

**HOUSE JOURNAL**  
**SIXTY-EIGHTH GENERAL ASSEMBLY**  
**STATE OF COLORADO**  
**First Regular Session**

Twenty-first Legislative Day

Tuesday, February 1, 2011

1 Prayer by the Reverend Jude Delhierro, Confluence Ministries, Denver.

2

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

4

5 Pledge of Allegiance led by Kyle Green, University of Colorado, Denver.

6

7 The roll was called with the following result:

8

9 Present--57.

10 Excused--Representative(s) Casso, Conti, Hullinghorst, Kerr A.,

11 Labuda, Miklosi, Todd, Wilson--8.

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

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Brown, the reading of the journal of  
18 January 31, 2011, was declared dispensed with and approved as corrected  
19 by the Chief Clerk.

20

21

22

**MESSAGE(S) FROM THE SENATE**

23

24  
25 The Senate has adopted and returns herewith: HJR11-1007, amended as  
26 printed in Senate Journal, January 31, 2011, page 78.

27

28

29

**CONSIDERATION OF SENATE AMENDMENTS  
TO HOUSE RESOLUTION**

30

31  
32  
33 On motion of Representative Stephens, the rules were suspended for  
34 immediate consideration of Senate amendments to HJR11-1007.

35

36 **HJR11-1007** by Representative(s) DelGrosso; also Senator(s) Johnston-  
37 -Concerning the certification by the general assembly of  
38 its estimate of state general fund revenues and allowable  
39 state general fund appropriations for the 2011-12 fiscal  
40 year.

41

42 (Amended as printed in Senate Journal, January 31, 2011, page 78.)

43

1 Representative DelGrosso moved that the House **not concur** in Senate  
 2 amendments and that a Conference Committee be appointed. The motion  
 3 was declared **passed** by the following roll call vote:

	YES	55	NO	3	EXCUSED	7	ABSENT	0
6	Acree	Y	Fischer	N	Liston	Y	Scott	Y
7	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
8	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
9	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
10	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
11	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
12	Bradford	Y	Hullinghorst	E	Murray	Y	Swalm	Y
13	Brown	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
14	Casso	E	Joshi	Y	Pabon	Y	Szabo	Y
15	Conti	E	Kagan	Y	Pace	Y	Todd	E
16	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
17	Court	Y	Kerr A.	E	Priola	Y	Vaad	Y
18	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
19	Duran	Y	Labuda	E	Riesberg	Y	Waller	Y
20	Ferrandino	Y	Lee	Y	Ryden	N	Williams A.	Y
21	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	E
22							Speaker	Y

23 The Speaker appointed Representatives DelGrosso, Chairman, Gerou and  
 24 Ferrandino as House conferees to the resolution.

## 27 28 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

### 29 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

30 After consideration on the merits, the Committee recommends the  
 31 following:  
 32

33  
 34 **HB11-1005** be amended as follows, and as so amended, be referred to  
 35 the Committee on Finance with favorable  
 36 recommendation:  
 37

38 Amend printed bill, page 2, strike lines 18 through 25.

39  
 40 Page 3, strike lines 1 through 23.

41  
 42 Renumber succeeding sections accordingly.  
 43  
 44  
 45

46 **HB11-1062** be postponed indefinitely.  
 47  
 48

49 **HB11-1081** be referred favorably to the Committee on Finance.  
 50  
 51

52 **HJR11-1008** be referred out for final action.  
 53  
 54  
 55  
 56

1 **EDUCATION**

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

4  
5 **HB11-1089** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 2, line 20, after "(11)", insert "(a)".

10  
11 Page 3, after line 4, insert:

12  
13 "(b) A CHARTER SCHOOL THAT APPLIES FOR A GRANT PURSUANT  
14 TO THIS SUBSECTION (11) SHALL PROVIDE TO ITS AUTHORIZING DISTRICT:

15  
16 (I) A COPY OF THE GRANT APPLICATION AT THE TIME THE  
17 APPLICATION IS SUBMITTED TO THE GRANT MAKER;

18  
19 (II) NOTICE THAT THE CHARTER SCHOOL DID OR DID NOT RECEIVE  
20 THE GRANT MONEYS; AND

21  
22 (III) IF THE CHARTER SCHOOL RECEIVES THE GRANT MONEYS, A  
23 SUMMARY OF THE GRANT REQUIREMENTS, A SUMMARY OF HOW THE  
24 CHARTER SCHOOL IS USING THE GRANT MONEYS, AND PERIODIC REPORTS  
25 ON THE CHARTER SCHOOL'S PROGRESS IN MEETING THE GOALS OF THE  
26 GRANT AS STATED IN ITS APPLICATION."

27  
28  
29  
30  
31 **LOCAL GOVERNMENT**

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

34  
35 **HB11-1047** be postponed indefinitely.

36  
37  
38 **HB11-1113** be amended as follows, and as so amended, be referred to  
39 the Committee of the Whole with favorable  
40 recommendation:

41  
42 Amend printed bill, page 2, line 17, strike "SITE" and substitute "SITE, IF  
43 ANY,".

44  
45  
46  
47 **MESSAGE(S) FROM THE SENATE**

48  
49 The Senate has adopted and transmits herewith: SJR11-007.

50  
51  
52 The Senate has passed on Third Reading and transmits to the Revisor of  
53 Statutes: SB11-029.

54  
55 The Senate has passed on Third Reading and transmits to the Revisor of  
56 Statutes:

1 SB11-024 As amended in General Orders as printed in Senate Journal,  
2 January 28, 2011, pages 72-73.  
3  
4

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5  
6 **MESSAGE(S) FROM THE REVISOR**  
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8 We herewith transmit:  
9 Without comment, SB11-029.  
10 Without comment, as amended, SB11-024.  
11

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12  
13 **INTRODUCTION OF BILLS**  
14 **First Reading**  
15

16  
17 The following bills were read by title and referred to the committees  
18 indicated:  
19

20 **HB11-1159** by Representative(s) Coram; also Senator(s) Schwartz--  
21 Concerning a requirement that the commissioner of  
22 agriculture license grain protein analyzers prior to  
23 commercial use, and, in connection therewith, exempting  
24 grain protein analyzers from the requirement that a  
25 certificate of conformance be issued prior to use for  
26 commercial or law enforcement purposes.  
27 Committee on Agriculture, Livestock, & Natural Resources  
28

29 **HB11-1160** by Representative(s) Gerou--Concerning the  
30 establishment of a green building incentive pilot program  
31 administered by the governor's energy office to incentivize  
32 the making of energy efficiency improvements to existing  
33 residences with current home energy ratings below  
34 minimum standards for people who purchase highly  
35 efficient new residential construction.  
36 Committee on Local Government  
37

38 **HB11-1161** by Representative(s) Gerou, Becker, Ferrandino; also  
39 Senator(s) Hodge, Steadman, Lambert--Concerning the  
40 extension through the 2011-12 fiscal year of authorization  
41 for the use of highway users tax fund moneys to fund  
42 driver and vehicle services within the division of motor  
43 vehicles of the department of revenue.  
44 Committee on Transportation  
45

46 **HB11-1162** by Representative(s) Balmer--Concerning the  
47 reinstatement of the state sales and use tax exemption for  
48 soft drinks.  
49 Committee on Finance  
50

51 **HB11-1163** by Representative(s) Vaad; also Senator(s) Tochtrop--  
52 Concerning the issuance by the department of  
53 transportation of permits for the movement of super loads  
54 on the highways.  
55 Committee on Transportation  
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