

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Fifty-eighth Legislative Day

Thursday, March 5, 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 Jenna Lowery, Colorado State University,
6 Fort Collins.
7
8 The roll was called with the following result:
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10 Present--64.
11 Excused--Representative(s) Buckner--1.

12
13 The Speaker declared a quorum present.

14 _____
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16 On motion of Representative Lontine, the reading of the journal of March
17 4, 2015, was declared dispensed with and approved as corrected by the
18 Chief Clerk.

19 _____
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21
22 **CHANGE IN SPONSORSHIP**

23
24 The Speaker announced the following changes in sponsorship:
25 **HB15-1230**--Senator Cooke to be added as co-prime sponsor with
26 Senator Heath.

27 _____
28

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30 **APPOINTMENT**

31
32 The Speaker announced the following temporary committee appointment
33 for March 5, 2015 only:

34 **Judiciary**
35 Representative KC Becker to replace Representative Buckner

36
37 _____
38

39 House in recess. House reconvened.
40 _____
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1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

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3 **EDUCATION**

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

6
7 **HB15-1215** be referred favorably to the Committee on Appropriations.

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10 **SB15-051** be referred to the Committee of the Whole with favorable
11 recommendation.

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16 **FINANCE**

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

19
20 **HB15-1056** be referred favorably to the Committee on Appropriations.

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23 **HB15-1154** be postponed indefinitely.

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26 **HB15-1251** be referred to the Committee of the Whole with favorable
27 recommendation.

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32 **STATE, VETERANS, & MILITARY AFFAIRS**

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

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36 **HB15-1095** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend printed bill, page 2, lines 7 and 8, strike "OR BYLAWS LIMIT" and
41 substitute "LIMITS".

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43 Page 2, strike lines 15 through 17 and substitute:

44 **"SECTION 2. Act subject to petition - effective date.** This act
45 takes effect at 12:01 a.m. on the day following the expiration of the
46 ninety-day period after final adjournment of the general assembly (August
47 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
48 referendum petition is filed pursuant to section 1 (3) of article V of the
49 state constitution against this act or an item, section, or part of this act
50 within such period, then the act, item, section, or part will not take effect
51 unless approved by the people at the general election to be held in
52 November 2016 and, in such case, will take effect on the date of the
53 official declaration of the vote thereon by the governor."

54
55 Page 1, strike lines 101 through 103 and substitute "**CONCERNING THE**
56 **EXTENSION OF AN EXEMPTION UNDER THE "COLORADO COMMON**

1 **INTEREST OWNERSHIP ACT" FOR CERTAIN SMALL COMMON-INTEREST**
2 **COMMUNITIES TO INCLUDE COMMUNITIES CREATED BEFORE JULY 1,**
3 **1992, WHOSE DECLARATIONS LIMIT THEIR ANNUAL COMMON EXPENSE**
4 **LIABILITY TO NO MORE THAN THREE HUNDRED DOLLARS."**

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8 **HB15-1190** be postponed indefinitely.

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11 **HB15-1213** be referred to the Committee of the Whole with favorable
12 recommendation.

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16 **SB15-047** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

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20 Amend reengrossed bill, page 2, strike lines 20 through 22 and substitute:

21

22 **"SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly
25 (August 5, 2015, if adjournment sine die is on May 6, 2015); except that,
26 if a referendum petition is filed pursuant to section 1 (3) of article V of
27 the state constitution against this act or an item, section, or part of this act
28 within such period, then the act, item, section, or part will not take effect
29 unless approved by the people at the general election to be held in
30 November 2016 and, in such case, will take effect on the date of the
31 official declaration of the vote thereon by the governor."

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36 **TRANSPORTATION & ENERGY**

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

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40 **HB15-1219** be referred favorably to the Committee on Finance.

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43 **HB15-1228** be amended as follows, and as so amended, be referred to
44 the Committee on Finance with favorable
45 recommendation:

46

47 Amend printed bill, page 3, lines 14 and 15, strike "and (7) (a) (VI)" and
48 substitute "(7) (a) (VI), and (7) (d)".

49

50 Page 4, after line 21 insert:

51

52 "(d) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (7)
53 TO THE CONTRARY, A PERSON WHO SELLS LIQUEFIED PETROLEUM GAS AND
54 WHO SUBMITS AN AFFIDAVIT TO THE DEPARTMENT OF REVENUE AND
55 POSTS THE REQUIRED NOTICE IN ACCORDANCE WITH SECTION 39-27-104
56 (5) (a) IS NOT A DISTRIBUTOR."

- 1 Page 5, line 14, strike "(2) (a),".
- 2
- 3 Page 6, line 15, strike "IF THE".
- 4
- 5 Page 6, strike lines 16 through 20.
- 6
- 7 Page 7, line 3, after the period add "A DISTRIBUTOR SHALL REPORT TO
- 8 THE DEPARTMENT OF REVENUE THE NUMBER OF MILES THAT THE VEHICLE
- 9 TRAVELED BASED ON ODOMETER READINGS. THE DEPARTMENT SHALL
- 10 ESTABLISH THE FORM TO BE USED TO REPORT THIS INFORMATION.".
- 11
- 12 Page 7, strike lines 17 through 27.
- 13
- 14 Page 8, strike lines 1 through 15.
- 15
- 16 Page 10, line 2, strike "(b)" and substitute "(b); and **add** (5)".
- 17
- 18 Page 11, after line 19 insert:
- 19
- 20 "(5) (a) A PERSON WHO SELLS LIQUEFIED PETROLEUM GAS THAT
- 21 IS NOT USED AS SPECIAL FUEL DOES NOT ACT AS A DISTRIBUTOR AND DOES
- 22 NOT NEED TO BE LICENSED AS ONE UNDER THIS SECTION IF THE PERSON:
- 23 (I) SUBMITS AN AFFIDAVIT, SIGNED UNDER PENALTY OF PERJURY,
- 24 STATING THAT THE PERSON WILL NOT PLACE LIQUEFIED PETROLEUM GAS
- 25 IN A FUEL TANK AS PART OF ANY SALE AND THAT, IF THE PERSON DOES
- 26 PLACE THE FUEL IN A FUEL TANK, THE PERSON IS SUBJECT TO THE
- 27 PENALTIES SET FORTH IN THIS SECTION; AND
- 28 (II) CONSPICUOUSLY POSTS AT THE DISTRIBUTION POINT A SIGN
- 29 INDICATING THAT THE LIQUEFIED PETROLEUM GAS IS NOT FOR SALE FOR
- 30 USE IN MOTOR VEHICLES.
- 31 (b) THE DEPARTMENT OF REVENUE SHALL ESTABLISH THE FORM
- 32 OF THE AFFIDAVIT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS
- 33 SUBSECTION (5).".
- 34
- 35 Page 12, strike lines 11 and 12.
- 36
- 37 Renumber succeeding subparagraphs accordingly.
- 38
- 39 Page 12, strike lines 19 through 21.
- 40
- 41 Renumber succeeding subparagraphs accordingly.
- 42
- 43 Page 12, strike line 27.
- 44
- 45 Page 13, strike lines 1 and 2.
- 46
- 47 Renumber succeeding subparagraphs accordingly.
- 48
- 49 Page 13, strike lines 6 and 7.
- 50
- 51 Renumber succeeding subparagraphs accordingly.
- 52
- 53 Page 16, line 2, strike "15-____," and substitute "15-1228,".
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**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on SB15-085**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on SB15-085,
concerning the expansion of the "Colorado Cottage Foods Act," and, in
connection therewith, increasing the net revenue a producer can earn
under the act, has met and reports that it has agreed upon the following:

That the Senate accede to the House Amendment made to the bill,
as the amendment appears in the rerevised bill, with the following
change:

Amend rerevised bill, page 2, line 14, after "MAY" insert "ONLY".

Page 2, line 16, strike "AS DEFINED IN SECTION" and substitute "FORMED
IN COLORADO AND OF WHICH ALL MEMBERS ARE RESIDENTS OF
COLORADO."

Page 2, strike line 17.

Respectfully submitted,

Senate Committee:
(signed)
Beth Martinez Humenik
Larry Crowder
Jessie Ulibarri

House Committee:
(signed)
Faith Winter
Perry Buck
Tracy Kraft-Tharp

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB15-1258, 1259, 1260, 1261, 1262, 1263, 1264.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB15-1010, 1022, 1028, 1062, 1064, 1069,
1071.**

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following
bills have been delivered to the Office of the Governor: **HB15-1021,
1023, 1047, 1121** at 9:40 a.m. on March 5, 2015.

INTRODUCTION OF BILLS
First Reading

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

HB15-1265 by Representative(s) Moreno, Esgar, Garnett, Ginal, Rosenthal; also Senator(s) Ulibarri, Guzman, Steadman-- Concerning the issuance of a new birth certificate with a gender designation that differs from the gender designated on the person's original birth certificate.

Committee on Health, Insurance, & Environment

HB15-1266 by Representative(s) Rankin, Hamner, Young, Singer, Tate, Tyler; also Senator(s) Lambert, Grantham, Steadman, Martinez Humenik, Neville T., Newell-- Concerning the information technology budget request process.

Committee on State, Veterans, & Military Affairs

HB15-1267 by Representative(s) Salazar, Saine, Duran, Esgar, Garnett, Ginal, Kagan, Lee, McCann, Melton, Mitsch Bush, Moreno, Rosenthal, Singer, Vigil, Williams, Winter; also Senator(s) Guzman, Aguilar--Concerning conditions of probation relating to medical marijuana.

Committee on Judiciary

HB15-1268 by Representative(s) McCann; also Senator(s) Johnston-- Concerning establishing the CO9To25 youth development council.

Committee on Public Health Care & Human Services

HB15-1269 by Representative(s) McCann and Ginal, Landgraf; also Senator(s) Grantham--Concerning the transfer of persons who cannot be safely confined in their current facility between a department of corrections facility and a facility operated by the department of human services.

Committee on Health, Insurance, & Environment

SB15-138 by Senator(s) Donovan, Garcia, Hill, Kerr, Merrifield; also Representative(s) Wilson--Concerning funding for the accelerating students through concurrent enrollment program.

Committee on Education

Committee on Finance

On motion of Representative Duran, the House adjourned until 9:00 a.m., March 6, 2015.

Approved:
DICKY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk