

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

Thirty-first Legislative Day

Friday, February 11, 2011

1 Prayer by Pastor Jim Brummett, Southwest First Assembly of God,  
2 Lakewood.

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

5  
6 Pledge of Allegiance led by Breanna Hewitt from University of Colorado.

7  
8 The roll was called with the following result:

9  
10 Present--63.

11 Excused--Representative(s) McKinley, Swalm--2.

12  
13 The Speaker declared a quorum present.

14 \_\_\_\_\_  
15  
16 On motion of Representative Conti, the reading of the journal of  
17 February 10, 2011, was declared dispensed with and approved as  
18 corrected by the Chief Clerk.

19 \_\_\_\_\_  
20

21  
22 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

23  
24 **APPROPRIATIONS**

25 After consideration on the merits, the Committee recommends the  
26 following:

27  
28 **HB11-1002** be amended as follows, and as so amended, be referred to  
29 the Committee of the Whole with favorable  
30 recommendation:

31  
32 Amend printed bill, page 5, after line 6 insert:

33  
34 **"SECTION 5. Appropriation.** In addition to any other  
35 appropriation, there is hereby appropriated to the Governor-Lieutenant  
36 Governor-office of state planning and budgeting, for allocation to the  
37 office of information technology, for the fiscal year beginning July 1,  
38 2011, the sum of fifty-four thousand five hundred thirty-eight dollars  
39 (\$54,538), or so much thereof as may be necessary, for computer  
40 programming services related to the implementation of this act. Said sum  
41 shall be from reappropriated funds received from the department of  
42 transportation."  
43

1 Renumber succeeding section accordingly.  
 2  
 3 Page 1, line 102, strike "INFORMATION." and substitute "INFORMATION,  
 4 AND MAKING AN APPROPRIATION THEREFOR."  
 5  
 6  
 7  
 8 **HB11-1033** be amended as follows, and as so amended, be referred to  
 9 the Committee of the Whole with favorable  
 10 recommendation:

11  
 12 Amend printed bill, page 3, after line 1 insert:

13  
 14 **"SECTION 2. Appropriation - adjustments in long bill.** For  
 15 the implementation of this act, the cash funds appropriation made in the  
 16 annual general appropriation act for the fiscal year beginning July 1,  
 17 2011, to the department of regulatory agencies, division of insurance, for  
 18 operating expenses, is decreased by five thousand three hundred thirty-  
 19 three dollars (\$5,333)."  
 20

21 Renumber succeeding sections accordingly.  
 22  
 23  
 24  
 25

26 **ECONOMIC & BUSINESS DEVELOPMENT**

27 After consideration on the merits, the Committee recommends the  
 28 following:  
 29

30 **HB11-1026** be amended as follows, and as so amended, be referred to  
 31 the Committee on Appropriations with favorable  
 32 recommendation:  
 33

34 Amend printed bill, strike everything below the enacting clause and  
 35 substitute:  
 36

37 **"SECTION 1.** Article 8 of title 25, Colorado Revised Statutes, is  
 38 amended BY THE ADDITION OF A NEW PART to read:  
 39

40 **PART 8**  
 41 **STORM WATER MANAGEMENT SYSTEM**  
 42 **ADMINISTRATORS**  
 43

44 **25-8-801. Legislative declaration.** (1) THE GENERAL ASSEMBLY  
 45 FINDS, DETERMINES, AND DECLARES THAT:  
 46

47 (a) THE FEDERAL ACT REQUIRES CONSTRUCTION PROJECT OWNERS  
 48 AND CONTRACTORS TO CONTROL THE DISCHARGE OF POLLUTANTS  
 49 RELATED TO STORM WATER RUNOFF AND EROSION DISCHARGED FROM A  
 50 CONSTRUCTION SITE;  
 51

52 (b) THE DEPARTMENT IS THE AUTHORIZED PERMITTING AUTHORITY  
 53 FOR THE NPDES SYSTEM FOR MOST AREAS WITHIN COLORADO AND,  
 54 UNDER THAT AUTHORITY, ISSUES STORM WATER DISCHARGE PERMITS TO  
 55 MS4S, FACILITY OPERATORS, AND CONSTRUCTION SITE OPERATORS;  
 56

1 (c) IN TIGHT BUDGETARY TIMES, WHEN THERE ARE INSUFFICIENT  
2 RESOURCES FOR COMPLIANCE ASSURANCE AND ASSISTANCE PROGRAMS TO  
3 BE ADEQUATELY IMPLEMENTED BY THE REGULATORY AGENCIES, STATE  
4 AND MS4 REGULATORS MUST LOOK FOR INNOVATIVE WAYS TO  
5 ENCOURAGE INDUSTRY TO ACHIEVE THE GOALS OF THE NPDES;  
6

7 (d) THE CONSTRUCTION INDUSTRY HAS DEVELOPED AN  
8 INNOVATIVE PROGRAM TO PROVIDE COMPLIANCE ASSISTANCE AND TO  
9 MONITOR AND AUDIT ITSELF TO MEASURE AND FACILITATE COMPLIANCE  
10 IMPROVEMENTS;  
11

12 (e) FORMAL DEPARTMENT RECOGNITION OF AN ENVIRONMENTAL  
13 MANAGEMENT SYSTEM-BASED INDUSTRY SELF-AUDIT PROGRAM SUCH AS  
14 A STORM WATER MANAGEMENT SYSTEM ADMINISTRATOR IS NEEDED TO  
15 FACILITATE EFFECTIVE PLANNING AND ENCOURAGE INCREASED PROGRAM  
16 PARTICIPATION.  
17

18 **25-8-802. Definitions.** AS USED IN THIS PART 8, UNLESS THE  
19 CONTEXT OTHERWISE REQUIRES:  
20

21 (1) "ADMINISTRATOR" OR "STORM WATER MANAGEMENT SYSTEM  
22 ADMINISTRATOR" MEANS A NONPROFIT ENTITY DESIGNATED BY THE  
23 DEPARTMENT TO CONDUCT THE ACTIVITIES REQUIRED UNDER SECTION  
24 25-8-803.  
25

26 (2) "CDPS" MEANS THE COLORADO DISCHARGE PERMIT SYSTEM.  
27

28 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH  
29 AND ENVIRONMENT.  
30

31 (4) "MS4" MEANS A MUNICIPAL SEPARATE STORM SEWER SYSTEM.  
32

33 (5) "MS4 REGULATOR" MEANS A GOVERNMENTAL ENTITY WITH  
34 CDPS PERMIT RESPONSIBILITIES FOR DISCHARGES FROM AN MS4.  
35

36 (6) "NPDES" MEANS THE NATIONAL POLLUTANT DISCHARGE  
37 ELIMINATION SYSTEM.  
38

39 **25-8-803. Designation of storm water management system**  
40 **administrator.** (1) UPON APPLICATION OF A QUALIFIED ENTITY IN SUCH  
41 FORM AS THE DEPARTMENT MAY REQUIRE, AND UPON THE DEPARTMENT'S  
42 APPROVAL OF THE APPLICATION, THE DEPARTMENT SHALL DESIGNATE ONE  
43 OR MORE STORM WATER MANAGEMENT SYSTEM ADMINISTRATORS THAT  
44 MEET THE CRITERIA OF THIS SECTION. A STORM WATER MANAGEMENT  
45 SYSTEM ADMINISTRATOR SHALL OPERATE AS A NONPROFIT ENTITY. ANY  
46 ADMINISTRATOR APPLICANT TO THE DEPARTMENT MUST DEMONSTRATE ITS  
47 ABILITY TO IMPLEMENT A STANDARDIZED CDPS STORM WATER  
48 CONSTRUCTION GENERAL PERMIT COMPLIANCE ASSISTANCE AND  
49 ASSURANCE PROGRAM. FURTHER, THE APPLICANT MUST REASONABLY  
50 DEMONSTRATE TO THE SATISFACTION OF THE DEPARTMENT THAT THE  
51 PROGRAM CONTAINS PROCESSES, PROCEDURES, AND ASSOCIATED  
52 TRAINING FOR PARTICIPANTS THAT, WHEN FULLY IMPLEMENTED, WOULD  
53 RESULT IN FULL COMPLIANCE WITH THE STORM WATER CONSTRUCTION  
54 GENERAL PERMIT ON EACH OF THE PARTICIPANTS' PERMITTED  
55 CONSTRUCTION PROJECTS.  
56

- 1 (2) (a) A STORM WATER MANAGEMENT SYSTEM ADMINISTRATOR  
2 MUST BE ABLE TO REASONABLY DEMONSTRATE TO THE DEPARTMENT THE  
3 ABILITY TO ASSIST ITS PARTICIPATING CONTRACTOR AND OWNER MEMBERS  
4 TO MEET ALL OF THE REQUIREMENTS OF A CONSTRUCTION DISCHARGE  
5 PERMIT, INCLUDING:  
6
- 7 (I) MAINTAINING A QUALIFIED PERMIT COMPLIANCE MANAGER IN  
8 ACCORDANCE WITH THE TERMS OF THE PARTICIPANT'S DISCHARGE PERMIT;  
9
- 10 (II) MAINTAINING COMPLETE AND UPDATED PERMIT  
11 DOCUMENTATION AVAILABLE FOR INSPECTION BY REGULATORS ON THE  
12 ACTIVE, PERMITTED SITE;  
13
- 14 (III) COMPLETING ESTABLISHED MINIMUM REQUIREMENTS OF THE  
15 STORM WATER MANAGEMENT SYSTEM FOR TRAINING TO MAINTAIN PERMIT  
16 COMPLIANCE MANAGER STATUS;  
17
- 18 (IV) COMPLYING WITH LOCAL MS4 PERMIT REQUIREMENTS; AND  
19
- 20 (V) DEMONSTRATING THAT THIRD-PARTY INSPECTORS  
21 CONDUCTING SELF-AUDITS UNDER AN ADMINISTRATOR'S PROGRAM ARE  
22 QUALIFIED AND ARE INSPECTING IN ACCORDANCE WITH THE STANDARDS  
23 OF THE STATE AND MS4 CONSTRUCTION PERMITS.  
24
- 25 (b) AN APPLICANT FOR DESIGNATION AS A STORM WATER  
26 MANAGEMENT SYSTEM ADMINISTRATOR MUST DEMONSTRATE TO THE  
27 DEPARTMENT AT LEAST ONE YEAR OF FULL PROGRAM IMPLEMENTATION,  
28 ADMINISTRATION, AND RECORD-KEEPING THAT MEETS ALL OF THE  
29 REQUIREMENTS OF PARAGRAPH (a) OF THIS SUBSECTION (2).  
30
- 31 (3) (a) THE DEPARTMENT SHALL REQUIRE THAT THE STORM WATER  
32 MANAGEMENT SYSTEM ADMINISTRATOR REQUIRE MONTHLY THIRD-PARTY  
33 AUDITS OF ALL PROGRAM PARTICIPANTS' PERMITTED CONSTRUCTION  
34 PROJECTS TO BE PERFORMED USING STANDARDIZED,  
35 DEPARTMENT-APPROVED INSPECTION REPORTING FORMS AND  
36 PROCEDURES.  
37
- 38 (b) THE STORM WATER MANAGEMENT SYSTEM ADMINISTRATOR  
39 SHALL WORK WITH THE DEPARTMENT TO ESTABLISH REPORTING  
40 REQUIREMENTS ACCEPTABLE TO THE DEPARTMENT WHICH WOULD ALLOW  
41 PARTICIPANTS IN THE ADMINISTRATOR'S PROGRAM TO PARTICIPATE IN  
42 ENVIRONMENTAL PERFORMANCE RECOGNITION PROGRAMS, INCLUDING  
43 THE DEPARTMENT'S ENVIRONMENTAL LEADERSHIP PROGRAM.  
44
- 45 (4) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OR THE  
46 EXECUTIVE DIRECTOR'S DESIGNEE MAY SERVE AS A MEMBER OF THE  
47 GOVERNING BODY OF EACH STORM WATER MANAGEMENT SYSTEM  
48 ADMINISTRATOR.  
49
- 50 (5) (a) AFTER PROVIDING WRITTEN NOTICE OUTLINING THE  
51 DEFICIENCIES OF A STORM WATER MANAGEMENT SYSTEM  
52 ADMINISTRATOR'S PROGRAMS AND GIVING THE ADMINISTRATOR SIXTY  
53 DAYS TO CURE THOSE DEFICIENCIES, THE DEPARTMENT MAY REVOKE THE  
54 DESIGNATION OF A STORM WATER MANAGEMENT SYSTEM ADMINISTRATOR.  
55

1 (b) THE DEPARTMENT MAY ALSO REVOKE THE DESIGNATION OF A  
2 STORM WATER MANAGEMENT SYSTEM ADMINISTRATOR FOR REPEATED  
3 FAILURE TO CURE THE SAME DEFICIENCIES IF THE DEPARTMENT MEETS THE  
4 NOTICE REQUIREMENTS OF PARAGRAPH (a) OF THIS SUBSECTION (5).

5  
6 (6) THE DISCLOSURE OF A PARTICIPANT'S SUMMARY OF SELF-AUDIT  
7 PERFORMANCE RESULTS TO A STORM WATER MANAGEMENT SYSTEM  
8 ADMINISTRATOR IS NOT A DISCLOSURE UNDER SECTIONS 25-1-114.5 AND  
9 13-25-126.5, C.R.S., AND IN NO WAY REDUCES THE RIGHTS AVAILABLE TO  
10 A PARTICIPANT UNDER THOSE SECTIONS.

11  
12 (7) PARTICIPATION IN A STORM WATER MANAGEMENT SYSTEM  
13 ADMINISTRATOR'S PROGRAM BY A HOLDER OF A CONSTRUCTION PERMIT IS  
14 STRICTLY VOLUNTARY.

15  
16 **25-8-804. Storm water management system administrator**  
17 **audits part of MS4 storm water discharge control program.** (1) THE  
18 DEPARTMENT MAY CONSIDER A STORM WATER MANAGEMENT SYSTEM  
19 ADMINISTRATOR'S SELF-AUDIT TO BE PART OF THE MS4 REGULATOR'S  
20 COMPLIANCE OVERSIGHT PROGRAM CONDUCTED IN THE COURSE OF  
21 MEETING THE CDPS REQUIREMENTS FOR DISCHARGE FROM AN MS4 IF THE  
22 MS4 REGULATOR FORMALLY PARTICIPATES IN THE ADMINISTRATOR'S  
23 PROGRAM THAT CONDUCTED THE SELF-AUDIT.

24  
25 (2) AN MS4 REGULATOR MAY PRIORITIZE INSPECTIONS FOR THOSE  
26 NOT PARTICIPATING IN A STORM WATER MANAGEMENT SYSTEM  
27 ADMINISTRATOR'S PROGRAM. THIS PART 8 DOES NOT PREVENT ANY  
28 INSPECTION BY AN MS4 REGULATOR.

29  
30 (3) UPON DEPARTMENT APPROVAL, MS4s VOLUNTARILY  
31 PARTICIPATING IN A STORM WATER MANAGEMENT SYSTEM  
32 ADMINISTRATOR'S PROGRAM MAY CHOOSE TO RELY ON ALL, OR PORTIONS  
33 OF, THE DESIGNATED ADMINISTRATOR'S PROGRAM TO MEET THE MS4'S  
34 OWN PERMIT REQUIREMENTS REGARDING OVERSIGHT OF CONSTRUCTION  
35 SITES WHILE STILL MEETING THE MINIMUM MS4 PERMIT REQUIREMENTS.  
36 AN MS4 MAY CEASE VOLUNTARY RELIANCE ON AN ADMINISTRATOR'S  
37 PROGRAM TO MEET THE MS4'S PERMIT REQUIREMENTS AT ANY TIME IF THE  
38 MS4 GIVES REASONABLE NOTICE OF INTENT TO END SUCH RELIANCE TO  
39 THE DEPARTMENT AND THE ADMINISTRATOR.

40  
41 (4) PARTICIPATION BY AN MS4 IN A STORM WATER MANAGEMENT  
42 SYSTEM ADMINISTRATOR'S PROGRAM IS STRICTLY VOLUNTARY, AND AN  
43 MS4 MAY END ITS PARTICIPATION AT ANY TIME.

44  
45 (5) NOTHING IN THIS PART 8 GIVES A STORM WATER MANAGEMENT  
46 SYSTEM ADMINISTRATOR REGULATORY AUTHORITY OR THE AUTHORITY TO  
47 IMPOSE ANY FINE.

48  
49 (6) NOTHING IN THIS PART 8 LIMITS THE AUTHORITY OF AN MS4 TO  
50 IMPLEMENT AN MS4'S PERMIT AND DOES NOT SUPERSEDE THE MS4'S  
51 REQUIREMENTS.

52  
53 **SECTION 2.** 25-8-608 (1.7) (a) (II) and (1.7) (a) (III), Colorado  
54 Revised Statutes, are amended, and the said 25-8-608 (1.7) is further  
55 amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

56

1           **25-8-608. Civil penalties - rules - fund created.** (1.7) (a) The  
2 department shall expend moneys in the water quality improvement fund  
3 for the following purposes:

4  
5           (II) Providing grants for storm water projects or to assist with  
6 planning, design, construction, or repair of domestic wastewater treatment  
7 works; or

8  
9           (III) Providing the nonfederal match funding for nonpoint source  
10 projects under 33 U.S.C. sec. 1329; OR

11  
12           (IV) PROVIDING GRANTS FOR STORM WATER MANAGEMENT BEST  
13 PRACTICES TRAINING.

14  
15           **SECTION 3. Act subject to petition - effective date -**  
16 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day  
17 following the expiration of the ninety-day period after final adjournment  
18 of the general assembly (August 10, 2011, if adjournment sine die is on  
19 May 11, 2011); except that, if a referendum petition is filed pursuant to  
20 section 1 (3) of article V of the state constitution against this act or an  
21 item, section, or part of this act within such period, then the act, item,  
22 section, or part shall not take effect unless approved by the people at the  
23 general election to be held in November 2012 and shall take effect on the  
24 date of the official declaration of the vote thereon by the governor.

25  
26           (2) The provisions of this act shall apply to the regulation of storm  
27 water on or after the applicable effective date of this act."

28  
29  
30  
31 **HB11-1112** be postponed indefinitely.

32  
33  
34 **HB11-1202** be referred to the Committee of the Whole with favorable  
35 recommendation.

36  
37  
38  
39  
40 **FINANCE**

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

43  
44 **HB11-1177** be amended as follows, and as so amended, be referred to  
45 the Committee of the Whole with favorable  
46 recommendation:

47  
48 Amend printed bill, page 2, line 6, strike "2021," and substitute "2016,".

49  
50  
51  
52 **HB11-1187** be amended as follows, and as so amended, be referred to  
53 the Committee of the Whole with favorable  
54 recommendation:

55  
56 Amend printed bill, page 2, strike lines 2 through 17 and substitute:

1           **"SECTION 1.** Part 2 of article 60 of title 23, Colorado Revised  
2 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
3 read:

4           **23-60-212. Northeastern junior college - golf course and**  
5 **restaurant - positions of employment.** POSITIONS OF EMPLOYMENT FOR  
6 THE OPERATION OF THE GOLF".

7

8

9

10

11 **STATE, VETERANS, & MILITARY AFFAIRS**

12 After consideration on the merits, the Committee recommends the  
13 following:

14

15 **HB11-1012** be postponed indefinitely.

16

17

18 **HB11-1013** be amended as follows, and as so amended, be referred to  
19 the Committee on Appropriations with favorable  
20 recommendation:

21

22 Amend printed bill, page 2, line 5, strike "DIVISION" and substitute  
23 "DIVISION, EXCEPT THE DIVISION OF REAL ESTATE,".

24

25 Page 2, line 14, strike "THE PERIOD OF SERVICE AND FOR" and substitute  
26 "A RENEWAL CYCLE THAT FALLS WITHIN THE PERIOD OF SERVICE OR  
27 WITHIN THE".

28

29

30

31 **HB11-1027** be amended as follows, and as so amended, be referred to  
32 the Committee of the Whole with favorable  
33 recommendation:

34

35 Amend printed bill, page 4, line 11, after "CARE" insert "BENEFITS AND  
36 ANY OTHER".

37

38 Page 4, line 18, after "FROM" insert "THE LOCAL PUBLIC HEALTH AGENCY,"  
39 and strike "AGENCIES" and substitute "AGENCIES,".

40

41 Page 5, line 17, strike "2011," and substitute "2013,".

42

43 Page 5, line 18, strike "FOR USE" and substitute "THAT IS INCLUSIVE,  
44 ACCESSIBLE, AVAILABLE TO ALL CHILD CARE PROVIDERS, EMBEDDED IN  
45 LICENSING, AND REFLECTIVE OF EVIDENCE-BASED PRACTICES FOR  
46 SUCCESSFUL OUTCOMES FOR ALL CHILDREN AND FAMILIES, TO BE USED".

47

48 Page 5, line 19, strike "MEASURE" and substitute "EVALUATE".

49

50 Page 5, line 21, strike "JANUARY 1," and substitute "JUNE 30,".

51

52 Page 5, line 22, before "SHALL" insert "AND THE LOCAL PUBLIC HEALTH  
53 AGENCY".

54

55 Page 5, strike lines 25 through 27 and substitute "QUALITY CHILD CARE  
56 STANDARDS;".

1 Page 6, line 7, strike "IS" and substitute "AND THE LOCAL PUBLIC HEALTH  
2 AGENCY ARE".

3  
4 Page 6, line 24, strike "DONATIONS" and substitute "DONATIONS; FEDERAL  
5 MONEYS;".

6  
7 Page 6, line 27, before "STIPEND" insert "BENEFIT OR".

8  
9 Page 7, line 1, after the second "DEPARTMENT" insert "AND THE LOCAL  
10 PUBLIC HEALTH AGENCY".

11  
12 Page 7, line 6, after "DEPARTMENT" insert "AND THE LOCAL PUBLIC  
13 HEALTH AGENCY".

14  
15

16  
17 **HB11-1067** be postponed indefinitely.

18  
19

20 **HB11-1078** be postponed indefinitely.

21  
22

23 **HB11-1096** be postponed indefinitely.

24  
25

26 **HB11-1117** be amended as follows, and as so amended, be referred to  
27 the Committee of the Whole with favorable  
28 recommendation:

29

30 Amend printed bill, page 2, line 9, after "SUBPOENA" insert "OR THE  
31 ISSUING AGENCY".

32

33 Page 2, line 16, strike "SERVED," and substitute "SERVED PURSUANT TO  
34 RULE 4 OF THE COLORADO RULES OF CIVIL PROCEDURE,".

35

36 Page 2, line 21, strike "SERVED BY REGULAR MAIL" and substitute  
37 "SERVED, PURSUANT TO RULE 5 OF THE COLORADO RULES OF CIVIL  
38 PROCEDURE,".

39

40 Page 3, strike lines 3 through 18 and substitute:

41

42 "(c) AT A SHOW CAUSE HEARING ORDERED BY THE DISTRICT COURT  
43 PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (4), THE COURT SHALL  
44 REVIEW THE ADMINISTRATIVE SUBPOENA AND ANY EVIDENCE PRESENTED  
45 BY THE PARTIES TO DETERMINE COMPLIANCE WITH THE COLORADO RULES  
46 OF CIVIL PROCEDURE. THE SUBPOENAED WITNESS OR PARTY SHALL BEAR  
47 THE BURDEN OF SHOWING GOOD CAUSE AS TO WHY HE OR SHE SHOULD NOT  
48 BE ORDERED TO COMPLY WITH THE ADMINISTRATIVE SUBPOENA.

49

50 (d) IF THE COURT DETERMINES THAT THE SUBPOENAED WITNESS OR  
51 PARTY IS REQUIRED TO COMPLY WITH THE ADMINISTRATIVE SUBPOENA:

52

53 (I) THE DISTRICT COURT SHALL ORDER COMPLIANCE FORTHWITH  
54 AND MAY IMPOSE REMEDIAL AND PUNITIVE FINES, INCLUDING ATTORNEYS'  
55 FEES AND COSTS, FOR THE WITNESS'S OR PARTY'S FAILURE TO COMPLY  
56 WITH THE ADMINISTRATIVE SUBPOENA; AND

1 (II) THE ADMINISTRATIVE LAW JUDGE SHALL SCHEDULE A HEARING  
2 ON THE COMPLAINT TO OCCUR ON A DAY AFTER THE OCCURRENCE OF THE  
3 REQUIRED DEPOSITION AND SUCH OTHER DISCOVERY AS MAY BE  
4 WARRANTED DUE TO SUCH DEPOSITION.  
5

6 (e) IF THE SUBPOENAED WITNESS OR PARTY FAILS TO APPEAR AT  
7 THE SHOW CAUSE HEARING, THE DISTRICT COURT MAY ISSUE A BENCH  
8 WARRANT FOR THE ARREST OF THE SUBPOENAED WITNESS OR PARTY AND  
9 MAY IMPOSE OTHER SANCTIONS PURSUANT TO THE COLORADO RULES OF  
10 CIVIL PROCEDURE." .  
11  
12  
13

14 **HB11-1131** be postponed indefinitely.  
15

16  
17 **HB11-1155** be referred favorably to the Committee on Appropriations.  
18  
19  
20  
21

## 22 **TRANSPORTATION**

23 After consideration on the merits, the Committee recommends the  
24 following:  
25

26 **HB11-1176** be referred to the Committee of the Whole with favorable  
27 recommendation.  
28  
29

---

## 30 **PRINTING REPORT**

31  
32 The Chief Clerk reports the following bill has been correctly printed:  
33 **HB11-1254**.  
34

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## 35 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

36  
37  
38 The Speaker has signed: **HJR11-1009, 1010**.  
39  
40

---

## 41 **INTRODUCTION OF BILLS** 42 **First Reading**

43  
44 The following bills were read by title and referred to the committees  
45 indicated:  
46

47 **HB11-1255** by Representative(s) DelGrosso, Kefalas; also Senator(s)  
48 Schwartz--Concerning alternative energy parks, and, in  
49 connection therewith, authorizing local governments to  
50 apply to the Colorado economic development commission  
51 for approval to create such parks, allowing tax increment  
52 financing and bonding to be used to finance development  
53 within such parks, and providing tax incentives to  
54 taxpayers who invest in or otherwise financially support  
55 such parks.

56 Committee on Finance

1 **HB11-1256** by Representative(s) Waller and Bradford, Balmer, Joshi,  
2 Priola, Summers, Barker, DelGrosso, Gardner B., Murray,  
3 Nikkel, Stephens; also Senator(s) Steadman, Boyd, King  
4 S.--Concerning crimes against an unborn child, and  
5 making an appropriation in connection therewith.

6 Committee on Judiciary  
7

8 **HB11-1257** by Representative(s) Becker, Gerou, Ferrandino; also  
9 Senator(s) Lambert, Hodge, Steadman--Concerning the  
10 state contribution toward the group benefit plan premium  
11 for state employees who work less than full time.

12 Committee on Finance  
13

14 **HB11-1258** by Representative(s) Baumgardner, Casso, Court, Lee,  
15 Liston, Miklosi, Ryden, Schafer S.; also Senator(s)  
16 Newell, Foster, King S.--Concerning forensic autopsies.

17 Committee on Judiciary  
18

19 **HB11-1259** by Representative(s) Gerou and Riesberg; also Senator(s)  
20 Steadman--Concerning extending repeal dates for the  
21 innovative higher education research fund.

22 Committee on Finance  
23

24 **HB11-1260** by Representative(s) DelGrosso; also Senator(s) Jahn--  
25 Concerning the due date for tax installment payments  
26 when the due date falls on a legal federal holiday.

27 Committee on Finance  
28

29  
30

31 **LAY OVER OF CALENDAR ITEM(S)**

32

33 On motion of Representative Stephens, the following item(s) on the  
34 Calendar (was)were laid over until February 14, retaining place on  
35 Calendar:

36

37 Consideration of General Orders---**HB11-1030, 1058, 1083, 1159, 1069,**  
38 **1109, 1148, 1053, 1073.**

39 Consideration of Resolution(s)--**HR11-1005.**  
40

41

42

43

44

45 On motion of Representative Stephens, the House adjourned until  
46 10:00 a.m., February 14, 2011.

47

48

49

50

51

52

Approved:  
FRANK McNULTY,  
Speaker

Attest:

MARILYN EDDINS,

Chief Clerk