

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

Eighty-fifth Legislative Day

Wednesday, April 6, 2011

1 Prayer by Representative Ken Summers.

2

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

4

5 Pledge of Allegiance led by Katie Hart, David Beuse, Kaitlyn Paul from
6 Canyon School, Colorado Springs.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) McKinley--1.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Joshi, the reading of the journal of
17 April 5, 2011, was declared dispensed with and approved as corrected by
18 the Chief Clerk.

19

20

21

22 **THIRD READING OF BILL(S)--FINAL PASSAGE**

23

24 The following bill(s) was(were) considered on Third Reading. The
25 title(s) was(were) publicly read. Reading of the bill at length was
26 dispensed with by unanimous consent.

27

28 **HB11-1196** by Representative(s) Summers; also Senator(s) Foster--
29 Concerning measures to increase flexibility in funding
30 services for families.

31

32 The question being "Shall the bill pass?".

33 A roll call vote was taken. As shown by the following recorded vote, a
34 majority of those elected to the House voted in the affirmative and the
35 bill was declared **passed**.

36

37	YES	64	NO	0	EXCUSED	1	ABSENT	0
38	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
39	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
40	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
41	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
42	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
43	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y

1	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
2	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
3	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
4	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
5	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
6	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
7	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
8	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
9	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
10	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Brown, Fischer, Hamner, Kefalas,
13 Kerr J., Labuda, Massey, Pace, Peniston, Solano, Todd, Tyler, Vigil, Wilson.

14
15 **HB11-1274** by Representative(s) Sonnenberg; also Senator(s)
16 Schwartz--Concerning the funding of Colorado water
17 conservation board projects, and making appropriations in
18 connection therewith.

19
20 The question being "Shall the bill pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative and the bill
23 was declared **passed**.

24	YES	64	NO	0	EXCUSED	1	ABSENT	0
26	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
27	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
28	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
29	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
30	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
31	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
36	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
40	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
41	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Baumgardner, Becker, Brown, Coram,
44 Fischer, Holbert, Labuda, Looper, Nikkel, Pace, Priola, Ryden, Vigil, Wilson.

45
46
47 **HB11-1283** by Representative(s) Gerou and Riesberg, Massey; also
48 Senator(s) Steadman--Concerning the extension of the
49 bioscience discovery evaluation grant program.

50
51 The question being "Shall the bill pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.

55

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
3	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
4	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
5	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
6	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
7	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
8	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
9	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
10	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
11	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
12	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
13	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
14	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
15	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
16	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
17	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Brown, Ferrandino, Fields, Fischer,
 20 Hamner, Hullinghorst, Jones, Joshi, Kefalas, Kerr J., Labuda, Miklosi, Pabon,
 21 Peniston, Ryden, Summers, Todd, Vigil, Wilson, Speaker.

22
 23 **SB11-037** by Senator(s) Heath; also Representative(s) Kerr J.--
 24 Concerning the creation of a world war II special license
 25 plate, and making an appropriation therefor.

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

	YES	62	NO	2	EXCUSED	1	ABSENT	0
33	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
34	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
35	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
36	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
37	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
38	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
39	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
40	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
41	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
42	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
43	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
44	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
45	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
46	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
47	Ferrandino	N	Lee	Y	Ryden	Y	Williams A.	Y
48	Fields	Y	Levy	N	Schafer S.	Y	Wilson	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Acree, Barker, Bradford, Casso, Duran,
 51 Fields, Fischer, Gardner B., Gerou, Hamner, Jones, Massey, Miklosi, Nikkel,
 52 Pabon, Pace, Priola, Ramirez, Schafer S., Sonnenberg, Summers, Todd, Vigil,
 53 Wilson, Speaker.

54
 55

1 **SB11-094** by Senator(s) Boyd, Aguilar, Carroll, Foster, Newell,
 2 White; also Representative(s) Summers--Concerning the
 3 continuation of the state board of optometric examiners,
 4 and, in connection therewith, changing the name of the
 5 board, implementing the sunset review recommendations
 6 of the department of regulatory agencies, and making an
 7 appropriation.
 8

9 The question being "Shall the bill pass?".
 10 A roll call vote was taken. As shown by the following recorded vote, a
 11 majority of those elected to the House voted in the affirmative and the bill
 12 was declared **passed**.
 13

	YES	64	NO	0	EXCUSED	1	ABSENT	0
15	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
16	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
17	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
18	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
19	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
20	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
21	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
22	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
23	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
24	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
25	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
26	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
27	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
28	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
29	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
30	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Fields, Fischer, Hamner, Hullinghorst,
 33 Jones, Kefalas, Kerr J., Labuda, Lee, Liston, Nikkel, Priola, Ryden, Schafer S.,
 34 Todd, Vigil.

