

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Thirtieth Legislative Day

Thursday, February 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 Rioux Jordan, Colorado State University,
6 Fort Collins.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Pabon, Tyler--2.

12 Present after roll call--Representative(s) Pabon.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Esgar, the reading of the journal of February
18 4, 2015, was declared dispensed with and approved as corrected by the
19 Chief Clerk.

20

21

22

23

24 On motion of Representative Foote, the House resolved itself into
25 Committee of the Whole for consideration of General Orders, and he was
26 called to the Chair to act as Chairman.

27

28

29

GENERAL ORDERS--SECOND READING OF BILLS

30

31 The Committee of the Whole having risen, the Chairman reported the
32 titles of the following bills had been read (reading at length had been
33 dispensed with by unanimous consent), the bills considered and action
34 taken thereon as follows:

35

36 (Amendments to the committee amendment are to the printed committee
37 report which was printed and placed in the members' bill file.)

38

39 **HB15-1032** by Representative(s) Singer; also Senator(s) Aguilar--
40 Concerning the addition of licensed mental health
41 professionals as authorized providers of mental health
42 services to minors who are at least fifteen years of age.

43

1 Amendment No. 1, Public Health Care & Human Services Report, dated
2 January 27, 2015, and placed in member's bill file; Report also printed in
3 House Journal, January 28, 2015.

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

6
7 Amend the Public Health Care and Human Services Committee Report,
8 dated January 27, 2015, page 1, strike lines 2 and 3 and substitute "Page
9 2 of the bill, line 8, strike "a professional person." and substitute "BY a
10 professional person OR MENTAL HEALTH PROFESSIONAL".".

11
12 Page 1 of the committee report, strike line 5 and substitute "C.R.S., IN
13 ANY PRACTICE SETTING.". ".

14
15 Page 1 of the committee report, line 8, strike "16 and substitute:" and
16 substitute "16.". "

17
18 Page 1 of the committee report, strike lines 9 through 18.

19
20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.

22
23 [HB15-1047](#) by Representative(s) Lawrence and Becker K.; also
24 Senator(s) Grantham and Neville T.--Concerning a
25 prohibition on the use of simulated gambling devices.

26
27 Amendment No. 1, Business Affairs and Labor Report, dated January 29,
28 2015, and placed in member's bill file; Report also printed in House
29 Journal, January 30, 2015

30
31 As amended, ordered engrossed and placed on the Calendar for Third
32 Reading and Final Passage.

33
34
35
36 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

37
38 Passed Second Reading: **HB15-1032 amended, 1047 amended.**

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
45

	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	Tate	Y
52	Carver	Y	Joshi	Y	Neville P.	Y	Thurlow	Y
53	Conti	Y	Kagan	Y	Nordberg	Y	Tyler	E
54	Coram	Y	Keyser	Y	Pabon	Y	Van Winkle	Y
55	Court	Y	Klingenschmitt	Y	Pettersen	Y	Vigil	Y
56	Danielson	Y	Kraft-Tharp	Y	Primavera	Y	Willett	Y

1	DelGrosso	Y	Landgraf	Y	Priola	Y	Williams	Y
2	Dore	Y	Lawrence	Y	Rankin	Y	Wilson	Y
3	Duran	Y	Lebsock	Y	Ransom	Y	Windholz	Y
4	Esgar	Y	Lee	Y	Rosenthal	Y	Winter	Y
5	Everett	Y	Lontine	Y	Roupe	Y	Young	Y
6							Speaker	Y

7
8
9 House in recess. House reconvened.
10
11

12
13 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

14
15 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

18
19 **HB15-1008** be amended as follows, and as so amended, be referred to
20 the Committee on Finance with favorable
21 recommendation:
22

23 Amend printed bill, page 3, line 9, before "PARCEL" insert
24 "PRODUCTIVITY OF SUCH".
25

26 Page 3, line 11, after "OF THE" insert "PRODUCTIVITY OF THE".
27

28 Page 3, line 17, after "THE" insert "PRODUCTIVITY OF THE".
29

30 Page 3, line 25, before "LAND" insert "PRODUCTIVITY OF THE".
31

32 Page 4, line 2, before "LAND" insert "PRODUCTIVITY OF THE".
33

34 Page 4, line 7, before "LAND" insert "PRODUCTIVITY OF THE".
35

36 Page 4, line 10, before "PARCEL" insert "PRODUCTIVITY OF THE".
37

38 Page 4, line 12, before "LAND" insert "PRODUCTIVITY OF THE".
39

40 Page 4, line 25, before "LAND" insert "PRODUCTIVITY OF THE".
41

42 Page 5, line 3, before "LAND" insert "PRODUCTIVITY OF THE".
43
44
45

46 **SB15-010** be referred to the Committee of the Whole with favorable
47 recommendation.
48
49
50
51

52 **BUSINESS AFFAIRS & LABOR**

53 After consideration on the merits, the Committee recommends the
54 following:
55

56 **HB15-1096** be postponed indefinitely.

1 **HB15-1117** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **FINANCE**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **HB15-1069** be referred to the Committee of the Whole with favorable
12 recommendation.
13
14
15
16

17 **JUDICIARY**

18 After consideration on the merits, the Committee recommends the
19 following:
20

21 **HB15-1018** be amended as follows, and as so amended, be referred to
22 the Committee on Public Health Care & Human Services
23 with favorable recommendation:
24

25 Amend printed bill, page 2, line 11, after "**amend**" insert "(1) (b) (VII),
26 (1) (b) (VIII), and".
27

28 Page 2, strike lines 12 and 13 and substitute "(1) (b) (XVII); and **add** (1)
29 (b) (XIX) and (1) (b) (XX) as follows:".
30

31 Page 2, after line 17, insert:

32 "(VII) Psychologists, ~~and other mental health professionals~~ AS
33 DEFINED IN SECTION 12-43-201, C.R.S.; SOCIAL WORKERS, AS DEFINED IN
34 SECTION 12-43-401, C.R.S.; MARRIAGE AND FAMILY THERAPISTS, AS
35 DEFINED IN SECTION 12-43-201, C.R.S.; LICENSED PROFESSIONAL
36 COUNSELORS, AS DEFINED IN SECTION 12-43-201, C.R.S.; REGISTERED
37 PSYCHOTHERAPISTS, AS DEFINED IN SECTION 12-43-201, C.R.S.; AND
38 LICENSED ADDICTION COUNSELORS, AS DEFINED IN SECTION 12-43-201,
39 C.R.S.;

40 (VIII) ~~Social work practitioners;~~"
41

42 Page 2, strike line 21.
43

44 Page 2, line 22, strike "(XX)" and substitute "(XIX)", and strike
45 "ASSOCIATED WITH" and substitute "EMPLOYED BY OR VOLUNTEERING
46 WITH ANY".
47

48 Page 2, strike lines 24 through 26.
49

50 Renumber succeeding subparagraph accordingly.
51
52
53

54 **HB15-1035** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend printed bill, page 8, after line 3, insert:
2 "SECTION 6. In Colorado Revised Statutes, 24-4.1-117, amend
3 (5) as follows:
4

5 **24-4.1-117. Fund created - control of fund.** (5) All moneys
6 deposited in the fund shall be used solely for the compensation of victims
7 pursuant to this part 1; except that the district attorney and the court
8 administrator may use an aggregate of no more than ~~twelve~~ FOURTEEN
9 and one-half percent of the total amount of moneys in the crime victim
10 compensation fund for administrative costs incurred pursuant to this part
11 1. The district attorney shall be permitted to use no more than ~~ten~~
12 TWELVE percent of the total amount of moneys in the fund for
13 administrative costs. The court administrator shall be permitted to use no
14 more than two and one-half percent of the total amount of moneys in the
15 fund for administrative costs."

16
17 Renumber succeeding sections accordingly.
18

19 Page 8, line 12, strike "INCLUDED IN" and substitute "CONSIDERED BY THE
20 COURT IN DETERMINING".
21
22
23
24

25 **STATE, VETERANS, & MILITARY AFFAIRS**

26 After consideration on the merits, the Committee recommends the
27 following:
28

29 **HB15-1051** be postponed indefinitely.
30

31
32 **HB15-1076** be postponed indefinitely.
33

34
35 **HB15-1081** be postponed indefinitely.
36

37
38 **HB15-1093** be postponed indefinitely.
39
40
41
42

43 **TRANSPORTATION & ENERGY**

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

47 **HB15-1014** be referred favorably to the Committee on Finance.
48
49

50 **HB15-1046** be amended as follows, and as so amended, be referred to
51 the Committee on Appropriations with favorable
52 recommendation:
53

1 Amend printed bill, page 2, after line 1 insert:

2

3 **"SECTION 1. Legislative declaration.** (1) The general assembly
4 hereby finds and declares that:

5 (a) It is the responsibility of state agencies to find and promote
6 more efficient ways to use taxpayer dollars;

7 (b) The department of transportation is implementing several
8 efficiency processes as part of a comprehensive internal review of its
9 project cost estimating process;

10 (c) This act reflects the department's ongoing efforts to provide
11 transparent administrative processes for better use of taxpayer dollars;

12 (d) A variety of factors, including labor costs, material costs, and
13 economic variables, influence cost estimates for department construction
14 projects;

15 (e) Under current law, if there are fewer than three bidders for a
16 department construction project, the department cannot make an award
17 if the bids exceed statutory limits, resulting in longer project timelines
18 and additional fiscal impacts to the department;

19 (f) These statutory requirements for awarding contracts when
20 there are fewer than three bidders are some of the most stringent in the
21 country;

22 (g) Under specific circumstances, this act allows the department
23 to conduct a thorough bid analysis to evaluate the low bid for a
24 construction project when fewer than three bids are received; and

25 (h) It is therefore necessary, appropriate, and in the best interest
26 of the state to enact this act and thereby create an efficient and
27 transparent process to allow more construction projects to be completed
28 throughout the state."

29

30 Renumber succeeding sections accordingly.

31

32 Page 2, line 2, strike "**add** (16)".

33

34 Page 2, line 3, strike " (c)" and substitute "**amend** (16)".

35

36 Page 2, strike line 5 and substitute:

37

38 **"publications - repeal.** (16) (a) If there are fewer than three
39 bidders on a DESIGN BID BUILD highway project, no award shall be made
40 if the award is more than ten percent over the estimate of the department
41 of transportation on the project; except that, if the estimate of the
42 department on the project is less than one million dollars and there are
43 fewer than three bidders, the executive director may make an award of
44 more than ten percent, but less than twenty-five percent, over the estimate
45 of the department to the low responsible bidder, as defined in section
46 24-103-101 (3), C.R.S.

47 (b) Repealed.

48 (c) (I) NOTWITHSTANDING THE LIMITATIONS SET FORTH".

49

50 Page 2, after line 12 insert:

51

52 "(II) IN ITS ANNUAL PRESENTATION TO THE JOINT COMMITTEES OF
53 REFERENCE OF THE GENERAL ASSEMBLY THAT HAVE JURISDICTION OVER
54 TRANSPORTATION REQUIRED BY SECTION 2-7-203, C.R.S., THE
55 DEPARTMENT SHALL IDENTIFY EACH PROJECT FOR WHICH THE EXECUTIVE
56 DIRECTOR MADE AN AWARD PURSUANT TO SUBPARAGRAPH (I) OF THIS

1 PARAGRAPH (c) AND SHALL EXPLAIN THE REASONS FOR MAKING THE
2 AWARD AND ESTIMATE THE AMOUNT OF COST SAVINGS ACHIEVED BY
3 MAKING THE AWARD.

4 (III) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2018."
5
6
7

8 **HB15-1089** be amended as follows, and as so amended, be referred to
9 the Committee on Finance with favorable
10 recommendation:
11

12 Amend printed bill, page 3, after line 3 insert:
13

14 "(c) A KEI VEHICLE IS NOT A MOTOR VEHICLE."
15

16 Page 3, line 14, after "EXPIRES" insert "THE EARLIER OF ANNUALLY OR"
17

18 Page 3, after line 18 insert:
19

20 "(c) WHEN REGISTERING A KEI VEHICLE, THE OWNER SHALL, IN
21 ACCORDANCE WITH SECTION 42-3-105, SHOW PROOF OF INSURANCE OR
22 SIGN A STATEMENT OF NONUSE."
23

24 Reletter succeeding paragraph accordingly.
25

26 Page 3, line 26, strike "THREE DOLLARS." and substitute "THE SAME AS
27 FOR CLASS C PERSONAL PROPERTY."
28

29 Page 5, line 24, strike "(1)"
30

31 Page 5, line 26, after the period add "THE DEPARTMENT SHALL TRANSFER
32 THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE
33 COLORADO STATE TITLING AND REGISTRATION ACCOUNT CREATED IN
34 SECTION 42-1-211 (2)."
35

36 Page 5, strike line 27.
37

38 Page 6, strike lines 1 through 5.
39

40 Page 8, before line 9 insert:
41

42 **"SECTION 12.** In Colorado Revised Statutes, 42-1-211, **amend**
43 (2) as follows:
44

45 **42-1-211. Colorado state titling and registration system.**

46 (2) There is hereby created the Colorado state titling and registration
47 account in the highway users tax fund for the purpose of providing funds
48 for the development and operation of the Colorado state titling and
49 registration system, including: Operations performed under article 6 of
50 this title; THE REGISTRATION OF KEI VEHICLES; and to cover the costs of
51 administration and enforcement of the motorist insurance identification
52 database program created in section 42-7-604. Moneys received from the
53 fees imposed by section 38-29-138 (1), (2), (4), and (5), C.R.S., and
54 sections 42-1-206 (2) (a), 42-3-107 (22), 42-3-213 (1) (b) (IV), ~~42-6-137~~
55 42-3-315, 42-6-137 (1), (2), (4), (5), and (6), and 42-3-304 (18) (d), as
56 well as any moneys received through gifts, grants, and donations to the
account from private or public sources for the purposes of this section,

1 shall be credited by the state treasurer to the Colorado state titling and
 2 registration account. The general assembly shall appropriate annually the
 3 moneys in the Colorado state titling and registration account for the
 4 purposes of this subsection (2). If any unexpended and unencumbered
 5 moneys remain in the account at the end of a fiscal year, the balance
 6 remains in the fund and is not transferred to the general fund or any other
 7 fund."

8
 9 Renumber succeeding sections accordingly.

10
 11 Page 10, after line 25 insert:

12
 13 **"SECTION 17.** In Colorado Revised Statutes, 33-14.5-101,
 14 **amend** (3) introductory portion, (3) (d), and (3) (g) as follows:

15 **33-14.5-101. Definitions.** As used in this article, unless the
 16 context otherwise requires:

17 (3) "Off-highway vehicle" means ~~any~~ A self-propelled vehicle
 18 ~~which~~ THAT is designed to travel on wheels or tracks in contact with the
 19 ground, ~~which~~ is designed primarily for use off of the public highways,
 20 and ~~which~~ is generally and commonly used ~~to transport persons~~ for
 21 recreational purposes. "Off-highway vehicle" does not include: ~~the~~
 22 ~~following:~~

23 (d) Golf ~~carts~~ CARS;

24 (g) MOTOR vehicles registered ~~pursuant to~~ UNDER article 3 of title
 25 42, C.R.S."

26
 27 Renumber succeeding section accordingly.

28
 29
 30
 31 **PRINTING REPORT**

32
 33 The Chief Clerk reports the following bill has been correctly printed:
 34 **HB15-1211.**

35
 36
 37 **MESSAGE FROM THE SENATE**

38 Madam Speaker:

39
 40 The Senate has passed on Third Reading and transmitted to the Revisor
 41 of Statutes:

42 SB15-044, SB15-108, SB15-112, SB15-143, SB15-144, SB15-145,
 43 SB15-146, SB15-147, SB15-148, SB15-149, SB15-150, SB15-151,
 44 SB15-152, SB15-153, SB15-154, SB15-155, SB15-156, SB15-157,
 45 SB15-158, SB15-160, SB15-162, SB15-163, SB15-164, SB15-165,
 46 SB15-166, SB15-168, SB15-169, and SB15-170.

47
 48 The Senate has passed on Third Reading and transmitted to the Revisor
 49 of Statutes:

50 SB15-060 amended in Special Orders as printed in Senate Journal,
 51 February 4, 2015.

52 SB15-071 amended in Special Orders as printed in Senate Journal,
 53 February 4, 2015.

54 SB15-167 amended in Special Orders as printed in Senate Journal,
 55 February 4, 2015.

56

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
without comment, **SB15-044, 108, 112, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 160, 162, 163, 164, 165, 166, 168, 169 and 170.**
without comment, as amended, **SB15-060, 071, and 167.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Duran the following resolution is laid over until May 10, 2015: **HR15-1005**, Deemed lost.

On motion of Representative Duran, the following bill(s) calendared for General Orders on February 6, will be calendared for General Orders on February 9, 2015: **HB15-1078, 1082.**

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

Approved:
DICKEY LEE HULLINGHORST,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

