

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

Seventy-ninth Legislative Day

Thursday, March 26, 2015

1 Prayer by Representative Daniel Kagan, Cherry Hills Village.

2

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

4

5 Pledge of Allegiance led by Molly Lancaster, Chole Lancaster, Colton  
6 Lancaster, Ryland Lancaster, Britton Lancaster, Turnberry Elementary,  
7 Commerce City.

8

9 The roll was called with the following result:

10

11 Present--62.

12 Excused--Representative(s) Joshi, Priola, Salazar--3.

13

Present after roll call--Representative(s) Priola.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Ransom, the reading of the journal of March  
19 25, 2015, was declared dispensed with and approved as corrected by the  
20 Chief Clerk.

21

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23

**CONSIDERATION OF RESOLUTION(S)**

24

25 [SJR15-020](#) by Senator(s) Todd and Roberts, Aguilar, Carroll,  
26 Donovan, Guzman, Hodge, Jahn, Martinez Humenik,  
27 Newell; also Representative(s) Ginal and Lawrence,  
28 Williams, Esgar, Arndt, Becker K., Buck, Carver, Conti,  
29 Court, Danielson, Duran, Fields, Hamner, Hullinghorst,  
30 Kraft-Tharp, Landgraf, Lontine, McCann, Mitsch Bush,  
31 Navarro, Pettersen, Primavera, Ransom, Roupe, Ryden,  
32 Saine, Windholz, Winter--Concerning the recognition of  
33 National Women's History Month, and, in connection  
34 therewith, designating March as Colorado Women's  
35 History Month.

36

37 (Printed and placed in members' file.)

38

39 On motion of Representative Lawrence, the resolution was **adopted** by  
40 **viva voce** vote.

41

1 Current Roll Call added as co-sponsor(s): Representative(s) Becker J., Brown,  
 2 Buckner, Coram, DelGrosso, Dore, Everett, Foote, Garnett, Humphrey, Kagan,  
 3 Keyser, Klingenschmitt, Lebsock, Lee, Lundeen, Melton, Moreno, Neville P.,  
 4 Nordberg, Pabon, Rankin, Rosenthal, Sias, Singer, Tate, Thurlow, Tyler, Van  
 5 Winkle, Vigil, Willett, Wilson, Young.

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### APPOINTMENT(S)

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11 The Speaker announced the following temporary committee appointments  
 12 for March 26, 2015 only:

13 **Health, Insurance, & Environment**

14 Representative Saine to replace Representative Joshi

15 **Judiciary**

16 Representative Melton to replace Representative Salazar

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19 The Speaker announced the following temporary committee appointment  
 20 for March 27, 2015 only:

21 **Appropriations**

22 Representative Lundeen to replace Representative Joshi

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### LAY OVER OF CALENDAR ITEM(S)

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28 On motion of Representative Duran, the following item(s) on the  
 29 Calendar were laid over until March 27, retaining place on Calendar:

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31 Consideration of Senate Amendment(s)--**HB15-1074, 1072, 1184, 1204.**

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House in recess. House reconvened.

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### REPORT(S) OF COMMITTEE(S) OF REFERENCE

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41 **EDUCATION**

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

44

45 **HB15-1294** be amended as follows, and as so amended, be referred to  
 46 the Committee of the Whole with favorable  
 47 recommendation:

48

49 Amend printed bill, page 3, strike line 2 and substitute "THIS SECTION TO  
 50 THE CONTRARY, A STUDENT WHO QUALIFIED AS A COVERED INDIVIDUAL  
 51 AND WHO HAS EXHAUSTED".

52

53 Page 3, lines 5 and 6, strike "COVERED INDIVIDUAL RESIDES" and  
 54 substitute "STUDENT CONTINUES TO RESIDE".

55

56

1 **HB15-1295** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend printed bill, page 9, strike line 19 and substitute "on or before  
6 October 1 of the preceding calendar year. If such".  
7  
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11 **FINANCE**

12 After consideration on the merits, the Committee recommends the  
13 following:  
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15 **HB15-1043** be amended as follows, and as so amended, be referred to  
16 the Committee on Appropriations with favorable  
17 recommendation:  
18

19 Amend printed bill, page 2, strike lines 12 and 13 and substitute "IS A  
20 CLASS 4 FELONY IF THE VIOLATION OCCURRED AFTER THREE OR MORE  
21 PRIOR".  
22

23 Page 3, strike lines 5 through 20 and substitute "THEREOF".  
24

25 Page 3, strike lines 26 and 27 and substitute "IF THE VIOLATION OCCURRED  
26 AFTER THREE OR MORE PRIOR".  
27

28 Page 4, strike lines 5 through 20 and substitute "THEREOF".  
29

30 Page 6, strike lines 8 and 9 and substitute "CLASS 4 FELONY IF THE  
31 VIOLATION OCCURRED AFTER THREE OR MORE PRIOR".  
32

33 Page 6, strike lines 14 through 27 and substitute "THEREOF".  
34

35 Page 7, strike lines 1 and 2.  
36

37 Page 10, strike lines 12 and 13 and substitute "SECTION 42-4-1301 (1) (a),  
38 (1) (b), AND (2) (a), a person who is convicted of DUI, DUI per se, or".  
39

40 Page 11, line 2, after "C.R.S.;" add "AND".  
41

42 Page 11, line 5, strike "SENTENCED; AND" and substitute "SENTENCED".  
43

44 Page 11, strike lines 6 through 8.  
45

46 Page 11, strike lines 24 through 27 and substitute:  
47

48 "(c) (I) The court may impose all or part of the suspended  
49 sentence described in subparagraph (IV) of paragraph (a) of subsection  
50 (5) of this section or subparagraph (IV) of paragraph (a) of subsection (6)  
51 of this section at any time during the period of probation if the person  
52 violates".

53 Page 12, strike lines 1 through 5 and substitute "a condition of his or her  
54 probation. During the period of imprisonment, the person shall continue  
55 serving the probation sentence with no reduction in time for the sentence  
56 to probation. A cumulative period of imprisonment imposed pursuant to

1 this paragraph (c) shall not exceed one year. IN IMPOSING A SENTENCE OF  
2 IMPRISONMENT PURSUANT TO".

3

4 Page 15, line 22, strike "HOUSE BILL 15-\_\_\_\_," and substitute "HOUSE  
5 BILL 15-1043,".

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8

9 **HB15-1219** be amended as follows, and as so amended, be referred to  
10 the Committee on Appropriations with favorable  
11 recommendation:

12

13 Amend printed bill, page 3, line 3, strike "**definition.**" and substitute  
14 "**definitions.**"

15

16 Page 3, line 3, strike "NOTWITHSTANDING" and substitute "EXCEPT AS  
17 PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (2.6) AND  
18 NOTWITHSTANDING".

19

20 Page 3, after line 19 insert:

21 "(b) A TAXPAYER MAY MAKE THE ELECTION ALLOWED IN  
22 PARAGRAPH (a) OF THIS SUBSECTION (2.6) FOR MORE THAN ONE NEW  
23 RENEWABLE ENERGY INVESTMENT PER INCOME TAX YEAR. IF A TAXPAYER  
24 MAKES AN ELECTION ALLOWED IN PARAGRAPH (a) OF THIS SUBSECTION  
25 (2.6) FOR MORE THAN ONE NEW RENEWABLE ENERGY INVESTMENT, THEN  
26 THE TAXPAYER MAY ONLY RECEIVE THE REFUND ALLOWED IN SAID  
27 PARAGRAPH (a) FOR ANY SUBSEQUENT NEW RENEWABLE ENERGY  
28 INVESTMENT AFTER THE EIGHTY PERCENT OF THE AMOUNT OF THE CREDIT  
29 FOR THE PREVIOUS NEW RENEWABLE ENERGY INVESTMENT IS COMPLETELY  
30 REFUNDED TO THE TAXPAYER. UNDER NO CIRCUMSTANCES MAY A  
31 TAXPAYER MAKING THE REQUIRED ELECTION SPECIFIED IN PARAGRAPH (a)  
32 OF THIS SUBSECTION (2.6) RECEIVE REFUNDS ALLOWED PURSUANT TO THIS  
33 SUBSECTION (2.6) TOTALING MORE THAN SEVEN HUNDRED FIFTY  
34 THOUSAND DOLLARS PER INCOME TAX YEAR."

35

36 Reletter succeeding paragraphs accordingly.

37

38 Page 4, strike line 10 and substitute:

39

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41 "(f) FOR PURPOSES OF THIS SUBSECTION (2.6), UNLESS THE  
42 CONTEXT OTHERWISE REQUIRES:

43

44

45 Page 4, after line 13 insert:

46 "(II) "TAXPAYER" MEANS THE ENTIRE AFFILIATED GROUP IF THE  
47 TAXPAYER IS PART OF AN AFFILIATED GROUP."

48

49 Page 4, after line 24 insert:

50

51 "(VII) THE NUMBER OF EMPLOYEES OR CONTRACTORS HIRED FOR  
52 A QUALIFIED INVESTMENT;

53 "(VIII) THE NUMBER OF CONSTRUCTION PERSONNEL HIRED FOR A  
54 QUALIFIED INVESTMENT;

55 "(IX) THE AVERAGE SALARY OR HOURLY WAGE OF THE EMPLOYEES,  
56 CONTRACTORS, AND CONSTRUCTION PERSONNEL HIRED FOR A QUALIFIED

1 INVESTMENT;

2 (X) ANY LANDOWNER LEASE PAYMENTS MADE OR LAND  
3 PURCHASED FOR A QUALIFIED INVESTMENT;

4 (XI) THE ESTIMATED TAX REVENUES THE STATE AND LOCAL  
5 GOVERNMENTS WILL RECEIVE AS A RESULT OF THE QUALIFIED  
6 INVESTMENT;

7 (XII) ANY OTHER ECONOMIC BENEFITS RESULTING FROM THE  
8 QUALIFIED INVESTMENT;".

9  
10 Page 4, line 25, strike "(g) (VII)" and substitute "(g) (XIII)".

11  
12 Page 4, line 27, strike "(h) (VIII)" and substitute "(h) (XIV)".

13  
14 Page 5, line 1, strike "(i) (IX)" and substitute "(i) (XV)".

15  
16 Page 5, after line 1 insert:

17  
18 "(b) THE TAXPAYER WHO MADE THE QUALIFIED INVESTMENT  
19 SHALL USE REASONABLE EFFORTS TO OBTAIN, ESTIMATE, AND PROVIDE TO  
20 THE COLORADO ECONOMIC DEVELOPMENT COMMISSION THE INFORMATION  
21 REQUIRED TO BE REPORTED PURSUANT TO THIS SUBSECTION (2.7).".

22  
23 Reletter succeeding paragraph accordingly.

24  
25 Page 5, line 7, strike "SECTION, AS AMENDED." and substitute "SECTION.".

26  
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28  
29 **HB15-1228** be amended as follows, and as so amended, be referred to  
30 the Committee on Appropriations with favorable  
31 recommendation:

32  
33 Amend the Transportation & Energy Committee Report, dated March 4,  
34 2015, page 1, line 5, strike "SELLS LIQUEFIED PETROLEUM GAS AND".

35  
36 Page 1 of the committee report, strike line 6.

37  
38 Page 1 of the committee report, line 7, strike "THE REQUIRED NOTICE IN  
39 ACCORDANCE WITH" and substitute "MEETS THE REQUIREMENTS OF".

40  
41 Page 1 of the committee report, after line 8 insert:

42  
43 "Page 4, strike lines 24 through 27.

44  
45 Page 5, strike line 1 and substitute:

46  
47 "(a) (I) For purposes of A VENDOR WHO SELLS compressed natural  
48 gas AT RETAIL, "gallons" means gallons as measured by IN ACCORDANCE  
49 WITH THE MASS LABELING REQUIREMENTS FOR GASOLINE EQUIVALENTS  
50 THAT ARE INCLUDED IN SECTION 3-3 OF THE RULES PROMULGATED BY THE  
51 DIVISION OF OIL AND PUBLIC SAFETY IN THE DEPARTMENT OF LABOR AND  
52 EMPLOYMENT, OR ANY SUCCESSOR RULE;

53 (II) FOR ALL DISTRIBUTORS OF COMPRESSED NATURAL GAS OTHER  
54 THAN THOSE SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a),  
55 "GALLONS" MEANS GALLONS AS MEASURED IN ACCORDANCE WITH  
56 WHICHEVER OF THE FOLLOWING WAS THE BASIS FOR THE SALE OF THE GAS

1 TO THE DISTRIBUTOR:

2 (A) The volumetric reporting requirements that are included in the  
3 federal excise tax return, form 720, established by the federal internal  
4 revenue service, or any successor form that is used for paying the federal  
5 fuel tax;

6 (B) THE MASS LABELING REQUIREMENTS FOR GASOLINE  
7 EQUIVALENTS THAT ARE INCLUDED IN SECTION 3-3 OF THE RULES  
8 PROMULGATED BY THE DIVISION OF OIL AND PUBLIC SAFETY IN THE  
9 DEPARTMENT OF LABOR AND EMPLOYMENT, OR ANY SUCCESSOR RULE; OR

10 (C) THE ENERGY MEASURE INCLUDED IN THE DEFINITION FOR  
11 GASOLINE GALLON EQUIVALENT IN SECTION 1-6 OF THE RULES  
12 PROMULGATED BY THE DIVISION OF OIL AND PUBLIC SAFETY IN THE  
13 DEPARTMENT OF LABOR AND EMPLOYMENT, OR ANY SUCCESSOR RULE;  
14 AND".

15

16 Page 2 of the committee report, line 3, after "GAS" insert "AT THE RETAIL  
17 LEVEL OF TRADE".

18

19

20

21 **HB15-1249** be amended as follows, and as so amended, be referred to  
22 the Committee on Appropriations with favorable  
23 recommendation:

24

25 Amend printed bill, page 4, line 8, strike "2015," and substitute "2009,".

26

27 Page 4, line 15, strike "2015," and substitute "2009,".

28

29 Page 4, line 19, strike "2015," and substitute "2009,".

30

31 Page 5, line 8, strike "2015," and substitute "2009,".

32

33 Page 6, line 6, strike "\$930" and substitute "\$980".

34

35 Page 17, line 10, after "THE" insert "FEES FIRST BECOME EFFECTIVE ON  
36 JULY 1, 2016, AND THE".

37

38

39

40 **HB15-1252** be referred favorably to the Committee on Appropriations.

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45 **STATE, VETERANS, & MILITARY AFFAIRS**

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

48

49 **HB15-1237** be postponed indefinitely.

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51

52 **SB15-060** be referred to the Committee of the Whole with favorable  
53 recommendation.

54

55

56 **SB15-061** be postponed indefinitely.

1 **TRANSPORTATION & ENERGY**

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

4  
5 **HB15-1250** be referred favorably to the Committee on Finance.

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8 **SB15-046** be referred to the Committee of the Whole with favorable  
9 recommendation.

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12 **PRINTING REPORT**

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14 The Chief Clerk reports the following bills have been correctly printed:  
15 **HB15-1309, 1310, 1311, 1312, 1313, 1314, 1315.**

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18 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

19

20 The Speaker has signed: **HB15-1046, 1067, 1092, 1164, 1202, 1213,**  
21 **1223, 1244; HJR15-1016.**

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24 **MESSAGE FROM THE SENATE**

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26 Madam Speaker:

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28 The Senate voted to concur in House amendments to SB15-058 and  
29 SB15-106 and repassed the bill as so amended.

30

31 The Senate has adopted the First Report of the Second Conference  
32 Committee on SB15-085 as printed in Senate Journal, March 25,  
33 2015, and repassed the bill as amended.

34

35 The Senate has postponed indefinitely HB15-1091 and HB15-1221.  
36 The bills are returned herewith.

37

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39 **INTRODUCTION OF BILL**

40 **First Reading**

41

42 The following bill was read by title and referred to the committee  
43 indicated:

44

45 **SB15-208** by Senator(s) Kefalas; also Representative(s) Brown,  
46 Becker K., Vigil--Concerning capital-related expenditures,  
47 and, in connection therewith, granting the controller  
48 authority to allow expenditures for capital construction  
49 budget appropriations if nonmonetary adjustments are  
50 needed when the legislature is not in session, adding a  
51 capital development committee-approved waiver for the  
52 arts in public places requirement, and clarifying the types  
53 of capital construction projects to which the arts in public  
54 places requirement applies.

55 Committee on Finance

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**INTRODUCTION OF RESOLUTION**1  
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The following resolution was read by title and laid over one day under the rules:

**HJR15-1017** by Representative(s) Brown and Fields, Joshi, Klingenschmitt, Arndt, Becker J., Becker K., Buck, Buckner, Carver, Conti, Coram, DelGrosso, Dore, Garnett, Ginal, Hamner, Lebsock, Lontine, Lundeen, Melton, Mitsch Bush, Navarro, Neville P., Priola, Ransom, Roupe, Ryden, Saine, Sias, Thurlow, Vigil, Willett, Williams, Wilson, Windholz, Winter; also Senator(s) Sonnenberg and Baumgardner, Donovan, Roberts--Concerning expressing support for the designation of the 4th Saturday in July as "National Day of the Cowboy".

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On motion of Representative Duran, the following bill(s) will be calendared for General Orders on March 27, 2015: **HB15-1294, 1295, SB15-060, 046.**

On motion of Representative Duran, the following bill(s) calendared for General Orders, March 27, will be calendared for March 30, 2015: **HB15-1300, HCR15-1001.**

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On motion of Representative Duran, the House adjourned until 9:00 a.m., March 27, 2015.

Approved:  
DICKY LEE HULLINGHORST,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk