

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

Sixty-fourth Legislative Day

Wednesday, March 16, 2011

1 Prayer by Representative Summers.

2

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

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5 Pledge of Allegiance led by Gus Wilson from Littleton United Methodist  
6 Great Escape Preschool.

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8 The roll was called with the following result:

9

10 Present--64.

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

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13 The Speaker declared a quorum present.

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16 On motion of Representative Hamner, the reading of the journal of  
17 March 15, 2011, was declared dispensed with and approved as corrected  
18 by the Chief Clerk.

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**INTRODUCTION OF BILL**  
**First Reading**

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

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28 **SB11-094** by Senator(s) Boyd, Aguilar, Carroll, Foster, Newell,  
29 White; also Representative(s) Summers--Concerning the  
30 continuation of the state board of optometric examiners,  
31 and, in connection therewith, implementing the sunset  
32 review recommendations of the department of regulatory  
33 agencies, and making an appropriation.

34 Committee on Health and Environment

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**CONSIDERATION OF RESOLUTION(S)**

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40 **HJR11-1011** by Representative(s) Sonnenberg; also Senator(s)  
41 Schwartz--Concerning recognition of March 16, 2011, as  
42 "National Agriculture Day".

43

1 (Printed and placed in members' file)

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3 On motion of Representative Sonnenberg, the resolution was read at  
4 length and **adopted by viva voce** vote.

5

6 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,  
7 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,  
8 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gardner D.,  
9 Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kefalas, Kerr A., Kerr J.,  
10 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi,  
11 Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Riesberg, Ryden,  
12 Schafer S., Scott, Solano, Soper, Stephens, Summers, Swalm, Swerdfeger,  
13 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Speaker.

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### CHANGE IN SPONSORSHIP

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19 The Speaker announced the following change in sponsorship:  
20 HB11-1264--Representative Williams to be added as dual prime sponsor  
21 with Representative Priola.

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### APPOINTMENT

26

27 The Speaker announced the temporary appointment of Representative  
28 Kerr J. to replace Representative Vaad to the Committee on  
29 Appropriations (temporary appointment for the Friday meeting on  
30 March, 18, 2011).

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### REPORT(S) OF COMMITTEE(S) OF REFERENCE

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#### HEALTH & ENVIRONMENT

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

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40 **SB11-087** be referred to the Committee of the Whole with favorable  
41 recommendation.

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44 **SB11-120** be amended as follows, and as so amended, be referred to  
45 the Committee of the Whole with favorable  
46 recommendation:

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48 Amend reengrossed bill, page 4, line 21, strike "TREATMENT" and  
49 substitute "TREATMENT, AND BENEFITS".

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51 Page 4, line 22, strike "AND BENEFITS,".

52

53 Page 5, line 24, strike "TOGETHER" and substitute "TOGETHER, AS  
54 APPROPRIATE,".

55

56 Page 6, line 4, strike "SIBLINGS AND TO" and substitute "SIBLINGS.".

1 Page 6, strike lines 5 and 6.

2

3 Page 7, strike line 4 and substitute "SERVICES WITH LEGAL CUSTODY OF  
4 THE YOUTH."

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6 Page 7, line 16, after "HOME" insert "PARENTS OR GROUP CENTER".

7

8 Page 7, line 18, strike "CUSTODY" and substitute "CARE".

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13 **JUDICIARY**

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

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17 **HB11-1250** be amended as follows, and as so amended, be referred to  
18 the Committee on Finance with favorable  
19 recommendation:

20

21 Amend printed bill, page 2, strike lines 2 through 14 and substitute:

22

23 "SECTION 1. 12-43.3-202 (2) (a), Colorado Revised Statutes, is  
24 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

25

26 **12-43.3-202. Powers and duties of state licensing authority -  
27 repeal.** (2) (a) Rules promulgated pursuant to paragraph (b) of  
28 subsection (1) of this section may include, but need not be limited to, the  
29 following subjects:

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31 (XIV.5) PROHIBITING THE SALE OF MEDICAL MARIJUANA-INFUSED  
32 PRODUCTS UNLESS THE PRODUCT IS PACKAGED:

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34 (A) IN SPECIAL PACKAGING THAT IS DESIGNED OR CONSTRUCTED  
35 TO BE SIGNIFICANTLY DIFFICULT FOR CHILDREN UNDER FIVE YEARS OF AGE  
36 TO OPEN AND NOT DIFFICULT FOR NORMAL ADULTS TO USE PROPERLY AND  
37 THAT DOES NOT ALLOW THE PRODUCT TO BE SEEN WITHOUT OPENING THE  
38 PACKAGING MATERIAL; OR

39

40 (B) IN PACKAGING THAT IS LABELED "MEDICINAL PRODUCT - NOT  
41 FOR USE BY CHILDREN";".

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45 **SB11-039** be amended as follows, and as so amended, be referred to  
46 the Committee of the Whole with favorable  
47 recommendation:

48

49 Amend reengrossed bill, page 4, strike lines 10 through 14 and substitute:

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51 ~~"either through the disclosure provision on the rental agreement, or~~  
52 ~~through finding a validly filed AS EVIDENCED BY A financing statement in~~  
53 ~~the county where the self-service storage facility is located or in the~~  
54 ~~county of the occupant's last-known address FILED WITH THE SECRETARY~~  
55 ~~OF STATE, or through THE OWNER'S RECEIPT OF other written notice OF~~  
56 ~~SUCH INTEREST FROM THE LIENHOLDER. shall be included in the notice~~

1 ~~process as provided in this section."~~

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3 Page 7, after line 6 insert:

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5 **"SECTION 3.** 38-21.5-102, Colorado Revised Statutes, is  
6 amended to read:

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8 **38-21.5-102. Lien established.** Where a rental agreement, as  
9 defined in section 38-21.5-101 (6), is entered into between the owner and  
10 the occupant, the owner of a self-service storage facility and his or her  
11 heirs, executors, administrators, successors, and assigns have a lien upon  
12 all personal property located at the self-service storage facility for rent,  
13 labor, or other charges, present or future, in relation to the personal  
14 property and for expenses necessary for its preservation or expenses  
15 reasonably incurred in its sale or other disposition pursuant to this article.  
16 The lien attaches as of the date the personal property is brought to the  
17 self-service storage facility and continues so long as the owner retains  
18 possession and until the default is corrected, or a sale is conducted, or the  
19 property is otherwise disposed of to satisfy the lien. Prior to taking  
20 enforcement action pursuant to section 38-21.5-103 (1) (b), the owner  
21 shall determine if ~~in the county where the self-service storage facility is~~  
22 ~~located and in the county of the occupant's last-known address,~~ a  
23 financing statement CONCERNING THE PROPERTY TO BE SOLD OR  
24 OTHERWISE DISPOSED OF HAS BEEN filed WITH THE SECRETARY OF STATE  
25 in accordance with part 5 of article 9 of title 4, C.R.S. ~~has been filed~~  
26 ~~concerning the property to be sold or otherwise disposed of."~~

27

28 Renumber succeeding section accordingly.

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### SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

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35 The Speaker has signed: **SJR11-007 and 022.**

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### MESSAGE(S) FROM THE SENATE

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41 The Senate has postponed indefinitely HB11-1220. The bill is returned  
42 herewith.

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

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48 SB11-088 amended as printed in Senate Journal, March 11, 2011,  
49 page 432.

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52 The Senate has adopted and returns herewith: HJR11-1011.

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**MESSAGE(S) FROM THE REVISOR**

We herewith transmit:  
Without comment, as amended, SB11-088.

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**INTRODUCTION OF BILL  
First Reading**

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

**SB11-092** by Senator(s) Giron, Schwartz; also Representative(s) Hamner--Concerning the continuation of vessel regulation by the division of parks and outdoor recreation, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.  
Committee on Agriculture, Livestock, & Natural Resources

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

On motion of Representative Stephens, the following item(s) on the Calendar (was)were laid over until March 17, retaining place on Calendar:

Consideration of Third Reading--**HB11-1160, SB11-034, HB11-1076, 1163, 1080, 1166, 1198, 1200, 1230.**  
Consideration of General Orders--**HB11-1116, 1146, 1106, 1140, SB11-019, HB11-1267, SB11-016, 083, HB11-1211, SB11-024, 031.**  
Consideration of Senate Amendment(s)--**HB11-1016, 1069, 1118, 1079, 1083, 1151.**

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On motion of Representative Nikkel, the House adjourned until 9:00 a.m., March 17, 2011.

Approved:  
FRANK McNULTY,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk