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

38 The Senate has adopted and transmits herewith: SJR11- 034.
 39

40
 41 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**
 42

43 On motion of Representative Stephens, the rules were suspended and the
 44 following resolution was given immediate consideration.
 45

46 **SJR11-034** by Senator(s) Grantham; also Representative(s) Barker--
 47 Concerning honoring the contributions of Coloradans and
 48 all Americans to World War I, and, in connection
 49 therewith, recognizing April 6 as "Colorado Veterans of
 50 World War I Day".
 51

52 On motion of Representative Barker, the resolution was **adopted by viva**
 53 **voce** vote.
 54

55 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
 56 Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,

1 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gardner D., Gerou,
2 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
3 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, Miklosi, Murray, Nikkel,
4 Pabon, Pace, Peniston, Priola, Ramirez, Riesberg, Ryden, Schafer S., Scott,
5 Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo,
6 Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Speaker.

7
8
9
10 On motion of Representative Conti, the House resolved itself into
11 Committee of the Whole for consideration of General Orders, and she
12 was called to the Chair to act as Chairman.

13
14
15 **GENERAL ORDERS--SECOND READING OF BILLS**

16
17 The Committee of the Whole having risen, the Chairman reported the
18 titles of the following bills had been read (reading at length had been
19 dispensed with by unanimous consent), the bills considered and action
20 taken thereon as follows:

21
22 (Amendments to the committee amendment are to the printed committee
23 report which was printed and placed in the members' bill file.)

24
25 **HB11-1282** by Representative(s) Gardner B., Kerr J., Liston; also
26 Senator(s) Carroll--Concerning the judicial public access
27 system.

28
29 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
30 March 24, 2011, and placed in member's bill file; Report also printed in
31 House Journal, March 25, pages 770-771.

32
33 Amendment No. 2, by Representative(s) Gardner B.

34
35 Amend printed bill, page 2, line 9, after the period, insert "In addition, it
36 is necessary for the judicial department to maintain its revenue generated
37 from the operation of the public access system to ensure proper
38 dissemination of public judicial information."

39
40 Page 2, line 14, strike "(a)" and substitute "(a) (I)".

41
42 Page 2, after line 18, insert:

43
44 "(II) A DIRECT-PAYING USER WHO REPLICATES THE DATA ON ITS
45 OWN SYSTEM SHALL NOT PROVIDE THE COMPLETE REPLICATED DATA TO
46 ANOTHER PERSON."

47
48 Page 4, line 7, strike "FOUR MEMBERS, TWO OF" and substitute "TWO
49 MEMBERS WHO SHALL BE JUDICIAL DEPARTMENT EMPLOYEES, AND TWO
50 ADVISORY, NONVOTING MEMBERS WHO".

51
52 Page 4, line 8, strike "WHOM".

53
54 Amendment No. 3, by Representative(s) Tyler.

55
56 Amend printed bill, page 2, line 18, strike "SYSTEM." and substitute

1 "SYSTEM IF THE REPLICATED DATA IS AUDITED PURSUANT TO STANDARDS
2 ADOPTED BY THE AMERICAN INSTITUTE OF CERTIFIED PUBLIC
3 ACCOUNTANTS FOR INTERNAL CONTROLS OF A SERVICE ORGANIZATION.".

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

7
8 **HB11-1141** by Representative(s) Holbert, McNulty, Scott, Acree,
9 Balmer, Barker, Baumgardner, Beezley, Bradford, Brown,
10 Conti, Coram, DelGrosso, Gardner B., Joshi, Kerr J.,
11 Liston, Looper, Massey, McKinley, Murray, Nikkel,
12 Priola, Ramirez, Sonnenberg, Stephens, Summers, Szabo,
13 Waller; also Senator(s) Scheffel, Harvey, Cadman,
14 Grantham, King K., King S., Kopp, Lambert, Lundberg,
15 Mitchell, Renfroe--Concerning an economic stimulus
16 through a property tax exemption for business personal
17 property.

18
19 Amendment No. 1, Finance, dated March 10, 2011, and placed in
20 member's bill file; Report also printed in House Journal, March 11,
21 page 623.

22
23 Amendment No. 2, by Representative(s) Becker.

24
25 Amend printed bill, page 2, after line 22 insert:

26
27 **"SECTION 3. No appropriation.** The general assembly has
28 determined that this act can be implemented within existing
29 appropriations, and therefore no separate appropriation of state moneys
30 is necessary to carry out the purposes of this act.".

31
32 Renumber succeeding section accordingly.

33
34 Amendment No. 3, by Representative(s) Tyler.

35
36 Amend printed bill, page 2, after line 13 insert:

37
38 "(2.5) THE EXEMPTION SET FORTH IN SUBSECTION (2) OF THIS
39 SECTION SHALL NOT APPLY TO BUSINESS PERSONAL PROPERTY THAT IS
40 SOLD AND LEASED-BACK BY THE SAME TAXPAYER.".

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.

44 (For change in action, see Amendments to Report, page 877.)

45
46 **SB11-063** by Senator(s) Giron and Newell; also Representative(s)
47 Kefalas--Concerning the promotion of health care
48 accessibility by encouraging local governments to consider
49 the health care needs of their communities in the
50 composition of their master land use plans.

51
52 Declared **lost** on Second Reading.

53 (For change in action, see Amendments to Report, page 878.)

54
55
56

**AMENDMENT(S) TO THE COMMITTEE
OF THE WHOLE REPORT**

1
2
3
4 Representatives Riesberg and Ferrandino moved to amend the Report of
5 the Committee of the Whole to reverse the action taken by the Committee
6 in adopting Amendment No. 2 by Representative Becker (printed in
7 House Journal page 876, lines 23-32) to HB11-1141, to show that said
8 amendment lost, that the following Riesberg amendment, to HB11-1141
9 passed, and that HB11-1141, as amended, passed.

10
11 Amend printed bill, page 2, line 9, after "PURCHASED" insert "FROM A
12 COMPANY LOCATED IN COLORADO".

13
14 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	33	EXCUSED	1	ABSENT	0
17	Acree	N	Fischer	Y	Liston	N	Scott	N
18	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
19	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
20	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
21	Becker	N	Hamner	Y	McKinley	E	Stephens	N
22	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
23	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
24	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
25	Casso	Y	Joshi	N	Pabon	Y	Szabo	N
26	Conti	N	Kagan	Y	Pace	Y	Todd	Y
27	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
28	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
29	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	Y
30	Duran	Y	Labuda	Y	Riesberg	Y	Waller	N
31	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
32	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
33							Speaker	N

34
35
36 Representative Ferrandino moved to amend the Report of the Committee
37 of the Whole to reverse the action taken by the Committee in not adopting
38 the following Ferrandino amendment, to HB11-1141, to show that said
39 amendment passed, and that **HB11-1141**, as amended, passed.

40
41 Amend printed bill, before line 23 insert:

42
43 **"SECTION 3. Appropriation for FY 2013-14.** In addition to
44 any other appropriation, there is hereby appropriated, out of any moneys
45 in the general fund not otherwise appropriated, to the department of
46 education, for the fiscal year beginning July 1, 2013, the sum of thirty-
47 seven million five hundred thousand dollars (\$37,500,000), or so much
48 thereof as may be necessary, to finance the decrease in the local share of
49 the total program for kindergarten through twelfth grade public school
50 education.

51
52 **SECTION 4. Appropriation for FY 2014-15.** In addition to any
53 other appropriation, there is hereby appropriated, out of any moneys in the
54 general fund not otherwise appropriated, to the department of education,
55 for the fiscal year beginning July 1, 2014, the sum of seventy-six million
56 three hundred thousand dollars (\$76,300,000), or so much thereof as may

1 be necessary, to finance the decrease in the local share of the total
2 program for kindergarten through twelfth grade public school education.".

3
4 Renumber succeeding sections accordingly.

5
6 The amendment was declared **passed** by the following roll call vote:

	YES	62	NO	2	EXCUSED	1	ABSENT	0
9	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
10	Balmer	N	Gardner B.	Y	Looper	Y	Solano	Y
11	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
12	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
13	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
14	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
15	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
16	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
17	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
18	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
19	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
20	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
21	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
22	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
23	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
24	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
25							Speaker	Y

26
27
28 Representative Kefalas moved to amend the Report of the Committee of
29 the Whole to reverse the action taken by the Committee in not adopting
30 SB11-063, to show that **SB11-063** passed.

31
32 The amendment was declared **passed** by the following roll call vote:

	YES	33	NO	31	EXCUSED	1	ABSENT	0
35	Acree	N	Fischer	Y	Liston	Y	Scott	N
36	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
37	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
38	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
39	Becker	N	Hamner	Y	McKinley	E	Stephens	N
40	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
41	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	Y
42	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
43	Casso	Y	Joshi	N	Pabon	Y	Szabo	N
44	Conti	N	Kagan	Y	Pace	Y	Todd	Y
45	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
46	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
47	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	Y
48	Duran	Y	Labuda	Y	Riesberg	Y	Waller	N
49	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
50	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
51							Speaker	N

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1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB11-1282 amended, 1141 amended,**
4 **SB11-063.**

5
6 The Chairman moved the adoption of the Committee of the Whole
7 Report. As shown by the following roll call vote, a majority of those
8 elected to the House voted in the affirmative, and the Report was
9 **adopted.**

10
11

	YES	64	NO	0	EXCUSED	1	ABSENT	0
12	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
13	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
14	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
15	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
16	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
17	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
18	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
19	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
20	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
21	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
22	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
23	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
24	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
25	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
26	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
27	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
28							Speaker	Y

29
30
31
32

33 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

34
35 **APPROPRIATIONS**

36 After consideration on the merits, the Committee recommends the
37 following:

38
39 **HB11-1032** be referred to the Committee of the Whole with favorable
40 recommendation.

41
42
43 **HB11-1136** be postponed indefinitely.

44
45
46 **HB11-1195** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49
50 Amend printed bill, page 13, after line 3 insert:

51
52 **"SECTION 3. Appropriation.** (1) In addition to any other
53 appropriation, there is hereby appropriated, out of any moneys in the
54 Colorado bureau of investigation identification unit fund created in
55 section 24-33.5-426, Colorado Revised Statutes, not otherwise
56 appropriated, to the department of public safety, for allocation to the

1 Colorado bureau of investigations, for the Colorado crime information
2 center, identification, for the fiscal year beginning July 1, 2011, the sum
3 of nineteen thousand seven hundred fifty dollars (\$19,750) cash funds, or
4 so much thereof as may be necessary, for the implementation of this act.

5
6 (2) In addition to any other appropriation, there is hereby
7 appropriated, out of any moneys in the division of registrations cash fund
8 created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not
9 otherwise appropriated, to the department of regulatory agencies, for
10 allocation to the executive director's office, for legal services, for the
11 fiscal year beginning July 1, 2011, the sum of seven thousand three
12 hundred thirty-seven dollars (\$7,337) cash funds, or so much thereof as
13 may be necessary, for the implementation of this act.

14
15 (3) In addition to any other appropriation, there is hereby
16 appropriated, out of any moneys in the division of registrations cash fund
17 created in section 24-34-105 (2) (b) (I), Colorado Revised Statutes, not
18 otherwise appropriated, to the department of regulatory agencies, for
19 allocation to the division of registrations, for the fiscal year beginning
20 July 1, 2011, the sum of seventy-five thousand one hundred ninety-six
21 dollars (\$75,196) cash funds and 1.0 FTE, or so much thereof as may be
22 necessary, for the implementation of this act.

23
24 (4) In addition to any other appropriation, there is hereby
25 appropriated to the department of law, for the fiscal year beginning July
26 1, 2011, the sum of seven thousand three hundred thirty-seven dollars
27 (\$7,337), or so much thereof as may be necessary, for the provision of
28 legal services to the department of regulatory agencies related to the
29 implementation of this act. Said sum shall be from reappropriated funds
30 received from the department of regulatory agencies out of the
31 appropriation made in subsection (2) of this section."

32
33 Renumber succeeding section accordingly.

34
35 Page 1, line 102 strike "INVESTIGATORS." and substitute
36 "INVESTIGATORS, AND MAKING AN APPROPRIATION THEREFOR."

37
38
39
40 **HB11-1217** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43
44 Amend the Health and Environment Committee Report, dated February
45 24, 2011, page 2, strike lines 34 through 41.

46
47 Strike page 3.

48
49 Page 4, strike lines 1 through 3 and substitute:

50 "SECTION 3. Part 1 of article 1 of title 25.5, Colorado Revised
51 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
52 read:

53
54 **25.5-1-128. Provider payments - exemption from certain state**
55 **fiscal requirements.** (1) (a) NOTWITHSTANDING ANY PROVISION OF LAW
56 TO THE CONTRARY, WHEN THE STATE DEPARTMENT HAS REGULATORY

1 AUTHORITY OVER A PROVIDER AND HAS ESTABLISHED A STATE
2 DEPARTMENT-APPROVED PROVIDER APPLICATION TO PROVIDE A SERVICE
3 OR BILL THE STATE DEPARTMENT OR ITS AUTHORIZED CONTRACTOR FOR
4 THE SERVICE, THE PROVIDER AND THE STATE DEPARTMENT ARE EXEMPT
5 FROM THE REQUIREMENTS OF SECTION 24-30-202 (1), C.R.S.

6

7 (b) THE EXECUTIVE DIRECTOR MAY ADOPT RULES TO IMPLEMENT
8 THIS SECTION FOR ANY PROGRAM THE STATE DEPARTMENT IS AUTHORIZED
9 TO ADMINISTER, INCLUDING:

10

11 (I) THE "COLORADO MEDICAL ASSISTANCE ACT", ARTICLES 4 TO
12 6 OF THIS TITLE;

13

14 (II) THE "CHILDREN'S BASIC HEALTH PLAN ACT", ARTICLE 8 OF
15 THIS TITLE;

16

17 (III) THE "COLORADO INDIGENT CARE PROGRAM", PART 1 OF
18 ARTICLE 3 OF THIS TITLE;

19

20 (IV) THE SCHOOL HEALTH SERVICES PROGRAM AUTHORIZED BY
21 SECTION 25.5-5-318;

22

23 (V) THE PRIMARY CARE FUND, PURSUANT TO PART 3 OF ARTICLE
24 3 OF THIS TITLE; AND

25

26 (VI) STATE-FUNDED HEALTH AND MEDICAL CARE PURSUANT TO
27 ARTICLE 2 OF THIS TITLE.

28

29 (2) AS USED IN THIS SECTION, "PROVIDER" MEANS A HEALTH CARE
30 PROVIDER, MENTAL HEALTH CARE PROVIDER, PHARMACIST, HOME HEALTH
31 AGENCY, GENERAL PROVIDER, AS DEFINED IN SECTION 25.5-3-103 (3),
32 QUALIFIED PROVIDER, AS DEFINED IN SECTION 25.5-3-203 (5), SCHOOL
33 DISTRICT, AS DEFINED IN SECTION 25.5-5-318 (1) (a), OR ANY OTHER
34 ENTITY THAT PROVIDES HEALTH CARE, HEALTH CARE COORDINATION,
35 OUTREACH, ENROLLMENT, OR ADMINISTRATIVE SUPPORT SERVICES
36 THROUGH FEE-FOR-SERVICE, THE PRIMARY CARE PHYSICIAN PROGRAM, A
37 MANAGED CARE ENTITY, A BEHAVIORAL HEALTH ORGANIZATION, A
38 MEDICAL HOME, OR ANY SYSTEM OF CARE THAT COORDINATES HEALTH
39 CARE OR SERVICES, AS DEFINED AND AUTHORIZED THROUGH STATE BOARD
40 OR EXECUTIVE DIRECTOR RULE."

41

42 Renumber succeeding section accordingly.

43

44

45

46 **HB11-1278** be referred to the Committee of the Whole with favorable
47 recommendation.

48

49

50 **HB11-1279** be referred to the Committee of the Whole with favorable
51 recommendation.

52

53

54 **HB11-1281** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend the Health and Environment Committee Report, dated March 22,
2 2011, page 4, line 10, strike "PROGRAM." and substitute the following:

3
4 "PROGRAM. COLLEGEINVEST SHALL NOTIFY THE STATE TREASURER WHEN
5 ALL OBLIGATIONS UNDER CONTRACTS ENTERED INTO BY OR ON BEHALF OF
6 COLLEGEINVEST PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION (1)
7 ARE SATISFIED, AND UPON SUCH NOTIFICATION, THE STATE TREASURER
8 SHALL TRANSFER ANY REMAINING BALANCE IN THE FUND TO THE GENERAL
9 FUND."

10
11 Page 13 of the bill, after line 13 insert:

12
13 **"SECTION 13. Appropriation - adjustment in the 2011 long**
14 **bill.** For the implementation of this act, appropriations made in the
15 annual general appropriation act, from the general fund, to the department
16 of higher education, Colorado commission on higher education financial
17 aid, special purpose, for nursing teacher loan forgiveness pilot, for the
18 fiscal year beginning July 1, 2011, shall be reduced by one hundred sixty-
19 one thousand six hundred dollars (\$161,600).

20
21 **SECTION 14. Appropriation.** In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 Colorado health services corps fund created in Section 25-20.5-706,
24 Colorado Revised Statutes, not otherwise appropriated, to the department
25 of public health and environment, prevention services division, primary
26 care office, for the fiscal year beginning July 1, 2011, the sum of two
27 hundred fifty thousand dollars (\$250,000) cash funds and 0.5 FTE, or so
28 much thereof as may be necessary, for the implementation of this act."

29
30 Renumber succeeding section accordingly.

31
32 Page 1, line 103, strike "ENVIRONMENT." and substitute "ENVIRONMENT,
33 AND MAKING AN APPROPRIATION THEREFOR.".

34
35
36
37
38 **HEALTH & ENVIRONMENT**

39 After consideration on the merits, the Committee recommends the
40 following:

41
42 **HB11-1291** be referred to the Committee of the Whole with favorable
43 recommendation.

44
45
46 **SB11-170** be postponed indefinitely.

47
48
49 **SB11-183** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:

52
53 Amend reengrossed bill, page 2, after line 1 insert:

54
55 **"SECTION 1.** 24-32-706 (1), Colorado Revised Statutes, is
56 amended to read:

1 **24-32-706. State housing board.** (1) There is hereby created,
 2 within the division of housing, the state housing board. The board shall
 3 consist of seven members who shall be appointed by the governor for
 4 terms of four years each, except as provided in subsection (2) of this
 5 section. In making appointments to the board, the governor ~~is encouraged~~
 6 ~~to~~ SHALL include representation by at least one member who is a person
 7 with a disability, as defined in section 24-45.5-102 (2), a family member
 8 of a person with a disability, or a member of an advocacy group for
 9 persons with disabilities."

10
 11 Renumber succeeding sections accordingly.
 12
 13
 14
 15

16 **JUDICIARY**

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

20 **HB11-1287** be postponed indefinitely.
 21 _____
 22
 23

24 **SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**
 25

26 The Speaker has signed: **SJR11-029, 030.**
 27 _____
 28
 29

30 **INTRODUCTION OF RESOLUTION**
 31

32 The following resolution was read by title and laid over one day under the
 33 rules:
 34

35 **HJR11-1014** by Representative(s) Court, Kefalas, Stephens, Conti,
 36 Coram, Fields, Gardner D., Massey, Miklosi, Murray,
 37 Schafer S., Swalm; also Senator(s) Foster, Spence--
 38 Concerning urging the government of Turkey to uphold
 39 and safeguard religious and human rights without
 40 compromise.
 41 _____
 42
 43

44 **CHANGE IN SPONSORSHIP**
 45

46 The Speaker announced the following change in sponsorship:
 47 HB11-1005--Representative Becker to be added as dual prime sponsor
 48 with Representative Sonnenberg.
 49
 50 _____
 51

52 House in recess. House reconvened.
 53 _____
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 55

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INTRODUCTION OF BILL
First Reading

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

HB11-1293 by Representative(s) Stephens and Murray--Concerning the repeal of House Bill 10-1192 regarding the state sales and use tax of standardized software on July 1, 2012.
Committee on Economic and Business Development

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Murray, the following item(s) on the Calendar (was)were laid over until April 7, retaining place on Calendar:

- Consideration of Third Reading--**HB11-1157**.
 - Consideration of General Orders--**HB11-1005, 1284, 1024, 1043, 1252**.
 - Consideration of Senate Amendment(s)--**HB11-1097, 1209, 1185**.
-

On motion of Representative Murray, the House adjourned until 9:00 a.m., April 7, 2011.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk