

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

One hundred-thirteenth Legislative Day Wednesday, May 4, 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 Natasha Maria from University of Northern
7 Colorado, Greeley.

8
9 The roll was called with the following result:

10

11 Present--65.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Scott, the reading of the journal of
17 May 3, 2011, was declared dispensed with and approved as corrected by
18 the Chief Clerk.

19

20

21

22

23

24 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

25

26 On motion of Representative Stephens, the rules were suspended and the
27 following resolution was given immediate consideration.

28

29 **HR11-1008** by Representative(s) Williams A., Todd, Fields, Kagan,
30 Vigil, Casso, Court, Duran, Fischer, Gardner D., Hamner,
31 Kefalas, Kerr A., Labuda, Lee, McCann, McKinley,
32 Miklosi, Pabon, Pace, Peniston, Ryden, Schafer S.,
33 Solano, Soper, Tyler, Wilson--Concerning recognition of
34 the Fatherhood and Mentoring Initiative.

35

36 (Printed and placed in member's file).

37

38 On motion of Representative Williams A., the resolution was **adopted**
39 by **viva voce** vote.

40

41 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
42 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Conti, Coram,
43 DelGrosso, Ferrandino, Gardner B., Gerou, Holbert, Hullinghorst, Jones, Joshi,

1 Kerr J., Levy, Liston, Looper, Massey, Murray, Nikkel, Pabon, Priola, Ramirez,
2 Riesberg, Scott, Sonnenberg, Stephens, Summers, Swalm, Swerdfeger, Szabo,
3 Vaad, Waller, Speaker.
4
5

6
7 House in recess. House reconvened.
8
9

10
11 **MESSAGE(S) FROM THE SENATE**
12

13 The Senate has adopted and transmits herewith: SJR11-052.
14
15

16
17
18 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**
19

20 On motion of Representative Stephens, the rules were suspended and the
21 following resolution was given immediate consideration.
22

23 **SJR11-052** by Senator(s) Morse and King S.; also Representative(s)
24 Barker--Concerning declaring the week of May 15-21,
25 2011, as Police Week and May 15, 2011, as Peace
26 Officers' Memorial Day.
27

28 (Printed and placed in member's file).
29

30 On motion of Representative Barker, the resolution was read at length and
31 **adopted by viva voce** vote.
32

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

43
44 House in recess. House reconvened.
45
46

47
48 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**
49

50 **ECONOMIC & BUSINESS DEVELOPMENT**

51 After consideration on the merits, the Committee recommends the
52 following:
53

54 **HB11-1314** be referred to the Committee of the Whole with favorable
55 recommendation.
56

1 **LEGAL SERVICES**

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

4
5 **SB11-078** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9
10 **THIRD READING OF BILL(S)--FINAL PASSAGE**

11
12 The following bill(s) was(were) considered on Third Reading. The
13 title(s) was(were) publicly read. Reading of the bill at length was
14 dispensed with by unanimous consent.
15

16 **HB11-1311** by Representative(s) Swerdfeger and Kerr A., Stephens,
17 Pace; also Senator(s) Giron, Cadman--Concerning the
18 number of project applications that the Colorado economic
19 development commission may approve following approval
20 of two initial projects pursuant to the "Colorado Regional
21 Tourism Act".
22

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

	YES	48	NO	17	EXCUSED	0	ABSENT	0
29	Acree	N	Fischer	N	Liston	Y	Scott	Y
30	Balmer	N	Gardner B.	Y	Looper	N	Solano	N
31	Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	Y
32	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
33	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
34	Beezley	N	Holbert	N	Miklosi	Y	Summers	Y
35	Bradford	Y	Hullinghorst	N	Murray	Y	Swalm	N
36	Brown	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
37	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
38	Conti	Y	Kagan	N	Pace	Y	Todd	Y
39	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	N
40	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
41	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
42	Duran	Y	Labuda	N	Riesberg	Y	Waller	Y
43	Ferrandino	N	Lee	Y	Ryden	Y	Williams A.	Y
44	Fields	Y	Levy	N	Schafer S.	Y	Wilson	N
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Baumgardner, Casso, Liston, Massey,
47 McKinley, Nikkel, Priola, Ramirez, Schafer S., Todd, Vigil, Speaker.
48

49 **HB11-1301** by Representative(s) Waller, Gardner B., Murray, Priola,
50 Todd, Fields, Levy, Casso, Schafer S., Stephens; also
51 Senator(s) Schwartz, Williams S.--Concerning statutory
52 changes to increase efficiency in the operations of public
53 institutions of higher education.
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	63	NO	2	EXCUSED	0	ABSENT	0
5	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
6	Balmer	N	Gardner B.	Y	Looper	Y	Solano	Y
7	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
8	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
9	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
10	Beezley	Y	Holbert	N	Miklosi	Y	Summers	Y
11	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
12	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
13	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
14	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
15	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
16	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
17	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
18	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
19	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
20	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Duran, Fischer, Gerou, Hamner,
23 Hullinghorst, Kerr J., Labuda, Summers, Tyler, Vigil, Wilson.

24
25 **HB11-1280** by Representative(s) Beezley and DelGrosso, Acree,
26 Balmer, Barker, Baumgardner, Becker, Bradford, Brown,
27 Conti, Coram, Gardner B., Gerou, Holbert, Joshi, Kerr J.,
28 Liston, Looper, Massey, McNulty, Murray, Nikkel, Priola,
29 Ramirez, Scott, Sonnenberg, Stephens, Summers, Swalm,
30 Swerdfeger, Szabo, Vaad, Waller; also Senator(s) Brophy,
31 Harvey, Grantham, Cadman, King K., King S., Kopp,
32 Lambert, Lundberg, Mitchell, Renfroe, Roberts, Scheffel,
33 Spence, White--Concerning the use of moneys in the state
34 general fund above a newly established limit on total state
35 general fund appropriations.

36
37 The question being "Shall the bill pass?".
38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the bill
40 was declared **passed**.

	YES	34	NO	31	EXCUSED	0	ABSENT	0
43	Acree	Y	Fischer	N	Liston	Y	Scott	Y
44	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	N
45	Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	Y
46	Baumgardner	Y	Gerou	Y	McCann	N	Soper	N
47	Becker	Y	Hamner	N	McKinley	N	Stephens	Y
48	Beezley	Y	Holbert	Y	Miklosi	N	Summers	Y
49	Bradford	Y	Hullinghorst	N	Murray	Y	Swalm	Y
50	Brown	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
51	Casso	N	Joshi	Y	Pabon	N	Szabo	Y
52	Conti	Y	Kagan	N	Pace	N	Todd	N
53	Coram	Y	Kefalas	N	Peniston	N	Tyler	N
54	Court	N	Kerr A.	N	Priola	Y	Vaad	Y
55	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
56	Duran	N	Labuda	N	Riesberg	N	Waller	Y

1	Ferrandino	N	Lee	Y	Ryden	N	Williams A.	N
2	Fields	N	Levy	N	Schafer S.	N	Wilson	N
3							Speaker	Y

4
5 **SB11-200** by Senator(s) Boyd; also Representative(s) Stephens--
6 Concerning a Colorado health benefit exchange, and, in
7 connection therewith, creating a process for the
8 implementation of a health benefit exchange in Colorado.
9

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

15	YES	44	NO	21	EXCUSED	0	ABSENT	0
16	Acree	N	Fischer	Y	Liston	Y	Scott	N
17	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
18	Barker	N	Gardner D.	Y	Massey	Y	Sonnenberg	N
19	Baumgardner	N	Gerou	Y	McCann	Y	Soper	N
20	Becker	N	Hamner	Y	McKinley	Y	Stephens	Y
21	Beezley	N	Holbert	N	Miklosi	Y	Summers	Y
22	Bradford	N	Hullinghorst	Y	Murray	Y	Swalm	Y
23	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
24	Casso	Y	Joshi	N	Pabon	Y	Szabo	N
25	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
26	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
27	Court	Y	Kerr A.	Y	Priola	Y	Vaad	N
28	DelGrosso	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
29	Duran	Y	Labuda	Y	Riesberg	Y	Waller	N
30	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
31	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Casso, Duran, Fields, Gardner D.,
34 Hamner, Jones, Kagan, Labuda, Levy, Massey, Miklosi, Pabon, Pace, Peniston,
35 Riesberg, Schafer S., Summers, Todd, Tyler, Vigil, Wilson.
36

37 **HB11-1263** by Representative(s) Priola; also Senator(s) Scheffel--
38 Concerning property tax exemptions for business personal
39 property.
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

46	YES	36	NO	29	EXCUSED	0	ABSENT	0
47	Acree	Y	Fischer	N	Liston	Y	Scott	Y
48	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	N
49	Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	Y
50	Baumgardner	Y	Gerou	Y	McCann	N	Soper	N
51	Becker	Y	Hamner	N	McKinley	Y	Stephens	Y
52	Beezley	Y	Holbert	Y	Miklosi	N	Summers	Y
53	Bradford	Y	Hullinghorst	N	Murray	Y	Swalm	Y
54	Brown	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
55	Casso	Y	Joshi	Y	Pabon	N	Szabo	Y
56	Conti	Y	Kagan	N	Pace	N	Todd	N

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

8 Co-sponsor(s) added: Representative(s) Brown, Conti, Kerr J., Looper, Murray,
9 Nikkel, Scott, Summers.

10

11 **HB11-1273** by Representative(s) Nikkel and Stephens, Gardner B.,
12 Acree, Barker, Baumgardner, Becker, Beezley, Bradford,
13 Brown, Conti, Coram, DelGrosso, Gerou, Holbert, Joshi,
14 Kerr J., Liston, Looper, Massey, McNulty, Murray, Priola,
15 Ramirez, Scott, Sonnenberg, Summers, Swalm,
16 Swerdfeger, Szabo, Vaad, Waller; also Senator(s) Kopp,
17 Harvey, Brophy, Cadman, Grantham, King K., King S.,
18 Lambert, Lundberg, Mitchell, Renfroe, Roberts, Scheffel,
19 Spence, White--Concerning the enactment of the "Health
20 Care Opportunity and Patient Empowerment Act" to
21 authorize the state to negotiate with other states to develop
22 an interstate compact for purposes of allowing the
23 signatory states to opt out of federal law so as to regulate
24 health care at the state level.

25

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

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

30

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

49

50 **HB11-1091** by Representative(s) Liston, Balmer, Kerr J., Barker,
51 Bradford, Court, Joshi, Looper, Murray, Szabo; also
52 Senator(s) Morse, Harvey, Tochtrop--Concerning the sales
53 tax exemption for purchases of medical equipment.

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

22 Co-sponsor(s) added: Representative(s) Becker, Conti, Gardner B., Gerou,
23 Hamner, Labuda, Massey, Nikkel, Pace, Scott, Summers, Todd, Vigil.

24
25 **HB11-1316** by Representative(s) Priola, Duran; also Senator(s)
26 Johnston--Concerning the creation of certain sports special
27 license plates for Kroenke sports charities, and making an
28 appropriation therefor.

29
30 The question being "Shall the bill pass?".

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

	YES	42	NO	23	EXCUSED	0	ABSENT	0
36	Acree	N	Fischer	N	Liston	N	Scott	Y
37	Balmer	N	Gardner B.	N	Looper	Y	Solano	N
38	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	N
39	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
40	Becker	N	Hamner	Y	McKinley	N	Stephens	Y
41	Beezley	N	Holbert	N	Miklosi	Y	Summers	Y
42	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	N
43	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
44	Casso	N	Joshi	Y	Pabon	Y	Szabo	Y
45	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
46	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
47	Court	N	Kerr A.	Y	Priola	Y	Vaad	Y
48	DelGrosso	N	Kerr J.	N	Ramirez	Y	Vigil	Y
49	Duran	Y	Labuda	Y	Riesberg	N	Waller	N
50	Ferrandino	N	Lee	N	Ryden	Y	Williams A.	Y
51	Fields	N	Levy	N	Schafer S.	Y	Wilson	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Hamner, Todd, Williams A.

54
55

1 **HB11-1309** by Representative(s) Baumgardner, Scott; also Senator(s)
 2 Renfroe--Concerning enactment of the "Unauthorized
 3 Employment Act".
 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	48	NO	17	EXCUSED	0	ABSENT	0
11	Acree	Y	Fischer	N	Liston	Y	Scott	Y
12	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	N
13	Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	Y
14	Baumgardner	Y	Gerou	Y	McCann	N	Soper	Y
15	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
16	Beezley	Y	Holbert	Y	Miklosi	N	Summers	Y
17	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
18	Brown	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
19	Casso	Y	Joshi	Y	Pabon	N	Szabo	Y
20	Conti	Y	Kagan	N	Pace	Y	Todd	Y
21	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	N
22	Court	N	Kerr A.	Y	Priola	Y	Vaad	Y
23	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
24	Duran	N	Labuda	Y	Riesberg	Y	Waller	Y
25	Ferrandino	N	Lee	Y	Ryden	N	Williams A.	N
26	Fields	N	Levy	N	Schafer S.	Y	Wilson	N
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Summers.
 29
 30

31 **HB11-1014** by Representative(s) DelGrosso; also Senator(s) Roberts
 32 and Hudak--Concerning the repeal of a limiting trigger
 33 associated with the child care contribution income tax
 34 credit.
 35

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

	YES	61	NO	4	EXCUSED	0	ABSENT	0
42	Acree	N	Fischer	Y	Liston	Y	Scott	Y
43	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
44	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
45	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
46	Becker	N	Hamner	Y	McKinley	Y	Stephens	Y
47	Beezley	N	Holbert	N	Miklosi	Y	Summers	Y
48	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
49	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
50	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
51	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
52	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
53	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
54	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
55	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
56	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y

1	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Ferrandino, Fields, Kagan, Kefalas,
 4 Kerr A., Kerr J., Labuda, Looper, Massey, Nikkel, Pace, Schafer S., Stephens,
 5 Summers, Todd, Vigil, Wilson, Speaker.

6
 7 **HB11-1212** by Representative(s) Tyler and Hulinghorst; also
 8 Senator(s) Spence--Concerning the inclusion of lean
 9 government principles in the performance-based budgeting
 10 process.

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	62	NO	3	EXCUSED	0	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	N	Holbert	N	Miklosi	Y	Summers	Y
24	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
25	Brown	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
26	Casso	Y	Joshi	Y	Pabon	Y	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	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
31	Duran	Y	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) Casso, Court, Duran, Ferrandino,
 36 Fields, Fischer, Gardner D., Hamner, Kefalas, Kerr J., Labuda, Lee, Looper,
 37 Miklosi, Pabon, Pace, Peniston, Riesberg, Schafer S., Todd, Vaad, Vigil,
 38 Williams A., Wilson.

39
 40
 41
 42 On motion of Representative Stephens, **HB11-1314** was added to the
 43 Special Orders Calendar on Wednesday, May 4, 2011.

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

49
 50
 51 **SPECIAL 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 **HB11-1294** by Representative(s) Brown, Acree, Baumgardner,
5 Bradford, Coram, Gardner B., Holbert, Joshi, Looper,
6 Massey, McKinley, Murray, Sonnenberg; also Senator(s)
7 White, Cadman, Grantham, King K., King S., Roberts,
8 Scheffel, Spence--Concerning the authority of the division
9 of wildlife in the department of natural resources to
10 manage black bears.
11

12 Amendment No. 1, Agriculture, Livestock, & Natural Resources, dated
13 April 18, 2011 and placed in member's bill file; Report also printed in
14 House Journal, April 19, page 1026.
15

16 Amendment No. 2, by Representative(s) Brown.
17 Amend printed bill, page 3, strike lines 16 through 21 and substitute:
18

19 **"hunting prohibited - prohibited means of taking - penalty.**
20 (2) During the period from March 1 through ~~September 1~~ MAY 31 of any
21 calendar year, it is unlawful for any person to take a black bear by any
22 means including ~~but not limited to~~ firearm or bow and arrow."
23

24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.
26

27
28
29 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
30

31 Passed Second Reading: **HB11-1294 amended.**
32

33 The Chairman moved the adoption of the Committee of the Whole
34 Report. As shown by the following roll call vote, a majority of those
35 elected to the House voted in the affirmative, and the Report was
36 **adopted.**
37

	YES	33	NO	32	EXCUSED	0	ABSENT	0
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	N	McCann	N	Soper	Y
43	Becker	Y	Hamner	N	McKinley	Y	Stephens	Y
44	Beezley	Y	Holbert	Y	Miklosi	N	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	N	Szabo	N
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	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
52	Duran	N	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

PRINTING REPORT

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The Chief Clerk reports the following bills have been correctly printed:
HB11-1319, 1320.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB11-231.**

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB11-1312 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 14, line 12, after the period add "THE COLORADO ENERGY OFFICE SHALL BE RESPONSIBLE FOR THE SALARIES AND OTHER ASSOCIATED COSTS OF THREE FULL-TIME EQUIVALENT EMPLOYEES COMBINED WITH ANY REGIONAL OR BUSINESS DEVELOPMENT REPRESENTATIVES EMPLOYED BY THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT AS SPECIFIED IN THIS SUBSECTION (2) AND SECTION 24-48.5-101 (5.5).".

Page 23, line 22, after the period add "THE COLORADO ENERGY OFFICE CREATED IN SECTION 24-38.5-101 SHALL BE RESPONSIBLE FOR THE SALARIES AND OTHER ASSOCIATED COSTS OF THREE FULL-TIME EQUIVALENT EMPLOYEES SERVING AS REGIONAL OR BUSINESS DEVELOPMENT REPRESENTATIVES PURSUANT TO THIS SUBSECTION (5.5).".

Page 24, line 27, strike "continuously appropriated" and substitute "~~continuously~~ ANNUALLY appropriated BY THE GENERAL ASSEMBLY".

Page 41, strike lines 6 through 20 and substitute:

"SECTION 52. 42-3-228, Colorado Revised Statutes, is repealed."

Page 41, after line 20 insert:

"SECTION 53. Appropriation. The general assembly anticipates that, for the fiscal year beginning July 1, 2011, the governor - lieutenant governor - state planning and budgeting, economic development programs division, for global business development, will receive the sum of two hundred thirty-seven thousand one hundred sixty-four dollars (\$237,164) in federal funds and 3.0 FTE for the implementation of this

1 act. Although these funds are not appropriated in this act, they are noted
2 for the purpose of indicating the assumptions used relative to these
3 funds.".

4
5 Renumber succeeding sections accordingly.

6
7 Page 1, line 102, strike "OFFICE." and substitute "OFFICE, AND MAKING
8 AN APPROPRIATION IN CONNECTION THEREWITH."

9
10
11
12

13 **ECONOMIC & BUSINESS DEVELOPMENT**

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

16

17 **HB11-1318** be amended as follows, and as so amended, be referred to
18 the Committee on Appropriations with favorable
19 recommendation:

20

21 Amend printed bill, page 2, line 8, strike "11-____," and substitute
22 "11-1318,".

23

24 Page 7, strike line 18 and substitute "PURCHASES, ON AT LEAST ONE POST-
25 PURCHASE COMMUNICATION DIRECTED TO THE".

26

27 Page 7, line 21, strike "VISIBLE." and substitute "VISIBLE AND SHALL
28 PROVIDE ACCESS TO A LINK TO THE OFFICIAL WEB SITE OF THE
29 DEPARTMENT OF REVENUE WHERE THE PURCHASER CAN OBTAIN
30 INFORMATION ON HOW TO REMIT ANY USE TAX DUE. FOR PURPOSES OF
31 THIS SUBPARAGRAPH (I), A POST-PURCHASE COMMUNICATION SHALL
32 INCLUDE BUT SHALL NOT BE LIMITED TO AN EMAIL CONFIRMATION OR
33 INVOICE RELATED TO THE PURCHASE. THE NOTIFICATION PROVISIONS IN
34 THIS SECTION SHALL NOT REQUIRE A RETAILER AS DESCRIBED IN THIS
35 SUBPARAGRAPH (I) TO SEND ANY ADDITIONAL FORMS OF COMMUNICATION
36 THAT SUCH RETAILER IS NOT ALREADY SENDING TO A PURCHASER."

37

38

39

40

41 **FINANCE**

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

44

45 **HB11-1307** be amended as follows, and as so amended, be referred to
46 the Committee on Appropriations with favorable
47 recommendation:

48

49 Amend printed bill, page 4, line 25, strike "THE DEPARTMENT OF HEALTH
50 CARE POLICY AND".

51

52 Page 4, strike line 26.

53

54 Page 4, line 27, strike "REQUIREMENT AND".

55

56 Page 7, line 12, strike "FUND OR TO THE FUND FROM WHICH THE" and

1 substitute "FUND; EXCEPT THAT THE STATE CONTROLLER SHALL INSTEAD
2 TRANSFER MONEYS REMAINING IN THE CASH FUND TO THE FUND FROM
3 WHICH THE".

4

5 Page 7, strike line 15 and substitute "USED OR IF THE IMPROPER PAYMENT
6 WAS MADE WITH MONEYS ORIGINALLY RECEIVED BY THE STATE AS GIFTS,
7 GRANTS, OR DONATIONS.".

8

9

10

11

12 **LOCAL GOVERNMENT**

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

15

16 **HB11-1317** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19

20 Amend printed bill, strike everything below the enacting clause and
21 substitute:

22 "SECTION 1. 29-20-105.5 (3) (a), Colorado Revised Statutes, is
23 amended to read:

24

25 **29-20-105.5. Intergovernmental cooperation -**
26 **intergovernmental agreements to address wildland fire mitigation -**
27 **legislative declaration.** (3) (a) On or before ~~July 1, 2011~~ JULY 1, 2012,
28 each local government that owns any land area that is located either
29 entirely or partially outside its own territorial boundaries and inside the
30 territorial boundaries of a county and that contains at least fifty percent
31 forest land or land that constitutes a wildland area shall enter into an
32 intergovernmental agreement with the county for the purpose of
33 mitigating forest land or wildland fires affecting the contiguous land areas
34 of the local government and county. In association with the governmental
35 parties entering into any intergovernmental agreement, the parties to such
36 agreement shall consult with any utility providers that have facilities in
37 the areas subject to the agreements to the extent the provisions of the
38 agreements will affect the providers.

39

40 **SECTION 2. Safety clause.** The general assembly hereby finds,
41 determines, and declares that this act is necessary for the immediate
42 preservation of the public peace, health, and safety.".

43

44

45

46

47 **STATE, VETERANS, & MILITARY AFFAIRS**

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

50

51 **HB11-1276** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54

55 Amend printed bill, strike everything below the enacting clause and
56 substitute:

1 "SECTION 1. 2-1-102 (1) (b) (II), Colorado Revised Statutes, is
2 amended to read:

3
4 **2-1-102. Neutral criteria for judicial determinations of
5 congressional districts.** (1) In determining whether one or more of the
6 congressional districts established in section 2-1-101 are lawful and in
7 adopting or enforcing any change to any such district, courts:

8
9 (b) May, without weight to any factor, utilize factors including but
10 not limited to:

11
12 (II) The preservation of communities of interest, including ethnic,
13 cultural, economic, trade area, geographic, and demographic factors.
14 TRADITIONAL COMMUNITIES OF INTEREST IN COLORADO INCLUDE THE
15 WESTERN SLOPE AND THE EASTERN PLAINS.

16
17 **SECTION 2. Act subject to petition - effective date.** This act
18 shall take effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part shall not take effect
24 unless approved by the people at the general election to be held in
25 November 2012 and shall take effect on the date of the official
26 declaration of the vote thereon by the governor."

27
28
29
30 **HB11-1313** be referred to the Committee of the Whole with favorable
31 recommendation.

32
33
34 On motion of Representative Stephens, **HB11-1313, 1315, 1276, 1317,**
35 **1312** were added to the Special Orders Calendar on Wednesday,
36 May 4, 2011.

37
38
39 On motion of Representative Looper, the House resolved itself into
40 Committee of the Whole for consideration of Special Orders and she was
41 called to the Chair to act as Chairman.

42
43
44 **SPECIAL ORDERS--SECOND READING OF BILLS**

45
46 The Committee of the Whole having risen, the Chairman reported the
47 titles of the following bills had been read (reading at length had been
48 dispensed with by unanimous consent), the bills considered and action
49 taken thereon as follows:

50
51 (Amendments to the committee amendment are to the printed committee
52 report which was printed and placed in the members' bill file.)

53
54 **HB11-1315** by Representative(s) Gardner B.; also Senator(s) Carroll--
55 Concerning a modification of statutory provisions
56 governing the political party affiliation of members of the

1 independent ethics commission to specify that no more
2 than two members of the commission shall be affiliated
3 with the same political party.
4

5 Ordered engrossed and placed on the Calendar for Third Reading and
6 Final Passage.
7

8 **HB11-1313** by Representative(s) Massey; also Senator(s) Jahn--
9 Concerning the extension beyond June 30, 2012, of the
10 one-dollar surcharge collected by each county clerk and
11 recorder for each document received for recording or
12 filing.
13

14 Ordered engrossed and placed on the Calendar for Third Reading and
15 Final Passage.
16

17 **HB11-1317** by Representative(s) Gerou; also Senator(s) Foster and
18 Roberts--Concerning a modification of statutory
19 provisions addressing intergovernmental cooperation in
20 connection with wildland fire mitigation to clarify that
21 such provisions are intended to affect land areas used
22 solely for recreational purposes.
23

24 Amendment No. 1, Local Government Report, dated May 4, 2011, and
25 placed in member's bill file; Report also printed in House Journal, May 4,
26 page 1243.
27

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

31 **HB11-1310** by Representative(s) Sonnenberg, Brown, Vigil; also
32 Senator(s) Bacon, Schwartz, Renfroe--Concerning the
33 funding for the restoration of the state capitol dome.
34

35 Ordered engrossed and placed on the Calendar for Third Reading and
36 Final Passage.
37

38 **HB11-1264** by Representative(s) Priola and Williams A.; also
39 Senator(s) White and Tochtrop--Concerning the
40 application of vehicle laws to powersports vehicles that
41 operate on roadways.
42

43 Amendment No. 1, Transportation, dated April 21, 2011, and placed in
44 member's bill file; Report also printed in House Journal, April 25,
45 pages 1087-1119.
46

47 Amendment No. 2, by Representative(s) Gardner D.
48

49 Amend the Transportation Committee Report, dated April 21, 2011, page
50 11, strike lines 13 through 22 and substitute:
51

52 "(c) EXCEPT AS PROHIBITED BY THIS SECTION, A PERSON MAY
53 OPERATE AN OFF-HIGHWAY VEHICLE ON ANY HIGHWAY OPEN TO MOTOR
54 VEHICLES IF THE LOCAL AUTHORITY HAS AUTHORIZED DRIVING
55 OFF-HIGHWAY VEHICLES ON THE HIGHWAY UNDER SECTION 42-4-111. A
56 PERSON MAY DRIVE ACROSS AN UNAUTHORIZED HIGHWAY AT AN

1 AT-GRADE INTERSECTION WITH AN AUTHORIZED HIGHWAY."

2

3 Page 11, line 23, strike "(e)" and substitute "(d)".

4

5 Page 12, line 3, strike "PROHIBITING OR REGULATING" and substitute
6 "AUTHORIZING".

7

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

9

10 Amend the Transportation Committee Report, dated April 21, 2011, page
11 20, line 31, strike everything after "AGENT" and substitute: "SHALL NOT
12 ISSUE A CERTIFICATE OF TITLE UNLESS THE OWNER INCLUDES A SIGNED
13 ORIGINAL OR SIGNED DUPLICATE OF THE MORTGAGE OR COPY THEREOF
14 CERTIFIED BY THE HOLDER OF THE MORTGAGE OR THE HOLDER'S AGENT TO
15 BE A TRUE COPY OF THE SIGNED ORIGINAL MORTGAGE. UPON RECEIVING
16 THE MORTGAGE, THE AUTHORIZED AGENT SHALL".

17

18 Page 21, line 11, strike "in which ~~such~~ THE mortgage or lien" and
19 substitute "~~in which such~~ IF THE OWNER HOLDS A CERTIFICATE OF TITLE OR
20 THE STATE IF THE OWNER DOES NOT HOLD A CERTIFICATE OF TITLE WHERE
21 THE mortgage, ~~or~~ lien, OR FINANCING STATEMENT".

22

23 Page 21, line 18, strike everything after "AGENT" and substitute: "SHALL
24 NOT ISSUE A CERTIFICATE OF TITLE UNLESS THE OWNER INCLUDES A
25 SIGNED ORIGINAL OR SIGNED DUPLICATE OF THE MORTGAGE OR COPY
26 THEREOF CERTIFIED BY THE HOLDER OF THE MORTGAGE OR THE HOLDER'S
27 AGENT TO BE A TRUE COPY OF THE SIGNED ORIGINAL MORTGAGE. UPON
28 RECEIVING THE MORTGAGE, THE AUTHORIZED AGENT SHALL".

29

30 Page 24, line 10, after the period add "AN OWNER OF A MOTOR OR
31 POWERSPORTS VEHICLE APPLYING FOR A CERTIFICATE OF TITLE UNDER
32 SECTION 42-6-115, 42-6-116, OR 42-6-119 IS DEEMED TO HAVE FILED
33 UNDER THIS SECTION ON BEHALF OF THE MORTGAGE OR LIEN HOLDER."

34

35 Amendment No. 4, by Representative(s) Williams A.

36

37 Amend the Transportation Committee Report, dated April 21, 2011, page
38 1, after line 14 insert:

39

40 "SECTION 2. 10-4-617 (5), Colorado Revised Statutes, is
41 amended to read:

42

43 **10-4-617. Insurers - biannual fee - auto theft prevention**
44 **authority.** (5) As used in this section, "motor vehicle" does not include
45 ~~vehicles~~ A VEHICLE or vehicle ~~combinations~~ COMBINATION with a
46 declared gross weight of more than twenty-six thousand pounds, OR A
47 POWER SPORT VEHICLE, TOY VEHICLE, SNOWMOBILE, OFF-HIGHWAY
48 VEHICLE, OR VEHICLE DESIGNED PRIMARILY FOR USE ON RAILS."

49

50 Renumber succeeding sections accordingly.

51

52 Amendment No. 5, by Representative(s) McKinley and Priola.

53

54 Amend the Transportation Committee Report, dated April 21, 2011, page
55 4, line 33, after "(58)," insert "(63)".

56

1 Page 4, line 34, strike "amended" and substitute "amended, and the said
2 42-1-102 is further amended BY THE ADDITION OF A NEW
3 SUBSECTION,".

4
5 Page 4, after line 36 insert:

6
7 "(52.7) "MINIATURE TRUCK" MEANS A TRUCK THAT IS DESIGNED
8 FOR USE ON OR OFF THE ROADWAY WITH AN ENGINE THAT IS LESS THAN
9 EIGHTY HORSEPOWER OR SIXTY THOUSAND WATTS AND IS NOT A MOTOR
10 VEHICLE."

11
12 Page 5, after line 14 insert:

13
14 "(63) "Off-highway vehicle" shall have the same meaning as set
15 forth in section 33-14.5-101 (3), C.R.S.; EXCEPT THAT "OFF-HIGHWAY
16 VEHICLE" ALSO INCLUDES A MINIATURE TRUCK."

17
18 Amendment No. 6, by Representative(s) Priola.

19
20 Amend the Transportation Committee Report, dated April 21, 2011, page
21 10, line 34, strike "DEPARTMENT OF TRANSPORTATION" and substitute
22 "STATE TREASURER".

23
24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.

26 (For change in action, see Amendments to Report, page 1250.)

27
28 A motion by Representative Stephens that the Committee rise, report
29 progress and beg leave to sit again at 7:20 p.m., was adopted by
30 unanimous consent. (Special Orders continued on page 1249.)

31
32
33
34 _____
35 House reconvened.

36 The Committee of the Whole reported it had risen, reported progress and
37 would sit again at 7:20 p.m.

38
39 _____
40
41 **INTRODUCTION OF BILLS**
42 **First Reading**

43
44 The following bills were read by title and referred to the committees
45 indicated:

46
47 **HB11-1321** by Representative(s) Looper; also Senator(s) Cadman--
48 Concerning the ability of a uniformed services elector to
49 verbally provide a commissioned officer with the
50 information necessary for the commissioned officer to
51 request a mail-in ballot on behalf of the uniformed services
52 elector.

53 Committee on State, Veterans, & Military Affairs

54
55

1 **HB11-1322** by Representative(s) Looper; also Senator(s) Cadman--
 2 Concerning the transfer of moneys from the department of
 3 state cash fund to the internet-based voting pilot program
 4 fund for the implementation of the internet-based voting
 5 pilot program.

6 Committee on State, Veterans, & Military Affairs
 7

8 **SB11-250** by Senator(s) Boyd; also Representative(s) Ferrandino and
 9 Summers--Concerning changing the eligibility for certain
 10 pregnant women from the children's basic health plan to
 11 medicaid.

12 Committee on Health and Environment
 13

14
 15 House in recess. House reconvened.
 16
 17

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

19 **APPROPRIATIONS**

20
 21 After consideration on the merits, the Committee recommends the
 22 following:
 23

24
 25 **HB11-1081** be amended as follows, and as so amended, be referred to
 26 the Committee of the Whole with favorable
 27 recommendation:
 28

29 Amend printed bill, page 2, strike lines 21 through 25.

30 Page 3, strike lines 1 through 4.

31 Renumber succeeding sections accordingly.

32 Page 3, line 6, strike "January 1, 2011." and substitute "January 1, 2014."
 33
 34

35
 36
 37
 38
 39 **HB11-1307** be referred to the Committee of the Whole with favorable
 40 recommendation.
 41

42
 43 **HB11-1318** be amended as follows, and as so amended, be referred to
 44 the Committee of the Whole with favorable
 45 recommendation:
 46

47 Amend printed bill, page 8, after line 3 insert:
 48

49 **"SECTION 7. Appropriation - adjustments in 2011 long bill.**

50 For the implementation of this act, the general fund appropriation made
 51 in the annual general appropriation act for the fiscal year beginning July
 52 1, 2011, to the department of revenue, taxation business group, taxpayer
 53 service division, for personal services and operating expenses, is
 54 decreased by twenty-one thousand four hundred forty-nine dollars
 55 (\$21,449) and 0.5 FTE.
 56

1 **SECTION 8. Appropriation - adjustments in 2011 long bill.**
 2 For the implementation of this act, appropriations made in the annual
 3 general appropriation act for the fiscal year beginning July 1, 2011, shall
 4 be adjusted as follows:

5
 6 (1) The general fund appropriation to the department of revenue,
 7 executive director's office, for legal services, is decreased by twenty
 8 thousand dollars (\$20,000).

9
 10 (2) The reappropriated funds appropriation to the department of
 11 law, for legal services to state agencies, is decreased by twenty thousand
 12 dollars (\$20,000). Said sum shall be from reappropriated funds received
 13 from the department of revenue out of the appropriation made in
 14 subsection (1) of this section.

15
 16 (3) The general fund appropriation to the department of revenue,
 17 taxation business group, taxpayer service division, for personal services
 18 and operating expenses, is decreased by thirty-one thousand four hundred
 19 fifty-seven dollars (\$31,457) and 0.5 FTE.

20
 21 **SECTION 9. Effective date.** (1) Except as otherwise provided
 22 in subsection (2) of this section, this act shall take effect upon passage.

23
 24 (2) Section 8 of this act shall take effect only if the executive
 25 director of the department of revenue files written notice with the revisor
 26 of statutes that civil case no. 10-cv-01546-REB-CBS, *The Direct*
 27 *Marketing Association v. Huber*, has been dismissed."

28
 29 Renumber succeeding section accordingly.

30
 31 Page 1, line 103, strike "**RETAILERS.**" and substitute "**RETAILERS, AND**
 32 **MAKING AN APPROPRIATION THEREFOR.**"

33
 34
 35 On motion of Representative Stephens, **HB11-1307, 1081, 1318** were
 36 added to the Special Orders Calendar on Wednesday, May 4, 2011.

37
 38
 39 On motion of Representative Looper, the House resolved itself into
 40 Committee of the Whole for continuation of consideration of General
 41 Orders, and she returned to the Chair to act as Chairman.

42
 43
 44 **SPECIAL ORDERS--SECOND READING OF BILLS**

45 (Continued from page 1247)

46
 47 **HB11-1307** by Representative(s) Becker, Gerou, Ferrandino; also
 48 Senator(s) Steadman, Hodge, Lambert--Concerning
 49 recovery audits.

50
 51 Amendment No. 1, Finance Report, dated May 4, 2011, and placed in
 52 member's bill file; Report also printed in House Journal, May 4,
 53 pages 1242-1243.

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

1 **HB11-1318** by Representative(s) Stephens and Schafer S., Priola,
2 Wilson, DelGrosso, Brown, Looper, Waller, Williams A.;
3 also Senator(s) Spence and Brophy--Concerning the policy
4 of the state of Colorado regarding notification of use taxes
5 due on sales made by out-of-state retailers.
6

7 Amendment No. 1, Economic & Business Development Report, dated
8 May 4, 2011, and placed in member's bill file; Report also printed in
9 House Journal, May 4, page 1242.
10

11 Amendment No. 2, Appropriations Report, dated May 4, 2011, and placed
12 in member's bill file; Report also printed in House Journal, May 4,
13 page 1248-249.
14

15 As amended, ordered engrossed and placed on the Calendar for Third
16 Reading and Final Passage.
17

18 **HB11-1223** by Representative(s) Scott, Balmer, Baumgardner, Brown,
19 Conti, Kerr J., Ramirez; also Senator(s) King S.--
20 Concerning the composition of the Colorado oil and gas
21 conservation commission, and, in connection therewith,
22 reducing the size of the commission, increasing the
23 proportion of industry representation, and specifying the
24 type of experience required for certain industry members.
25

26 Amendment No. 1, Agriculture, Livestock, & Natural Resources, dated
27 April 4, 2011 and placed in member's bill file; Report also printed in
28 House Journal, April 5, pages 867-868.
29

30 Amendment No. 2, Appropriations, dated April 19, 2011 and placed in
31 member's bill file; Report also printed in House Journal, April 19,
32 page 1028.
33

34 Amendment No. 3, by Representative(s) Scott.
35

36 Amend Agriculture, Livestock, & Natural Resources Committee Report,
37 dated April 4, 2011, page 2, line 3, strike "protection;" and substitute
38 "~~protection~~ CONSERVATION;".
39

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

43
44
45 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
46

47 Representative Priola moved to amend the Report of the Committee of
48 the Whole to reverse the action taken by the Committee in adopting
49 Amendment No. 2 by Representative Gardner D. amendment (printed in
50 House Journal page 1245, lines 47-56 and page 1246, lines 1-6), to the
51 House Transportation Committee Report, dated April 21, 2011, to show
52 that said amendment lost, that the following Priola amendment, to the
53 House Transportation Committee Report, dated April 21, 2011, did pass,
54 and that **HB11-1264**, as amended, passed.
55

56 Amend the Transportation Committee Report, dated April 21, 2011, page

1 11, strike lines 13 through 22 and substitute:

2

3 "(c) A PERSON MAY OPERATE AN OFF-HIGHWAY VEHICLE ON AN
4 UNPAVED ROAD TO TRAVEL DIRECTLY FROM THE ACCESS POINT OF AN
5 OFF-HIGHWAY TRAIL TO THE NEXT ACCESS POINT OF AN OFF-HIGHWAY
6 TRAIL WITHIN TWENTY-FIVE MILES; EXCEPT THAT THIS PARAGRAPH (c)
7 DOES NOT APPLY TO ROADS WITHIN A MUNICIPALITY.

8

9 (d) A PERSON MAY OPERATE AN OFF-HIGHWAY VEHICLE ON ANY
10 UNPAVED HIGHWAY OPEN TO MOTOR VEHICLES UNLESS THE LOCAL
11 AUTHORITY HAS PROHIBITED DRIVING OFF-HIGHWAY VEHICLES ON THE
12 UNPAVED HIGHWAY UNDER SECTION 42-4-111. PROHIBITING A PERSON
13 FROM DRIVING ON A HIGHWAY DOES NOT PROHIBIT THE PERSON FROM
14 DRIVING ACROSS THE HIGHWAY AT AN AT-GRADE INTERSECTION WITH AN
15 AUTHORIZED HIGHWAY.

16

17 (e) EXCEPT AS PROHIBITED BY THIS SECTION, A PERSON MAY
18 OPERATE AN OFF-HIGHWAY VEHICLE ON ANY PAVED HIGHWAY OPEN TO
19 MOTOR VEHICLES IF THE LOCAL AUTHORITY HAS AUTHORIZED DRIVING
20 OFF-HIGHWAY VEHICLES ON THE HIGHWAY UNDER SECTION 42-4-111. A
21 PERSON MAY DRIVE ACROSS AN UNAUTHORIZED HIGHWAY AT AN
22 AT-GRADE INTERSECTION WITH AN AUTHORIZED HIGHWAY."

23

24 Page 11, line 23, strike "(e)" and substitute "(f)".

25

26 Page 11, line 38, strike "A NEW PARAGRAPH," and substitute "THE
27 FOLLOWING NEW PARAGRAPHS,".

28

29 Page 12, strike lines 3 through 5 and substitute:

30 "(ee) PROHIBITING OR REGULATING THE USE OF OFF-HIGHWAY
31 VEHICLES ON ONE OR MORE UNPAVED HIGHWAYS CONSISTENT WITH
32 SECTION 42-4-109.7;

33

34 (ff) AUTHORIZING THE USE OF OFF-HIGHWAY VEHICLES ON ONE OR
35 MORE PAVED HIGHWAYS CONSISTENT WITH SECTION 42-4-109.7."

36

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

38

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

1 Representative Ferrandino moved to amend the Report of the Committee
2 of the Whole to reverse the action taken by the Committee in adopting
3 Amendment No. 3 by Representative Scott (printed in House Journal
4 page 1250, lines 34-38, to the Agriculture, Livestock, & Natural
5 Resources Committee Report, dated April 4, 2011, to show that said
6 amendment lost, that the following Hullinghorst and Ferrandino
7 amendment, to the Agriculture, Livestock, & Natural Resources
8 Committee Report, dated April 4, 2011, passed, and that **HB11-1223**, as
9 amended, passed.

10

11

12 Amend the Agriculture, Livestock, and Natural Resources Committee
13 Report, dated April 4, 2011, page 1, strike line 1 and substitute:

14

15 "Amend printed bill, page 2, line 3, strike "amended" and substitute
16 "amended, and the said 34-60-104 is further amended BY THE
17 ADDITION OF A NEW SUBSECTION,".

18

19 Page 2 of the printed bill, line 5, strike "**publication.**" and substitute
20 "**publication - standards of conduct.**".

21

22 Page 2 of the printed bill, strike lines 6 through 19.".

23

24 Page 2 of the report, strike line 5 and substitute "actively engaged in
25 agricultural production. ~~and also be a royalty owner.~~".

26

27 Page 2 of the report, line 8, strike "party." and substitute:

28

29 "party.

30

31 (5) (a) MEMBERS OF THE COMMISSION SHALL CONDUCT
32 THEMSELVES IN SUCH A MANNER AS TO ENSURE FAIRNESS IN THE
33 DISCHARGE OF THE DUTIES OF THE COMMISSION, TO PROVIDE EQUITABLE
34 TREATMENT OF THE PUBLIC AND ALL INTERESTED PARTIES, TO MAINTAIN
35 PUBLIC CONFIDENCE IN THE INTEGRITY OF THE COMMISSION'S ACTIONS,
36 AND TO PREVENT THE APPEARANCE OF IMPROPRIETY OR OF CONFLICT OF
37 INTEREST. THE STANDARDS SET FORTH IN THIS SECTION APPLY AT ALL
38 TIMES TO THE COMMISSIONERS AND TO PARTIES UNDER CONTRACT WITH
39 THE COMMISSION FOR STATE BUSINESS.

40

41 (b) THE COMMISSIONERS SHALL REFRAIN FROM FINANCIAL,
42 BUSINESS, AND SOCIAL DEALINGS THAT ADVERSELY AFFECT THEIR
43 IMPARTIALITY OR INTERFERE WITH THE PROPER PERFORMANCE OF THEIR
44 OFFICIAL DUTIES.

45

46 (c) COMMISSIONERS SHALL NOT OWN ANY STOCK, SECURITIES, OR
47 OTHER FINANCIAL INTEREST IN ANY COMPANY REGULATED BY THE
48 COMMISSION.

49

50 (d) VIOLATION OF THIS SUBSECTION (5) CONSTITUTES GROUNDS
51 FOR THE IMMEDIATE REMOVAL OF THE COMMISSIONER BY THE
52 GOVERNOR.".

53

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

55

	YES	31	NO	34	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Fischer	Y	Liston	N	Scott	N
3	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
4	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
5	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
6	Becker	N	Hamner	Y	McKinley	N	Stephens	N
7	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
8	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
9	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
10	Casso	Y	Joshi	N	Pabon	Y	Szabo	N
11	Conti	N	Kagan	Y	Pace	Y	Todd	Y
12	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
13	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
14	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	Y
15	Duran	Y	Labuda	Y	Riesberg	Y	Waller	N
16	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
17	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
18							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

24 Passed Second Reading: **HB11-1315, 1313, 1317 amended, 1310, 1264**
 25 **amended, 1307 amended, 1318 amended, 1223 amended.**

27 The Chairman moved the adoption of the Committee of the Whole
 28 Report. As shown by the following roll call vote, a majority of those
 29 elected to the House voted in the affirmative, and the Report was
 30 **adopted.**

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

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

2
3 **APPROPRIATIONS**

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

6
7 **SB11-066** be referred to the Committee of the Whole with favorable
8 recommendation.

9
10
11 **SB11-203** be referred to the Committee of the Whole with favorable
12 recommendation.

13
14
15
16
17 **ECONOMIC & BUSINESS DEVELOPMENT**

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

20
21 **SB11-047** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24
25 Amend reengrossed bill, page 2, line 5, after "**transfers**" insert "**-**
26 **bioscience**".

27
28 Page 2, line 8, after ""COLORADO" insert "BIOSCIENCE AND".

29
30 Page 2, line 11, after "THE" insert "BIOSCIENCE AND".

31
32 Page 2, line 12, strike "SEGMENT" and substitute "SEGMENTS" and strike
33 "HAS" and substitute "HAVE".

34
35 Page 2, line 16, after "IN" insert "BIOSCIENCE AND".

36
37 Page 2, line 19, strike "THIS INDUSTRY SECTOR;" and substitute "THESE
38 INDUSTRY SECTORS;".

39
40 Page 3, line 1, strike "THIS AREA;" and substitute "THESE AREAS;".

41
42 Page 3, line 8, strike "CLEAN TECHNOLOGY INDUSTRY" and substitute
43 "BIOSCIENCE AND CLEAN TECHNOLOGY INDUSTRIES".

44
45 Page 3, line 12, strike ""CLEAN" and substitute ""BIOSCIENCE AND
46 CLEAN".

47
48 Page 3, line 15, strike ""CLEAN" and substitute ""BIOSCIENCE OR CLEAN".

49
50 Page 3, line 18, after "BUDGET:" insert "311221,311222,311223,325193,
51 325199, 325221, 325311, 325312, 325314, 325320, 325411, 325412,
52 325413, 325414, 334510, 334516, 334517, 339111, 339112, 339113,
53 339114, 339115, 339116, 541380, 541710, 621511, 621512,".

54
55 Page 4, line 8, after "A" insert "BIOSCIENCE OR".

56

1 Page 4, line 13, after "THE" insert "BIOSCIENCE AND".

2

3 Page 4, line 15, after "PURSUANT" insert "TO" and after the second "THE"
4 insert "BIOSCIENCE DISCOVERY EVALUATION CASH FUND CREATED IN
5 SECTION 24-48.5-108 (5), C.R.S., AND THE".

6

7 Page 4, line 17, strike "C.R.S." and substitute "C.R.S., WITH EACH FUND
8 RECEIVING AN EQUAL SHARE."

9

10 Page 4, after line 23 insert:

11

12 "SECTION 2. 24-48.5-108 (5) (a) and (6), Colorado Revised
13 Statutes, are amended to read:

14

15 **24-48.5-108. Bioscience research - evaluation - grants - fund**
16 **- definitions - repeal. (5) Fund.** (a) There is hereby created in the state
17 treasury the bioscience discovery evaluation cash fund, referred to in this
18 section as the "fund", that shall consist of moneys that are transferred to
19 the fund pursuant to section 12-47.1-701 (4) (a), C.R.S., any moneys
20 transferred to the fund pursuant to paragraph (e) of subsection (3) of this
21 section, MONEYS CREDITED TO THE FUND PURSUANT TO SECTION
22 39-22-604.3, C.R.S., and any other moneys appropriated to the fund by
23 the general assembly. The moneys in the fund shall be subject to annual
24 appropriation by the general assembly for the purposes specified in this
25 section, including administration of the program by the Colorado office
26 of economic development. Any moneys in the fund not expended for the
27 purpose of this section may be invested by the state treasurer as provided
28 by law. All interest and income derived from the investment and deposit
29 of moneys in the fund shall be credited to the fund. Any unexpended and
30 unencumbered moneys remaining in the fund at the end of a fiscal year
31 shall remain in the fund and shall not be credited or transferred to the
32 general fund or another fund; except that any unexpended and
33 unencumbered moneys remaining in the fund upon the repeal of this
34 section shall be transferred to the general fund. Any moneys included in
35 an annual appropriation that are not expended or encumbered at the end
36 of the fiscal year shall remain available for expenditure in the next fiscal
37 year without further appropriation.

38

39 (6) This section is repealed, effective ~~July 1, 2013~~ JULY 1, 2024."

40

41 Renumber succeeding sections accordingly.

42

43 Page 1, line 102, after "COLORADO" insert "BIOSCIENCE AND".

44

45

46

47

48 EDUCATION

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

51

52 SB11-052 be referred favorably to the Committee on Appropriations.

53

54

55

1 **SB11-111** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 3, line 21, strike "DEVELOPMENTAL" and
6 substitute "REMEDIAL".
7

8 Page 3, after line 22 insert:
9

10 "(e) STUDIES SHOW THAT CHILDREN WHO RECEIVE HIGH-QUALITY,
11 EARLY-CHILDHOOD EDUCATION SERVICES, INCLUDING FULL-DAY
12 PRESCHOOL AND FULL-DAY KINDERGARTEN, ACHIEVE GREATER ACADEMIC
13 SUCCESS IN LATER GRADES, ARE LESS LIKELY TO NEED INTERVENTION
14 EDUCATION SERVICES DURING THE ELEMENTARY AND SECONDARY
15 GRADES, AND ARE LESS LIKELY TO PLACE INTO REMEDIAL EDUCATION
16 UPON ENTERING POSTSECONDARY GRADES;"

17
18 Reletter succeeding paragraphs accordingly.
19

20 Page 6, after line 23 insert:
21

22 "(III) MEMBERS OF THE EARLY CHILDHOOD LEADERSHIP
23 COMMISSION CREATED IN SECTION 24-44.7-102, C.R.S., WHO HAVE
24 EXPERTISE IN EARLY CHILDHOOD DEVELOPMENT AND EDUCATION;"

25
26 Renumber succeeding subparagraphs accordingly.
27
28
29

30 **SB11-247** be referred to the Committee of the Whole with favorable
31 recommendation.
32
33

34 **SB11-265** be referred to the Committee of the Whole with favorable
35 recommendation.
36
37
38
39

40 **FINANCE**

41 After consideration on the merits, the Committee recommends the
42 following:
43

44 **SB11-050** be referred to the Committee of the Whole with favorable
45 recommendation.
46
47

48 **SB11-051** be amended as follows, and as so amended, be referred to
49 the Committee on Appropriations with favorable
50 recommendation:
51

52 Amend reengrossed bill, page 3, line 8, strike "THE" and substitute
53 "BEGINNING JANUARY 1, 2012, THE".
54

55 Page 4, line 15, after "PRIZE," insert "BEGINNING JANUARY 1, 2012,".
56

1 Page 7, line 17, strike "24-35-604 (3)," and substitute "24-35-604 (3) and
2 (5)," and strike "is" and substitute "are".

3
4 Page 7, line 21, strike "SEPTEMBER 1, 2011," and substitute "JANUARY 1,
5 2012,".

6
7 Page 8, after line 1 insert:

8
9 "(5) On and after the date that the judicial department receives
10 notice from the department of revenue pursuant to section 24-35-605.5
11 (2) (b) (I), the registry operator shall add a fee of ~~twenty-five~~ FORTY
12 dollars to each outstanding debt certified by a department pursuant to this
13 section."

14
15 Page 8, strike lines 19 and 20 and substitute:

16
17 "**SECTION 8.** 24-35-607 (2) and (4), Colorado Revised Statutes,
18 are amended to read:".

19
20 Page 9, after line 2 insert:

21
22 "(4) The executive director of the department of revenue shall
23 promulgate a rule in accordance with article 4 of this title allowing a
24 licensee to retain ~~a portion of a~~ AT LEAST THIRTY DOLLARS OF EACH
25 payment withheld pursuant to this part 6 to cover the licensee's costs of
26 compliance with this part 6, which amount shall be added to the debtor's
27 outstanding debt."

28
29
30
31
32 **LOCAL GOVERNMENT**

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

35
36 **SB11-234** be referred to the Committee of the Whole with favorable
37 recommendation.

38
39
40 **SB11-239** be referred to the Committee of the Whole with favorable
41 recommendation.

42
43
44 **SB11-256** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Amend reengrossed bill, page 2, strike line 22 and substitute "18-1-901
49 (3) (o.5), OR IN THE CASE OF A JUVENILE OFFENDER, TO IMPOSE
50 RESTORATIVE JUSTICE, AS DEFINED IN SECTION 19-1-103 (94.1), C.R.S."

51
52 Page 3, after line 27 insert:

53
54 "(II) IN SENTENCING A JUVENILE WHO VIOLATES THIS SECTION, THE
55 COURT HAS DISCRETION TO IMPOSE RESTORATIVE JUSTICE, AS DEFINED IN
56 SECTION 19-1-103 (94.1), C.R.S."

1 (III) THE COURT MAY SUSPEND ALL OR PART OF THE MANDATORY
2 MINIMUM FINE ASSOCIATED WITH A CONVICTION UNDER THIS SECTION
3 UPON THE OFFENDER'S SUCCESSFUL COMPLETION OF ANY RESTORATIVE
4 JUSTICE REQUIREMENTS IMPOSED BY THE COURT PURSUANT TO
5 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a).".

6
7 Page 4, line 1, strike "(II)" and substitute "(IV)".

8
9 Page 4, after line 9 insert:

10
11 "SECTION 3. 18-4-509 (1) (c) (II), Colorado Revised Statutes,
12 is amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH
13 to read:

14
15 **18-4-509. Defacing property - definitions.** (1) (c) (II) For
16 purposes of this section:

17
18 (B.5) "JUVENILE" SHALL HAVE THE SAME MEANING AS SET FORTH
19 IN SECTION 19-1-103 (68), C.R.S.".
20

21 Renumber succeeding sections accordingly.

22
23
24
25

26 **STATE, VETERANS, & MILITARY AFFAIRS**

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

29
30 **SB11-044** be postponed indefinitely.

31
32
33 **SB11-185** be postponed indefinitely.

34
35 _____

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

38
39 The Senate has passed on Third Reading and transmitted to the Revisor
40 of Statutes:

41
42 SB11-186 amended as printed in Senate Journal, May 3, 2011,
43 page 996.

44 HB11-1275 amended as printed in Senate Journal, May 3, 2011,
45 pages 992-993,

46 HB11-1267 amended as printed in Senate Journal, May 3, 2011, page
47 993,

48 HB11-1166 amended as printed in Senate Journal, May 3, 2011,
49 page 994.

50
51 The Senate has passed on Third Reading and returns herewith HB11-1199.

52
53 _____
54 The Senate has postponed indefinitely HB11-1024 and HB11-1269. The
55 bills are returned herewith.

56

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MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB11-1275, 1267, and 1166.
Without comment, as amended, SB11-186.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 4th day of May, 2011, at 3:30 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

May 4, 2011

To the Honorable House of Representatives
Sixty-eighth General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

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

HB11-1004 CONCERNING THE REGISTRATION OF A VEHICLE USED FOR AGRICULTURAL PRODUCTION, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH

Approved May 4, 2011 at 2:14 p.m.

HB11-1097 CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION BENEFITING THE GOODWILL INDUSTRIES FUND THAT APPEARS ON THE STATE INDIVIDUAL INCOME TAX RETURN FORMS, AND MAKING AN APPROPRIATION THEREFOR

Approved May 4, 2011 at 2:24 p.m.

HB11-1156 CONCERNING AN EXTENSION OF CONSERVATION DISTRICT GRANT FUNDING WITH SEVERANCE TAX REVENUES, AND MAKING AN APPROPRIATION THEREFOR

Approved May 4, 2011 at 2:06 p.m.

HB11-1234 CONCERNING THE CREATION OF A TAXICAB LICENSE PLATE FOR MOTOR VEHICLES AUTHORIZED TO PROVIDE TAXICAB SERVICES, AND MAKING AN APPROPRIATION THEREFOR

Approved May 4, 2011 at 2:31 p.m.

- 1 **HB11-1258** CONCERNING FORENSIC AUTOPSIES
2
3 Approved May 4, 2011 at 2:17 p.m.
4
- 5 **HB11-1042** CONCERNING THE CLASSIFICATION OF RESIDENTIAL
6 LAND WHEN THE RESIDENTIAL IMPROVEMENT IS
7 TEMPORARILY REMOVED
8
9 Approved May 4, 2011 at 2:19 p.m.
10
- 11 **HB11-1160** CONCERNING THE ESTABLISHMENT OF A GREEN
12 BUILDING INCENTIVE PILOT PROGRAM ADMINISTERED
13 BY THE GOVERNOR'S ENERGY OFFICE TO INCENTIVIZE
14 THE MAKING OF ENERGY EFFICIENCY IMPROVEMENTS TO
15 EXISTING RESIDENCES WITH CURRENT HOME ENERGY
16 RATINGS BELOW MINIMUM STANDARDS FOR PEOPLE
17 WHO PURCHASE HIGHLY EFFICIENT NEW RESIDENTIAL
18 CONSTRUCTION
19
20 Approved May 4, 2011 at 2:29 p.m.
21
- 22 **HB11-1201** CONCERNING MEASURES TO FACILITATE THE ISSUANCE
23 OF EDUCATOR LICENSES
24
25 Approved May 4, 2011 at 2:22 p.m.
26
- 27 **HB11-1251** CONCERNING AN EXEMPTION FROM THE RESTRICTIONS
28 ON WINDOW TINTING FOR PUBLIC SAFETY VEHICLES
29
30 Approved May 4, 2011 at 2:33 p.m.
31
- 32 **HB11-1286** CONCERNING THE STATE ENGINEER'S RULE-MAKING
33 AUTHORITY IN THE CASE OF DEWATERING OF GEOLOGIC
34 FORMATIONS BY WITHDRAWING NONTRIBUTARY
35 GROUND WATER TO FACILITATE THE MINING OF
36 MINERALS
37
38 Approved May 4, 2011 at 2:10 p.m.
39
- 40 **HB11-1291** CONCERNING LEGISLATIVE APPROVAL OF THE REGIONAL
41 HAZE ELEMENT OF THE STATE IMPLEMENTATION PLAN,
42 AND, IN CONNECTION THEREWITH, POSTPONING THE
43 AUTOMATIC EXPIRATION OF THE PORTION OF THE PLAN
44 THAT CONSISTS OF RULES
45
46 Approved May 4, 2011 at 2:35 p.m.
47

48 Sincerely,
49 (signed)
50 John W. Hickenlooper
51 Governor

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REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB11-1308 be postponed indefinitely.

SB11-238 be referred to the Committee of the Whole with favorable recommendation.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar (was)were laid over until May 5, retaining place on Calendar:

Consideration of Special Orders--**HB11-1149 amended, 1299, 1302, 1306, 1304, 1045, 1314, 1276, 1312.**

Consideration of General Orders---**SB11-076, 045, 206, 088, 091, 102, 060, 199, 105, 085, 201, 070, 133, 204.**

Consideration of Resolution(s)--**SJR11-009, 032, 036, 004.**

Consideration of Senate Amendment(s)--**HB11-1115, 1138, 1163, 1211, 1219, 1064, 1095, 1109, 1237, 1278.**

On motion of Representative Gardner B., the House adjourned until 9:00 a.m., May 5, 2011.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

