

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

Ninetieth Legislative Day

Monday, April 11, 2011

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Nicole Justice, Mallory Cottingham, Teagan
6 Boda, Gold Award Girl Scouts.
7
8 The roll was called with the following result:
9
10 Present--65.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative Lee, the reading of the journal of
16 April 8, 2011, was declared dispensed with and approved as corrected by
17 the Chief Clerk.
18
19
20

THIRD READING OF BILL(S)--FINAL PASSAGE

21
22
23 The following bill(s) was(were) considered on Third Reading. The
24 title(s) was(were) publicly read. Reading of the bill at length was
25 dispensed with by unanimous consent.
26

27 **SB11-063** by Senator(s) Giron and Newell; also Representative(s)
28 Kefalas--Concerning the promotion of health care
29 accessibility by encouraging local governments to
30 consider the health care needs of their communities in the
31 composition of their master land use plans.
32

33 The question being "Shall the bill pass?".
34 A roll call vote was taken. As shown by the following recorded vote,
35 less than a majority of those elected to the House voted in the affirmative
36 and the bill was declared **lost**.
37

	YES	32	NO	33	EXCUSED	0	ABSENT	0
39	Acree	N	Fischer	Y	Liston	N	Scott	N
40	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
41	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
42	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
43	Becker	N	Hamner	Y	McKinley	Y	Stephens	N

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

13
14
15 **HB11-1291** by Representative(s) McNulty; also Senator(s) Morse--
16 Concerning legislative approval of the regional haze
17 element of the state implementation plan, and, in
18 connection therewith, postponing the automatic expiration
19 of the portion of the plan that consists of rules.

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

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

25	YES	58	NO	7	EXCUSED	0	ABSENT	0
26	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
27	Balmer	N	Gardner B.	Y	Looper	N	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	Y	Stephens	Y
31	Beezley	N	Holbert	Y	Miklosi	Y	Summers	Y
32	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	N
33	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Conti	N	Kagan	Y	Pace	Y	Todd	Y
36	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
37	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	DelGrosso	Y	Kerr J.	Y	Ramirez	N	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
44 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Fields, Fischer,
45 Hamner, Hullinghorst, Labuda, Lee, Riesberg, Schafer S., Solano, Stephens,
46 Summers, Todd.

47
48 **HB11-1005** by Representative(s) Sonnenberg and Becker; also
49 Senator(s) Brophy--Concerning the repeal of House Bill
50 10-1195 regarding a suspension of the exemption from the
51 state sales and use taxes for certain items used in
52 agricultural production, and making an appropriation
53 therefor.

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
 2 was declared **passed**.

	YES	47	NO	18	EXCUSED	0	ABSENT	0
5	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
6	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	N
7	Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	Y
8	Baumgardner	Y	Gerou	Y	McCann	N	Soper	N
9	Becker	Y	Hamner	N	McKinley	Y	Stephens	Y
10	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
11	Bradford	Y	Hullinghorst	N	Murray	Y	Swalm	Y
12	Brown	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
13	Casso	Y	Joshi	Y	Pabon	N	Szabo	Y
14	Conti	Y	Kagan	N	Pace	Y	Todd	Y
15	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	N
16	Court	N	Kerr A.	N	Priola	Y	Vaad	Y
17	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
18	Duran	N	Labuda	N	Riesberg	N	Waller	Y
19	Ferrandino	N	Lee	N	Ryden	Y	Williams A.	Y
20	Fields	Y	Levy	N	Schafer S.	Y	Wilson	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Beezley,
 23 Brown, Casso, Conti, Coram, DelGrosso, Gerou, Holbert, Joshi, Kerr J., Liston,
 24 Murray, Nikkel, Priola, Ramirez, Scott, Stephens, Summers, Vigil, Waller,
 25 Speaker.

26
 27 **HB11-1217** by Representative(s) Acree, Joshi, Kerr A., Stephens,
 28 Summers; also Senator(s) Boyd, Roberts--Concerning
 29 measures to expand access to health care throughout the
 30 state.

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 bill
 35 was declared **passed**.

	YES	52	NO	13	EXCUSED	0	ABSENT	0
38	Acree	Y	Fischer	N	Liston	Y	Scott	N
39	Balmer	N	Gardner B.	Y	Looper	N	Solano	Y
40	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
41	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	N
42	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
43	Beezley	N	Holbert	N	Miklosi	Y	Summers	Y
44	Bradford	N	Hullinghorst	Y	Murray	Y	Swalm	N
45	Brown	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
46	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
47	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
48	Coram	Y	Kefalas	N	Peniston	Y	Tyler	Y
49	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
50	DelGrosso	Y	Kerr J.	N	Ramirez	N	Vigil	Y
51	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
52	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
53	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Casso, Fields, Labuda, Massey,
 56 Williams A.

1 **HB11-1279** by Representative(s) Sonnenberg and Becker; also
 2 Senator(s) Hodge--Concerning permits for excess size and
 3 weight vehicles.
 4

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
11	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
12	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
13	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
14	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
15	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
16	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
17	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
18	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
19	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
20	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
21	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
22	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
23	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
24	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
25	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
26	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Baumgardner, Brown, Casso,
 29 Gardner B., Looper, Priola.
 30
 31

32 **HB11-1281** by Representative(s) Joshi; also Senator(s) Boyd--
 33 Concerning health care professional loan forgiveness
 34 programs administered by the primary care office in the
 35 department of public health and environment, and making
 36 an appropriation therefor.
 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	65	NO	0	EXCUSED	0	ABSENT	0
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	Y	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	Y	Szabo	Y
53	Conti	Y	Kagan	Y	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	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y

1	Duran	Y	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) Barker, Fields, Gardner B., Hamner,
 6 Kerr J., Labuda, Massey, Miklosi, Pabon, Peniston, Schafer S., Stephens, Todd,
 7 Vigil.

8
 9 **HB11-1195** by Representative(s) Gardner B., Ryden; also Senator(s)
 10 Newell--Concerning the voluntary licensure of private
 11 investigators, and making an appropriation therefor..

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

17	YES	52	NO	13	EXCUSED	0	ABSENT	0
19	Acree	Y	Fischer	N	Liston	N	Scott	Y
20	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	N
21	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	N
22	Baumgardner	N	Gerou	Y	McCann	Y	Soper	Y
23	Becker	N	Hamner	Y	McKinley	Y	Stephens	Y
24	Beezley	N	Holbert	Y	Miklosi	Y	Summers	Y
25	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	N
26	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
27	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
28	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
29	Coram	N	Kefalas	N	Peniston	Y	Tyler	Y
30	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	DelGrosso	Y	Kerr J.	N	Ramirez	Y	Vigil	N
32	Duran	Y	Labuda	N	Riesberg	Y	Waller	Y
33	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
34	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Barker, Fields, Looper, Todd, Waller.

37
 38 **HB11-1278** by Representative(s) Gardner B.; also Senator(s) Morse--
 39 Concerning sex offender registration.

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

45	YES	63	NO	2	EXCUSED	0	ABSENT	0
47	Acree	N	Fischer	Y	Liston	Y	Scott	Y
48	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
49	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
50	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
51	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Conti	Y	Kagan	Y	Pace	Y	Todd	Y

1	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	Duran	Y	Labuda	Y	Riesberg	N	Waller	Y
5	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
6	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Barker, Fields, Labuda, Looper.

9
10 **SB11-183** by Senator(s) Aguilar, Bacon, Carroll, Foster, Giron,
11 Guzman, Heath, Hodge, Hudak, Lundberg, Nicholson,
12 Steadman, Tochtrop, Williams S.; also Representative(s)
13 Gardner B. and Looper, Gardner D., Kagan, Kefalas, Lee,
14 Levy, Miklosi, Ryden, Tyler--Concerning mandating
15 representation by persons with disabilities on certain state
16 boards.

17
18 The question being "Shall the bill pass?".

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

22	YES	65	NO	0	EXCUSED	0	ABSENT	0
24	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
25	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
26	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
27	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
28	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
31	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
33	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
34	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
36	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
38	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
39	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
40							Speaker	Y

41 Co-sponsor(s) added: Representative(s) Acree, Barker, Beezley, Court, Duran,
42 Fields, Hamner, Kerr J., Labuda, Massey, McCann, Pabon, Pace, Peniston,
43 Schafer S., Solano, Stephens, Summers, Todd, Vigil, Waller, Wilson.

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

49
50 The Senate has adopted and transmits herewith: SJM11- 001.

51
52
53
54
55
56

1 **MESSAGE(S) FROM THE SENATE**

2
3 The Senate has adopted and transmits herewith: SJR11- 026, amended as
4 printed in Senate Journal, April 11, 2011.

5
6
7
8 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

9
10 On motion of Representative Stephens, the rules were suspended and the
11 following resolution was given immediate consideration.

12
13 **SJR11-026** by Senator(s) Brophy and Giron; also Representative(s)
14 Pace and Becker--Concerning the designation of a portion
15 of Colorado Highway 71 as the "Sergeant Eric Autobee
16 Memorial Highway".

17
18 (Printed and placed in member's file).

19
20 On motion of Representative Pace, the resolution was **adopted** by the
21 following roll call vote:

22
23

	YES	65	NO	0	EXCUSED	0	ABSENT	0
24	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
25	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
26	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
27	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
28	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
31	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
33	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
34	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
36	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
38	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
39	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
40							Speaker	Y

41 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
42 Barker, Baumgardner, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
43 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gardner D., Gerou,
44 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
45 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi,
46 Murray, Nikkel, Pabon, Peniston, Priola, Ramirez, Riesberg, Ryden, Schafer S.,
47 Scott, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
48 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Speaker.

49
50
51
52
53 House in recess. House reconvened.
54
55
56

1 On motion of Representative Bradford, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and she
3 was called to the Chair to act as Chairman.

4
5
6 **GENERAL ORDERS--SECOND READING OF BILLS**

7
8 The Committee of the Whole having risen, the Chairman reported the
9 titles of the following bills had been read (reading at length had been
10 dispensed with by unanimous consent), the bills considered and action
11 taken thereon as follows:

12
13 (Amendments to the committee amendment are to the printed committee
14 report which was printed and placed in the members' bill file.)

15
16 **HB11-1284** by Representative(s) Liston and Duran, Balmer, Beezley,
17 Casso, Looper, Massey, Miklosi, Priola, Ramirez,
18 Stephens, Swalm; also Senator(s) Cadman, Nicholson--
19 Concerning the regulation of alcohol beverages.

20
21 Amendment No. 1, Economic & Business Development Report, dated
22 March 24, 2011, and placed in member's bill file; Report also printed in
23 House Journal, March 25, pages 758-759.

24
25 Amendment No. 2, by Representative(s) Liston.

26
27 Amend printed bill, page 5, line 9, strike "amended" and substitute
28 "amended, and the said 12-47-103 is further amended BY THE
29 ADDITION OF A NEW SUBSECTION,".

30
31 Page 5, after line 11 insert:

32
33 "(5.5) "CAFFEINATED ALCOHOL BEVERAGE" MEANS A FERMENTED
34 MALT BEVERAGE OR MALT LIQUOR:

35
36 (a) CONTAINING AT LEAST ONE-HALF OF ONE PERCENT ALCOHOL
37 BY VOLUME;

38
39 (b) TO WHICH IS ADDED, OR WHICH IS INFUSED WITH, CAFFEINE OR
40 OTHER STIMULANTS, INCLUDING GUARANA, GINSENG, OR TAURINE; AND

41
42 (c) SOLD OR DISTRIBUTED IN A PRE-MIXED CONTAINER.".

43
44 Page 6, before line 16 insert:

45
46 "**SECTION 7.** 12-47-901 (1), Colorado Revised Statutes, is
47 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

48
49 **12-47-901. Unlawful acts - exceptions.** (1) Except as provided
50 in section 18-13-122, C.R.S., it is unlawful for any person:

51
52 (n) TO IMPORT, PRODUCE, MANUFACTURE, DISTRIBUTE, SELL AT
53 WHOLESALE OR AT RETAIL, GIVE AWAY, OR SERVE A CAFFEINATED
54 ALCOHOL BEVERAGE.".

55
56 Renumber succeeding sections accordingly.

1 Amendment No. 3, by Representative(s) Liston.

2

3 Amend printed bill, page 5, after line 7 insert:

4 "SECTION 4. 12-46-107 (1), Colorado Revised Statutes, is
5 amended, and the said 12-46-107 is further amended BY THE
6 ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

7

8 **12-46-107. Local licensing authority - application - fees.**

9 (1) SUBJECT TO SUBSECTION (3) OF THIS SECTION, ON AND AFTER JULY 1,
10 2012, the local licensing authority shall issue only the following classes
11 of fermented malt beverage licenses:

12

13 (a) Sales ONLY for consumption off the premises of the licensee.
14 A PERSON LICENSED PURSUANT TO THIS PARAGRAPH (a) MAY DELIVER AT
15 RETAIL FERMENTED MALT BEVERAGES IN FACTORY-SEALED CONTAINERS
16 IN CONJUNCTION WITH THE DELIVERY OF FOOD PRODUCTS IF THE PERSON
17 HAS OBTAINED A PERMIT FOR THE DELIVERY OF FERMENTED MALT
18 BEVERAGES FROM THE STATE LICENSING AUTHORITY.

19

20 (b) Sales ONLY for consumption on the premises of the licensee.

21

22 ~~(c) Sales for consumption both on and off the premises of the~~
23 ~~licensee. A person licensed pursuant to this paragraph (c) may deliver at~~
24 ~~retail fermented malt beverages in factory-sealed containers in~~
25 ~~conjunction with the delivery of food products if such person has~~
26 ~~obtained a permit for the delivery of fermented malt beverages from the~~
27 ~~state licensing authority. The state licensing authority shall promulgate~~
28 ~~rules as are necessary for the proper delivery of fermented malt beverages~~
29 ~~pursuant to this paragraph (c) and shall have the authority to issue a~~
30 ~~permit to any person who is licensed pursuant to and delivers fermented~~
31 ~~malt beverages under this paragraph (c).~~

32

33 (3) THIS SECTION DOES NOT PROHIBIT A LOCAL LICENSING
34 AUTHORITY FROM RENEWING A FERMENTED MALT BEVERAGE LICENSE
35 GRANTED PRIOR TO JULY 1, 2012, FOR THE SALE OF FERMENTED MALT
36 BEVERAGES FOR CONSUMPTION BOTH ON AND OFF THE PREMISES OF THE
37 LICENSEE.

38

39 (4) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
40 CONTRARY, THE LOCAL LICENSING AUTHORITY SHALL NOT ISSUE A NEW
41 FERMENTED MALT BEVERAGE LICENSE ON OR AFTER JULY 1, 2012, THAT
42 AUTHORIZES A PERSON TO SELL FERMENTED MALT BEVERAGES AT RETAIL
43 IF THE BUILDING IN WHICH THE FERMENTED MALT BEVERAGES ARE OR WILL
44 BE SOLD IS LOCATED WITHIN FIVE HUNDRED FEET OF A PUBLIC OR
45 PAROCHIAL SCHOOL OR THE PRINCIPAL CAMPUS OF A COLLEGE,
46 UNIVERSITY, OR SEMINARY, MEASURED IN ACCORDANCE WITH SECTION
47 12-47-313 (1) (d) (II)."

48

49 Renumber succeeding sections accordingly.

50

51 Amendment No. 4, by Representative(s) Liston.

52

53 Amend printed bill, page 3, line 26, strike "volume. and" and substitute
54 "volume and".

55

56 Page 3, line 27, strike "~~not more than~~" and substitute "not more than".

- 1 Page 4, strike line 1 and substitute "ELEVEN percent alcohol by volume.
2 ~~except that~~".
3
- 4 As amended, declared **lost** on Second Reading.
5
- 6 **SB11-188** by Senator(s) Bacon and King K.; also Representative(s)
7 Casso--Concerning increasing the state's oversight of the
8 program that allows the financing of capital construction
9 for qualified charter schools.
10
- 11 Amendment No. 1, Education, dated April 4, 2011, and placed in
12 member's bill file; Report also printed in House Journal, April 5,
13 pages 868-869.
14
- 15 As amended, ordered revised and placed on the Calendar for Third
16 Reading and Final Passage.
17
- 18 **HB11-1064** by Representative(s) Waller; also Senator(s) Steadman--
19 Concerning a parole presumption pilot program for certain
20 drug offenders.
21
- 22 Amendment No. 1, Judiciary, dated February 8, 2011, and placed in
23 member's bill file; Report also printed in House Journal, February 9,
24 page 209.
25
- 26 Amendment No. 2, Appropriations, dated April 8, 2011, and placed in
27 member's bill file; Report also printed in House Journal, April 8,
28 page 915.
29
- 30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.
32
- 33 **HB11-1271** by Representative(s) Scott; also Senator(s) Brophy--
34 Concerning limitations on electric utilities' ability to
35 establish a graduated scale of charges.
36
- 37 Amendment No. 1, Transportation, dated April 6, 2011, and placed in
38 member's bill file; Report also printed in House Journal, April 7,
39 page 906.
40
- 41 As amended, laid over until April 12, retaining place on Calendar.
42
- 43 **HB11-1265** by Representative(s) Stephens, Waller; also Senator(s)
44 Johnston--Concerning the filing of claims for refunds of
45 sales or use tax.
46
- 47 Amendment No. 1, Finance, dated March 23, 2011, and placed in
48 member's bill file; Report also printed in House Journal, March 25,
49 page 760.
50
- 51 Amendment No. 2, by Representative(s) Stephens.
52
- 53 Amend printed bill, page 2, line 19, strike "WILFULLY" and substitute
54 "WILLFULLY" and before "FALSE" insert "MATERIALLY".
55
- 56 Page 2, line 20, strike "TAX,".

1 Page 2, line 21, strike "WHETHER PAID OR CLAIMED AS PAID," and
2 substitute "TAX FOR THE PURPOSE OF FALSELY OBTAINING A REFUND OF
3 SUCH TAX,".

4
5 Page 3, line 4, strike "MAKES A" and substitute "THROUGH GROSS
6 NEGLIGENCE OR RECKLESSNESS MAKES A MATERIALLY".

7
8 Page 5, line 1, strike "TO ANY PERSON WHO ESTABLISHES".

9
10 Page 5, strike line 2.

11
12 Page 5, line 3, strike "OR".

13
14 Page 5, after line 14 insert:

15
16 "(c.5) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
17 REVENUE SHALL MAKE A REFUND OR ALLOW A CREDIT TO ANY PERSON
18 WHO ESTABLISHES THAT HE OR SHE HAS OVERPAID THE TAX DUE
19 PURSUANT TO THIS ARTICLE. NO SUCH REFUND SHALL BE MADE OR CREDIT
20 ALLOWED IN AN AMOUNT GREATER THAN THE TAX PAID LESS THE EXPENSE
21 ALLOWANCE ON THE PURCHASE RETAINED BY THE VENDOR PURSUANT TO
22 SECTION 39-26-105 (1).".

23
24 Page 6, line 20, strike "THE EXECUTIVE DIRECTOR OF THE".

25
26 Page 6, line 21, strike "DEPARTMENT OF REVENUE" and substitute "A
27 VENDOR SHALL FILE ANY CLAIM FOR REFUND WITH THE EXECUTIVE
28 DIRECTOR OF THE DEPARTMENT OF REVENUE. THE EXECUTIVE DIRECTOR
29 SHALL PROMPTLY EXAMINE SUCH CLAIM AND".

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

33
34 **HB11-1272** by Representative(s) Vaad and Looper; also Senator(s)
35 Tochtrop--Concerning the evaluation of driver-
36 improvement schools that people attend as a result of
37 violating a traffic law.

38
39 Amendment No. 1, Appropriations, dated April 8, 2011, and placed in
40 member's bill file; Report also printed in House Journal, April 8,
41 pages 916-918.

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

45
46 **HB11-1275** by Representative(s) Priola; also Senator(s) Williams S.
47 and Spence--Concerning the creation of an engine idling
48 standard for certain commercial diesel vehicles.

49
50 Amendment No. 1, Transportation, dated March 24, 2011, and placed in
51 member's bill file; Report also printed in House Journal, March 25,
52 page 763.

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

56

1 **HB11-1043** by Representative(s) Massey; also Senator(s) Steadman--
2 Concerning medical marijuana.
3

4 Amendment No. 1, Judiciary, dated February 10, 2011, and placed in
5 member's bill file; Report also printed in House Journal, February 14,
6 pages 241-254.
7

8 Amendment No. 2, Appropriations, dated April 1, 2011, and placed in
9 member's bill file; Report also printed in House Journal, April 4,
10 pages 849-851.
11

12 Amendment No. 3, by Representative(s) Levy.
13

14 Amend the Judiciary Committee Report, dated February 10, 2011, page
15 7, strike line 34 and substitute "AGENCY OR WHO ARE IN HOSPICE CARE."
16

17 Amendment No. 4, by Representative(s) Levy.
18

19 Amend the Judiciary Committee Report, dated February 10, 2011, page
20 2, line 36, after "PURPOSE." insert "ANY INFORMATION RELEASED
21 RELATED TO PATIENTS MAY BE USED ONLY FOR A PURPOSE AUTHORIZED BY
22 THIS ARTICLE OR TO VERIFY THAT A PERSON WHO PRESENTED A REGISTRY
23 IDENTIFICATION CARD TO A STATE OR LOCAL LAW ENFORCEMENT OFFICIAL
24 IS LAWFULLY IN POSSESSION OF SUCH CARD."
25

26 Page 11, after line 35, insert:
27

28 **"SECTION 15.** 12-43.3-901, Colorado Revised Statutes, is
29 amended BY THE ADDITION OF A NEW SUBSECTION to read:
30

31 **12-43.3-901. Unlawful acts - exceptions.** (6.5) A PEACE OFFICER
32 OR A LAW ENFORCEMENT AGENCY SHALL NOT USE ANY PATIENT
33 INFORMATION TO MAKE TRAFFIC STOPS PURSUANT TO SECTION 42-4-1302,
34 C.R.S."
35

36 Renumber succeeding sections accordingly.
37

38 Amendment No. 5, by Representative(s) Barker.
39

40 Amend the Judiciary Committee Report, dated February 10, 2011, page
41 6, strike lines 10 through 25.
42

43 Renumber succeeding sections accordingly.
44

45 Amendment No. 6, by Representative(s) Massey.
46

47 Amend the Judiciary Committee Report, dated February 10, 2011, page
48 7, line 37, before "An" insert "(1)".
49

50 Page 8, line 2, strike "THE LICENSE MAY BE".
51

52 Page 8, strike lines 3 through 9 and substitute:
53

54 "(2) OPTIONAL PREMISES CULTIVATION LICENSES MAY BE
55 COMBINED IN A COMMON AREA SOLELY FOR THE PURPOSES OF GROWING
56 AND CULTIVATING MEDICAL MARIJUANA AND USED TO PROVIDE MEDICAL

1 MARIJUANA TO MORE THAN ONE LICENSED MEDICAL MARIJUANA CENTER
 2 OR LICENSED MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURER SO
 3 LONG AS THE HOLDER OF THE OPTIONAL PREMISE CULTIVATION LICENSE IS
 4 ALSO A COMMON OWNER OF EACH LICENSED MEDICAL MARIJUANA CENTER
 5 OR LICENSED MEDICAL MARIJUANA-INFUSED PRODUCT MANUFACTURER TO
 6 WHICH MEDICAL MARIJUANA IS PROVIDED. IN ACCORDANCE WITH
 7 PROMULGATED RULES RELATING TO PLANT AND PRODUCT TRACKING
 8 REQUIREMENTS, EACH OPTIONAL PREMISES CULTIVATION LICENSEE SHALL
 9 SUPPLY MEDICAL MARIJUANA ONLY TO ITS ASSOCIATED LICENSED MEDICAL
 10 MARIJUANA CENTERS OR LICENSED MEDICAL MARIJUANA-INFUSED
 11 PRODUCT MANUFACTURERS."

12
 13 Amendment No. 7, by Representative(s) Massey.

14
 15 Amend the Judiciary Committee Report, dated February 10, 2011, page
 16 2, after line 14, insert:

17
 18 "SECTION 2. 12-43.3-104 (5), Colorado Revised Statutes, is
 19 amended to read:

20
 21 **12-43.3-104. Definitions.** As used in this article, unless the
 22 context otherwise requires:

23
 24 (5) "Local licensing authority" means an authority designated by
 25 municipal or county charter, ~~municipal~~ ordinance, or ~~county~~ resolution,
 26 OR THE GOVERNING BODY OF A MUNICIPALITY, CITY AND COUNTY, OR THE
 27 BOARD OF COUNTY COMMISSIONERS OF A COUNTY IF NO SUCH AUTHORITY
 28 IS DESIGNATED."

29
 30 Renumber succeeding sections accordingly.

31
 32 Page 2, line 15, strike "(1) (c)," and substitute "(1) (b) (I), (1) (c),".

33
 34 Page 2, after line 18, insert:

35
 36 "(b) (I) Promulgate such rules and such special rulings and
 37 findings as necessary for the proper regulation and control of the
 38 cultivation, manufacture, distribution, and sale of medical marijuana and
 39 for the enforcement of this article. A county, municipality, or city and
 40 county that has adopted a temporary moratorium regarding the subject
 41 matter of this article shall be specifically authorized to extend the
 42 moratorium until the effective date of the rules adopted by the department
 43 of revenue in accordance with this article JUNE 30, 2012."

44
 45 Page 3, after line 1, insert:

46
 47 "SECTION 4. 12-43.3-301 (2) (a), Colorado Revised Statutes, is
 48 amended to read:

49
 50 **12-43.3-301. Local licensing authority - applications - licenses.**
 51 (2) (a) A local licensing authority shall not issue a local license within a
 52 municipality, city and county, or the unincorporated portion of a county
 53 unless the governing body of the municipality or city and county has
 54 adopted an ordinance, or the governing body of the county has adopted
 55 a resolution, containing specific standards for license issuance, or if no
 56 such ordinance or resolution is adopted prior to July 1, 2011 2012, then

1 a local licensing authority shall consider the minimum licensing
2 requirements of this part 3 when issuing a license."

3

4 Renumber succeeding sections accordingly.

5

6 Amendment No. 8, by Representative(s) Lee.

7

8 Amend the Judiciary Committee Report, dated February 10, 2011, page
9 6, line 26, after "(4)," insert "(5),".

10

11 Page 7, after line 10, insert:

12

13 "(5) Prior to initiating a sale, the employee of the medical
14 marijuana center making the sale shall verify that the purchaser has a
15 valid registration card issued pursuant to section 25-1.5-106, C.R.S., OR
16 A COPY OF A CURRENT AND COMPLETE APPLICATION FOR THE MEDICAL
17 MARIJUANA REGISTRY ADMINISTERED BY THE DEPARTMENT OF PUBLIC
18 HEALTH AND ENVIRONMENT THAT IS DOCUMENTED BY A CERTIFIED MAIL
19 RETURN RECEIPT AS HAVING BEEN SUBMITTED TO THE DEPARTMENT OF
20 PUBLIC HEALTH AND ENVIRONMENT WITHIN THE PRECEDING THIRTY-FIVE
21 DAYS AND CONTAINS A DIAGNOSIS FROM A PHYSICIAN OF END-STAGE
22 CANCER OR END-STAGE ACQUIRED IMMUNE DEFICIENCY SYNDROME OR A
23 STATEMENT FROM THE PHYSICIAN THAT THE PATIENT IS IN HOSPICE CARE
24 OR RECEIVING CHEMOTHERAPY, and a valid picture identification card that
25 matches the name on the registration card."

26

27 Page 11, line 3, after "(1) (d)," insert "(4) (d) (I),".

28

29 Page 11, after line 18, insert:

30

31 "(d) (I) To sell medical marijuana to a person not licensed
32 pursuant to this article or to a person not able to produce a valid patient
33 registry identification card, UNLESS THE PERSON HAS A COPY OF A
34 CURRENT AND COMPLETE APPLICATION FOR THE MEDICAL MARIJUANA
35 REGISTRY ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND
36 ENVIRONMENT THAT IS DOCUMENTED BY A CERTIFIED MAIL RETURN
37 RECEIPT AS HAVING BEEN SUBMITTED TO THE DEPARTMENT OF PUBLIC
38 HEALTH AND ENVIRONMENT WITHIN THE PRECEDING THIRTY-FIVE DAYS
39 AND CONTAINS A DIAGNOSIS FROM HIS OR HER PHYSICIAN OF END-STAGE
40 CANCER OR END-STAGE ACQUIRED IMMUNE DEFICIENCY SYNDROME OR A
41 STATEMENT FROM HIS OR HER PHYSICIAN THAT THE PATIENT IS IN HOSPICE
42 CARE OR RECEIVING CHEMOTHERAPY. Notwithstanding any provision in
43 this subparagraph (I) to the contrary, a person under twenty-one years of
44 age shall not be employed to sell or dispense medical marijuana at a
45 medical marijuana center or grow or cultivate medical marijuana at an
46 optional premises cultivation operation."

47

48 Page 13, after line 19, insert:

49

50 "**SECTION 19.** 25-1.5-106 (16) (a), Colorado Revised Statutes,
51 is amended to read:

52

53 **25-1.5-106. Medical marijuana program - powers and duties**
54 **of the state health agency - medical review board - medical**
55 **marijuana program cash fund - created - repeal. (16) Fees - repeal.**

56 (a) The state health agency may collect fees from patients who, pursuant

1 to section 14 of article XVIII of the state constitution, apply to the
2 medical marijuana program for a registry identification card for the
3 purpose of offsetting the state health agency's direct and indirect costs of
4 administering the program. The amount of the fees shall be set by rule of
5 the state health agency. The amount of the fees set pursuant to this
6 section shall reflect the actual direct and indirect costs of the state
7 licensing authority in the administration and enforcement of this article
8 so that the fees avoid exceeding the statutory limit on uncommitted
9 reserves in administrative agency cash funds as set forth in section
10 24-75-402 (3), C.R.S. ~~The state health agency shall also promulgate rules~~
11 ~~that allow a patient to claim indigence as it relates to paying the fee~~
12 ~~approved pursuant to this subsection (16). The rules shall establish the~~
13 ~~standard for indigence, the process the state health agency shall use to~~
14 ~~determine whether a patient who claims indigence meets the standard for~~
15 ~~indigence, and the process for granting a waiver if the state health agency~~
16 ~~determines that the patient meets the standard for indigence.~~ THE STATE
17 HEALTH AGENCY SHALL NOT ASSESS A MEDICAL MARIJUANA REGISTRY
18 APPLICATION FEE TO AN APPLICANT WHO DEMONSTRATES, PURSUANT TO
19 A COPY OF THE APPLICANT'S STATE TAX RETURN CERTIFIED BY THE
20 DEPARTMENT OF REVENUE, THAT THE APPLICANT'S INCOME DOES NOT
21 EXCEED THE FEDERAL POVERTY LINE, ADJUSTED FOR FAMILY SIZE. All
22 fees collected by the state health agency through the medical marijuana
23 program shall be transferred to the state treasurer who shall credit the
24 same to the medical marijuana program cash fund, which fund is hereby
25 created.".

26

27 Renumber succeeding sections accordingly.

28

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

31

32 **HB11-1288** by Representative(s) Liston and Pabon, DelGrosso,
33 Gardner D., Holbert, McNulty, Miklosi, Pace, Peniston,
34 Priola, Soper, Swalm, Swerdfeger, Tyler, Williams A.,
35 Wilson; also Senator(s) Morse, Aguilar, Shaffer B.,
36 Tochtrop, Jahn, Harvey--Concerning unemployment
37 insurance solvency reform, and, in connection therewith,
38 enacting measures to enhance the solvency of the
39 unemployment compensation fund.

40

41 Amendment No. 1, Appropriations, dated April 8, 2011, and placed in
42 member's bill file; Report also printed in House Journal, April 8,
43 page 919.

44

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

47

48 On motion of Representative Waller, the remainder of the General Orders
49 Calendar (**HB11-1255, 1222, 1212, 1242, SB11-076, 128, HB11-1250**)
50 was laid over until April 12, retaining place on Calendar.

51

52

53

54

55

MESSAGE(S) FROM THE SENATE

1
2
3 The Senate has adopted and transmits herewith: SJR11- 009.
4
5

6 The Senate has passed on Third Reading and transmitted to the Revisor
7 to the Revisor of Statutes SB11-210, SB11-215, SB11-218, SB11-221,
8 SB11-225, SB11-229, SB11-228, SB11-211, SB11-214.
9

10 The Senate has passed on Third Reading and transmitted to the Revisor
11 of Statutes:
12

13 SB11-217 amended as printed in Senate Journal, April 8, 2011,
14 page 680.
15 SB11-224 amended as printed in Senate Journal, April 8, 2011,
16 page 681.
17 SB11-216 amended as printed in Senate Journal, April 8, 2011,
18 page 682.
19 SB11-222 amended as printed in Senate Journal, April 8, 2011,
20 page 682.
21 SB11-212 amended as printed in Senate Journal, April 8, 2011,
22 page 682.
23 SB11-219 amended as printed in Senate Journal, April 8, 2011,
24 pages 683-684.
25 SB11-213 amended as printed in Senate Journal, April 8, 2011,
26 page 684.
27 SB11-223 amended as printed in Senate Journal, April 8, 2011,
28 page 685.
29 SB11-226 amended as printed in Senate Journal, April 8, 2011,
30 page 683.
31 SB11-230 amended as printed in Senate Journal, April 8, 2011,
32 pages 687-688.
33 SB11-209 amended as printed in Senate Journal, April 8, 2011,
34 pages 688-690.
35 SB11-184 amended as printed in Senate Journal, April 8, 2011,
36 pages 685-687, and also on Third Reading as printed in
37 Senate Journal, April 11, 2011.
38
39

MESSAGE(S) FROM THE REVISOR

40
41
42 We herewith transmit:
43 Without comment, SB11-210, 215, 218, 228, 229, 211, 214, and 221.
44 Without comment, as amended, SB11-184, 209, 212, 213, 217, 219, 222,
45 223, 224, 226 and 230.
46 With comment, SB11-225.
47 With comment, as amended, SB11-216.
48
49

MESSAGE(S) FROM THE GOVERNOR

50
51
52 I certify I received the following on the 8th day of April, 2011, at
53 3:40 p.m. The original is on file in the records of the House of
54 Representatives of the General Assembly.
55

56
Marilyn Eddins,
Chief Clerk of the House

1 April 8, 2011

2

3 To the Honorable House of Representatives

4 Sixty-eighth General Assembly

5 First Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with the
12 Secretary of State the following Acts:

13

14 **HB11-1033** CONCERNING THE ELIMINATION OF THE REQUIREMENT
15 THAT CERTAIN INSURERS FILE COLORADO-SPECIFIC
16 FINANCIAL INFORMATION WITH THE COMMISSIONER OF
17 INSURANCE, AND MAKING AN APPROPRIATION
18 THEREFOR

19

20 Approved April 8, 2011 at 11:38 a.m.

21

22 **HB11-1101** CONCERNING AN EXEMPTION FROM STATE LICENSURE
23 REQUIREMENTS FOR A COMMUNITY CLINIC THAT IS A
24 FEDERALLY QUALIFIED HEALTH CENTER, AND MAKING
25 AN APPROPRIATION IN CONNECTION THEREWITH

26

27 Approved April 8, 2011 at 11:43 a.m.

28

29 **HB11-1159** CONCERNING A REQUIREMENT THAT THE
30 COMMISSIONER OF AGRICULTURE LICENSE GRAIN
31 PROTEIN ANALYZERS PRIOR TO COMMERCIAL USE, AND,
32 IN CONNECTION THEREWITH, EXEMPTING GRAIN
33 PROTEIN ANALYZERS FROM THE REQUIREMENT THAT A
34 CERTIFICATE OF CONFORMANCE BE ISSUED PRIOR TO
35 USE FOR COMMERCIAL OR LAW ENFORCEMENT
36 PURPOSES, AND MAKING AN APPROPRIATION

37

38 Approved April 8, 2011 at 11:46 a.m.

39

40 **HB11-1180** CONCERNING USING INDIVIDUALIZED ASSESSMENTS TO
41 AID JUDGES IN IMPOSING CRIMINAL SENTENCES THAT
42 REDUCE THE LIKELIHOOD OF CRIMINAL OFFENDERS
43 COMMITTING ADDITIONAL CRIMINAL ACTS

44

45 Approved April 8, 2011 at 11:49 a.m.

46

47 **HB11-1186** CONCERNING REIMBURSEMENT BY HEALTH INSURANCE
48 CARRIERS FOR ACUPUNCTURE SERVICES

49

50 Approved April 8, 2011 at 11:51 a.m.

51

52 **HB11-1236** CONCERNING A REPEAL OF THE REQUIREMENT THAT A
53 CERTAIN NUMBER OF GROUP SPECIAL LICENSE PLATES
54 BE ISSUED

55

56 Approved April 8, 2011 at 11:55 a.m.

1 **HB11-1189** CONCERNING BAIL BOND CONDITIONS FOR THOSE
2 ARRESTED FOR SUBSEQUENT SUBSTANCE ABUSE
3 DRIVING OFFENSES
4

5 Approved April 8, 2011 at 11:57 a.m.
6

7 Sincerely,
8 (signed)
9 John W. Hickenlooper
10 Governor
11

12
13
14 **INTRODUCTION OF BILLS**
15 **First Reading**
16

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

20 **HB11-1296** by Representative(s) Kagan, Court, Ferrandino, Fischer,
21 Labuda, Miklosi, Tyler, Wilson--Concerning the
22 temporary continuation of the state sales and use tax on
23 cigarettes.

24 Committee on Appropriations
25

26 **SB11-184** by Senator(s) Steadman, Bacon, Boyd, Carroll, Giron,
27 Guzman, Hodge, Hudak, Johnston, Morse, Nicholson,
28 Shaffer B., Tochtrop; also Representative(s) Ferrandino,
29 Duran, Fields, Hullinghorst, Kagan, Kefalas, Labuda,
30 McCann, Pabon, Pace--Concerning tax reporting, and
31 making an appropriation therefor.

32 Committee on Finance
33

34 **SB11-209** by Senator(s) Hodge, Steadman, Lambert; also
35 Representative(s) Gerou, Becker, Ferrandino--Concerning
36 the provision for payment of the expenses of the executive,
37 legislative, and judicial departments of the state of
38 Colorado, and of its agencies and institutions, for and
39 during the fiscal year beginning July 1, 2011, except as
40 otherwise noted.

41 Committee on Appropriations
42

43 **SB11-210** by Senator(s) Hodge, Steadman, Lambert; also
44 Representative(s) Ferrandino, Becker, Gerou--Concerning
45 the elimination of the supplemental old age pension health
46 and medical care program, and, in connection therewith,
47 providing for the transfer of the fund balance of the
48 supplemental old age pension health and medical care fund
49 to the general fund, authorizing the use of moneys in the
50 tobacco tax cash fund to provide services under medicaid
51 for the medical care of old age pensioners, and making an
52 appropriation.

53 Committee on Appropriations
54
55

- 1 **SB11-211** by Senator(s) Hodge, Steadman, Lambert; also
2 Representative(s) Ferrandino, Becker, Gerou--Concerning
3 the use of tobacco tax revenue for health-related purposes
4 during a state fiscal emergency, and making an
5 appropriation therefor.
6 Committee on Appropriations
7
- 8 **SB11-212** by Senator(s) Hodge, Steadman, Lambert; also
9 Representative(s) Gerou, Becker, Ferrandino--Concerning
10 authority for an additional permissible use of moneys in
11 the hospital provider fee cash fund for state medicaid
12 expenditures to offset state general fund expenditures for
13 the next two fiscal years, and making an appropriation
14 therefor.
15 Committee on Appropriations
16
- 17 **SB11-213** by Senator(s) Hodge, Steadman, Lambert; also
18 Representative(s) Gerou, Becker, Ferrandino--Concerning
19 enrollee cost-sharing for children enrolled in the children's
20 basic health plan, and making an appropriation therefor.
21 Committee on Appropriations
22
- 23 **SB11-214** by Senator(s) Hodge, Steadman, Lambert; also
24 Representative(s) Becker, Gerou, Ferrandino--Concerning
25 decommissioning Fort Lyon correctional facility.
26 Committee on Appropriations
27
- 28 **SB11-215** by Senator(s) Hodge, Steadman, Lambert; also
29 Representative(s) Becker, Gerou, Ferrandino--Concerning
30 a reduction in the general fund portion of the per diem
31 rates paid to nursing facilities for the 2011-12 fiscal year,
32 and making an appropriation therefor.
33 Committee on Appropriations
34
- 35 **SB11-216** by Senator(s) Hodge, Steadman, Lambert; also
36 Representative(s) Ferrandino, Becker, Gerou--Concerning
37 the reduction of general fund appropriations for the
38 children's basic health plan by reallocating tobacco-related
39 revenue streams, and, in connection therewith, abolishing
40 the pediatric specialty hospital fund and the supplemental
41 tobacco litigation settlement money account in the
42 pediatric specialty hospital fund, abolishing the
43 comprehensive primary and preventive care fund,
44 abolishing the comprehensive primary and preventive care
45 grant program, and making an appropriation.
46 Committee on Appropriations
47
- 48 **SB11-217** by Senator(s) Hodge, Steadman, Lambert; also
49 Representative(s) Ferrandino, Becker, Gerou--Concerning
50 a reduction to the juvenile detention bed cap, and making
51 an appropriation in connection therewith.
52 Committee on Appropriations
53
54
55

- 1 **SB11-218** by Senator(s) Hodge, Steadman, Lambert; also
2 Representative(s) Ferrandino, Becker, Gerou--Concerning
3 the transfer of moneys from certain cash funds to the state
4 education fund.
5 Committee on Appropriations
6
- 7 **SB11-219** by Senator(s) Hodge, Steadman, Lambert; also
8 Representative(s) Ferrandino, Becker, Gerou--Concerning
9 moneys appropriated in the 2011-12 fiscal year for health
10 clinics, and making an appropriation therefor.
11 Committee on Appropriations
12
- 13 **SB11-221** by Senator(s) Hodge, Steadman, Lambert; also
14 Representative(s) Becker, Gerou, Ferrandino--Concerning
15 contributions to pay the unfunded accrued liability of old
16 hire pension plans that are affiliated with the fire and
17 police pension association, and making an appropriation
18 therefor.
19 Committee on Appropriations
20
- 21 **SB11-222** by Senator(s) Hodge, Steadman, Lambert; also
22 Representative(s) Gerou, Becker, Ferrandino--Concerning
23 transfers of moneys relating to capital construction.
24 Committee on Appropriations
25
- 26 **SB11-223** by Senator(s) Hodge, Steadman, Lambert; also
27 Representative(s) Gerou--Concerning state sales tax
28 revenues retained by a vendor as compensation for
29 expenses incurred by the vendor in the collection and
30 remittance of such tax revenues to the state, and making an
31 appropriation therefor.
32 Committee on Appropriations
33
- 34 **SB11-224** by Senator(s) Hodge, Steadman, Lambert; also
35 Representative(s) Ferrandino, Becker, Gerou--Concerning
36 the suspension of annual increases in the percentage of
37 tobacco litigation settlement moneys received by the state
38 that are allocated to the nurse home visitor program, and
39 making an appropriation therefor.
40 Committee on Appropriations
41
- 42 **SB11-225** by Senator(s) Hodge, Steadman, Lambert; also
43 Representative(s) Gerou, Becker, Ferrandino--Concerning
44 the short-term innovative health program grant fund, and,
45 in connection therewith, transferring the balance of the
46 grant fund to the general fund at the end of the 2011-12
47 fiscal year and terminating all existing statutory transfers
48 to the grant fund other than its percentage-based base
49 allocation of tobacco litigation settlement moneys after the
50 2010-11 fiscal year.
51 Committee on Appropriations
52
- 53
54 **SB11-226** by Senator(s) Hodge, Steadman, Lambert; also
55 Representative(s) Gerou, Becker, Ferrandino--Concerning
56 the augmentation of the general fund through transfers of

- 1 certain moneys, and making an appropriation in
- 2 connection therewith.
- 3 Committee on Appropriations
- 4
- 5 **SB11-228** by Senator(s) Steadman, Hodge, Lambert; also
- 6 Representative(s) Gerou, Becker, Ferrandino--Concerning
- 7 the formula by which moneys shall be advanced to a
- 8 county from the county tax base relief fund in the event
- 9 that appropriations are insufficient to cover all
- 10 advancements.
- 11 Committee on Appropriations
- 12
- 13 **SB11-229** by Senator(s) Steadman, Hodge, Lambert; also
- 14 Representative(s) Ferrandino, Becker, Gerou--Concerning
- 15 increasing the statutory cap on administrative expenses for
- 16 the school counselor corps grant program.
- 17 Committee on Appropriations
- 18
- 19 **SB11-230** by Senator(s) Bacon; also Representative(s) Massey--
- 20 Concerning the financing of public schools, and making an
- 21 appropriation therefor.
- 22 Committee on Education
- 23 Committee on Appropriations

INTRODUCTION OF RESOLUTION

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

- 30
- 31 **SJR11-009** by Senator(s) Lambert, Hodge, Steadman; also
- 32 Representative(s) Gerou, Becker, Ferrandino--Concerning
- 33 the declaration of a state fiscal emergency pursuant to
- 34 section 21 (7) of article X of the state constitution.
- 35 Committee on Finance

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar (was)were laid over until April 12, retaining place on Calendar:

- 43
- 44 Consideration of Third Reading--**HB11-1141, 1032.**
- 45 Consideration of Senate Amendment(s)--**HB11-1097.**

On motion of Representative Stephens, the House adjourned until 10:00 a.m., April 12, 2011.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

