

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

Twenty-ninth Legislative Day

Wednesday, February 9, 2011

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

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

5
6 Pledge of Allegiance led by Speaker of the House, Frank McNulty.

7
8 The roll was called with the following result:

9
10 Present--57.

11 Excused--Representative(s) DelGrosso, Hullinghorst, Kagan,
12 Looper, Pabon, Swalm, Vigil--7.

13 Absent--Representative(s) Miklosi--1.

14 Present after roll call--Representative(s) DelGrosso, Hullinghorst,
15 Kagan, Looper, Miklosi, Swalm.

16
17 The Speaker declared a quorum present.

18
19
20 On motion of Representative Conti, the reading of the journal of
21 February 8, 2011, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23
24
25
26 **THIRD READING OF BILL(S)--FINAL PASSAGE**

27
28 The following bill(s) was(were) considered on Third Reading. The
29 title(s) was(were) publicly read. Reading of the bill at length was
30 dispensed with by unanimous consent.

31
32 **HB11-1087** by Representative(s) Vigil; also Senator(s) Giron--
33 Concerning reimbursement to county governments for
34 charges incurred in pest control operations undertaken by
35 the county.

36
37 Laid over until February 10, retaining place on Calendar.

38
39 **HB11-1072** by Representative(s) McNulty, Stephens, Liston; also
40 Senator(s) Morse--Concerning the responsibilities of a
41 designated representative of the proponents of an initiative
42 petition.

43

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

	YES	58	NO	1	EXCUSED	5	ABSENT	1
7	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
8	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
9	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
10	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
11	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
12	Beezley	N	Holbert	Y	Miklosi	-	Summers	Y
13	Bradford	Y	Hullinghorst	E	Murray	Y	Swalm	Y
14	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
15	Casso	Y	Joshi	Y	Pabon	E	Szabo	Y
16	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
17	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
18	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
19	DelGrosso	E	Kerr J.	Y	Ramirez	Y	Vigil	E
20	Duran	E	Labuda	Y	Riesberg	Y	Waller	Y
21	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
22	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Brown, Casso, Court, Ferrandino,
 25 Gardner B., Labuda, Nikkel, Pace, Peniston, Soper, Todd, Tyler.

26
 27 **HB11-1054** by Representative(s) Ramirez; also Senator(s) Harvey--
 28 Concerning a requirement that the regional transportation
 29 district contract a certain amount of its vehicular service to
 30 private businesses pursuant to competitively negotiated
 31 contracts.

32
 33 The question being "Shall the bill pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, less
 35 than a majority of those elected to the House voted in the affirmative and
 36 the bill was declared **lost**.

	YES	32	NO	28	EXCUSED	4	ABSENT	1
39	Acree	Y	Fischer	N	Liston	Y	Scott	Y
40	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	N
41	Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	Y
42	Baumgardner	Y	Gerou	Y	McCann	N	Soper	N
43	Becker	Y	Hamner	N	McKinley	N	Stephens	Y
44	Beezley	Y	Holbert	Y	Miklosi	-	Summers	Y
45	Bradford	Y	Hullinghorst	N	Murray	Y	Swalm	Y
46	Brown	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
47	Casso	N	Joshi	Y	Pabon	E	Szabo	Y
48	Conti	Y	Kagan	N	Pace	N	Todd	N
49	Coram	Y	Kefalas	N	Peniston	N	Tyler	N
50	Court	N	Kerr A.	N	Priola	Y	Vaad	Y
51	DelGrosso	E	Kerr J.	Y	Ramirez	Y	Vigil	E
52	Duran	E	Labuda	N	Riesberg	N	Waller	Y
53	Ferrandino	N	Lee	N	Ryden	N	Williams A.	N
54	Fields	N	Levy	N	Schafer S.	N	Wilson	N
55							Speaker	Y

56

1 **HB11-1036** by Representative(s) Gardner D.; also Senator(s) King S.--
 2 Concerning the creation of an emergency alert system to
 3 notify the public immediately of the imminent danger
 4 posed by a suspect who has killed or seriously injured a
 5 peace officer.
 6

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

	YES	60	NO	0	EXCUSED	4	ABSENT	1
13	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
14	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
15	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
16	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
17	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
18	Beezley	Y	Holbert	Y	Miklosi	-	Summers	Y
19	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
20	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
21	Casso	Y	Joshi	Y	Pabon	E	Szabo	Y
22	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
23	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
24	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
25	DelGrosso	E	Kerr J.	Y	Ramirez	Y	Vigil	E
26	Duran	E	Labuda	Y	Riesberg	Y	Waller	Y
27	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
28	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Acree, Barker, Fields, Fischer,
 31 Hullinghorst, Kagan, Labuda, Lee, Levy, Massey, Nikkel, Pace, Ryden,
 32 Schafer S., Solano, Stephens, Swerdfeger, Todd, Tyler, Wilson
 33

34 **HB11-1049** by Representative(s) Barker; also Senator Roberts--
 35 Concerning criminal uses of personal identifying
 36 information.
 37

38 The question being "Shall the bill pass?".
 39 A roll call vote was taken. As shown by the following recorded vote, a
 40 majority of those elected to the House voted in the affirmative and the bill
 41 was declared **passed**.
 42

	YES	59	NO	1	EXCUSED	4	ABSENT	1
44	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
45	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
46	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
47	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
48	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
49	Beezley	Y	Holbert	Y	Miklosi	-	Summers	Y
50	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
51	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
52	Casso	Y	Joshi	Y	Pabon	E	Szabo	Y
53	Conti	Y	Kagan	N	Pace	Y	Todd	Y
54	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
55	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
56	DelGrosso	E	Kerr J.	Y	Ramirez	Y	Vigil	E

1	Duran	E	Labuda	Y	Riesberg	Y	Waller	Y
2	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
3	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Fields, Gardner B., Kerr J., Labuda,
6 Riesberg, Scott, Summers, Todd.

7
8 **HB11-1085** by Representative(s) Schafer S.; also Senator(s) Jahn--
9 Concerning referral of offenders to community
10 corrections.

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

17	YES	60	NO	0	EXCUSED	5	ABSENT	0
18	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
19	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
20	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
21	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
22	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
23	Beezley	Y	Holbert	Y	Miklosi	E	Summers	Y
24	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
25	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
26	Casso	Y	Joshi	Y	Pabon	E	Szabo	Y
27	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
28	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
29	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
30	DelGrosso	E	Kerr J.	Y	Ramirez	Y	Vigil	E
31	Duran	E	Labuda	Y	Riesberg	Y	Waller	Y
32	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
33	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Barker, Court, Fields, Fischer,
36 Gardner D., Labuda, Liston, Nikkel, Priola, Ryden, Solano, Stephens, Todd,
37 Tyler, Waller, Williams A., Wilson.

38
39 **HB11-1105** by Representative(s) Acree, Balmer, Barker,
40 Baumgardner, Court, Fields, Holbert, Joshi, Kagan, Kerr
41 J., Looper, Massey, McCann, Priola, Todd; also Senator(s)
42 White, Kopp, King S., Tochtrop--Concerning assaults
43 against medical care providers.

44
45 The question being "Shall the bill pass?".
46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative and the bill
48 was declared **passed**.

50	YES	58	NO	2	EXCUSED	5	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	E	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	E	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	E	Kerr J.	Y	Ramirez	Y	Vigil	E
8	Duran	E	Labuda	Y	Riesberg	N	Waller	Y
9	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
10	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	N
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Gardner B., Labuda, Murray, Nikkel,
 13 Peniston, Ramirez, Ryden, Schafer S., Scott.

14
 15 **HB11-1093** by Representative(s) Bradford, Sonnenberg; also
 16 Senator(s) Cadman--Concerning the payment of specific
 17 ownership tax on special mobile machinery.

18
 19 The question being "Shall the bill pass?".
 20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.

23	YES	60	NO	1	EXCUSED	4	ABSENT	0
25	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
26	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
27	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
28	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
29	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
30	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
31	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
32	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
33	Casso	Y	Joshi	Y	Pabon	E	Szabo	Y
34	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
35	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
36	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
37	DelGrosso	E	Kerr J.	Y	Ramirez	Y	Vigil	E
38	Duran	E	Labuda	N	Riesberg	Y	Waller	Y
39	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
40	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Brown, Coram,
 43 Kerr J., Liston, Looper, Murray, Priola, Scott.

44
 45
 46 On motion of Representative Nikkel, the House resolved itself into
 47 Committee of the Whole for consideration of General Orders, and she
 48 was called to the Chair to act as Chairman.

49
 50
 51 **GENERAL ORDERS--SECOND READING OF BILLS**

52
 53 The Committee of the Whole having risen, the Chairman reported the
 54 titles of the following bills had been read (reading at length had been
 55 dispensed with by unanimous consent), the bills considered and action
 56 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 **HB11-1092** by Representative(s) Kerr A., Casso, Fields, Fischer,
5 Gardner D., Hamner, Jones, Looper, Priola, Tyler,
6 Williams A.; also Senator(s) Brophy--Concerning
7 procedures to be followed by local authorities when
8 closing certain routes to bicycle traffic.

9

10 Referred to the Committee on Judiciary.

11

12 **HB11-1115** by Representative(s)Priola and Soper, Brown, Casso,
13 Gardner B., Kerr A., Liston, Looper, Peniston, Ramirez,
14 Riesberg, Scott, Solano, Swalm, Swerdfeger, Szabo,
15 Wilson; also Senator(s) Tochtrop, Cadman, Jahn, Kopp,
16 Renfroe--Concerning the payment of retainage in
17 construction contracts involving public entities.

18

19 Amendment No. 1, Economic & Business Development Report, dated
20 February 4, 2011, and placed in member's bill file; Report also printed in
21 House Journal, February 7, page 177.

22

23 Amendment No. 2, by Representative(s) Priola.

24

25 Amend Economic and Business Development committee report, before
26 line one, insert:

27

28 "Amend printed bill, page 3, line 8, strike "FORTY-FIVE" and substitute
29 "SIXTY".

30

31 Page 3, line 16, strike "FORTY-FIVE" and substitute "SIXTY".

32

33 Amendment No. 3, by Representative(s) Priola.

34

35 Amend Economic and Business Development committee report, before
36 line one, insert:

37

38 "Amend printed bill, page 2, after line 10 insert:

39

40 **"SECTION 2.** 24-91-102, Colorado Revised Statutes, is amended
41 **BY THE ADDITION OF A NEW SUBSECTION** to read:

42

43 **24-91-102. Definitions.** As used in this article, unless the context
44 otherwise requires:

45

46 (2.5) "DISCRETE PORTION" MEANS THE PORTION OF THE TOTAL
47 CONTRACT THAT STANDS ALONE BECAUSE THE OCCUPANCY OR USE OF THE
48 PORTION DOES NOT AFFECT UNCOMPLETED PORTIONS OF THE PROJECT AS
49 SPECIFICALLY IDENTIFIED IN THE CONSTRUCTION CONTRACT. "

50

51 Renumber succeeding sections accordingly.

52

53 Page 3, line 14, strike "DISCRETE" and substitute "CORRESPONDING".

54

55

1 Amendment No. 4, by Representative(s) Sonnenberg.

2

3 Amend Economic and Business Development committee report, page 1,
4 line 4, after "CONFIGURATION." add "THIS PARAGRAPH (c) DOES NOT
5 APPLY TO WATER STORAGE PROJECTS."

6

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

9

10 **HB11-1007** by Representative(s) Bradford; also Senator(s) King S.--
11 Concerning employees of Mesa state college.

12

13 Amendment No. 1, by Representative(s) Bradford.

14

15 Amend printed bill, page 3, line 11, after the period insert "THE ELECTION
16 SHALL OCCUR OVER THE COURSE OF A SPECIFIED PERIOD NOT TO EXCEED
17 SEVENTY-TWO HOURS."

18

19 Page 3, line 12, strike "ON THE DATE" and substitute "DURING THE
20 PERIOD".

21

22 Amendment No. 2, by Representative(s) Bradford.

23

24 Amend printed bill, page 3, line 27, strike "SYSTEM; AND" and substitute
25 "SYSTEM AND MAY ELECT, NOTWITHSTANDING ANY PROVISION OF SECTION
26 24-54.5-105 (2) TO THE CONTRARY, TO PARTICIPATE AS A MEMBER IN THE
27 DEFINED BENEFIT PLAN ADMINISTERED BY THE PUBLIC EMPLOYEES'
28 RETIREMENT ASSOCIATION OR TO PARTICIPATE IN THE OPTIONAL
29 RETIREMENT PLAN FOR ELIGIBLE EMPLOYEES AT MESA STATE COLLEGE
30 OPERATED PURSUANT TO ARTICLE 54.5 OF THIS TITLE; AND".

31

32 Page 5, after line 25, insert:

33

34 "(5) AN EMPLOYEE WHO IS EMPLOYED BY MESA STATE COLLEGE
35 AS OF THE DATE OF THE ELECTION HELD PURSUANT TO THIS SECTION SHALL
36 CONTINUE TO PARTICIPATE AS A MEMBER IN THE DEFINED BENEFIT PLAN
37 ADMINISTERED BY THE PUBLIC EMPLOYEES' RETIREMENT ASSOCIATION,
38 REGARDLESS OF WHETHER THE EMPLOYEE ELECTS TO REMAIN IN THE
39 STATE PERSONNEL SYSTEM OR PARTICIPATE IN THE ALTERNATIVE
40 PERSONNEL SYSTEM."

41

42 Page 6, after line 14 insert:

43

44 "**SECTION 3.** 24-54.5-102 (2), Colorado Revised Statutes, is
45 amended to read:

46

47 **24-54.5-102. Definitions.** As used in this article, unless the
48 context otherwise requires:

49

50 (2) "Eligible employee" means any employee of a state college or
51 university who is:

52

53 (a) Exempt from the state personnel system under section 13 (2)
54 of article XII of the state constitution as a faculty member of an
55 educational institution or department not reformatory or charitable in
56 character; or

1 (b) Exempt from the state personnel system pursuant to the
2 provisions of section 24-50-135; OR

3
4 (c) EXEMPT FROM THE STATE PERSONNEL SYSTEM PURSUANT TO
5 THE PROVISIONS OF SECTION 24-50-135.5 AND WHO IS INITIALLY HIRED BY
6 MESA STATE COLLEGE ON OR AFTER THE DATE OF THE EMPLOYEE
7 ELECTION HELD PURSUANT TO SECTION 24-50-135.5."

8
9 Renumber succeeding section accordingly.

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

13
14 On motion of Representative Stephens, consideration of (**HB11-1030,**
15 **1058**) was laid over until February 10, retaining place on Calendar.

16
17
18
19 **AMENDMENT(S) TO THE**
20 **COMMITTEE OF THE WHOLE REPORT**

21
22 Representative Pace moved to amend the Report of the Committee of the
23 Whole to reverse the action taken by the Committee in adopting the
24 following Bradford amendment (printed in House Journal, page 203, lines
25 22-56 and page 204, lines 1-9), to HB11-1007, to show that said
26 amendment lost, and that **HB11-1007**, as amended, passed.

27
28 The amendment was declared **lost** by the following roll call vote:

29
30

	YES	28	NO	34	EXCUSED	3	ABSENT	0
31	Acree	N	Fischer	Y	Liston	N	Scott	N
32	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
33	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
34	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
35	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
36	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
37	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
38	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
39	Casso	Y	Joshi	N	Pabon	E	Szabo	N
40	Conti	N	Kagan	Y	Pace	Y	Todd	Y
41	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
42	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
43	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	E
44	Duran	E	Labuda	Y	Riesberg	N	Waller	N
45	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
46	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
47							Speaker	N

48

49 Representatives Wilson and Pace moved to amend the Report of the
50 Committee of the Whole to reverse the action taken by the Committee in
51 not adopting the following Wilson amendment, to HB11-1007, to show
52 that said amendment passed, and that **HB11-1007**, as amended, passed.

53
54 Amend printed bill, page 3, line 13, after the period add "MESA STATE
55 COLLEGE SHALL CONTRACT WITH A NEUTRAL THIRD PARTY TO CONDUCT
56 THE ELECTION."

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

	YES	29	NO	33	EXCUSED	3	ABSENT	0
4	Acree	N	Fischer	Y	Liston	N	Scott	N
5	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
6	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
7	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
8	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
9	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
10	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
11	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
12	Casso	Y	Joshi	N	Pabon	E	Szabo	N
13	Conti	N	Kagan	Y	Pace	Y	Todd	Y
14	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
15	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
16	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	E
17	Duran	E	Labuda	Y	Riesberg	Y	Waller	N
18	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
19	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
20							Speaker	N

21
22 Representative A. Kerr moved to amend the Report of the Committee of
23 the Whole to reverse the action taken by the Committee in referring
24 HB11-1092 to House Judiciary committee, to show that HB11-1092 was
25 not referred to House Judiciary committee, and that **HB11-1092**, as
26 amended, was laid over.

27
28 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	32	EXCUSED	3	ABSENT	0
31	Acree	N	Fischer	Y	Liston	N	Scott	N
32	Balmer	N	Gardner B.	N	Looper	Y	Solano	Y
33	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
34	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
35	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
36	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
37	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
38	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
39	Casso	Y	Joshi	N	Pabon	E	Szabo	N
40	Conti	N	Kagan	Y	Pace	Y	Todd	Y
41	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
42	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
43	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	E
44	Duran	E	Labuda	Y	Riesberg	Y	Waller	N
45	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
46	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
47							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

53 Passed Second Reading: **HB11-1115 amended, 1007 amended.**

54
55 Laid over until date indicated retaining place on Calendar: **HB11-1030,**
56 **1058--February 10, 2011.**

1 Referred to Committee indicated: **HB11-1092**--Judiciary.

2
3 The Chairman moved the adoption of the Committee of the Whole
4 Report. As shown by the following roll call vote, a majority of those
5 elected to the House voted in the affirmative, and the Report was
6 **adopted**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
9 Acree	Y		Fischer	Y	Liston	Y	Scott	Y
10 Balmer	Y		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	Y	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	E	Szabo	Y
18 Conti	Y		Kagan	Y	Pace	Y	Todd	Y
19 Coram	Y		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	E
22 Duran	E		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

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29
30 **MESSAGE(S) FROM THE SENATE**

31
32 The Senate has adopted and transmits herewith: SJR11-012 and
33 SJR11-011.

34
35
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37
38 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

39
40 On motion of Representative Stephens, the rules were suspended and the
41 following resolution was given immediate consideration.

42
43 **SJR11-012** by Senator(s) Morse; also Representative(s) Gerou--
44 Concerning the recognition of emergency medical service
45 providers for their dedication and service to the people of
46 Colorado.

47
48 (Printed and placed in member's file).

49
50 On motion of Representative Gerou, the resolution was read at length and
51 **adopted by viva voce** vote.

52
53 Current roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
54 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
55 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gardner D.,
56 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,

1 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi,
 2 Murray, Nikkel, Pace, Peniston, Priola, Ramirez, Riesberg, Ryden, Schafer S.,
 3 Scott, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
 4 Szabo, Todd, Tyler, Vaad, Waller, Williams A., Wilson, Speaker.

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REPORT(S) OF COMMITTEE(S) OF REFERENCE

ECONOMIC & BUSINESS DEVELOPMENT

10 ECONOMIC & BUSINESS DEVELOPMENT
 11 After consideration on the merits, the Committee recommends the
 12 following:

13

14 **HB11-1100** be amended as follows, and as so amended, be referred to
 15 the Committee on Appropriations with favorable
 16 recommendation:

17

18 Amend printed bill, page 2, line 13, strike "REQUIRED".

19

20 Page 2, line 14, after the period add "THE DIRECTOR AND EACH
 21 APPROPRIATE EXAMINING AND LICENSING BOARD SHALL PROMULGATE
 22 RULES TO IMPLEMENT THIS SECTION."

23

24 Page 2, strike lines 15 through 19 and substitute:

25

26 **"SECTION 2. Act subject to petition - effective date.** This act
 27 shall take effect January 1, 2012; except that, if a referendum petition is
 28 filed pursuant to section 1 (3) of article V of the state constitution against
 29 this act or an item, section, or part of this act within the ninety-day period
 30 after final adjournment of the general assembly, then the act, item,
 31 section, or part shall not take effect unless approved by the people at the
 32 general election to be held in November 2012 and shall take effect on
 33 January 1, 2012, or on the date of the official declaration of the vote
 34 thereon by the governor, whichever is later."

35

36

37

38 **HB11-1120** be amended as follows, and as so amended, be referred to
 39 the Committee on Appropriations with favorable
 40 recommendation:

41

42 Amend printed bill, strike everything below the enacting clause and
 43 substitute:

44

45 **"SECTION 1. Repeal.** 24-33.5-1202 (13.3) and (13.7), Colorado
 46 Revised Statutes, as they will become effective July 1, 2011, are repealed
 47 as follows:

48

49 **24-33.5-1202. Definitions.** As used in this part 12, unless the
 50 context otherwise requires:

51

52 (13.3) "~~Sprinkler fitter~~" means a person other than an apprentice
 53 who is registered with the administrator and who installs fire suppression
 54 systems. "~~Sprinkler fitter~~" does not include a person who performs
 55 maintenance and repair on fire suppression systems as a part of his or her
 56 employment. A sprinkler fitter does not include a person who performs

1 ~~work exclusively on cross-connection control devices or a person who~~
2 ~~performs work exclusively on an underground system. "Sprinkler fitter"~~
3 ~~does not include a person performing work on his or her own home.~~
4

5 (13.7) ~~"Sprinkler fitter apprenticeship program" means an~~
6 ~~apprenticeship training program that is registered with either the office of~~
7 ~~apprenticeship training, employer and labor services in the employment~~
8 ~~and training administration in the United States department of labor or a~~
9 ~~state apprenticeship agency in accordance with the requirements of 29~~
10 ~~CFR 29.1 et seq., or other similar apprentice program approved by the~~
11 ~~administrator, and consists of a minimum of eight thousand hours of~~
12 ~~documented practical work experience on fire suppression systems,~~
13 ~~combined with a minimum of seven hundred hours of related instruction,~~
14 ~~including classroom or shop instruction, in the sprinkler fitter trade.~~
15

16 **SECTION 2. Repeal.** 24-33.5-1206.7, Colorado Revised
17 Statutes, as it will become effective July 1, 2011, is repealed as follows:
18

19 **24-33.5-1206.7. Sprinkler fitters - registration required - rules.**

20 (1) ~~No person shall act, assume to act, or advertise as a sprinkler fitter~~
21 ~~who is not registered with the administrator.~~
22

23 (2) ~~A registered sprinkler fitter shall obtain any locally required~~
24 ~~licenses or permits and comply with local building codes.~~
25

26 (3) ~~In order to register with the administrator, a sprinkler fitter~~
27 ~~shall pay a fee as determined by the administrator and shall:~~
28

29 (a) ~~Provide evidence demonstrating that he or she successfully~~
30 ~~completed a sprinkler fitter apprenticeship program and take and pass an~~
31 ~~examination established and approved by the administrator;~~
32

33 (b) ~~Complete an application for registration by reciprocity~~
34 ~~established by rules of the administrator that demonstrates competent~~
35 ~~evidence that the applicant is currently authorized to practice as a~~
36 ~~sprinkler fitter in another state that has established qualification~~
37 ~~requirements substantially similar to, or greater than, the requirements~~
38 ~~established in this section or by rule of the administrator;~~
39

40 (c) ~~Provide evidence demonstrating that he or she performed at~~
41 ~~least eight thousand hours of documented practical work experience on~~
42 ~~fire suppression systems within the past five years; or~~
43

44 (d) ~~Otherwise demonstrate competency as a sprinkler fitter as~~
45 ~~determined by the administrator.~~
46

47 (4) ~~Notwithstanding the provisions of subsection (3) of this~~
48 ~~section, a person who is enrolled in a sprinkler fitter apprenticeship~~
49 ~~program may perform work on a fire suppression system under the direct~~
50 ~~supervision of and in the immediate presence of a sprinkler fitter.~~
51

52 (5) (a) ~~A registered sprinkler fitter shall complete continuing~~
53 ~~education requirements established by rule of the administrator.~~
54

55 (b) ~~A sprinkler fitter shall apply to renew his or her registration~~
56 ~~annually. The administrator shall renew, for a period of one year, a~~

1 ~~sprinkler fitter registration upon receipt of a completed renewal~~
2 ~~application and a renewal fee as determined by the administrator. In~~
3 ~~years that the fire and safety code is revised, a sprinkler fitter shall also~~
4 ~~successfully complete a revised examination in order to renew his or her~~
5 ~~registration.~~

6
7 ~~(6) The administrator may promulgate rules as necessary for the~~
8 ~~implementation of this section.~~

9
10 **SECTION 3. Safety clause.** The general assembly hereby finds,
11 determines, and declares that this act is necessary for the immediate
12 preservation of the public peace, health, and safety."

13
14
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16

17 HEALTH & ENVIRONMENT

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

20

21 **HB11-1148** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24

25 Amend printed bill, page 2, line 17, strike "AN EMPLOYEE OR AN" and
26 substitute "A PROSPECTIVE OR CURRENT".

27

28 Page 4, line 4, before "WHO" insert "OR ANY PERSON WHO INTERACTS
29 DIRECTLY WITH A PATIENT OR ASSISTS WITH THE PATIENT CARE PROCESS,".

30

31

32

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34 JUDICIARY

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

37

38 **HB11-1053** be referred to the Committee of the Whole with favorable
39 recommendation.

40

41

42 **HB11-1064** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:

45

46 Amend printed bill, page 2, line 11, strike "SECTIONS 18-18-403.5 OR" and
47 substitute "SECTION".

48

49

50

51 **HB11-1073** be referred to the Committee of the Whole with favorable
52 recommendation.

53

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INTRODUCTION OF BILLS
First Reading

- 1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:
6
7 **HB11-1248** by Representative(s) Kerr J.; also Senator(s) Roberts--
8 Concerning modifications to the composition of the board
9 of trustees of the public employees' retirement association
10 to ensure that the board has more diverse representation,
11 and requiring a post-enactment review of the
12 implementation of this act.
13 Committee on Finance
14
15 **HB11-1249** by Representative(s) Priola; also Senator(s) Tochtrop--
16 Concerning modifications to certain administrative
17 functions of the department of personnel.
18 Committee on Economic and Business Development
19
20 **HB11-1250** by Representative(s) Acree, Balmer, Conti, Joshi,
21 Ramirez, Scott; also Senator(s) Renfroe, Harvey, King K.,
22 Lambert--Concerning a prohibition on ingestible medical
23 marijuana-infused products.
24 Committee on Judiciary
25
26 **HB11-1251** by Representative(s) Conti, Acree, Balmer, Brown, Kerr
27 J., Summers, Swerdfeger--Concerning an exemption from
28 the restrictions on window tinting for public safety
29 vehicles.
30 Committee on Transportation
31
32 **HB11-1252** by Representative(s) Holbert; also Senator(s) Harvey--
33 Concerning the authority of the secretary of state to
34 request proof of citizenship of any elector whose name
35 appears in the statewide voter registration database who
36 the secretary of state believes is not a citizen of the United
37 States.
38 Committee on State, Veterans, & Military Affairs
39
40 **HB11-1253** by Representative(s) Massey and Hamner--Concerning a
41 school district's election of existing charter school funding
42 formulas to address the distribution of at-risk pupil
43 funding.
44 Committee on Education
45
46 **SB11-076** by Senator(s) Steadman, Hodge, Lambert; also
47 Representative(s) Becker, Gerou, Ferrandino--Concerning
48 the continuation of a temporary modification to the
49 contribution rates for certain divisions of the public
50 employees' retirement association.
51 Committee on Finance
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INTRODUCTION OF RESOLUTION

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

HJR11-1010 by Representative(s) Nikkel, Fischer, Kefalas, DelGrosso; also Senator(s) Bacon, Lundberg--Concerning recognition of and appreciation for 141 years of education, research, and service by the Colorado State University System.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar (was)were laid over until February 10, retaining place on Calendar:

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

On motion of Representative Stephens, the House adjourned until 9:00 a.m., February 10, 2011.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

