3

4 Page 7, after line 10 insert:

5

6 "(III) WHETHER THERE ARE ANY OPPORTUNITIES TO IMPROVE THE  
7 EFFECTIVENESS OF THE TAX EXPENDITURE IN MEETING ITS PURPOSE,  
8 INTENT, OR GOAL."

9

10 Page 7, strike lines 11 through 27 and substitute:

11

12 "(3) (a) NOTWITHSTANDING THE REQUIREMENTS IN SECTION  
13 2-3-103 (2), THE STATE AUDITOR OR THE EVALUATION CONTRACTOR  
14 SHALL EVALUATE TAX EXPENDITURES AND SUBMIT THE RESULTS OF THE  
15 EVALUATIONS IN AN EVALUATION REPORT TO THE COMMITTEE AS  
16 FOLLOWS:

17 (I) NO LATER THAN SEPTEMBER 15, 2017, FOR ANY TAX  
18 EXPENDITURES IN LAW AS OF THE EFFECTIVE DATE OF THIS PARAGRAPH (a)  
19 AND ANY TAX EXPENDITURES ENACTED DURING THE FIRST REGULAR  
20 SESSION OF THE SEVENTIETH GENERAL ASSEMBLY;

21 (II) NO LATER THAN SEPTEMBER 15, 2022, AND EACH SEPTEMBER  
22 15 EVERY FIVE YEARS THEREAFTER, FOR A REEVALUATION OF THE TAX  
23 EXPENDITURES EVALUATED IN THE PREVIOUS EVALUATION REPORT AND  
24 AN EVALUATION OF ANY NEW TAX EXPENDITURES ENACTED BY THE  
25 GENERAL ASSEMBLY SINCE THE PREVIOUS EVALUATION REPORT."

26

27 Page 8, strike lines 1 through 10 and substitute:

28

29 "(b) BY DECEMBER 15, 2017, AND BY DECEMBER 15 EVERY FIVE  
30 YEARS THEREAFTER, THE COMMITTEE SHALL MEET TO CONSIDER THE  
31 EVALUATION REPORT SUBMITTED BY THE STATE AUDITOR OR THE  
32 EVALUATION CONTRACTOR. THE COMMITTEE MUST HOLD A"

33

34 Page 8, line 13, strike "EVALUATIONS FOR THAT YEAR." and substitute  
35 "EVALUATION REPORT."

36

37 Page 8, line 16, after "SESSION." add "THE COMMITTEE MAY MEET AS  
38 NECESSARY DURING THE FIVE YEARS BETWEEN THE PRESENTATION OF THE  
39 EVALUATION REPORTS."

40

41 Page 9, strike lines 1 through 3 and substitute:

42

43 "(6) THE DEPARTMENT OF REVENUE MUST PROVIDE"

44

45 Page 9, line 4, strike "DATA" and substitute "DATA, IF AVAILABLE AND  
46 UNDER THE CONTROL OF THE DEPARTMENT,"

47

48 Page 9, line 11, after "C.R.S." add "OTHER STATE AGENCIES MAY PROVIDE  
49 INFORMATION OR DATA AS REQUESTED BY THE COMMITTEE, THE STATE  
50 AUDITOR, OR THE EVALUATION CONTRACTOR."

51

52 Page 9, line 12, strike "LEGISLATIVE COUNCIL" and after "STAFF" insert  
53 "OF THE STATE AUDITOR".

54

55 Page 9, line 16, strike "JULY 1, 2025." and substitute "JULY 1, 2028."

56

1 **HB15-1227** be amended as follows, and as so amended, be referred to  
2 the Committee on Appropriations with favorable  
3 recommendation:  
4

5 Amend printed bill, page 11, after line 19 insert:  
6

7 "(6) (a) THE AMOUNT OF THE CREDIT ALLOWED IN THIS SECTION  
8 USED AS AN OFFSET AGAINST INCOME TAXES IN ANY INCOME TAX YEAR  
9 MAY NOT EXCEED TWO HUNDRED THOUSAND DOLLARS."

10

11 Page 11, line 20, strike "(6)" and substitute "(b)".  
12

13 Page 11, line 23, after "CLAIMED," insert "OR IF THE AMOUNT OF THE  
14 CREDIT ALLOWED IN THIS SECTION USED AS AN OFFSET AGAINST INCOME  
15 TAX IS LIMITED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (6),".  
16

17 Page 12, strike lines 12 through 14 and substitute:  
18

19 "(9) THE OFFICE SHALL, IN A SUFFICIENTLY TIMELY MANNER TO  
20 ALLOW THE DEPARTMENT TO PROCESS RETURNS CLAIMING THE CREDIT  
21 ALLOWED BY THIS SECTION, PROVIDE THE DEPARTMENT WITH AN  
22 ELECTRONIC".  
23

24

25

26 **HB15-1245** be referred to the Committee of the Whole with favorable  
27 recommendation.  
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### **LOCAL GOVERNMENT**

33 After consideration on the merits, the Committee recommends the  
34 following:  
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36

37 **HB15-1256** be referred to the Committee of the Whole with favorable  
38 recommendation.  
39

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41

42 **HB15-1262** be amended as follows, and as so amended, be referred to  
43 the Committee of the Whole with favorable  
44 recommendation:  
45

46

47 Amend printed bill, page 2, line 6, after "(1)" insert "(a)".  
48

49

50 Page 3, after line 3 insert:  
51

52

53 "(b) A CONTRACT ESTABLISHING A SEPARATE LEGAL ENTITY  
54 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1) MUST SPECIFY:

55 (I) THE NAME AND PURPOSE OF THE ENTITY AND THE FUNCTIONS  
56 OR SERVICES TO BE PROVIDED BY THE ENTITY;

57 (II) THE ESTABLISHMENT AND ORGANIZATION OF A GOVERNING  
58 BODY OF THE ENTITY, WHICH MUST BE A BOARD OF DIRECTORS IN WHICH  
59 ALL LEGISLATIVE POWER OF THE ENTITY IS VESTED, INCLUDING:

60 (A) THE NUMBER OF DIRECTORS, THEIR MANNER OF APPOINTMENT,  
61 THEIR TERMS OF OFFICE, THEIR COMPENSATION, IF ANY, AND THE

1 PROCEDURE FOR FILLING VACANCIES ON THE BOARD;  
2 (B) THE OFFICERS OF THE ENTITY, THE MANNER OF THEIR  
3 SELECTION, AND THEIR DUTIES;  
4 (C) THE VOTING REQUIREMENTS FOR ACTION BY THE BOARD;  
5 EXCEPT THAT, UNLESS SPECIFICALLY PROVIDED OTHERWISE, A MAJORITY  
6 OF DIRECTORS CONSTITUTES A QUORUM, AND A MAJORITY OF THE QUORUM  
7 IS NECESSARY FOR ANY ACTION TAKEN BY THE BOARD."

8  
9  
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11

12 **STATE, VETERANS, & MILITARY AFFAIRS**

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

15  
16 **HB15-1212** be referred to the Committee of the Whole with favorable  
17 recommendation.

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22 **PRINTING REPORT**

23 The Chief Clerk reports the following bills have been correctly printed:  
24 **HB15-1281, 1282, 1283.**

25  
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28 **DELIVERY OF BILL TO GOVERNOR**

29 The Chief Clerk of the House of Representatives reports the following  
30 bill has been delivered to the Office of the Governor: **HB15-1059** at 3:36  
31 p.m. on March 11, 2015.

32  
33  
34

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35 **MESSAGE FROM THE SENATE**

36 Madam Speaker:

37 The Senate voted to concur in House amendments to SB15-013 and  
38 SB15-047 and repassed the bills as so amended.

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42

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43 **MESSAGE(S) FROM THE GOVERNOR**

44 I certify I received the following on the 11th day of March, 2015, at  
45 4:05p.m.. The original is on file in the records of the House of  
46 Representatives of the General Assembly.

47  
48  
49

Marilyn Eddins,  
Chief Clerk of the House

50 March 11, 2015

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House of Representatives  
Seventieth General Assembly  
State Capitol  
Denver, CO 80203

1 Ladies and Gentlemen:

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I have the honor to inform you that I have approved and filed with the Secretary of State the following Act:

HB 15-1017: CONCERNING NON-GOVERNMENTAL VOLUNTEER FIRE DEPARTMENTS IN COLORADO, AND, IN CONNECTION THEREWITH, ENACTING THE "VOLUNTEER FIRE DEPARTMENT ORGANIZATION ACT".

Approved March 11, 2015 at 3:04 pm

HB 15-1052: CONCERNING ELIGIBILITY TO RECEIVE A GRANT FROM THE MILITARY FAMILY RELIEF FUND

Approved March 11, 2015 at 3:14 pm

Sincerely,  
(Signed)  
John W. Hickenlooper  
Governor

\_\_\_\_\_

On motion of Representative Moreno, the following bill(s) will be calendared for General Orders on March 13, 2015: **HB15-1245, 1256, 1262.**

On motion of Representative Moreno, the following bill(s) calendared for General Orders, March 13, will be calendared for March 16, 2015: **HB15-1251.**

\_\_\_\_\_

On motion of Representative Moreno, the House adjourned until 9:00 a.m., March 13, 2015.

Approved:  
DICKY LEE HULLINGHORST,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk