

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

Sixty-third Legislative Day

Tuesday, March 15, 2011

1 Prayer by Pastor Dan File, Capitol Commissions, Lake City.

2

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

4

5 Pledge of Allegiance led by Paul Schiebel, Jack Kail, and Luke Maxfield
6 from St. Vincent de Paul, Denver.

7

8 The roll was called with the following result:

9

10 Present--64.

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

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Hamner, the reading of the journal of
17 March 14, 2011, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22

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

26

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 **HB11-1160** by Representative(s) Gerou; also Senator(s) Jahn--
40 Concerning the establishment of a green building
41 incentive pilot program administered by the governor's
42 energy office to incentivize the making of energy
43 efficiency improvements to existing residences with

1 current home energy ratings below minimum standards for
2 people who purchase highly efficient new residential
3 construction.
4

5 Amendment No. 1, by Representative(s) Gerou.
6

7 Amend printed bill, page 5, line 16, strike "THE" and substitute "EXCEPT
8 AS PROVIDED IN PARAGRAPH (b) OF SUBSECTION (9) OF THIS SECTION,
9 THE".
10

11 Page 7, line 22, after "(9)" insert "(a)".
12

13 Page 8, after line 1 insert:
14

15 "(b) THE GOVERNOR'S ENERGY OFFICE SHALL NOT ESTABLISH THE
16 PILOT PROGRAM SET FORTH IN THIS PART 2 IF FEDERAL FUNDS ARE NOT
17 AVAILABLE."
18

19 Amendment No. 2, by Representative(s) Levy.
20

21 Amend printed bill, page 3, line 16, after "SOURCE;" insert "AND".
22

23 Page 3, line 18, strike "RESIDENCE; AND" and substitute "RESIDENCE."
24

25 Page 3, strike lines 19 and 20.
26

27 Page 6, line 26, strike "AUDIT." and substitute "AUDIT, AND SHALL RESULT
28 IN IMPROVED ENERGY EFFICIENCY."
29

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

33 **SB11-034** by Senator(s) Nicholson; also Representative(s) Summers-
34 -Concerning requiring an educator who provides services
35 through the women, infants, and children program to
36 report child abuse or neglect.
37

38 Amendment No. 1, by Representative(s) Summers.
39

40 Amend reengrossed bill, page 2, strike line 10 and substitute:
41

42 "**SECTION 2.** The introductory portion to 19-1-307 (2) (e.5) (I),
43 19-1-307 (2) (e.5) (I) (L) and (2) (e.5) (I) (M)."
44

45 Page 2, line 25, strike "may" and substitute "~~may~~ SHALL".
46

47 Page 3, line 2, strike "involvement." and substitute "involvement, UNLESS
48 THE COUNTY DEPARTMENT HAS ACTUAL KNOWLEDGE THAT THE
49 MANDATORY REPORTER CONTINUES TO BE OFFICIALLY AND
50 PROFESSIONALLY INVOLVED IN THE ONGOING CARE OF THE CHILD WHO
51 WAS THE SUBJECT OF THE REPORT."
52

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

1 **HB11-1076** by Representative(s) Riesberg; also Senator(s) Roberts--
2 Concerning time payment fees in judicial matters.
3

4 Amendment No. 1, Finance Report, dated February 23, 2011, and placed
5 in member's bill file; Report also printed in House Journal, February 25,
6 page 456.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB11-1163** by Representative(s) Vaad; also Senator(s) Tochtrop--
12 Concerning the issuance by the department of
13 transportation of permits for the movement of super loads
14 on the highways.
15

16 Amendment No. 1, Transportation Report, dated February 24, 2011, and
17 placed in member's bill file; Report also printed in House Journal,
18 February 25, pages 488-489.
19

20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.
22

23 **HB11-1080** by Representative(s) Todd; also Senator(s) King S.--
24 Concerning the address confidentiality program.
25

26 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
27 February 24, 2011, and placed in member's bill file; Report also printed
28 in House Journal, February 25, pages 471-486.
29

30 Amendment No. 2, Appropriations Report, dated March 11, 2011, and
31 placed in member's bill file; Report also printed in House Journal,
32 March 11, pages 618-619.
33

34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.
36

37 **HB11-1166** by Representative(s) Murray; also Senator(s) Aguilar--
38 Concerning the creation of a type 1 diabetes special
39 license plate.
40

41 Amendment No. 1, Transportation Report, dated February 23, 2011, and
42 placed in member's bill file; Report also printed in House Journal,
43 February 24, pages 423-424.
44

45 Amendment No. 2, Appropriations Report, dated March 11, 2011, and
46 placed in member's bill file; Report also printed in House Journal,
47 March 11, page 620.
48

49 Amendment No. 3, by Representative(s) Murray.
50

51 Amend Transportation committee report, dated February 23, 2011, before
52 line 1, insert:
53

54 "Amend printed bill, page 2, line 12, strike "TYPE 1" and substitute
55 "JUVENILE".
56

- 1 Amend printed bill, page 2, line 13, strike "TYPE" and substitute
2 "JUVENILE".
3
- 4 Amend printed bill, page 2, line 14, strike "1".
5
- 6 Amend printed bill, page 2, line 16, strike "TYPE 1" and substitute
7 "JUVENILE".
8
- 9 Amend committee report, page 1, line 4, strike "TYPE 1" and substitute
10 "JUVENILE".
11
- 12 Amend committee report, page 1, after line 5 insert:
13
- 14 "Amend printed bill, page 2, line 20, strike "TYPE 1" and substitute
15 "JUVENILE".
16
- 17 Amend printed bill, page 3, line 5, strike "TYPE 1" and substitute
18 "JUVENILE".
19
- 20 Amend printed bill, page 3, line 12, strike "TYPE 1" and substitute
21 "JUVENILE".
22
- 23 Amend printed bill, page 3, line 15, strike "TYPE 1" and substitute
24 "JUVENILE".
25
- 26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.
28
- 29 **HB11-1198** by Representative(s) Kerr J.; also Senator(s) Schwartz--
30 Concerning a reorganization of the statutes governing
31 motor carriers, and, in connection therewith, consolidating
32 the former articles 10, 11, 13, 14, and 16 of title 40,
33 Colorado Revised Statutes, into a single article and
34 making substantive and nonsubstantive amendments to
35 provisions granting regulatory authority to the public
36 utilities commission.
37
- 38 Amendment No. 1, Transportation Report, dated February 23, 2011, and
39 placed in member's bill file; Report also printed in House Journal,
40 February 24, pages 424-425.
41
- 42 Amendment No. 2, by Representative(s) Kerr J.
43
- 44 Amend the Transportation Committee Report, dated February 23, 2011,
45 page 1, after line 8 insert:
46
- 47 "Page 14 of the printed bill, line 24, after "HUNDRED" insert
48 "TWENTY-FIVE".
49
- 50 Page 15 of the bill, line 4, after "FOR" insert "A MOVER HOLDING A PERMIT
51 ISSUED UNDER PART 5 OF THIS ARTICLE AND".
52
- 53 Amendment No. 3, by Representative(s) Kerr J.
54
- 55 Amend the Transportation Committee Report, dated February 23, 2011,
56 page 1, before line 9 insert:

1 "Page 19 of the printed bill, line 3, strike "(1)".

2

3 Page 19 of the bill, strike line 7.

4

5 Page 19 of the bill, line 8, strike "(2) It" and substitute "OF SUCH MOTOR
6 CARRIER EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE AND
7 EXCEPTING THOSE MATTERS EXPRESSLY DELEGATED TO THE COMMISSION;
8 AND IT".

9

10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12

13 **HB11-1200** by Representative(s) Barker, Beezley, Labuda; also
14 Senator(s) Roberts--Concerning conducting a substance
15 abuse assessment at probation intake when the presentence
16 report is waived.

17

18 Ordered engrossed and placed on the Calendar for Third Reading and
19 Final Passage.

20

21 **HB11-1230** by Representative(s) Duran; also Senator(s) Boyd --
22 Concerning the consolidation of state programs that
23 distribute federal moneys to persons needing assistance in
24 obtaining housing into the division of housing within the
25 department of local affairs.

26

27 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
28 February 24, 2011, and placed in member's bill file; Report also printed
29 in House Journal, February 25, pages 486-488.

30

31 Amendment No. 2, Appropriations Report, dated March 11, 2011, and
32 placed in member's bill file; Report also printed in House Journal,
33 March 11, pages 621-622.

34

35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.

37

38

39 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

40

41 Passed Second Reading: **HB11-1160 amended, SB11-034 amended,
42 HB11-1076 amended, 1163 amended, 1080 amended, 1166 amended,
43 1198 amended, 1200, 1230 amended.**

44

45 The Chairman moved the adoption of the Committee of the Whole
46 Report. As shown by the following roll call vote, a majority of those
47 elected to the House voted in the affirmative, and the Report was
48 **adopted.**

49

50	YES	64	NO	0	EXCUSED	1	ABSENT	0
51	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
52	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
53	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
54	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
55	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
56	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	E	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

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

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

HB11-1270 be postponed indefinitely.

SB11-100 be referred to the Committee of the Whole with favorable recommendation.

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB11-1030, 1031, 1040, 1085, 1117, 1148, 1177, 1202** at 3:50 p.m. on March 14, 2011.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith: HB11-1122, HB11-1144, and HB11-1187.

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

SB11-124 amended as printed in Senate Journal, March 14, 2011, pages 445-446.

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

HB11-1079 amended as printed in Senate Journal, March 14, 2011, page 444.

1 HB11-1151 amended as printed in Senate Journal, March 14, 2011,
2 page 448.
3 HB11-1083 amended as printed in Senate Journal, March 14, 2011,
4 page 448.

5
6 The Senate has adopted and returns herewith: HJR11-1008.
7

8
9
10 **MESSAGE(S) FROM THE REVISOR**

11
12 We herewith transmit:
13 Without comment, as amended, HB11-1079, 1083, and 1151.
14 Without comment, as amended, SB11-124.
15

16
17
18 **LAY OVER OF CALENDAR ITEM(S)**

19
20 On motion of Representative Stephens, the following item(s) on the
21 Calendar (was)were laid over until March 16, retaining place on
22 Calendar:
23

24 Consideration of General Orders--**HB11-1116, 1146, 1106, 1140,**
25 **SB11-019, HB11-1267, SB11-016, 083, HB11-1211, SB11-024, 031.**
26 Consideration of Resolution(s)--**HJR11-1011.**
27 Consideration of Senate Amendment(s)--**HB11-1016, 1069, 1118.**
28

29
30
31
32 On motion of Representative Stephens, the House adjourned until
33 9:00 a.m., March 16, 2011.
34

35 Approved:
36 FRANK McNULTY,
37 Speaker

38 Attest:
39 MARILYN EDDINS,
40 Chief Clerk

