

HOUSE JOURNAL
SEVENTIETH GENERAL ASSEMBLY
STATE OF COLORADO
First Regular Session

Thirty-sixth Legislative Day

Wednesday, February 11, 2015

1 Prayer by the Reverend Dr. Cynthia Cearley, Centennial.

2

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

4

5 Pledge of Allegiance led by Candice Rodriquez, Alex Alvarado, Eduardo
6 Rascon, Metropolitan State University, Denver.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) Becker J.--1.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Garnett, the reading of the journal of
17 February 10, 2015, was declared dispensed with and approved as
18 corrected by the Chief Clerk.

19

20

APPOINTMENTS

21

22

23 The Speaker announced the following temporary committee
24 appointments for February 11 only:

25 **Agriculture, Livestock & Natural Resources**

26

Representative Esgar to replace Representative Danielson

27

Representative DelGrosso to replace Representative Becker J.

28

28 **Transportation & Energy**

29

Representative Sias to replace Representative Becker J.

30

31

32

33 On motion of Representative Moreno, the House resolved itself into
34 Committee of the Whole for consideration of General Orders, and he was
35 called to the Chair to act as Chairman.

36

37

GENERAL ORDERS--SECOND READING OF BILLS

38

39

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

- 1 (Amendments to the committee amendment are to the printed committee
2 report which was printed and placed in the members' bill file.)
3
- 4 **SB15-143** by Senator(s) Lambert, Grantham, Steadman; also
5 Representative(s) Hamner, Young, Rankin--Concerning a
6 supplemental appropriation to the department of
7 agriculture.
8
- 9 Ordered revised and placed on the Calendar for Third Reading and Final
10 Passage.
11
- 12 **SB15-144** by Senator(s) Lambert, Grantham, Steadman; also
13 Representative(s) Hamner, Young, Rankin--Concerning a
14 supplemental appropriation to the department of
15 corrections.
16
- 17 Ordered revised and placed on the Calendar for Third Reading and Final
18 Passage.
19
- 20
- 21 **SB15-145** by Senator(s) Lambert, Grantham, Steadman; also
22 Representative(s) Hamner, Young, Rankin--Concerning a
23 supplemental appropriation to the department of
24 education.
25
- 26 Ordered revised and placed on the Calendar for Third Reading and Final
27 Passage.
28
- 29
- 30 **SB15-146** by Senator(s) Lambert, Grantham, Steadman; also
31 Representative(s) Hamner, Young, Rankin--Concerning a
32 supplemental appropriation to the offices of the governor,
33 lieutenant governor, and state planning and budgeting.
34
- 35 Ordered revised and placed on the Calendar for Third Reading and Final
36 Passage.
37
- 38
- 39 **SB15-147** by Senator(s) Lambert, Grantham, Steadman; also
40 Representative(s) Hamner, Young, Rankin--Concerning a
41 supplemental appropriation to the department of health
42 care policy and financing.
43
- 44 Ordered revised and placed on the Calendar for Third Reading and Final
45 Passage.
46
- 47 **SB15-148** by Senator(s) Lambert, Grantham, Steadman; also
48 Representative(s) Hamner, Young, Rankin--Concerning a
49 supplemental appropriation to the department of higher
50 education.
51
- 52 Ordered revised and placed on the Calendar for Third Reading and Final
53 Passage.
54

- 1 **SB15-149** by Senator(s) Lambert, Grantham, Steadman; also
2 Representative(s) Hamner, Young, Rankin--Concerning a
3 supplemental appropriation to the department of human
4 services.
5
6 Ordered revised and placed on the Calendar for Third Reading and Final
7 Passage.
8
9 **SB15-150** by Senator(s) Lambert, Grantham, Steadman; also
10 Representative(s) Hamner, Young, Rankin--Concerning a
11 supplemental appropriation to the judicial department.
12
13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.
15
16 **SB15-151** by Senator(s) Lambert, Grantham, Steadman; also
17 Representative(s) Hamner, Young, Rankin--Concerning a
18 supplemental appropriation to the department of labor and
19 employment.
20
21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.
23
24 **SB15-152** by Senator(s) Lambert, Grantham, Steadman; also
25 Representative(s) Hamner, Young, Rankin--Concerning a
26 supplemental appropriation to the department of law.
27
28 Ordered revised and placed on the Calendar for Third Reading and Final
29 Passage.
30
31 **SB15-153** by Senator(s) Lambert, Grantham, Steadman; also
32 Representative(s) Hamner, Young, Rankin--Concerning a
33 supplemental appropriation to the department of
34 legislature.
35
36 Ordered revised and placed on the Calendar for Third Reading and Final
37 Passage.
38
39 **SB15-154** by Senator(s) Lambert, Grantham, Steadman; also
40 Representative(s) Hamner, Young, Rankin--Concerning a
41 supplemental appropriation to the department of local
42 affairs.
43
44 Ordered revised and placed on the Calendar for Third Reading and Final
45 Passage.
46
47 **SB15-155** by Senator(s) Lambert, Grantham, Steadman; also
48 Representative(s) Hamner, Young, Rankin--Concerning a
49 supplemental appropriation to the department of military
50 and veterans affairs.
51
52 Ordered revised and placed on the Calendar for Third Reading and Final
53 Passage.
54

1 **SB15-156** by Senator(s) Lambert, Grantham, Steadman; also
 2 Representative(s) Hamner, Young, Rankin--Concerning a
 3 supplemental appropriation to the department of natural
 4 resources.

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

8
 9 **SB15-157** by Senator(s) Lambert, Grantham, Steadman; also
 10 Representative(s) Hamner, Young, Rankin--Concerning a
 11 supplemental appropriation to the department of
 12 personnel.

13
 14 Ordered revised and placed on the Calendar for Third Reading and Final
 15 Passage.

16
 17 **SB15-158** by Senator(s) Lambert, Grantham, Steadman; also
 18 Representative(s) Hamner, Young, Rankin--Concerning a
 19 supplemental appropriation to the department of public
 20 health and environment.

21
 22 Ordered revised and placed on the Calendar for Third Reading and Final
 23 Passage.

24
 25 **SB15-159** by Senator(s) Lambert, Grantham, Steadman; also
 26 Representative(s) Hamner, Young, Rankin--Concerning a
 27 supplemental appropriation to the department of public
 28 safety.

29
 30 Amendment No. 1, moved by Representative(s) Court.

31
 32 Amend reengrossed bill, page 27, line 8, in the ITEM & SUBTOTAL
 33 column strike "9,799,940" and substitute "~~9,799,940~~" and in the CASH
 34 FUNDS column strike "174,719^a" and substitute "~~174,719^a~~".

35
 36 Page 27, after line 8 insert:

	ITEM & SUBTOTAL	CASH FUNDS
	\$	\$
	"10,124,134	498,913 ^a ".

42
 43 Page 27, line 10, in the CASH FUNDS column strike "1,726,857^a" and
 44 substitute "~~1,726,857^a~~".

45
 46 Page 27, line 11, in the ITEM & SUBTOTAL column strike
 47 "11,599,815" and substitute "11,644,944" and in the CASH FUNDS
 48 column insert "1,771,986^a".

49
 50 Adjust affected totals accordingly.

51 Page 28, line 6, strike "These amounts" and substitute "OF THESE
 52 AMOUNTS, \$1,901,576" and strike "C.R.S." and substitute "C.R.S., AND
 53 \$369,323 SHALL BE FROM VARIOUS SOURCES.".

54
 55 As amended, ordered revised and placed on the Calendar for Third
 56 Reading and Final Passage.

- 1 **SB15-160** by Senator(s) Lambert, Grantham, Steadman; also
2 Representative(s) Hamner, Young, Rankin--Concerning a
3 supplemental appropriation to the department of regulatory
4 agencies.
5
6 Ordered revised and placed on the Calendar for Third Reading and Final
7 Passage.
8
9 **SB15-162** by Senator(s) Lambert, Grantham, Steadman; also
10 Representative(s) Hamner, Young, Rankin--Concerning a
11 supplemental appropriation to the department of state.
12
13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.
15
16 **SB15-163** by Senator(s) Lambert, Grantham, Steadman; also
17 Representative(s) Hamner, Young, Rankin--Concerning a
18 supplemental appropriation to the department of
19 transportation.
20
21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.
23
24 **SB15-164** by Senator(s) Lambert, Grantham, Steadman; also
25 Representative(s) Hamner, Young, Rankin--Concerning a
26 supplemental appropriation to the department of the
27 treasury.
28
29 Ordered revised and placed on the Calendar for Third Reading and Final
30 Passage.
31
32 **SB15-165** by Senator(s) Lambert, Grantham, Steadman; also
33 Representative(s) Hamner, Young, Rankin--Concerning
34 funding for capital construction, and making supplemental
35 appropriations in connection therewith.
36
37 Amendment No. 1, by Representative(s) Hamner.
38
39 Amend reengrossed bill, page 5, line 4, in the ITEM & SUBTOTAL
40 column strike "13,647,119" and substitute "8,933,876" and in the
41 REAPPROPRIATED FUNDS column strike "12,140,780^a" and substitute
42 "7,427,537^a".
43
44 Adjust affected totals accordingly.
45
46 As amended, ordered revised and placed on the Calendar for Third
47 Reading and Final Passage.
48
49 **SB15-166** by Senator(s) Steadman, Grantham, Lambert; also
50 Representative(s) Hamner, Young, Rankin--Concerning
51 adjustments in the amount of total program funding for
52 public schools for the 2014-15 budget year, and, in
53 connection therewith, reducing an appropriation.
54

1 Amendment No. 1, Appropriations Report, dated February 10, 2015, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 10, 2015.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB15-167** by Senator(s) Steadman, Grantham, Lambert; also
9 Representative(s) Rankin, Hamner, Young--Concerning a
10 modification in the moneys available to certain
11 departments for the 2014-15 fiscal year for programs that
12 the general assembly funded in 2014 from state moneys
13 collected in connection with the legal marijuana industry.

14
15 Ordered revised and placed on the Calendar for Third Reading and Final
16 Passage.

17
18 **SB15-168** by Senator(s) Lambert, Grantham, Steadman; also
19 Representative(s) Hamner, Young, Rankin--Concerning a
20 transfer from the intellectual and developmental
21 disabilities services cash fund to the general fund for the
22 2014-15 state fiscal year.

23
24 Ordered revised and placed on the Calendar for Third Reading and Final
25 Passage.

26
27 **SB15-169** by Senator(s) Lambert, Grantham, Steadman; also
28 Representative(s) Hamner, Young, Rankin--Concerning a
29 transfer from the department of public safety's account in
30 the state employee reserve fund to the general fund for the
31 2014-15 state fiscal year.

32
33 Ordered revised and placed on the Calendar for Third Reading and Final
34 Passage.

35
36
37 **SB15-170** by Senator(s) Grantham, Lambert, Steadman; also
38 Representative(s) Young, Hamner, Rankin--Concerning a
39 transfer from the general fund to the capital construction
40 fund for the 2014-15 state fiscal year.

41
42 Ordered revised and placed on the Calendar for Third Reading and Final
43 Passage.

44
45
46 **SB15-112** by Senator(s) Steadman, Grantham, Lambert; also
47 Representative(s) Rankin, Hamner, Young--Concerning
48 the transfer of moneys from the general fund to the
49 building regulation fund.

50
51 Ordered revised and placed on the Calendar for Third Reading and Final
52 Passage.

53

1 **SB15-108** by Senator(s) Steadman, Grantham, Lambert; also
 2 Representative(s) Hamner, Young, Rankin--Concerning
 3 the direct appropriation of moneys for certain programs in
 4 the department of education.

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

8
 9
 10
 11 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

12
 13 Passed Second Reading: **SB15-143, 144, 145, 146, 147, 148, 149, 150,**
 14 **151, 152, 153, 154, 155, 156, 157, 158, 159 amended, 160, 162, 163,**
 15 **164, 165 amended, 166 amended, 167, 168, 169,170, 112, 108.**

16
 17 The Chairman moved the adoption of the Committee of the Whole
 18 Report. As shown by the following roll call vote, a majority of those
 19 elected to the House voted in the affirmative, and the Report was
 20 **adopted.**

21

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

40
 41
 42
 43 House in recess. House reconvened.

44
 45
 46
 47 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

48
 49 **BUSINESS AFFAIRS & LABOR**

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

52
 53 **HB15-1192** be amended as follows, and as so amended, be referred to
 54 the Committee of the Whole with favorable
 55 recommendation:
 56

1 Amend printed bill, page 2, strike line 17 and substitute "TO SECTION
2 12-47-402 (2) OR (6);
3 (VIII) BEER WHOLESALER THAT OPERATES A SALES ROOM
4 PURSUANT TO SECTION 12-47-406 (1) (b) (I); OR".

5
6 Renumber succeeding subparagraph accordingly.

7
8 Page 3, line 1, after "MANUFACTURER" insert "OR BEER WHOLESALER".

9
10 Page 3, line 7, after "MANUFACTURER" insert "OR BEER WHOLESALER".

11
12
13
14

15 **JUDICIARY**

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

18

19 **HB15-1094** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22

23 Amend printed bill, page 2, line 20, after "OFFENDER" insert "AND
24 PARTICIPATING VICTIMS, IF PRACTICABLE,".

25

26 Page 3, strike line 26 and substitute "(3) (b) (II) and (3) (b) (III) (A); and
27 **add** (3) (b) (II.5), (3) (b) (III) (C), and (3) (b) (III) (D) as follows:".

28

29 Page 4, after line 2 insert:

30

31 "(II) Has not been previously adjudicated for an offense that
32 would be a felony if committed by an adult; ~~and has not previously~~
33 ~~participated in the pilot project established by this section; and~~ EXCEPT
34 THAT THE DISTRICT ATTORNEY MAY WAIVE THIS FIRST-TIME OFFENDER
35 QUALIFICATION.

36 (II.5) HAS NOT PREVIOUSLY PARTICIPATED IN THE PILOT PROJECT
37 ESTABLISHED BY THIS SECTION; AND".

38

39 Page 4, strike lines 7 through 11 and substitute:

40

41 "(C) A PETTY OFFENSE IF CHARGED AGAINST AN ADULT; OR
42 (D) A MUNICIPAL OFFENSE IF CHARGED AGAINST AN ADULT,
43 INCLUDING WHEN THE CITING OR ARRESTING LAW ENFORCEMENT AGENCY
44 DIRECTLY DIVERTS THE JUVENILE TO A RESTORATIVE JUSTICE PILOT
45 PROJECT SITE.".

46

47

48

49

50 **PUBLIC HEALTH CARE & HUMAN SERVICES**

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

53

54 **HB15-1106** be referred to the Committee of the Whole with favorable
55 recommendation.

56

1 **HB15-1144** 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 3, line 5, before "PLASTIC" insert "SOLID".
6

7
8
9
10 **PRINTING REPORT**

11
12 The Chief Clerk reports the following bills have been correctly printed:
13 **HB15-1214, 1215, 1216, 1217, 1218, 1219.**
14

15
16
17 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

18
19 The Speaker has signed: **HJR15-1006, 1007, 1008, 1010, 1011;**
20 **SB15-035, 098.**
21

22
23 **MESSAGE FROM THE SENATE**

24
25 Madam Speaker:

26
27 The Senate has passed on Third Reading and transmitted to the Revisor
28 of Statutes:

29
30 SB15-055 amended in General Orders as printed in Senate Journal,
31 February 10, 2015.

32 SB15-074 amended in General Orders as printed in Senate Journal,
33 February 10, 2015.
34

35
36
37 **MESSAGE(S) FROM THE REVISOR**

38
39 We herewith transmit:
40 without comment, as amended, **SB15-055 and 074.**
41
42

43
44
45 **LAY OVER OF CALENDAR ITEM(S)**

46
47 On motion of Representative Duran, the following item(s) on the
48 Calendar was laid over until February 13, retaining place on Calendar:
49

50
51 Consideration of Senate Amendment(s)--**HJR15-1009.**
52
53
54
55

1 On motion of Representative Duran, the House adjourned until 9:00 a.m.,
2 February 12, 2015.

3

4

5

6

7

8

9

Approved:

DICKEY LEE HULLINGHORST,
Speaker

Attest:

MARILYN EDDINS,

Chief Clerk