

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

First Legislative Day

Wednesday, January 11, 2012

1 Prayer by Representative Ken Summers.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Anna Benevento, Platte River Academy,
6 Highlands Ranch, and Kate Benevento, Highlands Ranch.
7
8 The Speaker appointed Marilyn Eddins Temporary Chief Clerk.
9

RESIGNATION

10
11
12
13 June 27, 2011
14
15 Marilyn Eddins
16 Chief Clerk of the House of Representatives
17
18 Dear Chief Clerk Eddins,
19
20 Due to my appointment as Colorado Commissioner of Insurance, I must resign
21 my seat as State Representative for House District 50.
22
23 My last day will be June 30, 2011.
24
25 The State and County officials have been notified and the vacancy committee
26 will meet as controlled by statute.
27
28 Sincerely,
29 (signed)
30 Jim Riesberg
31

COMMUNICATION
STATE OF COLORADO

32
33
34
35 **Department of**
36 **State**
37
38 **UNITED STATES OF AMERICA) SS. Certificate**
39 **STATE OF COLORADO)**
40

41 I, Scott Gessler, Secretary of State of the State of Colorado, do hereby certify
42 that the attached is a true and exact copy of the Designation of Nomination by
43 Vacancy Committee as filed in this office on the twenty-second day of July,

1 2011, by the Democratic 50th House District Vacancy Committee, designating
2 the appointment of David L. Young to fill the vacancy in the office of the
3 Colorado State House of Representatives, District 50, for the Sixty-eighth
4 General Assembly of the State of Colorado, caused by the resignation of the
5 Honorable Jim Riesberg.

6
7 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the
8 Great Seal of the State of Colorado, at the City and County of Denver this
9 twenty-fifth day of July, 2011.

10
11 (Signed)
12 Scott Gessler
13 Secretary of State

14
15
16 **COMMUNICATION**
17 **STATE OF COLORADO**

18 **Department of**
19 **State**

20
21 **UNITED STATES OF AMERICA)**
22 **STATE OF COLORADO)** **SS. Certificate**
23

24 I, Scott Gessler, Secretary of State of the State of Colorado, do hereby certify
25 that the attached is a true and exact copy of the Acceptance of Designation by
26 Vacancy Committee as filed in this office on the twenty-second day of July,
27 2011, by David L. Young, accepting the appointment of the Democratic 50th
28 House District Vacancy Committee, to fill the vacancy in the office of Colorado
29 State House of Representatives, District 50, for the Sixty-eighth General
30 Assembly of the State of Colorado, caused by the resignation of the Honorable
31 Jim Riesberg.

32
33 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the
34 Great Seal of the State of Colorado, at the City and County of Denver this
35 twenty-fifth day of July, 2011.

36
37 (Signed)
38 Scott Gessler
39 Secretary of State

40
41 (Note: On July 28, 2011, at 11:30 a.m., David L. Young was sworn in as
42 Representative for House District 50. Chief Justice Michael L. Bender
43 administered the oath of office in the Chamber of the House of
44 Representatives.)

45
46
47 **RESIGNATION**
48

49 January 9, 2012

50
51
52 Marilyn Eddins
53 Chief Clerk of the House of Representatives
54 Colorado State Capitol
55 200 East Colfax Avenue
56 Denver, CO 80203

1 Dear Chief Clerk Eddins:

2

3 It is with mixed emotions that I am resigning my seat in the House of
4 Representatives. I was honored to be elected by the people of Longmont to
5 serve as their representative. Now, I have been chosen, by a vacancy committee
6 in Boulder County, to serve as County Commissioner.

7

8 I have greatly enjoyed working with you and the capitol staff. Everyone has
9 been so supportive in everything they have done to make our legislative process
10 work.

11

12 I am proud of the work I have done in my short time in the legislature. I am
13 particularly proud of the work I was able to do on the Audit and Health Benefit
14 Exchange Commission. The work on both of those committees shows that we
15 can get work done in both bipartisan and nonpartisan ways in Colorado.

16

17 My last day will be Monday, January 9, 2012.

18

19 The State and County officials have been notified and the vacancy committee
20 for House District 11 will be meeting on January 21.

21

22 Sincerely,

23 (signed)

24 Deb Gardner

25 State Representative

26 House District 11

27

28

29

30

31 Representative Stephens moved that the following remarks of Speaker
32 McNulty and Representative Ferrandino be printed in the House Journal.
33 There being no objection the remarks were printed.

34

35

36 Speaker Frank McNulty addressed the members of the House of
37 Representatives:

38

39 Madam Majority Leader, Mr. Minority Leader, esteemed colleagues and
40 honored guests, welcome to the Second Regular Session of the 68th General
41 Assembly!

42

43 Before I begin my formal remarks, let's take a moment to recognize our new
44 House Minority Leader Mark Ferrandino, and the House's newest member,
45 Rep. Dave Young. I look forward to working with each of you, and all of our
46 returning members, to move Colorado forward through our work this session.

47

48 Let's also take a moment to thank all of our families for being here today and
49 those who might not be here—they sacrifice so much for us to serve our state.

50

51 Colleagues, I'm under no illusion that this session will be easy. In fact,
52 everyone thinks the odds are against us.

53

54 Times are tough. Too many Coloradans are still without work, and the state
55 faces yet another year of difficult budget decisions.

56

1 Colleagues, the fact is we can succeed. We need look no further than last year
2 to see what can be accomplished when Republicans and Democrats work
3 together.

4
5 In 2011, we passed a budget that was responsible for all Coloradans--one that
6 reduced proposed cuts to K-12 education while cutting government spending
7 elsewhere and decreasing the tax burden on Colorado's small businesses and
8 job creators.

9
10 This year, we can achieve just as much and more for the people of Colorado.

11
12 Colleagues, now is the exact time to focus our combined energy and intellect
13 on doing our part to improve the economic condition of our state. This precise
14 improvement will not come by the raising of barriers and creation of obstacles,
15 but rather by the pragmatic work of clearing the way so that small businesses
16 can flourish and working families can prosper. In this is the recognition that
17 government doesn't create jobs, government doesn't create wealth, but rather,
18 entrepreneurs create jobs, risk-takers create innovative economic growth. The
19 pioneer work ethic guides us away from a blind and dangerous reliance on
20 government handouts and toward economic prosperity for our families and our
21 communities. This is not about the 1%; this is about the 100%. The simple
22 recognition that every Coloradan must play a meaningful and active role in
23 ensuring our state's economic recovery is vital to our future prosperity.

24
25 The responsible development of oil and natural gas is key to moving our state
26 forward. Technical innovation has opened new opportunities in Colorado for
27 the development of oil and natural gas. These advancements will bring
28 thousands of jobs to the state and give a much need boost to our economy. In
29 Northern Colorado it has been announced that between 500 million and 1.5
30 billion barrels of oil and natural gas can be developed because of these
31 innovations. We must respect this responsible development of oil in other parts
32 of the state as well, including on the Western Slope, which has been severely
33 impacted by this recession.

34
35 Colorado has a long history of respecting local control issues. While we do
36 respect local control, we understand that there are areas that have historically
37 been the responsibility of the state, including the development of traditional
38 energy. This session, we will fight to preserve the historic relationship between
39 the state of Colorado and energy development.

40
41 In October, House Republicans embarked on our Building a Better Colorado
42 tour to meet with leaders in small business and job creation across the state.
43 During our meetings across the Continental Divide and back, we visited with
44 farmers, ranchers, members of the tourism industry, manufacturers, non-profits,
45 those in natural resources and citizens from all walks of life. We sat down for
46 open and honest discussions with executives of large companies that employ
47 hundreds of people and with others who employ only a handful of Coloradans.

48
49 But no matter Where we were, and no matter to whom we talked, the message
50 was clear: government needs to get out of the way.

51
52 Burdensome government regulations and blind restrictions have a stranglehold
53 on Colorado's path to economic recovery. We've heard the call for action, and
54 today we'll introduce a series of measures that will clear the way for Coloradans
55 to succeed.

56

1 One measure, the Colorado Timber Act, sponsored by Rep. Laura Bradford
2 comes as a direct result of the bad-for-business regulations we saw on our
3 Colorado jobs tour. In Montrose, Dallas Wright, plant manager of the
4 Intermountain Resources sawmill, explained the role the mill plays in
5 Montrose's economy. The jobs it offers have helped tie generations of
6 Coloradans together. The mill helps strengthen forests by removing beetle-
7 killed timber and helping to protect communities from the threat of catastrophic
8 wild fires. Despite this plant's good work, Mr. Wright informed us that only
9 7 percent of the lumber his mill produces is sold in Colorado. This is because
10 of unnecessary government restrictions that prohibit the use of this Colorado
11 grown lumber in construction.

12
13 There is no structural deficiency associated with beetle-killed timber. This
14 wood has been used safely in other states; we plan on putting it to use here in
15 Colorado as well, creating jobs and helping Colorado businesses along the way.

16
17 If allowed to beetle killed trees, not only do we help improve the beauty and
18 vitality of our forests, but managers like Mr. Wright can hire entire new crews
19 for their saw mills. Mr. Wright can add 80 additional employees at his plant
20 alone. That's 80 different families in just one community, while simultaneously
21 supplying builders and contractors with another source of reliable and
22 affordable wood—all that with one simple rule change.

23
24 Ill-thought rules hamper our road to recovery, which is why Rep. Libby Szabo,
25 will introduce a bill this year that requires government to exercise foresight by
26 having agencies turn in their rule analyses at least 15 days prior to a rule-
27 making hearing. These analyses must make note of reporting the proposed
28 rule's effects on our state's economic development and job creation. This
29 measure has already received support from several employer groups, and is
30 another way we can help Colorado businesses succeed.

31
32 One of the biggest problems we heard from small business owners is how
33 difficult it is to comply with rules and regulations that change too often and
34 with too little notice. Time and time again, farmers, ranchers and small
35 business owners submit an application for a permit, only to see officials change
36 the rules for their application after its submission. Such inefficient practices
37 burden job creators with needless hassles and duplicative processes that waste
38 time and resources in an already difficult economic environment.

39
40 This session, Rep. Jerry Sonnenberg and Sen. Cheri Jahn will introduce the
41 CLEAR Act, which will ensure that the rules in place for a permit application
42 remain in place for the entire reviewing process of that application. This
43 measure will not only save small businesses from unjust fines and unexpected
44 expenses associated with re-filing applications, but will help reestablish an
45 essential relationship of trust between job creators and state government. It is
46 imperative that entrepreneurs can once again believe government is working to
47 protect their interests rather than trying to put them out of business.

48
49 To further Colorado's image as a business friendly state, I'm proud to announce
50 The SUCCESS Act, another bipartisan bill Rep. Don Coram and Sens. Angela
51 Giron and Steve King will introduce this year that emphasizes compliance over
52 punishment for businesses' interactions with state department rules and
53 regulations. Too often we hear government agencies compared to sharks,
54 circling their prey and eagerly waiting for their feeding frenzy of fines to begin.
55 My friends, we must establish a process that affords businesses a chance to
56 correct their errors or minor infractions instead of issuing punitive fines by

1 default. Far too many state agencies rely on these inflexible and punitive
2 measures as sources of revenue. That changes this year. Colorado is on the path
3 to a new era in state and private sector relationship.
4

5 For too long, the House of Representatives has neglected its oversight role.
6 This year, our assembly will not act as a rubberstamp for department and
7 agency requests. When a department or agency head meets with their proper
8 oversight committee, they should expect to answer tough questions before their
9 funding requests or statute changes may be approved. If they find themselves
10 unable to provide a satisfactory answer to these difficult but responsible
11 questions, they will be asked to do their homework and come back with the
12 answer. This type of diligent oversight is a duty this body has shrugged for far
13 too long and one which Coloradans rightfully expect.
14

15 Ensuring departments and agencies are held accountable is going to be a
16 common theme this year. Rep. Cheri Gerou and Sen. Kent Lambert will
17 sponsor a bill that extends the legislature's oversight role so that state agencies
18 will be required to report to the state legislature any federal funding they
19 receive, increasing government transparency and accountability. The Federal
20 Funds Transparency Act will help legislators better assess our state's needs and
21 Where hard-earned taxpayer dollars are being spent and misspent.
22

23 We understand that we face another challenging budget year, and we look
24 forward to fulfilling our constitutional obligation to pass a balanced budget.
25 That is why we have asked Gov. Hickenlooper to work with our Congressional
26 delegation, and President Obama, to find ways we can reform the federally
27 mandated health care and entitlement system, which chews a larger and larger
28 portion of our budget every year. These seemingly unending mandates take
29 money away from our schools and other budgetary priorities and put policy
30 makers on a hamster wheel of uncontrolled spending and induced compliance
31 with federal mandates.
32

33 We know there is no "magic wand" to fix the federal entitlement program
34 forced on our state. But I believe Gov. Hickenlooper, Minority Leader
35 Ferrandino, the General Assembly, our Congressional delegation and citizens
36 and experts across the state can come together to find tailored solutions that
37 work best for Colorado. This is a conversation that we need to have for the
38 good of our state, and a conversation that must be started in earnest before it is
39 too late.
40

41 Coloradans suffer when policy makers are forced to accept cookie-cutter, one-
42 size-fits-all approaches from Washington, DC. Fifty states make up the
43 composition of our great nation—all of them different from the other. Here in
44 Colorado, the Continental Divide separates east from west. We have urban,
45 suburban and rural corridors that are each different from the other.
46

47 Our state has unique needs that require Colorado specific solutions. Majority
48 Leader Stephens will introduce The Colorado-Specific Solutions Act with
49 Senate Minority Leader Bill Cadman. This act will codify our very deliberate
50 attempt to seek home-grown solutions to the unique problems that face
51 Colorado. Thanks to Majority Leader Stephens, Colorado will fight against
52 corrupting federal mandates and set a course of our own. No longer should
53 Coloradans be categorically lumped into federal solutions not tailored to the
54 specific needs of the Centennial State.
55

56 Finding Colorado specific solutions applies especially to our most vulnerable

1 citizens. We cannot continue to put the health and safety of Coloradans into the
2 hands of a bloated bureaucracy in Washington, DC that's unfamiliar to the
3 unique needs of our citizens.

4
5 Good government doesn't only entail increasing transparency and removing
6 burdensome regulations; it also demands we recognize the will of the people.

7
8 Over the last decade, Coloradans have made their voices clear at the ballot box.
9 The House Majority respects their wishes. This year, House Republicans will
10 stay true the promise we made this past summer and will ensure Amendment
11 35 funds go to fight cancer and support chronic disease prevention—just as
12 Coloradans voted for us to do seven years ago. I would like to thank Gov.
13 Hickenlooper for coming alongside our House Republicans to protect this
14 funding.

15
16 In few areas have Coloradans been more resoundingly united than when it
17 comes to tax increases. We saw this in November when 64 percent of
18 Coloradans voted against a statewide tax increase. This isn't a Democrat or
19 Republican issue. Coloradans across the political spectrum, from Democrats
20 in Denver to Republicans in Lamar to independents in Jefferson County voted
21 against Proposition 103. Coloradans do not want to be over taxed and we will
22 respect their wishes.

23
24 Colorado is fortunate to have the Taxpayer's Bill of Rights, which has saved
25 our state from the type of overspending that is plaguing Washington and
26 pushing other states nearly into bankruptcy.

27
28 Everyone has been hit hard by the ongoing recession, but none more than our
29 senior citizens. Most of our elderly live on fixed incomes and have seen time
30 and time again their well-earned and vital tax exemptions kept from them
31 because lawmakers—their elected representatives in government—wouldn't
32 balance the checkbook. The time of balancing our state budget on the backs of
33 our senior's most in need must come to an end.

34
35 Just who benefits from this exemption? We are helping the men and women
36 who served our country in World War II, Korea, Vietnam and across the world.
37 They are the generation who built the country we live in and love today; they
38 are the men and women whom we are helping by protecting the Senior
39 Homestead Property Tax Exemption.

40
41 Friends, the vast majority of these men and women are not millionaires. The
42 seniors who will benefit from this tax relief don't have yachts; they don't live
43 in a mansion on a hill. They are our parents and grandparents, our aunts and
44 uncles, our neighbors who can use this little bit of money to pay their bills, for
45 their food and for medication.

46
47 Colleagues, we will support voter approved property tax relief for seniors.

48
49 Our goal must be to move Colorado forward together and to recognize what has
50 already been accomplished. It is right that credit is given to our governor for his
51 hard work in bringing such national partners as GE to Colorado and Coleman
52 back to Colorado and for the commitment of Arrow Electronics to grow their
53 existing operations here. While it is right to take a moment to reflect on what
54 has been accomplished, it is imperative that we remain focused directly on the
55 dual goals of job creation and economic security for Colorado families.

56

1 My friends, ours is the time for action. We have been called by our fellow
2 citizens to meet the challenges head-on. We have 120 days—perhaps less--to
3 help put Colorado back on the path to prosperity. Though much work lies
4 ahead of us, I know when our time together is over we'll be able to look back
5 with pride on the accomplishments of this legislative body. Republicans and
6 Democrats, coming together to improve job creation and economic security for
7 Colorado's working families and small businesses. My friends, it's time to
8 build a better Colorado together.

9
10 Thank you; may God bless you, and may He continue to bless the Great State
11 of Colorado.

12
13
14 Minority Leader Mark Ferrandino addressed the members of the House
15 of Representatives:

16
17 Good morning Mr. Speaker, Madam Majority Leader, fellow members and
18 honored guests.

19
20 Before I continue I want to issue a warm welcome to the newest member of our
21 chamber, Representative Dave Young of Greeley.

22
23 I also want to take a moment to welcome my twin sister Nicole, and her
24 daughter – my niece – Abby, who turns nine next week. Happy ninth birthday,
25 Abby.

26
27 Finally, I want to welcome my husband, Greg Wertsch. Thank you for your love
28 and support.

29
30 Members, I am deeply honored to have been selected as leader of the House
31 Democratic caucus. This is my first chance to address you in this way, on this
32 day, and I cherish the opportunity.

33
34 You have seen the headlines. The press and the pundits have already written off
35 this session. One newspaper said the other day that everyone expects this
36 session to be – and I quote – “a massive partisan brawl.”

37
38 Mr. Speaker, I've heard you today. Together, we can prove the pundits wrong.

39
40 We can show a skeptical public that the Colorado General Assembly is not the
41 United States Congress.

42
43 Members, what we do and do not accomplish during this session is entirely up
44 to each of us working together. There are no predetermined outcomes.

45
46 To assume that we will fail – as many do – is to wander into a trap of
47 mediocrity. It affirms the cynics' deepest doubts, and neglects the spirit of
48 service that stirred us to run for office in the first place. And if we fall down on
49 our responsibilities, it is Colorado families who will ultimately be hurt.

50
51 I stand before you today to make this commitment: House Democrats will not
52 take the low road toward gridlock and dysfunction.

53
54 Mr. Speaker, I am not issuing a challenge, but an invitation. We can be partners,
55 not partisans. We can actually get things done for the people of Colorado.

56

1 When the session ends, there will be plenty of time for Democrats and
2 Republicans to make their case to the voters, and for the voters to judge us on
3 how well we did.
4
5 But for the next hundred and twenty days – or less! -- Coloradans want to see
6 the two parties working together to enact practical solutions to address the
7 state's problems.
8
9 I fully expect vigorous debate and at times stark disagreement. After all, the
10 opinions in this room are as varied as the topography of our state.
11
12 But when we can forge meaningful partnerships, we should. That's what the
13 people who sent us here want.
14
15 There are core issues we can all agree on:
16
17 One, Colorado needs more good-paying jobs;
18
19 Two, it needs an education system that prepares our children to succeed in a
20 global economy;
21
22 And three, it needs to adapt to changing economic and demographic realities.
23
24 We can certainly disagree on how we get there, but these goals are shared.
25
26 House Democrats' agenda is simple:
27
28 We will fight to start up the engine of economic recovery with practical
29 solutions and innovative programs.
30
31 We will support Colorado workers and Colorado businesses to create more
32 good jobs.
33
34 We will reform inefficient programs that do not meet our high standard for
35 return on investment. Because what worked 20 years ago may not be working
36 today.
37
38 And you can be sure that we will fight for a public education system, from
39 preschool through grad school, that lifts up our students, prepares them for a
40 challenging and changing world, and provides them with the skills and
41 knowledge they need to succeed.
42
43 Education is the best economic development tool we have in our toolbox. As
44 a person who struggled with a learning disability, I know first-hand the impact
45 of a strong public education system.
46
47 I am standing here today thanks to the amazing public school teachers who
48 taught me. I am dedicated to ensuring that every Colorado kid has the same
49 opportunity I did growing up.
50
51 To say that this state's economy is improving is cold comfort to the thousands
52 of Coloradans who continue to suffer the effects of the Great Recession.
53
54 Nevertheless, Colorado's economy is growing.
55
56 The state unemployment rate is inching downward.

1 New companies like Arrow, G.E. and Vestas are coming in to take advantage
2 of our favorable business climate, our natural resources and the intellectual
3 capital of our skilled and well-educated workforce.
4
5 And with Governor Hickenlooper at the helm, I am confident that we'll see
6 more businesses – and more jobs – moving to Colorado.
7
8 Our foresight and leadership in developing the New Energy Economy, our
9 investments in knowledge-based industries like bioscience and biotechnologies,
10 are attracting big, forward-thinking companies to Colorado. With those
11 relocations come good-paying jobs that can't be outsourced.
12
13 We can compete with any state and any nation for any company.
14
15 But there's another story too, and one that is equally worth telling. It is the story
16 of the innovators working in the laboratories at our universities, research centers
17 and small start-ups across this state.
18
19 And it's about regular people willing to take the first steps on the rocky path of
20 entrepreneurship, with little more than a business plan and an idea.
21
22 In 2002, Richard Lewis was a man with a plan for an information technology
23 services company called RTL Networks, based right here in Denver.
24
25 With advice from the state small business development center in Denver, in ten
26 years RTL Networks has grown to more than one hundred employees and has
27 been placed on Inc. Magazine's list of the five hundred fastest-growing
28 privately owned companies in America.
29
30 Colorado needs more success stories like Richard Lewis.
31
32 It is to help other businesses to follow the same arc that House Democrats this
33 week introduced a package of bills we are calling "Start Up Colorado."
34
35 Representative Max Tyler's bill will give a needed leg up to more small
36 businesses, the true engines of our economic recovery.
37
38 Funding Representative John Kefalas's Angel Investor program will create an
39 incentive to investors to take a chance on Colorado's innovators.
40
41 And a bill I am sponsoring with Representative Dave Young will help move
42 new technologies out of our laboratories and into the market.
43
44 Over the coming days and weeks, members of the Democratic caucus will
45 introduce even more legislation as part of the Start Up Colorado jobs package
46 to get more Coloradans working.
47
48 By supporting the small and growing businesses of today we are creating a
49 framework for a more sustainable and dynamic economic expansion tomorrow.
50
51
52 But there are other, simple things we can do that will move our state forward
53 right now.
54
55 Like giving companies that employ Coloradans the first crack at state contracts,
56 so our tax dollars create jobs here, and not in other states or overseas.

1 Like partnering with Governor Hickenlooper in responsibly cutting red tape to
2 help create jobs, while keeping rules in place to prevent companies from
3 gouging their customers or fleecing their investors.
4
5 And like making better use of the state's business-development programs,
6 building on the things we are doing right and fixing the things that aren't
7 working, so that we can assure taxpayers that they are getting the greatest
8 number of jobs in return for their investment.
9
10 Job One is doing anything and everything we can, to help start up our economic
11 recovery. But it is not our only job.
12
13 The most recent recession has put a squeeze on our budget, one we are likely
14 to feel for a long time to come.
15
16 We simply do not have the resources to do everything.
17
18 And so we must prioritize.
19
20 We have to pass a responsible state budget, one that balances cuts against
21 people's actual needs. Governor Hickenlooper's practical, pragmatic budget
22 proposal is an excellent starting point.
23
24 But the responsibility of actually passing the budget falls squarely on us.
25
26 To balance our budget, we need to keep everything -- and I mean everything --
27 on the table. To take anything off at this point, to set up a false choice between
28 Medicaid and education, or Medicaid and seniors, is simply irresponsible.
29
30 There are no sacred cows.
31
32 We will work to improve any program that needs it, including Medicaid. The
33 proposal Representative Dave Young introduced yesterday to foster innovation
34 in Medicaid should clearly demonstrate just how serious we are about pursuing
35 real reform.
36
37 Let's stop fantasizing about a magic Medicaid waiver that can make our
38 problems go away. It just does not exist.
39
40 Let me be clear: Medicaid is not a "tumor" on our budget, as one political
41 leader from a different chamber recently described it. Our Medicaid rolls are
42 still growing because many people are still struggling. Simple as that.
43
44 Colorado already has one of the leanest Medicaid systems in the country.
45 My door is open to anyone who can make it leaner without punishing people --
46 particularly children, the disabled and the elderly.
47
48 Two years ago, we put in place a process that, if done well, could remake state
49 government.
50
51 The SMART Government Act set guideposts for a more outcomes-driven state
52 government -- one that articulates clear goals and implements strategic plans for
53 achieving those goals.
54
55 The law envisions a comprehensive process of performance-based budgeting
56 that is more transparent and accountable to the people.

1 But this process cannot work without a commitment from everyone sitting in
2 this room to take seriously the legislature's oversight role.

3
4 The upcoming joint hearings are a chance for creative thinking about innovative
5 solutions – not for browbeating or piling-on. If done right, SMART can ensure
6 that our government is, as Governor Hickenlooper says, efficient, effective, and
7 elegant.

8
9 That's our ultimate responsibility as legislators – to help make our state the best
10 it can be.

11
12 We must foster an economy Where businesses and workers can thrive, preserve
13 an environment Where our air and water are clean and our citizens healthy and
14 safe, and enhance a society Where equality and opportunity are not just words
15 we speak, but ideals that we live.

16
17 It's a delicate balancing act sometimes.

18
19 Members, it is my great privilege to serve with you in the Colorado House of
20 Representatives -- this wonderful forum for ideas. I look forward to working
21 with each and every one of you to find practical solutions for Colorado.

22
23 Thank you.

24
25
26
27 The roll was called with the following result:

28
29 Present--63.
30 Excused--Representative(s) Vaad--1.
31 Vacancy--1.
32

33 The Speaker declared a quorum present.

34
35
36 House in recess. House reconvened.

37
38
39 On motion of Representative Stephens, the Speaker appointed
40 Representatives Summers, Chairman, Holbert, and Todd to notify the
41 Senate that the House was organized and ready for business.

42
43
44 On motion of Representative Stephens, the Speaker appointed
45 Representatives Nikkel, Chairman, Becker, and Young to notify the
46 Governor that the House was organized and ready for business.

47
48
49 House in recess.

50
51
52 The Speaker recognized a committee from the Senate. Senators
53 Tochtrop, Williams, and Roberts reported that the Senate was organized
54 and ready for business.

House reconvened.

Representative Summers, Chairman of the Committee to Notify the Senate, reported that the Senate had been notified that the House was organized and ready for business.

Representative Nikkel, Chairman of the Committee to Notify the Governor, reported that the Governor had been notified that the House was organized and ready for business.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

HJR12-1001 by Representative(s) Stephens, McNulty, Ferrandino; also Senator(s) Morse, Shaffer B., Cadman--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor John Hickenlooper, and appointing a committee to escort the Governor.

(Printed and placed in member's file).

On motion of Representative Stephens, the resolution was **adopted** by **viva voce** vote.

The Speaker appointed Representatives J. Kerr, Chairman, Scott, and Fields pursuant to the resolution.

APPOINTMENTS

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

13 members: Representatives Sonnenberg, Chairman; Baumgardner, Vice-Chairman; Brown, Coram, Fischer, Jones, Looper, McKinley, Ryden, Scott, Vaad, Vigil, Wilson

APPROPRIATIONS

13 members: Representatives Becker, Chairman; Gerou, Vice-Chairman; DelGrosso, Ferrandino, B. Gardner, Hullinghorst, A. Kerr, Levy, Looper, Pabon, Solano, Sonnenberg, Vaad

ECONOMIC & BUSINESS DEVELOPMENT

13 members: Representatives Liston, Chairman; Swalm, Vice-Chairman; Balmer, Holbert, Miklosi, Priola, Soper, Swerdfeger, Szabo, Tyler, Williams, Wilson, Vacancy

1 EDUCATION

2 13 members: Representatives Massey, Chairman; Beezley, Vice-Chairman;
 3 Hamner, Holbert, Joshi, A. Kerr, Murray, Peniston, Ramirez, Schafer, Solano,
 4 Summers, Todd

6 FINANCE

7 13 members: Representatives DelGrosso, Chairman; Swerdfeger,
 8 Vice-Chairman; Acree, Beezley, Conti, Hulinghorst, Joshi, Kagan, Kefalas,
 9 Labuda, McCann, Pabon, Swalm

10

11 HEALTH & ENVIRONMENT

12 13 members: Representatives Summers, Chairman; Acree, Vice-Chairman;
 13 Bradford, Brown, Fields, Joshi, Kefalas, J. Kerr, Massey, McCann, Peniston,
 14 Schafer, Young

15

16 JUDICIARY

17 11 members: Representatives B. Gardner, Chairman; Barker, Vice-Chairman;
 18 DelGrosso, Duran, Kagan, Lee, Nikkel, Pabon, Ryden, Sonnenberg, Waller

19

20 LOCAL GOVERNMENT

21 11 members: Representatives Bradford, Chairman; Szabo, Vice-Chairman;
 22 Balmer, Conti, Fields, B. Gardner, Labuda Lee, Pace, Soper, Swerdfeger

23

24 STATE, VETERANS, & MILITARY AFFAIRS

25 9 members: Representatives J. Kerr, Chairman; Coram, Vice-Chairman;
 26 Baumgardner, Casso, Court, Duran, Liston, Todd, Waller

27

28 TRANSPORTATION

29 13 members: Representatives Vaad, Chairman; Looper, Vice-Chairman;
 30 Barker, Brown, Fischer, Hamner, Jones, Priola, Ramirez, Scott, Tyler,
 31 Williams, Young

32

33 OTHER PERMANENT COMMITTEES

34

35 CAPITOL DEVELOPMENT

36 3 House Members: Representatives Sonnenberg, Chairman; Brown, Vigil.

37

38 EXECUTIVE COMMITTEE OF LEGISLATIVE COUNCIL

39 3 House Members: Representatives McNulty, Chairman; Ferrandino,
 40 Vice-Chairman; Stephens

41

42 JOINT BUDGET

43 3 House Members: Representatives Gerou, Chairman, Becker, Levy

44

45 LEGISLATIVE AUDIT

46 4 House Members: Representatives Acree, Chairman; J. Kerr, Miklosi,
 47 A. Williams.

48

49 On motion of Representative Stephens the appointments to the Audit
 50 Committee were confirmed by the following roll call vote.

51

52	YES	62	NO	0	EXCUSED	2	ABSENT	0	VACANCY	1
53	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
54	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
55	Barker		Y		V	Massey	Y	Soper	Y	
56	Baumgardner	Y	Gerou		Y	McCann	Y	Stephens	Y	

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

14

15 **LEGISLATIVE COUNCIL**

16 9 House Members: Representatives McNulty, Chairman; Duran, Court,
 17 Ferrandino, J. Kerr, Nikkel, Priola, Stephens, Todd.

18

19 On motion of Speaker McNulty the appointments to the Committee on
 20 Legislative Council were confirmed by the following roll call vote.

21

22	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
23	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
24	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
25	Barker		Y		V	Massey	Y	Soper	Y	
26	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
27	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
28	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
29	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
30	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
31	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
32	Conti	Y	Kagan	Y	Pace	Y	Tyler	Y		
33	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	E		
34	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
35	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
36	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
37	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
38	Fields	Y	Levy	Y	Scott	Y	Young	Y		
39							Speaker	Y		

40

41 **LEGAL SERVICES**

42 4 House Members: Representatives Gardner, Vice-Chairman; Labuda, Levy,
 43 Murray, Waller.

44

45 On motion of Speaker McNulty the appointments to the Committee on
 46 Legal Services were confirmed by the following roll call vote.

47

48	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
49	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
50	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
51	Barker		Y		V	Massey	Y	Soper	Y	
52	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
53	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
54	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
55	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
56	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		

1	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y
2	Conti	Y	Kagan	Y	Pace	Y	Tyler	Y
3	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	E
4	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y
5	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y
6	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y
7	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y
8	Fields	Y	Levy	Y	Scott	Y	Young	Y
9							Speaker	Y

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadlines:

Early introduction deadline for House bills:

The Monday, January 16 deadline (the 6th legislative day) for the introduction of the two remaining House bills requested prior to the December 1 bill request deadline is extended until Tuesday, January 17, 2012 (the 7th legislative day).

Last bill request deadline for the House and Senate:

The Monday, January 16 deadline (the 6th legislative day) for all remaining bill requests to the Office of Legislative Legal Services is extended until Tuesday, January 17, 2012 (the 7th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)	(signed)
Representative McNulty	Senator Shaffer
Speaker of the House of Representatives	President of the Senate

(signed)	(signed)
Representative Stephens	Senator Morse
House Majority Leader	Senate Majority Leader

(signed)	(signed)
Representative Ferrandino	Senator Cadman
House Minority Leader	Senate Minority Leader

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly preprinted:
HB12-1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059.

INTRODUCTION OF BILLS
First Reading

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

HB12-1001 by Representative(s) Murray and Gardner B., Labuda, Levy, Waller; also Senator(s) Johnston and Spence, Brophy, Carroll, Morse, Roberts, Schwartz--Concerning legislative review of rules of the state board of education to implement the statewide system to evaluate the effectiveness of licensed educators.

Committee on Legal Services

HB12-1002 by Representative(s) Sonnenberg; also Senator(s) Jahn--Concerning the rules of state agencies applicable to applications for permits.

Committee on Economic and Business Development

HB12-1003 by Representative(s) Fischer; also Senator(s) Nicholson--Concerning the authorization of the use of graywater.

Committee on State, Veterans, & Military Affairs

HB12-1004 by Representative(s) Bradford; also Senator(s) King S.--Concerning requiring local building codes to allow the use of lumber milled from certain trees as building framing material.

Committee on Economic and Business Development

HB12-1005 by Representative(s) Pabon; also Senator(s) Harvey--Concerning investment of public funds.

Committee on Finance

HB12-1006 by Representative(s) Todd, Barker, Murray, Ramirez, Soper, Summers, Waller; also Senator(s) Spence, Aguilar, Bacon, Brophy, Giron, Roberts--Concerning the voluntary contribution designation benefiting the American Red Cross Colorado disaster response, readiness, and preparedness fund that appears on the state individual income tax return forms.

Committee on Finance

HB12-1007 by Representative(s) Szabo; also Senator(s) Grantham--Concerning the requirement that a regulatory analysis be issued prior to the promulgation of rules by a state administrative agency.

Committee on Economic and Business Development

HB12-1008 by Representative(s) Acree; also Senator(s) Jahn--Concerning additional methods for providing input to executive branch agencies about proposed rules, and, in connection therewith, directing agencies to establish representative groups to evaluate and comment on proposed rules, requiring agencies to notify the general assembly of

- 1 any rule-making that results in increases in fees or fines,
2 and requiring agencies to submit departmental regulatory
3 agendas to the general assembly.
4 Committee on Economic and Business Development
5
6 **HB12-1009** by Representative(s) Gerou; also Senator(s) Lambert--
7 Concerning a report related to the federal moneys received
8 by the executive branch.
9 Committee on Appropriations
10
11 **HB12-1010** by Representative(s) Baumgardner, Sonnenberg,
12 Swerdfeger, Vigil, Wilson; also Senator(s) Giron, Brophy,
13 Hodge, Roberts, Schwartz--Concerning the reissuance of a
14 lost share certificate of a mutual ditch company.
15 Committee on Agriculture, Livestock, & Natural Resources
16
17 **HB12-1011** by Representative(s) Brown, Sonnenberg, Vigil; also
18 Senator(s) Bacon, Renfroe, Schwartz--Concerning the
19 codification of the fifteen-year rule for controlled
20 maintenance funding eligibility for state facilities.
21 Committee on Finance
22
23 **HB12-1012** by Representative(s) Williams A.; also Senator(s) Guzman--
24 Concerning authorization for reimbursement for up to fifty
25 thousand dollars of actual, reasonable, and necessary
26 business reestablishment expenses to be paid by a state
27 agency in connection with the reestablishment of an
28 operation displaced by the agency.
29 Committee on Transportation
30
31 **HB12-1013** by Representative(s) Fields and Holbert, Massey; also
32 Senator(s) Hudak and King K., Bacon--Concerning
33 intervention services for middle-grade students.
34 Committee on Education
35
36 **HB12-1014** by Representative(s) Baumgardner--Concerning
37 modification of the fee for late registration of a vehicle.
38 Committee on Transportation
39
40 **HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--
41 Concerning the procedure for the review of a proposal to
42 regulate an unregulated profession or occupation.
43 Committee on Economic and Business Development
44
45 **HB12-1016** by Representative(s) Balmer--Concerning limiting ex parte
46 communications by commissioners of the public utilities
47 commission.
48 Committee on Transportation
49
50 **HB12-1017** by Representative(s) Swerdfeger and Pace; also Senator(s)
51 Giron--Concerning the extension of the local access to
52 health care pilot program operated under the authority of
53 the board of county commissioners of Pueblo county.
54 Committee on Local Government
55

- 1 **HB12-1018** by Representative(s) Labuda, Barker, Duran, Gardner B.,
2 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also
3 Senator(s) Tochtrop, Morse, King S., White--Concerning
4 modifications to available affiliation by social security
5 employers with the fire and police pension association.
6 Committee on Finance
7
- 8 **HB12-1019** by Representative(s) Vaad, Barker, Looper, Ramirez, Scott,
9 Tyler; also Senator(s) King S., Spence, Williams S.--
10 Concerning the abolition of the motor carrier services
11 division of the division of motor vehicles of the department
12 of revenue, and, in connection therewith, transferring the
13 powers, duties, and functions of the motor carrier services
14 division relating to ports of entry to the Colorado state
15 patrol of the department of public safety and transferring
16 the powers, duties, and functions of the motor carrier
17 services division relating to commercial driver's licenses
18 and the international registration plan to the department of
19 revenue.
20 Committee on Transportation
21
- 22 **HB12-1020** by Representative(s) Soper--Concerning the legal
23 consequences of a creditor's refusal to accept United States
24 currency as payment for debts of less than a certain amount.
25 Committee on State, Veterans, & Military Affairs
26
- 27 **HB12-1021** by Representative(s) Vaad--Concerning coordinated
28 transportation planning for areas of the state that are outside
29 of the jurisdiction of metropolitan planning organizations.
30 Committee on Transportation
31
- 32 **HB12-1022** by Representative(s) Sonnenberg, Baumgardner,
33 Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz,
34 Brophy, Giron, Hodge, Roberts--Concerning the amount of
35 water that permitted mining operations that construct
36 impermeable areas that eliminate preexisting natural
37 evapotranspiration are required to replace.
38 Committee on Agriculture, Livestock, & Natural Resources
39
- 40 **HB12-1023** by Representative(s) Nikkel; also Senator(s) King S.--
41 Concerning the creation of a fallen heroes license plate.
42 Committee on Transportation
43
- 44 **HB12-1024** by Representative(s) Szabo--Concerning a requirement that
45 the ballot title of a statewide measure be written in plain
46 language.
47 Committee on State, Veterans, & Military Affairs
48
- 49 **HB12-1025** by Representative(s) Tyler--Concerning the establishment
50 of a regulator navigator.
51 Committee on State, Veterans, & Military Affairs
52
- 53 **HB12-1026** by Representative(s) Coram; also Senator(s) Roberts--
54 Concerning peace officer status for certain municipality
55 prosecuting attorneys.
56 Committee on Judiciary

- 1 **HB12-1027** by Representative(s) Bradford--Concerning the sale of
2 nonpotentially hazardous food produced in a home kitchen
3 for sale directly to consumers for consumption off
4 premises.
5 Committee on Economic and Business Development
6
- 7 **HB12-1028** by Representative(s) Gerou; also Senator(s) Steadman--
8 Concerning the continuation of energy-related assistance to
9 low-income households from the operational account of the
10 severance tax trust fund.
11 Committee on Finance
12
- 13 **HB12-1029** by Representative(s) Holbert; also Senator(s) Scheffel--
14 Concerning an economic stimulus through a property tax
15 exemption for business personal property, and, in
16 connection therewith, enacting the "Save Colorado Jobs
17 Act".
18 Committee on Finance
19
20
- 21 **HB12-1030** by Representative(s) Looper and Priola, Barker, Brown,
22 Ramirez, Tyler; also Senator(s) Williams S., Hudak--
23 Concerning the repeal of requirements that specified types
24 of information be submitted to legislative committees, and,
25 in connection therewith, repealing certain transportation
26 and energy-related information submission requirements.
27 Committee on Transportation
28
- 29 **HB12-1031** by Representative(s) Peniston, Labuda, Duran, Ramirez,
30 Schafer S.; also Senator(s) Tochtrop, King S., Morse--
31 Concerning the authority of the board of the fire and police
32 pension association to make amendments to plans for the
33 administration of benefits.
34 Committee on Finance
35
- 36 **HB12-1032** by Representative(s) Hamner--Concerning continuation of
37 forestry-related programs.
38 Committee on Agriculture, Livestock, & Natural Resources
39
40
- 41 **HB12-1033** by Representative(s) Swalm; also Senator(s) Newell--
42 Concerning conditions on the authority of the director of
43 the division of workers' compensation to impose
44 administrative fines as a result of compliance audits finding
45 instances of late reporting of injuries under the "Workers'
46 Compensation Act of Colorado".
47 Committee on Economic and Business Development
48
- 49 **HB12-1034** by Representative(s) Looper, Fischer, Hamner, Jones,
50 Ramirez, Tyler, Vaad, Young; also Senator(s) Spence,
51 Hudak, King S., Williams S.--Concerning continuing the
52 processors and end users fund that encourages recycling of
53 waste tires.
54 Committee on Transportation
55
56

- 1 **HB12-1035** by Representative(s) Young, Barker, Fischer, Hamner,
2 Jones, Looper, Ramirez, Vaad; also Senator(s) Spence,
3 Hudak, Williams S.--Concerning the repeal of the fee for
4 the branch of service identifier on Colorado driver's
5 licenses.
6 Committee on State, Veterans, & Military Affairs
7
- 8 **HB12-1036** by Representative(s) Kerr J.--Concerning clarification of
9 the exemption from the "Colorado Open Records Act" for
10 investigative files.
11 Committee on Judiciary
12
- 13 **HB12-1037** by Representative(s) Becker--Concerning the classification
14 of the sales of certain items used in agricultural production
15 as wholesale sales.
16 Committee on Agriculture, Livestock, & Natural Resources
17
- 18 **HB12-1038** by Representative(s) Looper, Barker, Brown, Priola,
19 Ramirez, Scott, Williams A.; also Senator(s) Williams S.--
20 Concerning the creation of a multi-year registration for
21 Class A trailers.
22 Committee on Transportation
23
- 24 **HB12-1039** by Representative(s) Hulinghorst, Ferrandino, Ryden, Kerr
25 A.--Concerning the adoption of pay-as-you-go
26 requirements for certain bills with specified impacts on the
27 state budget.
28 Committee on Finance
29
- 30 **HB12-1040** by Representative(s) Casso--Concerning recognition of
31 September 11 as a state holiday, and, in connection
32 therewith, designating September 11 as "Patriot Day".
33 Committee on State, Veterans, & Military Affairs
34
- 35 **HB12-1041** by Representative(s) Labuda; also Senator(s) Guzman--
36 Concerning the creation of an electronic death registration
37 system in the department of public health and environment.
38 Committee on Health and Environment
39
- 40 **HB12-1042** by Representative(s) Pace--Concerning a state income tax
41 credit related to the portion of Colorado estate taxes paid
42 that are attributable to agricultural land.
43 Committee on Finance
44
- 45 **HB12-1043** by Representative(s) Conti--Concerning concurrent
46 enrollment for students who may complete high school
47 graduation requirements before the end of twelfth grade.
48 Committee on Education
49
- 50 **HB12-1044** by Representative(s) Ferrandino and Young--Concerning
51 the creation of the start-up Colorado technology transfer
52 grant program.
53 Committee on Economic and Business Development
54
55

- 1 **HB12-1045** by Representative(s) Bradford; also Senator(s) King S.--
2 Concerning sales and use tax exemptions for the sale and
3 use of wood from trees harvested in Colorado damaged by
4 beetles.
5 Committee on Finance
6
- 7 **HB12-1046** by Representative(s) Sonnenberg; also Senator(s) Brophy--
8 Concerning requiring drug testing as a condition of
9 eligibility for the Colorado works program.
10 Committee on Health and Environment
11
- 12
- 13 **HB12-1047** by Representative(s) Kefalas, Gardner B.; also Senator(s)
14 Newell--Concerning the waiver of non-safety licensing
15 standards for kinship foster care.
16 Committee on Health and Environment
17
- 18 **HB12-1048** by Representative(s) Waller--Concerning relieving the
19 Colorado bureau of investigation of its statutory duties as
20 a point of contact for the national instant criminal
21 background check system in cases of firearm transfers.
22 Committee on Judiciary
23
- 24
- 25 **HB12-1049** by Representative(s) Solano; also Senator(s) Aguilar,
26 Bacon--Concerning prohibiting the imposition of penalties
27 relating to students who do not participate in statewide
28 student assessments.
29 Committee on State, Veterans, & Military Affairs
30
- 31 **HB12-1050** by Representative(s) Wilson; also Senator(s) Nicholson--
32 Concerning the voluntary contribution designation
33 benefiting the nongame and endangered wildlife fund that
34 appears on the state individual income tax return forms,
35 and, in connection therewith, extending the period for the
36 contribution designation.
37 Committee on Finance
38
- 39 **HB12-1051** by Representative(s) Scott, Kerr J., Liston, Priola; also
40 Senator(s) Jahn, Spence, Tochtrop--Concerning a change of
41 the definition of "salvage vehicle" to include motor vehicles
42 currently excluded.
43 Committee on Transportation
44
- 45 **HB12-1052** by Representative(s) Summers; also Senator(s) Boyd and
46 Roberts--Concerning the collection of health care work
47 force data from health care professionals.
48 Committee on Health and Environment
49 Committee on Economic and Business Development
50
- 51 **HB12-1053** by Representative(s) Gardner B.; also Senator(s) Giron--
52 Concerning the victims' rights act.
53 Committee on Judiciary
54
55

- 1 **HB12-1054** by Representative(s) Fields, Summers--Concerning
2 simplification of the procurement process for providers
3 who have previously been approved to participate in health
4 care programs administered by the department of health
5 care policy and financing.
6 Committee on Health and Environment
7
- 8 **HB12-1055** by Representative(s) Schafer S.; also Senator(s) White--
9 Concerning the division of registrations in the department
10 of regulatory agencies, and, in connection therewith,
11 renaming the division as the division of professions and
12 occupations, authorizing the executive director of the
13 department to adopt rules pertaining to the administrative
14 duties of the division, and requiring periodic review of the
15 functions of the division.
16 Committee on Economic and Business Development
17
- 18 **HB12-1056** by Representative(s) Kerr A.; also Senator(s) Hodge--
19 Concerning regional tourism project application
20 requirements under the "Colorado Regional Tourism Act",
21 and, in connection therewith, specifying subjects to be
22 analyzed by a third-party analyst who is required to analyze
23 an application, requiring an applicant to demonstrate that a
24 significant portion of the sales tax revenue to be generated
25 by a project will be attributable to transactions with
26 nonresidents of the state, and requiring the director of the
27 Colorado office of economic development and the
28 Colorado economic development commission to consider
29 input from specified sources when reviewing an
30 application.
31 Committee on Local Government
32
33
- 34 **HB12-1057** by Representative(s) Levy; also Senator(s) Nicholson--
35 Concerning additional protections for purchasers of
36 homeowner's insurance policies in Colorado.
37 Committee on Local Government
38 Committee on State, Veterans, & Military Affairs
39
- 40 **HB12-1058** by Representative(s) Joshi; also Senator(s) Nicholson--
41 Concerning the requirement that the department of public
42 health and environment provide infant eye prophylaxis.
43 Committee on Health and Environment
44
- 45 **HB12-1059** by Representative(s) Looper--Concerning the authority of
46 a person credentialed in another state whose residence is
47 determined by military orders to practice an occupation
48 regulated by Colorado law.
49 Committee on Economic and Business Development
50
- 51 **HB12-1060** by Representative(s) Massey, Ferrandino, Kefalas, Liston,
52 McCann, Swerdfeger; also Senator(s) Boyd, Steadman,
53 Tochtrop--Concerning the regulation of dietitians.
54 Committee on Agriculture, Livestock, & Natural Resources
55

- 1 **HB12-1061** by Representative(s) Kagan--Concerning requiring a report
2 of the correlation between the educational credentials
3 issued and the state's workforce needs.
4 Committee on Education
5
- 6 **HB12-1062** by Representative(s) Barker--Concerning minimum
7 employment protections for Colorado peace officers.
8 Committee on Local Government
9
- 10 **HB12-1063** by Representative(s) Ramirez--Concerning the state
11 veterans nursing home at Homelake, Colorado.
12 Committee on State, Veterans, & Military Affairs
13
- 14 **HB12-1064** by Representative(s) Stephens--Concerning the prohibition
15 of limitations concerning firearms during an official state of
16 emergency.
17 Committee on Judiciary
18
- 19 **HB12-1065** by Representative(s) Lee--Concerning the deadline for an
20 advanced practice nurse who was granted prescriptive
21 authority prior to July 1, 2010, to develop an articulated
22 plan for purposes of retaining prescriptive authority.
23 Committee on Health and Environment
24
- 25 **HB12-1066** by Representative(s) Priola--Concerning the application of
26 vehicle laws to powersports vehicles.
27 Committee on Transportation
28
- 29 **HB12-1067** by Representative(s) McCann and Court; also Senator(s)
30 Aguilar--Concerning the establishment of contribution
31 limits under the "Fair Campaign Practices Act" for
32 candidates for certain elected director positions, and, in
33 connection therewith, establishing contribution limits for
34 candidates for boards of education and the board of the
35 regional transportation district and specifying requirements
36 affecting the disclosure of such contributions.
37 Committee on State, Veterans, & Military Affairs
38
- 39 **HB12-1068** by Representative(s) McKinley--Concerning the
40 administration of a nonprofit cemetery corporation by
41 persons who own the right to bury a deceased person within
42 the cemetery.
43 Committee on Local Government
44
- 45 **HB12-1069** by Representative(s) Miklosi and Pabon--Concerning tax
46 expenditures.
47 Committee on Finance
48
- 49 **HB12-1070** by Representative(s) Peniston--Concerning the
50 modification of statutory provisions governing the ethical
51 conduct of persons involved in government for the purpose
52 of harmonizing such provisions with section 3 (5) of article
53 XXIX of the state constitution.
54 Committee on State, Veterans, & Military Affairs
55
56

- 1 **HB12-1071** by Representative(s) Liston; also Senator(s) Jahn--
2 Concerning portable electronics insurance.
3 Committee on Economic and Business Development
4
- 5 **HB12-1072** by Representative(s) Massey and Fields, Holbert; also
6 Senator(s) Bacon and King K., Hudak--Concerning credit
7 for prior learning in higher education.
8 Committee on Education
9
- 10 **HB12-1073** by Representative(s) Brown; also Senator(s) Roberts--
11 Concerning the transfer of a judgeship from the first
12 judicial district to the sixth judicial district.
13 Committee on Judiciary
14
- 15 **HB12-1074** by Representative(s) Kerr J., Miklosi; also Senator(s) King
16 S., Tochtrop--Concerning access to data to assist the courts
17 in overseeing persons appointed to manage the affairs of
18 persons under disability.
19 Committee on Judiciary
20
- 21 **HB12-1075** by Representative(s) Beezley and DelGrosso; also
22 Senator(s) Brophy--Concerning a limit on total state general
23 fund appropriations.
24 Committee on Finance
25
- 26 **HB12-1076** by Representative(s) Court; also Senator(s) Steadman--
27 Concerning additional voluntary information that may be
28 requested in an initiative or referendum petition.
29 Committee on State, Veterans, & Military Affairs
30
- 31 **HB12-1077** by Representative(s) Gardner B., Barker, Duran, Labuda,
32 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also
33 Senator(s) Tochtrop, King S., White--Concerning
34 modifications to the investment confidentiality provisions
35 related to police officers' and firefighters' pension plans.
36 Committee on Finance
37
- 38 **HB12-1078** by Representative(s) Vigil, Baumgardner, Sonnenberg,
39 Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy,
40 Giron, Hodge, Roberts--Concerning the exemption of
41 drinking water treatment facilities from the requirement to
42 obtain a certificate of designation.
43 Committee on Local Government
44
- 45 **HB12-1079** by Representative(s) Barker; also Senator(s) King S.--
46 Concerning designation of certain positions in the
47 department of public safety.
48 Committee on Judiciary
49 Committee on State, Veterans, & Military Affairs
50
- 51 **HB12-1080** by Representative(s) Vigil; also Senator(s) Schwartz--
52 Concerning changing the name of Adams state college to
53 Adams state university.
54 Committee on State, Veterans, & Military Affairs
55
56

1 **HB12-1081** by Representative(s) Duran; also Senator(s) Steadman--
2 Concerning the operations of the Auraria higher education
3 center.
4 Committee on Education

5
6
7
8 **INTRODUCTION OF RESOLUTIONS**
9

10 The following resolutions were read by title and laid over until January 13,
11 2012 under the rules:

12
13 **HR12-1001** by Representative(s) Massey, Vaad, Court, Williams A.--
14 Concerning employees and positions for the House of
15 Representatives convened in the Second Regular Session of
16 the Sixty-eighth General Assembly.

17
18 **HR12-1002** by Representative(s) Massey, Vaad, Court, Williams A.--
19 Concerning the Chaplain position in the House of
20 Representatives.

21
22
23
24 On motion of Representative Stephens, the House adjourned until
25 9:00 a.m., January 12, 2012.

26
27 Approved:
28 FRANK McNULTY,
29 Speaker

30 Attest:
31 MARILYN EDDINS,
32 Chief Clerk

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

Second Legislative Day

Thursday, January 12, 2012

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

2

3 Prayer by the Reverend Michele Quinn-Miscall, St. Joseph Episcopal
4 Church, Lakewood.

5

6 Pledge of Allegiance led by Rayshun Jennings, Jr., from Trails West
7 Elementary in Aurora, and his father, Staff Sgt. Rayshun Jennings, a
8 soldier stationed at Fort Carson in Colorado Springs.

9

10 The roll was called with the following result:

11

12 Present--64.

13 Vacancy--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Young, the reading of the journal of
19 January 11, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 House in recess for Joint Session.

24

25

26

27

JOINT SESSION

28

29 The Joint Session was called to order by the Speaker of the House, Frank
30 McNulty.

31

32 On motion of Senator Morse, the morning roll call of the Senate was
33 made the roll call of the Joint Session.

34

35 Present--34.

36 Excused-- Senator K. King--1.

37

38 On motion of Representative Stephens, the morning roll call of the
39 House was made the roll call of the Joint Session.

40

41 Present--64.

42 Vacancy--1.

43

1 The Speaker declared a quorum present and as is customary presented the
2 gavel to the President of the Senate to preside over the joint session.

3
4 President Shaffer requested the Joint Committee, composed of Senators
5 Guzman, Hudak, White, and Representatives J. Kerr, Scott, Fields to
6 escort the Honorable John Hickenlooper to the rostrum.

7
8 Chief Sergeant-at-Arms Wallin announced the arrival of the Honorable
9 John Hickenlooper, Governor of the State of Colorado.

10
11 The Joint Committee escorted the Governor to the rostrum where he
12 addressed the Joint Session.

13
14
15 **ADDRESS BY THE HONORABLE**
16 **John Hickenlooper**
17

18 When people think of the West, it's easy to envision wagon trains, Buffalo Bill,
19 the glory days of the Gold Rush. Cowboy hats come to mind ... rocks ... even
20 beer ... but let's talk about hats.

21
22 John B. Stetson left Pennsylvania in the early 1860s, suffering from
23 tuberculosis, and came west. He soon found himself panning for gold in the
24 Colorado Rockies. Fierce storms, without warning, would come up over the
25 mountains and drench the mining camp. Mr. Stetson saw a problem in need of
26 a solution, and he had a unique skill. His father had taught him hatting as a kid,
27 and he made a felt hat that could protect him from wind and cold. The other
28 miners were envious. One fellow bought the hat right off his head for a \$5 gold
29 coin. A business was born.

30
31 By 1906, Mr. Stetson was selling 2 million hats a year.

32
33 Cowboys would sleep on their Stetson or bend it to provide better visibility.
34 They would fill the hat up with water - ever heard of the 10 gallon hat? -
35 because it was water proof on the inside. Cowboys still do this ... and even a
36 smattering of our legislators.

37
38 The story of the Stetson is about one of Colorado's earliest entrepreneurs. Of
39 course, back then almost everyone coming West was an entrepreneur.

40
41 That same spirit is with us today. Indeed, in some way everyone in this room is
42 an entrepreneur.

43
44 You came here because you believe you can come up with solutions. You came
45 here - under a gold dome that is getting a makeover of its own - to be inventive
46 and create a better future.

47
48 President of the Senate, Brandon Shaffer, Speaker of the House Frank McNulty,
49 Senate Minority Leader Bill Cadman and House Minority Leader Mark
50 Ferrandino - it's not easy to lead a room full of creative and imaginative people,
51 is it? But you do it well, thank you.

52
53 Thank you all - every member of the General Assembly - for your service to
54 Colorado. Thank you for your partnership. Thank you for sitting together today.
55 And thank you for the kindness you have shown my family and me this past
56 year.

1 I'd also like to thank the ever cooler Lt. Gov. Joe Garcia and his wife, Claire;
2 Attorney General John Suthers; State Treasurer Walker Stapleton; Secretary of
3 State Scott Gessler; and the distinguished members of the Colorado Supreme
4 Court and Colorado Board of Education here today.
5
6 Speaking of good partners, Denver Mayor Michael Hancock is here as well.
7
8 Our thoughts are with Chairman Jim Newton Jr. from the Southern Ute tribe
9 who was in a minor car accident this morning. We are pleased to have
10 Councilwoman Pathimi representing him. We also have Chairman Gary Hayes
11 from the Ute Mountain Ute tribe here. Your ancestors were here long before the
12 Stetson, and we look forward our continued work together.
13
14 I owe special thanks to my wife, Helen, for her steadfast support, and to our
15 own little entrepreneur, 9-year-old Teddy, who continues to inspire us both.
16
17 A final word of appreciation to the talented people we have been fortunate to
18 lure into public service as Cabinet members and the Governor's Office staff.
19
20 Thanks as well to Colorado's state employees. Because of this recession, you
21 have worked for four years without a raise ... yet you continue to try and find
22 opportunities to make our state more efficient.
23
24 This legislative session is not expected to be easy.
25
26 Cynics say it's an election year and partisan fights will drown out any hope for
27 success. We believe the cynics are wrong.
28
29 The desire to solve problems that drives every entrepreneur is alive and well in
30 this room. We can work together.
31
32 We proved it when you passed a budget last year with 80 votes.
33
34 We proved it when we worked together to help secure the state's financial
35 health by creating a 4 percent reserve.
36
37 We proved it when you passed a health exchange bill that is now a model for
38 other states.
39
40 Coloradans have little patience for partisan gridlock.
41
42 Unlike Washington D.C., we have shown the rest of the country that Colorado
43 is a place where things get done.
44
45 The U.S. Congress could learn a thing or two from this General Assembly ...
46 and I know a few of you are eager to move to Washington to prove it.
47
48 Working together, we have made significant progress stabilizing the state
49 budget. We didn't postpone hard decisions. We made difficult cuts. We put
50 Colorado on a sustainable path going forward. We face the current budget
51 challenge in a stronger position today than a year ago. We are moving in the
52 right direction, but we are still in rough water.
53
54 If you account for inflation, the state's general fund revenue is \$1 billion less
55 than it was five years ago when the state had fewer people and was
56 economically stronger. ... \$1 billion ... and demand for government services has

1 surged.
2
3 The number of children enrolled in public schools has increased significantly
4 and more people are enrolled in Medicaid.
5
6 These facts are why we want to focus property tax relief on the seniors most in
7 need, until we can restore the full senior homestead exemption.
8
9 We are proving that we can do more with less and live within our means like
10 all working families in Colorado ... even as the pressures on the state budget
11 continue.
12
13 For example, in the Lobato case, a district court judge has ruled that the state
14 is deficient in meeting school funding requirements under the state Constitution.
15 We will appeal the decision to secure a final resolution of the constitutional
16 issues raised in the case, but the question of finding additional revenue for
17 education is one of our greatest budget pressures.
18 Colorado voters, nevertheless, rejected a proposed tax increase to fund schools.
19
20 That is one reason job growth is so critical.
21
22 If there were ever a time when Colorado needed to spur greater support for
23 entrepreneurship to create and attract new business, it is now. One indelible fact
24 is that small business and entrepreneurs thrive in proximity to large
25 corporations. They depend on each other.
26
27 Large corporations, just like small business, want to be in places that are pro-
28 business.
29
30 They want to be in states where partisanship gives way to partnership.
31
32 For too long Colorado has been losing large corporate headquarters to other
33 states. That trend is changing.
34
35 A couple of years ago DaVita, a Fortune 500 company, moved its corporate
36 headquarters to Colorado for all of the right reasons.
37
38 Last year was unprecedented with two new Fortune 500 companies claiming
39 Colorado as their home base.
40
41 Recently, Arrow Electronics announced it is relocating its global headquarters
42 to Colorado from New York.
43
44 This is the largest corporate headquarters to move into Colorado in the state's
45 history. It will involve the creation of thousands of jobs. A number of
46 associated businesses will follow Arrow and a number of electronic businesses
47 already here, of which there are many, will gain an advantage by being close to
48 one of the largest electronics suppliers in the world.
49
50 The CEO of Arrow, Mike Long, is here today with his wife, Karen. We are very
51 proud they are with us, so please join me in thanking Arrow for their
52 commitment to Colorado.
53
54 As good as attracting a Fortune 500 company to Colorado is the organic growth
55 of a local company.
56

1 In October, Level 3 Communications completed a merger with Global Crossing,
2 becoming a Fortune 500 company overnight. This time, the consolidation of
3 operations from around the country will bring jobs into Colorado instead of
4 taking them out of Colorado. John Ryan, general counsel from Level 3, and his
5 wife, Beth, are here as well.

6
7 On the heels of the Level 3 merger and the good news about Arrow, GE
8 announced it would expand its investment in Primestar Solar by more than \$300
9 million and build a thin-film solar manufacturing facility in Aurora. This
10 facility, one of the largest of its kind in the world, will create 350 jobs and
11 produce enough panels each year to power 80,000 homes. Jeff Wyatt, the
12 general manager of Primestar Solar, and one of the original founders of the
13 company, Russell Black, are here with us today.

14
15 We know that economic development comes in smaller packages, too.

16
17 The inaugural USA Pro Cycling Challenge last summer was viewed by a
18 worldwide audience of more than 20 million people and generated more than
19 \$80 million in economic activity in Colorado.

20
21 USA Pro Cycling Challenge CEO Shawn Hunter is here today - we can hardly
22 wait for the race to return in August.

23 We will follow it a month later with "Pedal the Plains" - a bike tour for the rest
24 of us.

25
26 We think a bike tour across the Eastern Plains will not only be great for the
27 sport of cycling, it will also give folks an opportunity to see where our food
28 comes from.

29
30 It is worth noting that Colorado agriculture is leading the state out of this
31 recession. Agriculture exports have grown more than 20 percent - I'll say that
32 again, 20 percent ... which really makes us Colorado Proud!

33
34 Whether it's world-class biking, or world-class skiing, or world-class fly
35 fishing, our extraordinary outdoor opportunities are a critical component of our
36 economy.

37
38 We are working with Mayor Hancock and an exploratory committee to consider
39 the feasibility of hosting the Olympic Winter Games in 2022. Any pursuit of the
40 Olympics, if that happens, should be done in an entrepreneurial way and with
41 an eye on making Colorado the healthiest state in the nation. Let's use sport as
42 a way to promote better health.

43
44 Speaking of sport, please indulge me as I use 15 words of this speech (that
45 would be in honor of Tim Tebow, folks) - to talk a little football: Good luck to
46 the resilient Denver Broncos, beat those New England Patriots on Saturday
47 night.

48
49 We know that the core business of government is not to create private sector
50 jobs - entrepreneurs do that.

51
52 But we can help. What we do here and how we do it matters.

53
54 A commitment to partnership and collaboration can overcome the dysfunction
55 of partisan gridlock.

56

1 We need to make government work better. Part of that means making
2 government efficient, effective and of course elegant.

3
4 Last year we began a rigorous review of state rules and asked for examples of
5 unnecessary regulation from Coloradans across the state.

6
7 We are scrubbing every state agency to eliminate red tape. Our plan is outlined
8 in the report we issued this week called "Pits and Peeves."

9
10 The Colorado Department of Transportation, for example, found rules that were
11 out of date decades ago. The Department of Human Services recommended the
12 repeal of 850 unnecessary rules.

13
14 This streamlining will help nonprofit organizations, as well as businesses, hire
15 the next worker.

16
17 In addition to eliminating red tape, we are continuing to consolidate state
18 services and programs where appropriate.

19
20 Thanks to your support, the state will see efficiencies from the merger of the
21 Division of State Parks with the Division of Wildlife ... the Supportive Housing
22 and Homeless Program merged into the Department of Local Affairs ... and
23 we've assigned one manager to oversee the Divisions of Banking and Securities.

24
25 We will continue to work with you to identify other opportunities for
26 consolidation.

27
28 We understand that government is not a business. Still, we need to apply best
29 practices from successful companies where they make sense.

30
31 That is why we initiated the LEAN program in almost every state agency, where
32 employee teams are now actively identifying waste and inefficiency to create
33 savings.

34
35 Another way we can make state government more effective and realize cost
36 savings is to bring the state's antiquated personnel system into the 21st century.

37
38 The state Constitution is riddled with personnel rules and administrative
39 procedures that are obsolete and should be reformed.

40
41 We are working with state employees on a package of reforms, but we need
42 your help to go to the ballot this year with a proposal that will improve the way
43 we manage state personnel.

44 And while we are not immediately seeking legislative changes to the state's
45 retirement program, we are mindful of the obligation we have to Colorado's
46 taxpayers and state retirees, to ensure that PERA is both stable and sustainable.

47
48 Another attraction to entrepreneurship is a climate of innovation.

49
50 We established the Colorado Innovation Network (COIN) to foster
51 collaboration and idea-sharing across private sector, academic and public lines,
52 including the 29 research laboratories in Colorado. This will multiply
53 occurrences like Primestar Solar, where an innovation at the National
54 Renewable Energy Lab translated into more than 400 jobs in Colorado.

55
56 COIN gives us a unique opportunity to incubate entrepreneurship and facilitate

1 the transfer of new ideas to the marketplace. Ajay Menon, our Chief Innovation
2 Officer and driving force behind COIN, is here today. Thank you for your work.
3
4 While COIN is privately funded, we are asking for a modest public investment
5 to continue the success we had with Arrow and GE.
6
7 We are requesting \$6 million to support the work of the Colorado Economic
8 Development Commission ... and \$3 million for a revolving loan fund to
9 provide low-risk gap financing so Colorado can compete with other states for
10 film, video gaming and electronic media productions.
11
12 These investments will repay the state many, many times over.
13
14 Making Colorado the best place for entrepreneurship also means we must have
15 good schools, a reliable transportation system and health care that is both
16 affordable and accessible.
17 Even in difficult times, we need to right by our kids.
18
19 We seek your support in consolidating early childhood services under one roof
20 to more efficiently and effectively aid children and parents. Currently, there are
21 23 separate funding streams administered through five different state agencies,
22 each playing a role in early childhood support and services.
23
24 Together, we are proposing a state-local strategy that integrates prevention and
25 intervention, quality early learning and family support and engagement. Our
26 plan will consolidate early childhood services in a new office in the Department
27 of Human Services.
28
29 The lieutenant governor is leading an effort to promote early childhood literacy,
30 and in February his office will release a report detailing findings from his recent
31 state-wide literacy tour.
32
33 Abundant research demonstrates that if a child fails to learn how to read by the
34 third grade, that child is more likely to drop out of high school and faces an
35 enormous uphill battle for the rest of his or her life.
36
37 We must develop intervention strategies with parents and teachers to identify
38 failing students long before they reach the third grade and keep them from an
39 illiterate future.
40
41 We are working on bipartisan legislation to make Colorado a national model for
42 early literacy and ask for your support to get this bill passed.
43
44 Thanks to your work in passing SB 191 two years ago, Colorado is a nationally-
45 recognized model for teacher effectiveness.
46 The Colorado Board of Education unanimously approved rules implementing
47 SB 191, and we need your support to pass legislation approving these rules and
48 authorizing \$7.7 million to continue the implementation of these critical
49 reforms.
50
51 Being a great teacher is hard work. ... We thank you.
52
53 As many of you know, we have been thoughtfully exploring the potential
54 benefit to businesses, injured workers and the state of Colorado from the
55 separation of Pinnacol Assurance from the state. Done properly, and with the
56 support of policy holders, a restructuring of Pinnacol could provide Colorado

1 with a security interest that has the potential of funding economic development
2 and higher education scholarships.

3
4 We asked a diverse task force of civic leaders and stakeholders with expertise
5 in workers compensation to review this proposal. We look forward to sharing
6 our recommendation with you before we move forward with a specific
7 legislative request.

8
9 The link between higher education and economic development is very clear.
10 They go hand in glove. So if we agree on a new future for Pinnacol, we hope
11 you will also agree that funding for scholarships makes sense.

12
13 Fostering education, unleashing entrepreneurship, building a strong business
14 climate and putting more Coloradans to work is at the core of our mission. But
15 completing this mission would be hollow indeed if the cost of doing so ruined
16 the very place we love.

17
18 So we mean to encourage the development of state resources to create jobs, but
19 at the same time hold businesses accountable to the highest ethical and
20 environmental standards.

21
22 Colorado's energy sector holds tremendous promise.
23 We continue to build on the state's reputation as a leader in promoting solar,
24 wind and renewable energies and developing cleaner fossil fuels.

25
26 Colorado is blessed with abundant reserves of natural gas. With new
27 discoveries in the Niobrara formation and technologies for extracting shale oil,
28 we are poised to be a leader in unconventional energy technology as well.

29
30 The country is noticing what is happening in Colorado.

31
32 Earlier this year, we partnered with Oklahoma to draft a multi-state RFP to
33 create a broad-based market for compressed natural gas vehicles we can use to
34 replace existing state fleets. When we launched this effort we had no idea how
35 many other states would join us. We are now up to eight and counting.

36
37 Because the vehicles are cheaper to operate, many local municipalities are
38 interested in joining us, too.

39
40 Now with the attention of automobile manufacturers, we are well on our way
41 to putting cleaner-burning vehicles on Colorado roadways.

42
43 This effort was made possible only because we have a Governor's Energy
44 Office (GEO) with the staff and expertise in this area.

45
46 Colorado is a state with resources and a national reputation for developing clean
47 energy.

48
49 We also start the year with the country's strongest and fairest rule disclosing the
50 ingredients in the "fracking" process.

51
52 The old geologist in me is champing at the bit to go into detail about this
53 process, but I won't. Of course, the brewer in me would like to talk about it over
54 a beer.

55
56 Suffice it to say that this is a drilling procedure that has opened the door to a

1 whole new era of energy development that can lead to more jobs, cleaner air
2 and energy security for our country and the world. The ideas and innovations
3 that created this revolution all occurred in Colorado.
4
5 When the Environmental Defense Fund and Halliburton stood together in
6 Colorado in support of the state's new "fracking" disclosure rule, other states
7 took notice.
8
9 It's another reason why we believe so passionately in the power of partnership
10 and collaboration.
11
12 In that same spirit, we intend to work with counties and municipalities to make
13 sure we have appropriate regulation on oil and gas development, but recognize
14 the state can't have 64 or even more different sets of rules.
15
16 Likewise, costly litigation and endless court battles have characterized the
17 state's water policy over many years - the Interbasin Water Roundtable Process
18 represents a better way forward. The process created a historic agreement
19 announced last year between Denver and the Western Slope.
20
21 We are forging similar collaborative agreements to ensure all Coloradans will
22 have access to good health care.
23
24 As a result of the bipartisan legislation passed last year, we are well on our way
25 to establishing a Colorado Health Benefits Exchange. We are doing it
26 Colorado's way and it will be ready at the end of 2013 to support small
27 businesses and provide health insurance for 300,000 Coloradans who presently
28 do not have it.
29
30 While making progress on the Colorado Health Benefits Exchange represents
31 good news, the challenge is the economic downturn has meant a greater number
32 of Coloradans are enrolling in Medicaid - and the costs of Medicaid are not
33 sustainable for the state budget.
34
35 We are absolutely committed to bending the Medicaid cost curve and pursuing
36 strategies that will cut Medicaid costs. We are tackling fraud, over-payments
37 and eligibility.
38
39 We want to move away from the expensive fee-for-service system to one that
40 drives toward value and rewards healthier outcomes. We have already started
41 to make progress by focusing on preventive care, reducing obesity rates and
42 improving the technology that links people to services.
43
44 These efforts will all result in important cost savings.
45
46 We are very proud of the work we have been doing with local governments to
47 bring the Colorado Benefits Management System (CBMS) into the 21st century.
48 This has been no small task. We need your support to fund the rebuilding of the
49 system to ensure that eligible Coloradans can access benefits in a timely
50 manner.
51
52 We are also proud of our work with communities along the I-70 corridor. We
53 are moving forward to implement the most critical congestion relief projects:
54 widening of the eastbound Twin Tunnel in Idaho Springs, and the continuation
55 of a new eastbound third lane to Floyd Hill.
56

1 The Transportation Commission set aside \$60 million to build the project by the
2 end of 2013. It will be the first project to provide additional capacity since I-70
3 was built in the 1960s. Finally.
4
5 As we strive to make Colorado healthier, we believe in equal rights for all
6 regardless of race, creed, gender or sexual orientation.
7
8 We don't believe we should legislate what happens inside a church or place of
9 worship, but government should treat all people equally.
10
11 It's time to pass civil unions.
12
13 We owe a special debt of gratitude to those Americans who wear - or have worn
14 - the nation's uniform.
15
16 We are joined today by Maj. Isaac Martinez, a member of the Colorado
17 National Guard who recently returned from Afghanistan, his second deployment
18 overseas.
19
20 His company was part of 16 major initiatives and traversed more than 1.1
21 million miles of enemy terrain without any serious incidents.
22
23 Maj. Martinez is a native of La Junta and has degrees from UNC and CSU. We
24 want Maj. Martinez and his wife, Michelle, to know that he is returning to a
25 state that honors our men and women in uniform, supports their families and
26 offers practical and useful assistance as they re-enter civilian life.
27
28 We ask every community and every employer to embrace our returning service
29 members!
30
31 We will pursue legislation this year that will make it easier for military spouses
32 to use their licenses and credentials and work in Colorado if they are already
33 licensed in another state.
34
35 We also aim to reward veterans for their service by upgrading the state
36 personnel system, and expanding their ability to use preference points when
37 seeking employment.
38
39 When veterans - and when all Coloradans - have work they are more likely to
40 have homes. We must continue efforts to end homelessness in Colorado.
41
42 Michael George, who joins us today, is also a veteran who found himself out
43 of a job and homeless. He worked with Mile High United Way and moved off
44 the streets; he's now a peer manager for a transitional housing program ... and
45 I understand he is a heckuva softball player - not to mention today is his 50th
46 birthday.
47
48 Ensuring that all Coloradans have a place to call home is not only the right
49 thing to do, it also impacts the health of our communities.
50
51 Together, we must create an economic environment where choosing between
52 rent or groceries or medicine is unacceptable.
53
54 Our vision for Colorado includes successfully branding the state as a place that
55 embraces entrepreneurship, supports a strong business climate, creates jobs,
56 educates its kids, supports working families and protects an unparalleled quality

1 of life.
2
3 The truth is our prosperity as a people depends on a great deal more than
4 economic metrics.
5
6 Colorado kids must be educated, not just so they can find a job, but because the
7 gift of education will last a lifetime.
8
9 We must preserve Colorado's great landscapes, protect the state's water and
10 keep the air clean. Not just because this will attract businesses, but also because
11 it is part of our moral obligation to future generations.
12
13 We obviously want entrepreneurship to flourish here because it creates
14 opportunity.
15
16 We envision a Colorado where everyone has the opportunity to pursue their
17 passions, secure personal prosperity and contribute to their community.
18
19 Ladies and Gentleman of the General Assembly, we have important work to do
20 together in this building ... and we must also do an even better job of listening
21 to and engaging the people of Colorado.
22
23 As Abraham Lincoln said, "With public sentiment, nothing can fail; without it
24 nothing can succeed."
25
26 In the coming weeks you will hear details about a privately funded and non-
27 partisan process of civic engagement called "TBD Colorado."
28
29 Really, we tried to come up with a catchy name but TBD truly captures the
30 intended outcome - it's to be determined.
31
32 Like the Colorado Blueprint, TBD Colorado will focus on listening and not
33 imposing top-down, government-driven solutions. Coloradans will be invited
34 to share their vision and priorities for our state. In the sense that entrepreneurs
35 try to find solutions to the needs and challenges of society, TBD Colorado will
36 seek to tap that same spirit that exists, in part, in all of us in Colorado.
37
38 We look forward to working with you because everyone here - in fact, everyone
39 in Colorado - is in some way an entrepreneur.
40 The soldier from Montrose who leaves active duty and learns new skills to re-
41 enter the workforce is an entrepreneur.
42
43 The single mother from Fort Collins who creates a babysitting co-op to help
44 with childcare is an entrepreneur.
45
46 The farmer in Holyoke who works 18-hour days and still finds time to teach
47 FFA and 4-H kids is an entrepreneur.
48
49 The steel worker in Pueblo who coaches youth soccer and figures out ways to
50 fund trips to weekend tournaments is an entrepreneur.
51
52 We all have the capacity for creativity and personal reinvention. We all have the
53 capacity to contribute to our communities ... and to make Colorado the best
54 state in the nation.
55
56 Simply, we all have the capacity to make a good hat.

1 A few month ago, I was invited by Western Union to speak to 120 company
2 executives from all over the world. After the event, a small group gathered and
3 a young man from Indonesia spoke up.

4
5 He said the world is waiting for America to lead again. The world looks to us.

6
7 These past couple of years there have been few places in America where people
8 have been able to resolve their conflicts with successful compromise. Imagine
9 if Colorado, could somehow, through hard work and entrepreneurial will, be
10 such a place.

11
12 Other states might copy us, and then still more states might copy them.
13 Eventually, perhaps, even our Congress in Washington might be compelled to
14 rediscover the glory of working together.

15
16 I believe that Colorado, by striving to be the healthiest state, the most
17 entrepreneurial state, the greatest state, might better help this country, and,
18 perhaps in some admittedly small way, help move the world forward.

19
20 As the young Indonesian man said, the world awaits.

21
22 God bless you, and God bless Colorado.

23
24
25 The Joint Committee escorted the Governor from the Chambers.

26
27
28 On motion of Representative Stephens, the Governor's message was
29 ordered printed in the House Journal.

30
31
32 On motion of Senator Morse, the Joint Session was dissolved.

33
34
35 House reconvened.

36
37
38
39 On motion of Representative Nikkel, the House adjourned until
40 9:00 a.m., January 13, 2012.

41
42
43 Approved:
44 FRANK McNULTY,
Speaker

45 Attest:
46 MARILYN EDDINS,
47 Chief Clerk

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

Third Legislative Day

Friday, January 13, 2012

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

2

3 Prayer by the Reverend Leon Kelly, Director of Youth Gang Alternatives,
4 Denver.

5

6 Pledge of Allegiance led by Estefan Hernandez, Arrupe Jesuit High
7 School, Denver.

8

9 The roll was called with the following result:

10

11 Present--61.

12 Excused--Representative(s) Joshi, Priola, Scott--3.

13 Vacancy--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Young, the reading of the journal of
19 January 12, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

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

25

26 The Senate has adopted and transmits herewith: SJR12-001.

27

28

29 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

30

31 On motion of Representative Waller, the rules were suspended and the
32 following resolution was given immediate consideration.

33

34 **SJR12-001** by Senator(s) Morse, Shaffer B., Cadman; also
35 Representative(s) Massey, Vaad, Court, Williams A.--
36 Concerning the officers and employees of the Second
37 Regular Session of the Sixty-eighth General Assembly.

38

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

40

41 On motion of Representative Massey, the resolution was **adopted** by
42 **viva voce** vote.

43

CONSIDERATION OF RESOLUTION(S)

HR12-1001 by Representative(s) Massey, Vaad, Court, Williams A.--
Concerning employees and positions for the House of
Representatives convened in the Second Regular Session
of the Sixty-eighth General Assembly.

(Printed and placed in member's file).

On motion of Representative Massey, the resolution was **adopted** by the
following roll call vote:

YES	61	NO	0	EXCUSED	3	ABSENT	0	VACANCY	1
Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
Barker		Y	Gardner D.	V	Massey	Y	Soper	Y	
Baumgardner		Y	Gerou	Y	McCann	Y	Stephens	Y	
Becker		Y	Hamner	Y	McKinley	Y	Summers	Y	
Beezley		Y	Holbert	Y	Miklosi	Y	Swalm	Y	
Bradford		Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y	
Brown		Y	Jones	Y	Nikkel	Y	Szabo	Y	
Casso		Y	Joshi	E	Pabon	Y	Todd	Y	
Conti		Y	Kagan	Y	Pace	Y	Tyler	Y	
Coram		Y	Kefalas	Y	Peniston	Y	Vaad	Y	
Court		Y	Kerr A.	Y	Priola	E	Vigil	Y	
DelGrosso		Y	Kerr J.	Y	Ramirez	Y	Waller	Y	
Duran		Y	Labuda	Y	Ryden	Y	Williams A.	Y	
Ferrandino		Y	Lee	Y	Schafer S.	Y	Wilson	Y	
Fields		Y	Levy	Y	Scott	E	Young	Y	
							Speaker	Y	

Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
Beezley, Bradford, Brown, Casso, Coram, DelGrosso, Duran, Ferrandino,
Fields, Fischer, Gerou, Hamner, Holbert, Hullinghorst, Kagan, Kefalas, Kerr A.,
Kerr J., Labuda, Lee, Levy, Liston, McKinley, Miklosi, Murray, Nikkel, Pace,
Peniston, Ramirez, Ryden, Schafer S., Solano, Sonnenberg, Soper, Stephens,
Swalm, Swerdfeger, Szabo, Todd, Tyler, Vigil, Waller, Wilson, Young,
Speaker.

HR12-1002 by Representative(s) Massey, Vaad, Court, Williams A.--
Concerning the Chaplain position in the House of
Representatives.

(Printed and placed in member's file.)

On motion of Representative Massey, the resolution was **adopted** by **viva**
voce vote.

Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
Beezley, Brown, Conti, Coram, DelGrosso, Ferrandino, Fields, Fischer,
Gardner B., Gerou, Hamner, Holbert, Kagan, Kefalas, Kerr A., Kerr J., Looper,
McKinley, Miklosi, Murray, Pace, Peniston, Schafer S., Solano, Sonnenberg,
Soper, Stephens, Summers, Swerdfeger, Szabo, Tyler, Waller, Wilson, Young,
Speaker.

1 House in recess. House reconvened.
2
3

4
5 **PRINTING REPORT**
6

7 The Chief Clerk reports the following bills have been correctly printed:
8 **HB12-1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069,**
9 **1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080,**
10 **1081.**
11

12
13
14 **MESSAGE(S) FROM THE SENATE**
15

16 The Senate has adopted and returns herewith: HJR12-1001.
17

18
19
20 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
21

22 The Speaker has signed: **HJR12-1001.**
23

24
25
26 On motion of Representative Waller, the House adjourned until
27 10:00 a.m., January 17, 2012.
28

29 Approved:
30 FRANK McNULTY,
31 Speaker

32 Attest:
33 MARILYN EDDINS,
34 Chief Clerk

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

Seventh Legislative Day

Tuesday, January 17, 2012

1 The Speaker called the House to order at 10:00 a.m.
2
3 Prayer by Father Drew Kirschman, Arrupe Jesuit High School.
4
5 Pledge of Allegiance led by Owen Miller, Kingdom Academy, Littleton.
6
7 The roll was called with the following result:
8
9 Present--64.
10 Vacancy--1.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative Wilson, the reading of the journal of
16 January 13, 2012, was declared dispensed with and approved as corrected
17 by the Chief Clerk.
18
19
20

PRINTING REPORT

21
22
23 The Chief Clerk reports the following bills have been correctly printed:
24 **HB12-1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091,**
25 **1092, 1093, 1094, 1095.**
26
27

INTRODUCTION OF BILLS
First Reading

28
29
30
31 The following bills were read by title and referred to the committees
32 indicated:
33

34 **HB12-1082** by Representative(s) Soper--Concerning the payment of
35 prevailing compensation for workers on public works.
36 Committee on Local Government
37

38 **HB12-1083** by Representative(s) Sonnenberg; also Senator(s)
39 Schwartz--Concerning maintenance of the current fee
40 structure on certain feeding operations under the
41 "Colorado Water Quality Control Act".
42 Committee on Agriculture, Livestock, & Natural Resources
43

- 1 **HB12-1084** by Representative(s) Fields and Conti; also Senator(s)
2 Jahn and King S.--Concerning increasing the punishment
3 for leaving the scene of a traffic accident that resulted in
4 serious bodily injury to any person.
5 Committee on Judiciary
6
- 7 **HB12-1085** by Representative(s) Fields--Concerning an exception to
8 the hearsay rule to allow testimony from persons with
9 developmental disabilities.
10 Committee on Judiciary
11
- 12 **HB12-1086** by Representative(s) Gardner B., Labuda, Levy, Murray,
13 Waller; also Senator(s) Morse, Brophy, Guzman, Roberts,
14 Schwartz--Concerning implementation of
15 recommendations of the committee on legal services in
16 connection with legislative review of rules and regulations
17 of state agencies.
18 Committee on Legal Services
19
20
- 21 **HB12-1087** by Representative(s) Labuda--Concerning an on-line
22 registry of persons who are convicted of certain crimes
23 against animals.
24 Committee on Agriculture, Livestock, & Natural Resources
25
- 26 **HB12-1088** by Representative(s) Holbert and Becker, Baumgardner,
27 Sonnenberg, McKinley, Scott, Balmer, Looper, Liston,
28 Coram, Stephens, Acree, Barker, Beezley, Brown, Joshi,
29 McNulty, Priola, Ramirez, Swalm; also Senator(s)
30 Grantham--Concerning the use of deadly physical force
31 against a person who makes an illegal entry into a place of
32 business.
33 Committee on Judiciary
34
- 35 **HB12-1089** by Representative(s) Court; also Senator(s) Steadman--
36 Concerning the specific wording related to a statewide
37 ballot title.
38 Committee on State, Veterans, & Military Affairs
39
40
- 41 **HB12-1090** by Representative(s) Pace--Concerning the annual date for
42 establishing the total pupil enrollment of each public
43 school.
44 Committee on Education
45
- 46 **HB12-1091** by Representative(s) Solano; also Senator(s) Bacon--
47 Concerning reducing the requirements of statewide
48 student assessments to not exceed federal testing
49 requirements, and, in connection therewith, providing
50 funding for the Colorado preschool program.
51 Committee on State, Veterans, & Military Affairs
52
53
- 54 **HB12-1092** by Representative(s) Priola, McKinley, Holbert, Balmer,
55 Barker, Baumgardner, DelGrosso, Kerr J., Liston,
56 McNulty, Murray, Sonnenberg, Stephens, Swalm; also

- 1 Senator(s) Brophy--Concerning the authority of a law-
2 abiding person to carry a concealed handgun without a
3 permit.
4 Committee on Judiciary
5
6 **HB12-1093** by Representative(s) Soper--Concerning the right of an
7 insured homeowner to have a defective appliance replaced
8 as part of an insurance subrogation action to recover
9 damages to a dwelling unit caused by a defective
10 appliance.
11 Committee on Economic and Business Development
12
13 **HB12-1094** by Representative(s) Kerr A.--Concerning increasing the
14 fine for parking in front of a fire hydrant in an
15 unincorporated area of a county.
16 Committee on Local Government
17
18 **HB12-1095** by Representative(s) Waller--Concerning electronic court
19 documents.
20 Committee on Judiciary
21
22
23

INTRODUCTION OF RESOLUTION

- 24
25
26 The following resolution was read by title and laid over two days under
27 the rules:
28
29 **HR12-1003** by Representative(s) Balmer--Concerning an application
30 under Article V of the United States Constitution to the
31 Congress of the United States to call a convention for
32 proposing an amendment to the United States Constitution
33 to repeal the "Patient Protection and Affordable Care Act".
34
35

APPOINTMENT

- 36
37
38
39 The Speaker announced the temporary appointment of Representative
40 Court to the Committee on Economic & Business Development.
41
42
43

- 44
45 On motion of Representative Stephens, the House adjourned until
46 9:00 a.m., January 18, 2012.
47

48 Approved:
49 FRANK McNULTY,
50 Speaker

- 51 Attest:
52 MARILYN EDDINS,
53 Chief Clerk

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

Eighth Legislative Day

Wednesday, January 18, 2012

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

2

3 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
4 Church, Denver.

5

6 Pledge of Allegiance led by Rachel Magnusson, Erin Sellers, Benjamin
7 VanNoy, and Dylan Reyes, Home Schooled.

8

9 The roll was called with the following result:

10

11 Present--64.

12 Vacancy--1.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Wilson, the reading of the journal of
18 January 17, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23

PRINTING REPORT

24

25 The Chief Clerk reports the following bills have been correctly printed:
26 **HB12-1096, 1097, 1098, 1099, 1100, 1101.**

27

28

29

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

30

31 The Speaker has signed: **SJR12-001.**

32

33

34

35

INTRODUCTION OF BILLS

36

First Reading

37

38 The following bills were read by title and referred to the committees
39 indicated:

40

41 **HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti,
42 DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda,
43 McCann, Pabon, Swalm, Swerdfeger; also Senator(s)

1 Brophy--Concerning an extension of the period for which
2 the voluntary contribution designation line benefiting the
3 Make-A-Wish Foundation of Colorado fund appears on
4 state individual income tax return forms.

5 Committee on Finance

6
7 **HB12-1097** by Representative(s) Summers; also Senator(s) Jahn--
8 Concerning civil penalties for retail food establishments.

9 Committee on Health and Environment

10
11 **HB12-1098** by Representative(s) Balmer, Liston; also Senator(s) Jahn--
12 -Concerning the sale of motor vehicles that have been
13 damaged to such an extent that the cost of the repairs
14 exceeds the fair market value of the vehicle.

15 Committee on Transportation

16
17 **HB12-1099** by Representative(s) McKinley, Sonnenberg--Concerning
18 the establishment of an industrial hemp remediation pilot
19 program to study phytoremediation through the growth of
20 hemp on contaminated soil.

21 Committee on Local Government

22
23 **HB12-1100** by Representative(s) Summers; also Senator(s) Aguilar--
24 Concerning the admissibility in criminal proceedings of
25 the results of a prenatal screening for illegal substances.

26 Committee on Judiciary

27
28 **HB12-1101** by Representative(s) Barker--Concerning the culpable
29 mental state for identity theft.

30 Committee on Judiciary

31

32

33

34 On motion of Representative Stephens, the House adjourned until
35 9:00 a.m., January 19, 2012.

36

37

38

39

40

41

42

Attest:

MARILYN EDDINS,

Chief Clerk

Approved:
FRANK McNULTY,
Speaker

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

Ninth Legislative Day

Thursday, January 19, 2012

1 The Speaker called the House to order at 9:00 a.m.
2
3 Prayer by Rabbi Joe Black, Temple Emanuel, Denver.
4
5 Pledge of Allegiance led by Matthew Baumgardner, Grandby Elementary.
6
7 The roll was called with the following result:
8
9 Present--63.
10 Excused--Representative(s) Miklosi--1.
11 Present after roll call--Representative(s) Miklosi.
12 Vacancy--1.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Wilson, the reading of the journal of
18 January 18, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

CONSIDERATION OF RESOLUTION(S)

22
23
24 **HR12-1003** by Representative(s) Balmer--Concerning an application
25 under Article V of the United States Constitution to the
26 Congress of the United States to call a convention for
27 proposing an amendment to the United States Constitution
28 to repeal the "Patient Protection and Affordable Care
29 Act".
30
31 (Printed and placed in member's file.)
32
33 Representative Balmer moved that the resolution be adopted.
34
35 Amendment No. 1, moved by Representative Ferrandino.
36
37 Amend printed resolution, page 2, strike lines 3 through 6 and substitute:
38
39 "WHEREAS, If a constitutional convention is called that results
40 in the repeal of the Act, according to a February 2011 estimate prepared
41 by the nonpartisan Congressional budget office, the federal budget deficit
42 will increase by over two hundred ten billion dollars between 2012 and
43 2021; and".

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

	YES	30	NO	33	EXCUSED	1	ABSENT	0	VACANCY	1
4	Acree		N	Fischer	Y	Liston	N	Solano	Y	
5	Balmer		N	Gardner	N	Looper	N	Sonnenberg	N	
6	Barker		N		V	Massey	N	Soper	Y	
7	Baumgardner	N	Gerou		N	McCann	Y	Stephens	N	
8	Becker	N	Hamner		Y	McKinley	Y	Summers	N	
9	Beezley	N	Holbert		N	Miklosi	E	Swalm	N	
10	Bradford	N	Hullinghorst		Y	Murray	N	Swerdfeger	N	
11	Brown	N	Jones		Y	Nikkel	N	Szabo	N	
12	Casso	Y	Joshi		N	Pabon	Y	Todd	Y	
13	Conti	N	Kagan		Y	Pace	Y	Tyler	Y	
14	Coram	N	Kefalas		Y	Peniston	Y	Vaad	N	
15	Court	Y	Kerr A.		Y	Priola	N	Vigil	Y	
16	DelGrosso	N	Kerr J.		N	Ramirez	N	Waller	N	
17	Duran	Y	Labuda		Y	Ryden	Y	Williams A.	Y	
18	Ferrandino	Y	Lee		Y	Schafer S.	Y	Wilson	Y	
19	Fields	Y	Levy		Y	Scott	N	Young	Y	
20								Speaker	N	

21
22 Amendment No. 2, moved by Representative Ferrandino.

23
24 Amend printed resolution, page 2, strike lines 1 and 2 and substitute:

25
26 "WHEREAS, If a constitutional convention is called that results
27 in the repeal of the Act, the state of Colorado will lose the benefits of
28 almost \$30 million in therapeutic discovery project program tax credits
29 and grants that will support groundbreaking biomedical research to
30 produce new therapies, address unmet needs, reduce the long-term growth
31 of health care costs, and advance the goal of curing cancer within the next
32 30 years; and".

33
34 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	33	EXCUSED	0	ABSENT	0	VACANCY	1
37	Acree		N	Fischer	Y	Liston	N	Solano	Y	
38	Balmer		N	Gardner.	N	Looper	N	Sonnenberg	N	
39	Barker		N		V	Massey	N	Soper	Y	
40	Baumgardner	N	Gerou		N	McCann	Y	Stephens	N	
41	Becker	N	Hamner		Y	McKinley	Y	Summers	N	
42	Beezley	N	Holbert		N	Miklosi	E	Swalm	N	
43	Bradford	N	Hullinghorst		Y	Murray	N	Swerdfeger	N	
44	Brown	N	Jones		Y	Nikkel	N	Szabo	N	
45	Casso	Y	Joshi		N	Pabon	Y	Todd	Y	
46	Conti	N	Kagan		Y	Pace	Y	Tyler	Y	
47	Coram	N	Kefalas		Y	Peniston	Y	Vaad	N	
48	Court	Y	Kerr A.		Y	Priola	N	Vigil	Y	
49	DelGrosso	N	Kerr J.		N	Ramirez	N	Waller	N	
50	Duran	Y	Labuda		Y	Ryden	Y	Williams A.	Y	
51	Ferrandino	Y	Lee		Y	Schafer S.	Y	Wilson	Y	
52	Fields	Y	Levy		Y	Scott	N	Young	Y	
53								Speaker	N	

54
55

1 Amendment No. 3, moved by Representative Gardner.

2
3 Amend printed resolution, page 2, after line 2, insert:

4
5 "WHEREAS, The Act will increase the cost of health care for
6 Colorado families, add trillions to the national debt, stifle innovation,
7 result in the rationing of health care, and force millions of Americans to
8 lose their current health care coverage; and".

9
10 The amendment was declared **passed** by the following roll call vote:

11	YES	33	NO	31	EXCUSED	0	ABSENT	0	VACANCY	1
12	Acree	N	Fischer	Y	Liston	N	Solano	Y		
13	Balmer	N	Gardner	N	Looper	N	Sonnenberg	N		
14	Barker	N		V	Massey	N	Soper	Y		
15	Baumgardner	N	Gerou	N	McCann	Y	Stephens	N		
16	Becker	N	Hamner	Y	McKinley	Y	Summers	N		
17	Beezley	N	Holbert	N	Miklosi	E	Swalm	N		
18	Bradford	N	Hullinghorst	Y	Murray	N	Swerdfeger	N		
19	Brown	N	Jones	Y	Nikkel	N	Szabo	N		
20	Casso	Y	Joshi	N	Pabon	Y	Todd	Y		
21	Conti	N	Kagan	Y	Pace	Y	Tyler	Y		
22	Coram	N	Kefalas	Y	Peniston	Y	Vaad	N		
23	Court	Y	Kerr A.	Y	Priola	N	Vigil	Y		
24	DelGrosso	N	Kerr J.	N	Ramirez	N	Waller	N		
25	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
26	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
27	Fields	Y	Levy	Y	Scott	N	Young	Y		
28							Speaker	N		

29
30
31 Amendment No. 4, moved by Representative Fischer.

32
33 Amend printed resolution, page 1, strike lines 9 through 12 and substitute:

34
35 "WHEREAS, If a constitutional convention is called that results
36 in the repeal of the Act, seniors who are now enjoying a significant
37 discount on covered brand name prescription drugs under the Medicare
38 prescription drug coverage known as the "donut hole" will lose this
39 benefit; and".

40
41 The amendment was declared **lost** by the following roll call vote:

42	YES	31	NO	33	EXCUSED	0	ABSENT	0	VACANCY	1
43	Acree	N	Fischer	Y	Liston	N	Solano	Y		
44	Balmer	N	Gardner.	N	Looper	N	Sonnenberg	N		
45	Barker	N		V	Massey	N	Soper	Y		
46	Baumgardner	N	Gerou	N	McCann	Y	Stephens	N		
47	Becker	N	Hamner	Y	McKinley	Y	Summers	N		
48	Beezley	N	Holbert	N	Miklosi	Y	Swalm	N		
49	Bradford	N	Hullinghorst	Y	Murray	N	Swerdfeger	N		
50	Brown	N	Jones	Y	Nikkel	N	Szabo	N		
51	Casso	Y	Joshi	N	Pabon	Y	Todd	Y		
52	Conti	N	Kagan	Y	Pace	Y	Tyler	Y		
53	Coram	N	Kefalas	Y	Peniston	Y	Vaad	N		
54	Court	Y	Kerr A.	Y	Priola	N	Vigil	Y		
55	DelGrosso	N	Kerr J.	N	Ramirez	N	Waller	N		

1	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y
2	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y
3	Fields	Y	Levy	Y	Scott	N	Young	Y
4							Speaker	N

7 Amendment No. 5, moved by Representative Duran.

9 Amend printed resolution, page 2, strike lines 1 and 2 and substitute:

11 "WHEREAS, If a constitutional convention is called that results
12 in the repeal of the Act, according to a study cited by the Colorado Trust,
13 economic activity across the state will be obstructed and the state will
14 lose approximately 19,000 new jobs by 2019; and".

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

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

38 Amendment No. 6, moved by Representative Gardner.

40 Amend printed resolution, page 2, after line 13, insert:

42 "WHEREAS, The Act, for the first time, extends the commerce
43 power of the United States to mandating individual conduct, and the Act
44 depends upon this unconstitutional mandate for its funding; and".

46 Amendment No. 7, moved by Representative Ferrandino, amending the
47 above amendment No. 6, by Representative Gardner.

49 Amend, Amendment No. 6, by Representative Gardner (printed in House
50 Journal January 19, page 52 line 37), strike "unconstitutional" and strike
51 "funding; and" and substitute "funding; the Act is currently under review
52 by the United States Supreme Court; and".

54 Representative Ferrandino's amendment was declared **passed** by **viva**
55 **voce** vote:

Representative Gardner's amendment, as amended, by Amendment No. 7 by Representative Ferrandino, was declared **passed** by **viva voce** vote:

On motion of Representative Balmer, the resolution, as amended, was **adopted** by the following roll call vote:

YES	33	NO	31	EXCUSED	0	ABSENT	0	VACANCY	1
Acree	Y	Fischer	N	Liston	Y	Solano	N		
Balmer	Y	Gardner	Y	Looper	Y	Sonnenberg	Y		
Barker	Y		V	Massey	Y	Soper	N		
Baumgardner	Y	Gerou	Y	McCann	N	Stephens	Y		
Becker	Y	Hamner	N	McKinley	Y	Summers	Y		
Beezley	Y	Holbert	Y	Miklosi	N	Swalm	Y		
Bradford	N	Hullinghorst	N	Murray	Y	Swerdfeger	Y		
Brown	Y	Jones	N	Nikkel	Y	Szabo	Y		
Casso	N	Joshi	Y	Pabon	N	Todd	N		
Conti	Y	Kagan	N	Pace	N	Tyler	N		
Coram	Y	Kefalas	N	Peniston	N	Vaad	Y		
Court	N	Kerr A.	N	Priola	Y	Vigil	N		
DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
Duran	N	Labuda	N	Ryden	N	Williams A.	N		
Ferrandino	N	Lee	N	Schafer S.	N	Wilson	N		
Fields	N	Levy	N	Scott	Y	Young	N		
						Speaker	Y		

Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker, Brown, Coram, Gardner B., Gerou, Joshi, Kerr J., Looper, Massey, Murray, Nikkel, Priola, Scott, Sonnenberg, Stephens, Summers, Swalm, Waller, Speaker.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

TRANSPORTATION

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

HB12-1034 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, after line 1 insert:

"SECTION 1. In Colorado Revised Statutes, 25-17-202, **amend** (1) (c) as follows:

25-17-202. Waste tire fees - definitions - repeal. (1) As used in this part 2, unless the context otherwise requires:

(c) "End user" means a person who uses ~~processed waste tires~~ A TIRE-DERIVED PRODUCT for a commercial or industrial purpose.".

Renumber succeeding sections accordingly.

Page 2, strike lines 16 through 21 and substitute "fund. ~~Any moneys in the fund not expended or encumbered from any appropriation at the end of~~

1 ~~any fiscal year shall remain available, without further appropriation, for~~
2 ~~expenditure in the next fiscal year by the department to be used~~ THE
3 GENERAL ASSEMBLY SHALL APPROPRIATE MONEYS IN THE FUND for
4 monthly partial reimbursement to processors and end users, up to a
5 maximum of sixty-five dollars for each ton of raw Colorado waste tires
6 that are processed or used. The purpose of ~~such~~ THE".
7

8 Page 2, line 25, after the period add "THE DEPARTMENT SHALL NOT
9 REIMBURSE A PROCESSOR FOR PROCESSING WASTE TIRES UNLESS THE
10 PROCESSOR HAS END USED THE TIRE-DERIVED PRODUCT OR IF THE
11 TIRE-DERIVED PRODUCT HAS BEEN SOLD FOR AN END USE AND MOVED
12 OFF-SITE."
13

14 15 16 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

17
18 The Speaker has signed: **HR12-1001, 1002.**
19
20

21 22 **INTRODUCTION OF BILLS** 23 **First Reading**

24
25 The following bills were read by title and referred to the committees
26 indicated:
27

28 **HB12-1102** by Representative(s) Swalm, Balmer, Holbert, Soper; also
29 Senator(s) Tochtrop--Concerning a cap on increases in
30 electrical utility rates arising from implementation of the
31 "Clean Air - Clean Jobs Act".

32 Committee on Transportation
33

34 **HB12-1103** by Representative(s) Vaad--Concerning an authorization
35 for a board of county commissioners to exclude its county
36 from the enhanced automobile inspection and readjustment
37 emissions program area if the excluded county does not
38 violate applicable national ambient air quality standards.

39 Committee on Health and Environment
40

41 **HB12-1104** by Representative(s) Swerdfeger, Acree, Conti,
42 Hullinghorst, Kagan, Kefalas, Pabon, Swalm; also
43 Senator(s) Giron--Concerning a change to the voluntary
44 contribution designation benefiting the Colorado breast
45 and women's reproductive cancers fund, and, in
46 connection therewith, changing the name of the fund to the
47 Colorado cancer fund and expanding the purpose of the
48 fund to include furtherance of the Colorado Cancer
49 Coalition's work on behalf of the cancer community.

50 Committee on Finance
51

52 **HB12-1105** by Representative(s) Becker--Concerning wind energy
53 property rights.

54 Committee on Agriculture, Livestock, & Natural Resources
55
56

INTRODUCTION OF RESOLUTION

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

HJR12-1002 by Representative(s) Baumgardner; also Senator(s) Nicholson, White--Concerning the recognition of the 100th anniversary of the Grand Winter Sports Carnival and celebrating a century of skiing in Colorado.

On motion of Representative Stephens, the House adjourned until 9:00 a.m., January 20, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Tenth Legislative Day

Friday, January 20, 2012

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

2

3 Prayer by Pastor Danielle Reeves, Waterstone Community Church,
4 Littleton.

5

6 Pledge of Allegiance led by Aubrey Reeves, Annie Whipple, Ethan
7 Lehrke, Charlie Offerdahl, Red Rocks Elementary, Morrison.

8

9 The roll was called with the following result:

10

11 Present--62.

12 Excused--Representative(s) Brown, Duran--2.

13 Vacancy--1.

14

15 The Speaker declared a quorum present.

16

17 _____

18 On motion of Representative Wilson, the reading of the journal of
19 January 19, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22 _____

23 House in recess. House reconvened.

24

25 _____

26

27 **CONSIDERATION OF RESOLUTION(S)**

28

29 **HJR12-1002** by Representative(s) Baumgardner; also Senator(s)
30 Nicholson, White--Concerning the recognition of the
31 100th anniversary of the Grand Winter Sports Carnival
32 and celebrating a century of skiing in Colorado.

33

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

35

36 Representative Baumgardner moved that the resolution be adopted and
37 requested that it be read at length.

38

39 Amendment No. 1, by Representative(s) A. Kerr.

40

41 Amend printed resolution, page 2, line 13, strike "skiing," and substitute
42 "skiing and snowboarding,".

43

1 Page 2, line 15, after "ski" insert "and snowboarding".

2
3 Page 2, line 19, after "skiing" insert "and snowboarding".

4
5 Page 2, line 20, strike "community;" and substitute "communities;".

6
7 The amendment was declared **lost** by **viva voce** vote.

8
9 On motion of Representative Baumgardner, the resolution was **adopted**
10 by **viva voce** vote.

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

20
21
22
23 House in recess. House reconvened.
24
25

26 27 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

28 29 **ECONOMIC & BUSINESS DEVELOPMENT**

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

32
33 **HB12-1015** be referred to the Committee of the Whole with favorable
34 recommendation.

35
36
37 **HB12-1033** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend printed bill, page 2, line 16, strike "EMPLOYER," and substitute
42 "POOL,".

43
44 Page 2, line 19, strike "EMPLOYER" and substitute "POOL".

45
46 Page 3, line 9, strike "AND" and substitute "OR".

47
48 Page 3, line 12, strike "EMPLOYER'S" and substitute "POOL'S".

49
50 Page 4, line 2, strike "employers" and substitute "pools".

51
52
53
54
55

1 **FINANCE**

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

4
5 **HB12-1028** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB12-1050** be referred to the Committee of the Whole with favorable
10 recommendation.
11

12
13
14
15 **LOCAL GOVERNMENT**

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

18
19 **HB12-1068** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:
22

23 Amend printed bill, page, 2, line 14, after "MAKE" insert "BYLAWS,".
24 Page 2, line 15, strike the first "RECORDS" and substitute "RECORDS,".
25

26
27
28 **HB12-1078** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31
32
33 **PRINTING REPORT**

34
35 The Chief Clerk reports the following bills have been correctly printed:
36 **HB12-1102, 1103, 1104, 1105.**
37

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

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

46 **HB12-1106** by Representative(s) Peniston--Concerning the evaluation
47 of a driver improvement school used by a court for a
48 traffic violation.

49 Committee on Transportation
50

51 **HB12-1107** by Representative(s) Scott--Concerning an exemption
52 from the excavation requirements for the grand valley
53 drainage district.

54 Committee on Agriculture, Livestock, & Natural Resources
55
56

- 1 **HB12-1108** by Representative(s) Kagan, Brown, Holbert; also
2 Senator(s) Scheffel--Concerning the authority of the
3 Colorado department of transportation to have signs within
4 rights-of-way on the highway system.
5 Committee on Transportation
6
- 7 **HB12-1109** by Representative(s) McKinley--Concerning budget cuts
8 to provide more funding for public schools.
9 Committee on Appropriations
10
- 11 **HB12-1110** by Representative(s) Williams A.; also Senator(s) Carroll--
12 Concerning the regulation of appraisal management
13 companies.
14 Committee on Economic and Business Development
15
- 16
- 17 **HB12-1111** by Representative(s) Szabo and Summers--Concerning the
18 definition of identification for election-related purposes.
19 Committee on State, Veterans, & Military Affairs
20
- 21 **HB12-1112** by Representative(s) Ryden, Court, Fischer, Hulinghorst,
22 Kerr A., Lee, McCann, Williams A., Young, Ferrandino,
23 Fields, Pabon, Pace, Schafer S., Tyler--Concerning a state
24 economic impact rating as an evaluation factor in
25 awarding a state procurement contract.
26 Committee on State, Veterans, & Military Affairs
27
- 28 **HB12-1113** by Representative(s) Lee--Concerning the creation of
29 certain procurement preferences to be applied in the state
30 procurement process.
31 Committee on State, Veterans, & Military Affairs
32
- 33
- 34 **HB12-1114** by Representative(s) Hamner; also Senator(s) Schwartz--
35 Concerning the crime of stalking.
36 Committee on Judiciary
37
- 38 **HB12-1115** by Representative(s) Liston; also Senator(s) Jahn--
39 Concerning business fiscal impact statements.
40 Committee on Economic and Business Development
41
- 42 **HB12-1116** by Representative(s) Murray, Summers, Barker,
43 Baumgardner, Brown, Casso, Holbert, McCann, Miklosi,
44 Williams A.; also Senator(s) Nicholson--Concerning
45 deceptive trade practices related to time share resale
46 transactions.
47 Committee on Economic and Business Development
48
- 49 **HB12-1117** by Representative(s) Balmer; also Senator(s) Nicholson--
50 Concerning the ability of a local government to permit, in
51 its discretion, the collection of charitable solicitations from
52 motorists on a certain number of days per calendar year.
53 Committee on Local Government
54
55

- 1 **HB12-1118** by Representative(s) Conti, Becker, Beezley, DelGrosso,
2 Gerou, Holbert, Murray, Nikkel, Ramirez, Scott,
3 Summers, Szabo--Concerning ensuring transparency in
4 collective bargaining negotiations between school district
5 boards of education and school employees.
6 Committee on State, Veterans, & Military Affairs
7
- 8 **HB12-1119** by Representative(s) Coram; also Senator(s) Giron and
9 King S.--Concerning limitations on the imposition of fines
10 by state agencies for minor violations, and, in connection
11 therewith, defining a minor violation as an inspection-
12 related or paperwork violation of state law or state agency
13 rule that does not harm or threaten public health or safety
14 and requiring a state agency to provide a violator with
15 notice and an opportunity to cure a minor violation before
16 imposing a fine.
17 Committee on Economic and Business Development
18
- 19 **HB12-1120** by Representative(s) Swerdfeger, Brown, Duran, Liston,
20 Massey, Pabon, Pace, Williams A.; also Senator(s)
21 Tochtrop--Concerning the creation of the division of
22 unemployment insurance in the department of labor and
23 employment to administer the unemployment insurance
24 program.
25 Committee on Economic and Business Development
26
- 27 **HB12-1121** by Representative(s) Scott--Concerning enactment of the
28 utility ratepayers' bill of rights for customers of investor-
29 owned utilities in Colorado.
30 Committee on Transportation
31
- 32 **HB12-1122** by Representative(s) Wilson, Hulinghorst, Lee, Levy,
33 Vigil--Concerning incentives to minimize the disposal of
34 medications in water, and, in connection therewith,
35 requiring a post-enactment review of the implementation
36 of this act.
37 Committee on Agriculture, Livestock, & Natural Resources
38
- 39 **HB12-1123** by Representative(s) Conti, Becker, Brown, DelGrosso,
40 Holbert, Murray, Nikkel, Ramirez, Scott, Summers,
41 Swalm, Szabo--Concerning an increase in the transparency
42 of proceedings before the public utilities commission by
43 requiring the commission to report annually to the general
44 assembly regarding matters discussed on the record in
45 energy rate case hearings.
46 Committee on Transportation
47
- 48 **HB12-1124** by Representative(s) Massey, Fields, Hamner, Holbert,
49 Levy, Peniston--Concerning a study of digital learning in
50 Colorado.
51 Committee on Education
52
- 53 **HB12-1125** by Representative(s) Ramirez, Sonnenberg, Looper; also
54 Senator(s) Steadman--Concerning procedures related to
55 the costs of impounded animals.
56 Committee on Agriculture, Livestock, & Natural Resources

- 1 **HB12-1126** by Representative(s) Gerou--Concerning on-site
2 wastewater treatment systems.
3 Committee on Health and Environment
4
- 5 **HB12-1127** by Representative(s) Liston, Priola, Holbert, Swalm,
6 Swerdfeger, Szabo--Concerning elimination of an increase
7 in the unemployment insurance premium rate for new
8 employers.
9 Committee on Economic and Business Development
10
- 11 **HB12-1128** by Representative(s) Miklosi--Concerning a prohibition on
12 discrimination in places of public accommodation that is
13 based on unconventional attire.
14 Committee on State, Veterans, & Military Affairs
15
- 16 **HB12-1129** by Representative(s) Tyler, Court, Duran, Fischer,
17 Hullinghorst, Kefalas, Kerr A., Lee, McCann, Pabon,
18 Ryden, Williams A., Young, Solano; also Senator(s) Jahn-
19 -Concerning appropriations to match federal funds for
20 small business development centers.
21 Committee on Economic and Business Development
22
- 23 **HB12-1130** by Representative(s) Joshi, Holbert, Acree, Baumgardner,
24 Bradford, Brown, Murray; also Senator(s) Mitchell--
25 Concerning offenses against an unborn child.
26 Committee on Judiciary
27
- 28 **HB12-1131** by Representative(s) Labuda--Concerning the creation of
29 a child loss awareness license plate.
30 Committee on Transportation
31
- 32 **HB12-1132** by Representative(s) Miklosi, Todd; also Senator(s)
33 Williams S.--Concerning creative district tax incentives,
34 and, in connection therewith, allowing a state income tax
35 credit for income derived from creative business activities
36 conducted within a creative district and reducing the rate
37 of the state sales tax imposed on sales made within a
38 creative district.
39 Committee on Finance
40
- 41 **HB12-1133** by Representative(s) Lee and Hullinghorst, Court, Duran,
42 Fischer, Jones, Kefalas, Kerr A., Labuda, Levy, McCann,
43 Pabon, Ryden, Schafer S., Tyler, Williams A., Young,
44 Casso, Ferrandino, Fields, Hamner, Todd, Vigil--
45 Concerning the creation of the economic gardening pilot
46 program in the Colorado office of economic development.
47 Committee on Economic and Business Development
48
- 49 **HB12-1134** by Representative(s) Pabon, Casso, Court, Duran,
50 Ferrandino, Fields, Fischer, Hamner, Hullinghorst, Jones,
51 Kagan, Kefalas, Kerr A., Labuda, Lee, Levy, McCann,
52 McKinley, Miklosi, Pace, Peniston, Ryden, Schafer S.,
53 Todd, Tyler, Vigil, Williams A., Young--Concerning a
54 prohibition against advertising a job vacancy that requires
55 an applicant to be currently employed.
56 Committee on Economic and Business Development

- 1 **HB12-1135** by Representative(s) Murray--Concerning teachers with
2 whom a teacher candidate in a teacher preparation
3 program spends his or her hours of field work.
4 Committee on Education
5
- 6 **HB12-1136** by Representative(s) Ramirez; also Senator(s) Roberts--
7 Concerning a prohibition on the use of public land for
8 retail sales.
9 Committee on State, Veterans, & Military Affairs
10
- 11 **HB12-1137** by Representative(s) Todd, Kefalas, McCann, Solano; also
12 Senator(s) Boyd--Concerning the regulation of music
13 therapists.
14 Committee on State, Veterans, & Military Affairs
15
- 16
17 **HB12-1138** by Representative(s) Kefalas, Kagan; also Senator(s)
18 Hudak, Boyd, Guzman--Concerning the request of poverty
19 impact statements regarding legislative measures
20 introduced by the general assembly.
21 Committee on State, Veterans, & Military Affairs
22
- 23 **HB12-1139** by Representative(s) Levy, Fields, Barker, Court, Kagan,
24 Massey, McCann, McKinley, Nikkel, Solano, Young; also
25 Senator(s) Guzman--Concerning pretrial detention of
26 children prosecuted as adults.
27 Committee on Judiciary
28
- 29 **HB12-1140** by Representative(s) Jones; also Senator(s) Newell--
30 Concerning the duties of the department of public health
31 and environment as coordinator for suicide prevention
32 programs throughout the state.
33 Committee on Health and Environment
34
- 35
36 **HB12-1141** by Representative(s) Levy; also Senator(s) Nicholson--
37 Concerning the expansion of the scope of practice of
38 additional trained health care professionals to include five-
39 point auricular acudetox.
40 Committee on Health and Environment
41
- 42 **HB12-1142** by Representative(s) DelGrosso--Concerning the choice of
43 all members of the public employees' retirement
44 association to participate in a defined contribution plan
45 established by the association.
46 Committee on Finance
47
- 48 **HB12-1143** by Representative(s) Ferrandino--Concerning an
49 adjustment in the reimbursement rates the state pays
50 county governments for costs associated with elections
51 involving statewide ballot measures.
52 Committee on State, Veterans, & Military Affairs
53
- 54 **HB12-1144** by Representative(s) Fischer, Duran, Hamner,
55 Hullinghorst, Kefalas, Kerr A., Peniston, Ryden,
56 Schafer S., Solano, Tyler, Young; also Senator(s) Bacon--

- 1 Concerning authorizing institutions of higher education to
2 enter into employment contracts for non-tenure-track
3 classroom teachers.
4 Committee on State, Veterans, & Military Affairs
5
- 6 **HB12-1145** by Representative(s) Bradford--Concerning the
7 modification of state personnel total compensation
8 policies.
9 Committee on Economic and Business Development
10
- 11 **HB12-1146** by Representative(s) Nikkel, Todd, Massey, Beezley,
12 Murray, Solano, Summers; also Senator(s) Giron--
13 Concerning programs to allow students to enroll in
14 postsecondary institutions to complete high school
15 graduation requirements.
16 Committee on Education
17
- 18 **HB12-1147** by Representative(s) Williams A., Court, Fields,
19 Hullinghorst, Kerr A., McCann, Schafer S., Solano, Todd,
20 Wilson, Brown, Casso, Fischer, Hamner, Holbert, Kagan,
21 Labuda, Miklosi, Pabon, Ryden, Swalm, Szabo, Tyler,
22 Vigil, Young; also Senator(s) Foster, Guzman, Johnston,
23 Spence, Tochtrop--Concerning the designation of the
24 western tiger salamander as the state amphibian.
25 Committee on Agriculture, Livestock, & Natural Resources
26
- 27 **HB12-1148** by Representative(s) Sonnenberg--Concerning the
28 establishment of neighborhood revitalization areas by local
29 governments.
30 Committee on Local Government
31
- 32 **HB12-1149** by Representative(s) Beezley, Holbert, Acree, Balmer,
33 Becker, Murray, Ramirez, Summers--Concerning parents'
34 authority to request interventions for low-performing
35 schools.
36 Committee on Education
37
- 38 **HB12-1150** by Representative(s) Priola, Holbert, DelGrosso,
39 Gardner B., Becker, Murray, Nikkel, Sonnenberg; also
40 Senator(s) Lambert--Concerning an increase in the number
41 of years used to calculate the highest average salary of a
42 member of the public employees' retirement association
43 for the purpose of determining the amount of the member's
44 retirement benefit.
45 Committee on Finance
46
- 47 **HB12-1151** by Representative(s) McCann, Fields, Lee, Miklosi,
48 Peniston, Schafer S., Vigil, Williams A.; also Senator(s)
49 King S.--Concerning the trafficking of human beings.
50 Committee on Judiciary
51
- 52 **HB12-1152** by Representative(s) Kefalas, Kagan, Summers; also
53 Senator(s) Boyd, Guzman, Hudak--Concerning the
54 economic opportunity poverty reduction task force.
55 Committee on State, Veterans, & Military Affairs
56

- 1 **HB12-1153** by Representative(s) Soper--Concerning the creation of a
2 special license plate commemorating recipients of the
3 distinguished flying cross.
4 Committee on Transportation
5
- 6 **HB12-1154** by Representative(s) Coram and Hamner, Brown, Casso,
7 Ferrandino, Hulinghorst, Kerr J., Labuda, Lee, Scott,
8 Young; also Senator(s) Jahn and White--Concerning a
9 regional approach to economic development.
10 Committee on Appropriations
11
- 12 **HB12-1155** by Representative(s) Massey, Fields, Hamner; also
13 Senator(s) Bacon--Concerning measures to increase the
14 timely completion of postsecondary degrees.
15 Committee on Education
16
- 17 **HB12-1156** by Representative(s) McCann, Duran, Fields, Kefalas,
18 Lee, Vigil; also Senator(s) Johnston--Concerning measures
19 to improve the reliability of information provided in
20 connection with real estate foreclosures.
21 Committee on Economic and Business Development
22
- 23 **HB12-1157** by Representative(s) Vigil; also Senator(s) Guzman--
24 Concerning the court hearing on a petition for the
25 organization of a special district.
26 Committee on Local Government
27
- 28 **HB12-1158** by Representative(s) Baumgardner, Scott, Brown, Joshi;
29 also Senator(s) Giron and Grantham--Concerning the
30 regulation of producers of materials that may be used in
31 commercial livestock feed, and, in connection therewith,
32 repealing the "Colorado Inedible Meat Rendering and
33 Processing Act of 1967" and relocating some of its
34 provisions to the "Colorado Feed Law".
35 Committee on Agriculture, Livestock, & Natural Resources
36
- 37 **HB12-1159** by Representative(s) Brown, Barker, Baumgardner,
38 Beezley, Conti, Court, Holbert, Murray, Ramirez, Vaad;
39 also Senator(s) Nicholson, Cadman, Grantham, King K.,
40 Roberts--Concerning the election of a county
41 commissioner in a county with a population of less than
42 seventy thousand by the voters residing in the district from
43 which the commissioner runs for election.
44 Committee on Local Government
45
- 46 **HB12-1160** by Representative(s) Baumgardner; also Senator(s)
47 Schwartz--Concerning methane gas captured from active
48 and inactive coal mines.
49 Committee on Agriculture, Livestock, & Natural Resources
50
- 51 **HB12-1161** by Representative(s) Looper; also Senator(s) King K.--
52 Concerning scientific review of water quality rules
53 regulating nutrients.
54 Committee on Agriculture, Livestock, & Natural Resources
55

- 1 **HB12-1162** by Representative(s) Todd, Labuda, Looper, Solano,
2 Soper, Ryden, Fields, Hullinghorst, McCann, Young; also
3 Senator(s) Heath, Williams S.--Concerning the creation of
4 an operation desert storm license plate.
5 Committee on Transportation
6
- 7 **HB12-1163** by Representative(s) Waller--Concerning limited peace
8 officer authority designations.
9 Committee on Judiciary
10
- 11 **HB12-1164** by Representative(s) Looper--Concerning a requirement
12 for disclosure regarding severed mineral estates upon the
13 conveyance of real estate.
14 Committee on Judiciary
15
- 16 **HB12-1165** by Representative(s) Schafer S., Tyler; also Senator(s)
17 Jahn and Nicholson--Concerning the disclosure of
18 information about radon hazards in connection with the
19 resale of private residential real property.
20 Committee on State, Veterans, & Military Affairs
21
- 22 **HB12-1166** by Representative(s) Jones; also Senator(s) Bacon--
23 Concerning tracking the utility data of a state-assisted
24 facility that has attained high performance as part of its
25 capital construction project.
26 Committee on Transportation
27
- 28 **HB12-1167** by Representative(s) Fischer--Concerning special fuel.
29 Committee on Agriculture, Livestock, & Natural Resources
30
- 31 **HB12-1168** by Representative(s) Young, Fischer, Kerr A., Levy; also
32 Senator(s) Morse--Concerning clarification of provisions
33 authorizing ignition interlock devices.
34 Committee on Judiciary
35
- 36 **HB12-1169** by Representative(s) Gardner B. and Duran; also
37 Senator(s) Brophy and Morse--Concerning a clarification
38 of the circumstances under which voting to elect
39 leadership of a public body may be held by secret ballot in
40 accordance with the state open meetings law.
41 Committee on State, Veterans, & Military Affairs
42
- 43 **HB12-1170** by Representative(s) Peniston, Fields, Massey, Soper--
44 Concerning restricting access by minors to artificial
45 tanning devices.
46 Committee on Economic and Business Development
47
- 48 **HB12-1171** by Representative(s) Tyler, Levy, Schafer S.--Concerning
49 a limitation on the circumstances in which a public
50 highway authority may enter into a noncompete agreement
51 with a public entity.
52 Committee on Transportation
53
54
55
56
-

INTRODUCTION OF RESOLUTIONS

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

HJR12-1003 by Representative(s) Williams A., Todd, Ramirez, Looper; also Senator(s) Williams S., Newell, Nicholson, Foster, Heath, Spence, Renfroe--Concerning the designation of Interstate 70 across Colorado as a part of a nationwide system of "Tuskegee Airmen Memorial Trails".

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

HJR12-1004 by Representative(s) Massey and Kerr A., Todd, Summers, Kerr J., Beezley, Hamner, Holbert, Joshi, Murray, Peniston, Ramirez, Ryden, Schafer S., Solano; also Senator(s) Roberts and Johnston--Concerning teen suicide prevention in Colorado.
Committee on Education

House in recess. House reconvened.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1172 by Representative(s) Swalm, Conti--Concerning the rates charged to consumers for electricity, and, in connection therewith, prohibiting the imputation of certain costs associated with reductions in greenhouse gas emissions.
Committee on Agriculture, Livestock, & Natural Resources

HB12-1173 by Representative(s) Wilson--Concerning restrictions on the use of open pits in connection with hydraulic fracturing.
Committee on Local Government

HB12-1174 by Representative(s) Kagan--Concerning a prohibition on children's products that contain bisphenol A.
Committee on Economic and Business Development

HB12-1175 by Representative(s) Stephens; also Senator(s) Cadman--Concerning the encouragement of a state agency to pursue Colorado-specific solutions in lieu of federal regulation whenever possible, and, in connection therewith, requiring a state agency to report annually regarding opportunities for waiver from newly adopted federal regulations.
Committee on Economic and Business Development

1 **HB12-1176** by Representative(s) Ryden, Wilson--Concerning oil and
2 gas, and, in connection therewith, increasing the Colorado
3 oil and gas conservation commission's authority to regulate
4 oil and gas operations and including within the term
5 "surface owner" the owners of land overlying that portion
6 of a geologic formation within which horizontal hydraulic
7 fracturing is conducted.

8 Committee on Local Government
9

10
11
12 **INTRODUCTION OF RESOLUTIONS**
13

14 The following resolutions were read by title and laid over one day under
15 the rules:

16
17 **HJR12-1005** by Representative(s) Todd and Stephens; also Senator(s)
18 Shaffer B.--Concerning recognition of Military, Veterans,
19 and MIA/POW Appreciation Day.
20

21 **HJR12-1006** by Representative(s) Pace and Swerdfeger, Massey, Vigil;
22 also Senator(s) Giron, Grantham--Concerning the U.S.S.
23 Pueblo.
24

25 **HJR12-1007** by Representative(s) Barker and Ryden, Todd; also
26 Senator(s) Neville--Concerning recognition of military
27 personnel from Colorado who died during specific military
28 conflicts, including those killed after September 11, 2001,
29 during the War on Terrorism, including but not limited to
30 those killed in Afghanistan and Iraq.
31

32
33
34 On motion of Representative Todd, the House adjourned until 10:00 a.m.,
35 January 23, 2012.
36

37 Approved:
38 FRANK McNULTY,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

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

Thirteenth Legislative Day

Monday, January 23, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by Chaplain Colonel Andrew Meverden, Colorado Army National
4 Guard.

5

6 Pledge of Allegiance led by Captain John Harhai, 2nd Lieutenant Alex
7 Axford, Chief Master Sergeant Bryan Fisher, Chief Master Sergeant
8 Daniel Pershing, Colorado Civil Air Patrol.

9

10 The roll was called with the following result:

11

12 Present--63.

13 Excused--Representative(s) Ferrandino--1.

14 Vacancy--1.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative A. Williams, the reading of the journal of
20 January 20, 2012, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

26 **CONSIDERATION OF RESOLUTION(S)**

27

28 **HJR12-1005** by Representative(s) Todd and Stephens; also Senator(s)
29 Shaffer B.--Concerning recognition of Military, Veterans,
30 and MIA/POW Appreciation Day.

31

32 (Printed and placed in members' file)

33

34 On motion of Representative Stephens, the resolution was read at length.

35

36

37 House in recess to allow Senators to speak.

38

39 House reconvened.

40

41

42 On motion of Stephens, the resolution was **adopted** by **viva voce** vote.

43

1 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
2 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
3 Court, DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
4 Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
5 Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon,
6 Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Solano, Sonnenberg,
7 Soper, Summers, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller,
8 Williams A., Wilson, Young, Speaker.

9
10 **HJR12-1007** by Representative(s) Barker and Ryden, Todd; also
11 Senator(s) Neville--Concerning recognition of military
12 personnel from Colorado who died during specific military
13 conflicts, including those killed after September 11, 2001,
14 during the War on Terrorism, including but not limited to
15 those killed in Afghanistan and Iraq.

16
17 (Printed and placed in members' file)

18
19 On motion of Representative Barker, the resolution was read at length and
20 **adopted by viva voce** vote.

21
22 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
23 Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
24 DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
25 Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
26 Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon,
27 Pace, Peniston, Priola, Ramirez, Schafer S., Scott, Solano, Sonnenberg, Soper,
28 Stephens, Summers, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller,
29 Williams A., Wilson, Young, Speaker.

30
31 **HJR12-1006** by Representative(s) Pace and Swerdfeger, Massey, Vigil;
32 also Senator(s) Giron, Grantham--Concerning the U.S.S.
33 Pueblo.

34
35 (Printed and placed in members' file)

36
37 On motion of Representative Pace, the resolution was read at length and
38 **adopted by viva voce** vote.

39
40 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
41 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
42 Court, DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
43 Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
44 Liston, Looper, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Peniston,
45 Priola, Ramirez, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper,
46 Stephens, Summers, Swalm, Szabo, Todd, Tyler, Vaad, Waller, Williams A.,
47 Wilson, Young, Speaker.

48
49 **HJR12-1003** by Representative(s) Williams A., Todd, Ramirez, Looper;
50 also Senator(s) Williams S., Newell, Nicholson, Foster,
51 Heath, Spence, Renfroe--Concerning the designation of
52 Interstate 70 across Colorado as a part of a nationwide
53 system of "Tuskegee Airmen Memorial Trails".

54
55 (Printed and placed in members' file)

56

On motion of Representative A. Williams, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert, Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller, Wilson, Young, Speaker.

House in recess to allow Senators to speak.

House reconvened.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

HJR12-1008 by Representative(s) Nikkel and McCann, Conti, Lee; also Senator(s) Aguilar--Concerning recognition of military personnel from Colorado who have served in Operation New Dawn and Operation Enduring Freedom and honoring those who have died while serving their country in Iraq and Afghanistan.

(Printed and placed in member's file).

On motion of Representative Nikkel, the resolution was read at length and **adopted** by the following roll call vote:

YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
Acree	Y	Fischer	Y	Liston	Y	Solano	Y		
Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y		
Barker	Y	District	V	Massey	Y	Soper	Y		
Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
Bradford	Y	Hulinghorst	Y	Murray	Y	Swerdfeger	Y		
Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
Conti	Y	Kagan	Y	Pace	Y	Tyler	Y		
Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
Ferrandino	E	Lee	Y	Schafer S.	Y	Wilson	Y		
Fields	Y	Levy	Y	Scott	Y	Young	Y		
						Speaker	Y		

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Coram, Court, DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,

1 Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Levy,
2 Liston, Looper, Massey, McKinley, Miklosi, Murray, Pabon, Pace, Peniston,
3 Priola, Ramirez, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper,
4 Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil,
5 Waller, Williams A., Wilson, Young, Speaker.

6
7
8 House in recess. House reconvened.
9

10
11 **PRINTING REPORT**
12

13 The Chief Clerk reports the following bills have been correctly printed:
14 **HB12-1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115,**
15 **1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126,**
16 **1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137,**
17 **1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148,**
18 **1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159,**
19 **1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170,**
20 **1171, 1172, 1173, 1174, 1175, 1176.**

21
22
23
24 On motion of Representative Stephens, the House adjourned until
25 9:00 a.m., January 24, 2012.

26
27 Approved:
28 FRANK McNULTY,
29 Speaker

30 Attest:
31 MARILYN EDDINS,
32 Chief Clerk

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

Fourteenth Legislative Day

Tuesday, January 24, 2012

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

2

3 Prayer by Father Leo Weber, Arrupe Jesuit High School.

4

5 Pledge of Allegiance led by Evelyn Vazquez, Aruppe Jesuit High School,
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) Ferrandino, Liston, Pace--3.

12 Vacancy--1.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative A. Williams, the reading of the journal of
18 January 23, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

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

26

27

28 **GENERAL ORDERS--SECOND READING OF BILLS**

29

30 The Committee of the Whole having risen, the Chairman reported the
31 titles of the following bills had been read (reading at length had been
32 dispensed with by unanimous consent), the bills considered and action
33 taken thereon as follows:

34

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

37

38 **HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--
39 Concerning the procedure for the review of a proposal to
40 regulate an unregulated profession or occupation.

41

42 Ordered engrossed and placed on the Calendar for Third Reading and
43 Final Passage.

- 1 **HB12-1033** by Representative(s) Swalm; also Senator(s) Newell--
2 Concerning conditions on the authority of the director of
3 the division of workers' compensation to impose
4 administrative fines as a result of compliance audits
5 finding instances of late reporting of injuries under the
6 "Workers' Compensation Act of Colorado".
7
8 Amendment No. 1, Economic & Business Development Report, dated
9 January 19, 2012, and placed in member's bill file; Report also printed in
10 House Journal, January 20, page 58.
11
12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.
14
15
16 **HB12-1028** by Representative(s) Gerou; also Senator(s) Steadman--
17 Concerning the continuation of energy-related assistance
18 to low-income households from the operational account of
19 the severance tax trust fund.
20
21 Laid over until January 26, retaining place on Calendar.
22
23
24 **HB12-1050** by Representative(s) Wilson; also Senator(s) Nicholson--
25 Concerning the voluntary contribution designation
26 benefiting the nongame and endangered wildlife fund that
27 appears on the state individual income tax return forms,
28 and, in connection therewith, extending the period for the
29 contribution designation.
30
31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.
33
34
35 **HB12-1068** by Representative(s) McKinley--Concerning the
36 administration of a nonprofit cemetery corporation by
37 persons who own the right to bury a deceased person
38 within the cemetery.
39
40 Laid over until January 26, retaining place on Calendar.
41
42
43 **HB12-1078** by Representative(s) Vigil, Baumgardner, Sonnenberg,
44 Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy,
45 Giron, Hodge, Roberts--Concerning the exemption of
46 drinking water treatment facilities from the requirement to
47 obtain a certificate of designation.
48
49 Amendment No. 1, by Representative(s) Vigil.
50
51 Amend printed bill, page 4, line 8, strike "shall take" and substitute
52 "takes".
53
54 Page 4, line 10, strike "7," and substitute "8,".
55
56 Page 4, line 14, strike "shall" and substitute "will".

1 Page 4, line 15, strike "shall" and substitute "will".

2
3 Page 4, line 17, strike "shall apply" and substitute "applies".

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7 _____

8
9

10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11
12 Passed Second Reading: **HB12-1015, 1033 amended, 1050, 1078**
13 **amended.**

14
15 Laid over until date indicated retaining place on Calendar: **HB12-1028,**
16 **1068--January 26, 2012.**

17
18 The Chairman moved the adoption of the Committee of the Whole
19 Report. As shown by the following roll call vote, a majority of those
20 elected to the House voted in the affirmative, and the Report was
21 **adopted.**

22

23 YES 61 NO 0 EXCUSED 3 ABSENT 0 VACANCY 1

24	Acree	Y	Fischer	Y	Liston	E	Solano	Y
25	Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y
26	Barker	Y		V	Massey	Y	Soper	Y
27	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y
28	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y
29	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y
30	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y
31	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y
32	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y
33	Conti	Y	Kagan	Y	Pace	E	Tyler	Y
34	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y
35	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y
36	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y
37	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y
38	Ferrandino	E	Lee	Y	Schafer S.	Y	Wilson	Y
39	Fields	Y	Levy	Y	Scott	Y	Young	Y
40							Speaker	Y

41

42

43 House in recess. House reconvened.

44

45

46

47

48

49

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51

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55

56

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB12-1010 be referred to the Committee of the Whole with favorable recommendation.

1 **HB12-1022** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB12-1032** be referred favorably to the Committee on Appropriations.
6
7

8
9
10 **EDUCATION**

11 After consideration on the merits, the Committee recommends the
12 following:
13

14 **HJR12-1004** be referred out for final action.
15
16

17
18
19 **LEGAL SERVICES**

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

23 **HB12-1001** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend printed bill, page 2, line 14, strike "12-____," and substitute
28 "12-1001,".
29

30
31
32
33 **MESSAGE(S) FROM THE SENATE**

34
35 The Senate has adopted and transmits herewith: SJR12-002, 004.
36

37
38 The Senate has adopted and returns herewith: HJR12-1002.
39
40

41
42
43 **INTRODUCTION OF BILL**
44 **First Reading**
45

46 The following bill was read by title and referred to the committee
47 indicated:
48

49 **HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s)
50 Hodge, Steadman, Lambert--Concerning a grant program
51 to provide home care allowance benefits to certain eligible
52 individuals.
53

54 Committee on Finance
55
56

1 On motion of Representative Swerdfeger, the House adjourned until
2 9:00 a.m., January 25, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
FRANK McNULTY,
Speaker

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

Fifteenth Legislative Day

Wednesday, January 25, 2012

1 The Speaker *Pro Tempore* called the House to order at 9:00 a.m.
2
3 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
4 Church, Denver.
5
6 Pledge of Allegiance led by Jodie Huapaya, Aruppe Jesuit High School.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Pace--1.
12 Vacancy--1.

13
14 The Speaker declared a quorum present.
15
16

17 On motion of Representative A. Williams, the reading of the journal of
18 January 24, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

22
23
24 The following bill(s) was(were) considered on Third Reading. The
25 title(s) was(were) publicly read. Reading of the bill at length was
26 dispensed with by unanimous consent.
27

28
29 **HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--
30 Concerning the procedure for the review of a proposal to
31 regulate an unregulated profession or occupation.
32

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

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
39	Acree		Y	Fischer	Y	Liston	Y	Solano		Y
40	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg		Y
41	Barker		Y		V	Massey	Y	Soper		Y
42	Baumgardner	Y		Gerou	Y	McCann	Y	Stephens		Y
43	Becker	Y		Hamner	Y	McKinley	Y	Summers		Y

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

13 Co-sponsor(s) added: Representative(s) Beezley, Labuda, Looper, Priola,
14 Ramirez, Scott, Sonnenberg, Wilson.

15
16 **HB12-1033** by Representative(s) Swalm; also Senator(s) Newell--
17 Concerning conditions on the authority of the director of
18 the division of workers' compensation to impose
19 administrative fines as a result of compliance audits
20 finding instances of late reporting of injuries under the
21 "Workers' Compensation Act of Colorado".
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

28	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
29	Acree		Y	Fischer	Y	Liston	Y	Solano		Y
30	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg		Y
31	Barker		Y		V	Massey	Y	Soper		Y
32	Baumgardner	Y		Gerou	Y	McCann	Y	Stephens		Y
33	Becker	Y		Hamner	Y	McKinley	Y	Summers		Y
34	Beezley	Y		Holbert	Y	Miklosi	Y	Swalm		Y
35	Bradford	Y		Hullinghorst	Y	Murray	Y	Swerdfeger		Y
36	Brown	Y		Jones	Y	Nikkel	Y	Szabo		Y
37	Casso	Y		Joshi	Y	Pabon	Y	Todd		Y
38	Conti	Y		Kagan	Y	Pace	E	Tyler		Y
39	Coram	Y		Kefalas	Y	Peniston	Y	Vaad		Y
40	Court	Y		Kerr A.	Y	Priola	Y	Vigil		Y
41	DelGrosso	Y		Kerr J.	Y	Ramirez	Y	Waller		Y
42	Duran	Y		Labuda	Y	Ryden	Y	Williams A.		Y
43	Ferrandino	Y		Lee	Y	Schafer S.	Y	Wilson		Y
44	Fields	Y		Levy	Y	Scott	Y	Young		Y
45								Speaker		Y

46 Co-sponsor(s) added: Representative(s) Beezley, Brown, DelGrosso, Fields,
47 Hamner, Holbert, Labuda, Liston, Pabon, Todd, Vigil, Wilson.
48
49

50 **HB12-1050** by Representative(s) Wilson; also Senator(s) Nicholson--
51 Concerning the voluntary contribution designation
52 benefiting the nongame and endangered wildlife fund that
53 appears on the state individual income tax return forms,
54 and, in connection therewith, extending the period for the
55 contribution designation.
56

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

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
7	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
8	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
9	Barker		Y		V	Massey	Y	Soper	Y	
10	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
11	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
12	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
13	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
14	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
15	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
16	Conti	Y	Kagan	Y	Pace	E	Tyler	Y		
17	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
18	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
19	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
20	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
21	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
22	Fields	Y	Levy	Y	Scott	Y	Young	Y		
23							Speaker	Y		

24 Co-sponsor(s) added: Representative(s) Fields, Fischer, Hamner, Jones,
 25 Kefalas, Kerr A., Labuda, Lee, Levy, Pabon, Ryden, Schafer S., Solano, Tyler,
 26 Vigil, Young.

27
 28 **HB12-1078** by Representative(s) Vigil, Baumgardner, Sonnenberg,
 29 Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy,
 30 Giron, Hodge, Roberts--Concerning the exemption of
 31 drinking water treatment facilities from the requirement to
 32 obtain a certificate of designation.

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

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
40	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
41	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
42	Barker		Y		V	Massey	Y	Soper	Y	
43	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
44	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
45	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
46	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
47	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
48	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
49	Conti	Y	Kagan	Y	Pace	E	Tyler	Y		
50	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
51	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
52	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
53	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
54	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
55	Fields	Y	Levy	Y	Scott	Y	Young	Y		
56							Speaker	Y		

Co-sponsor(s) added: Representative(s) Barker, Becker, Brown, DelGrosso, Duran, Fields, Fischer, Hamner, Hulinghorst, Kagan, Labuda, Nikkel, Pabon, Schafer S., Scott, Summers, Todd.

CONSIDERATION OF RESOLUTION(S)

HJR12-1004 by Representative(s) Massey and Kerr A., Todd, Summers, Kerr J., Beezley, Hamner, Holbert, Joshi, Murray, Peniston, Ramirez, Ryden, Schafer S., Solano; also Senator(s) Roberts and Johnston--Concerning teen suicide prevention in Colorado.

(Printed and placed in members' file)

On motion of Representative Massey, the resolution was **adopted** by the following roll call vote:

YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
Acree	Y	Fischer	Y	Liston	Y	Solano	Y		
Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y		
Barker	Y		Y	Massey	Y	Soper	Y		
Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
Bradford	Y	Hulinghorst	Y	Murray	Y	Swerdfeger	Y		
Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
Conti	Y	Kagan	Y	Pace	E	Tyler	Y		
Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
Fields	Y	Levy	Y	Scott	Y	Young	Y		
						Speaker	Y		

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hulinghorst, Jones, Kagan, Kefalas, Labuda, Lee, Levy, Liston, Looper, McCann, McKinley, Miklosi, Nikkel, Pabon, Priola, Scott, Sonnenberg, Soper, Stephens, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR12- 008.

1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2
3 On motion of Representative Waller, the rules were suspended and the
4 following resolution was given immediate consideration.

5
6 **SJR12-008** by Senator(s) Shaffer B. and Cadman; also
7 Representative(s) Summers and Kagan, Ferrandino--
8 Concerning the State of Colorado's support for locating a
9 patent office in the Denver metro area.

10
11 (Printed and placed in member's file).

12
13 On motion of Representative Summers, the resolution was **adopted** by
14 the following roll call vote:

16	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
17	Acree		Y		Fischer	Y	Liston	Y	Solano	Y
18	Balmer		Y		Gardner B.	Y	Looper	Y	Sonnenberg	Y
19	Barker		Y			V	Massey	Y	Soper	Y
20	Baumgardner	Y			Gerou	Y	McCann	Y	Stephens	Y
21	Becker	Y			Hamner	Y	McKinley	Y	Summers	Y
22	Beezley	Y			Holbert	Y	Miklosi	Y	Swalm	Y
23	Bradford	Y			Hullinghorst	Y	Murray	Y	Swerdfeger	Y
24	Brown	Y			Jones	Y	Nikkel	Y	Szabo	Y
25	Casso	Y			Joshi	Y	Pabon	Y	Todd	Y
26	Conti	Y			Kagan	Y	Pace	E	Tyler	Y
27	Coram	Y			Kefalas	Y	Peniston	Y	Vaad	Y
28	Court	Y			Kerr A.	Y	Priola	Y	Vigil	Y
29	DelGrosso	Y			Kerr J.	Y	Ramirez	Y	Waller	Y
30	Duran	Y			Labuda	Y	Ryden	Y	Williams A.	Y
31	Ferrandino	Y			Lee	Y	Schafer S.	Y	Wilson	Y
32	Fields	Y			Levy	Y	Scott	Y	Young	Y
33									Speaker	Y

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

42
43
44
45
46
47 House in recess. House reconvened.
48
49
50
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53
54
55

REPORT(S) OF COMMITTEE(S) OF REFERENCE**ECONOMIC & BUSINESS DEVELOPMENT**

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

HB12-1008 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, line 10, after "ASSOCIATIONS," insert "LABOR ORGANIZATIONS, ENVIRONMENTAL ADVOCACY GROUPS, CONSUMER ADVOCATES,".

HB12-1055 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 8, strike lines 4 through 7.

Renumber succeeding subsections accordingly.

Page 8, line 21, strike "(17)," and substitute "(16),".

Page 8, line 27, strike "(17)" and substitute "(16)".

Page 11, strike lines 23 through 25 and substitute:

"SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

HEALTH & ENVIRONMENT

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

HB12-1052 be referred favorably to the Committee on Economic & Business Development.

HB12-1054 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 4, strike "**exemption from certain**" and
2 substitute "**compliance with**".
3

4 Page 2, strike line 11 and substitute "STATE DEPARTMENT-APPROVED
5 PROVIDER APPLICATION SHALL SERVE TO FULFILL THE REQUIREMENTS OF
6 A COMMITMENT VOUCHER AND THE".
7

8 Page 2, line 14, after "A" insert "PROVIDER WHO PROVIDES SERVICES
9 THROUGH A".
10

11 Page 3, line 18, after "SERVICES" insert "TO RECIPIENTS".
12
13

14 15 **PRINTING REPORT**

16
17 The Chief Clerk reports the following bill has been correctly printed:
18 **HB12-1177**.
19

20 21 22 **MESSAGE(S) FROM THE SENATE**

23
24 The Senate has passed on Third Reading and transmits to the Revisor of
25 Statutes: **SB12-014**.
26

27 28 29 **MESSAGE(S) FROM THE REVISOR**

30
31 We herewith transmit:
32 Without comment, SB12-014.
33

34 35 36 **INTRODUCTION OF BILLS** 37 **First Reading**

38
39 The following bills were read by title and referred to the committees
40 indicated:
41

42 **HB12-1178** by Representative(s) Vigil; also Senator(s) Schwartz--
43 Concerning the deadline for filing notice for
44 reimbursement of tax payments for lost gasoline or special
45 fuel.
46

47 Committee on Finance

48 **SB12-014** by Senator(s) Bacon and Roberts, Morse; also
49 Representative(s) Levy and Gardner B.--Concerning the
50 conformity of the schedule for disclosure of campaign
51 finance information with the date of the primary election.
52

53 Committee on Judiciary
54
55
56

1 On motion of Representative Nikkel, the House adjourned until 9:00 a.m.,
2 January 26, 2012.

3

4

5

6

Approved:
FRANK McNULTY,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

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

Sixteenth Legislative Day

Thursday, January 26, 2012

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

2
3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4
5 Pledge of Allegiance led by Christine Chitechi, University of Colorado,
6 Denver.

7
8 The roll was called with the following result:

9
10 Present--64.
11 Vacancy--1.

12
13 The Speaker declared a quorum present.

14
15
16 On motion of Representative A. Williams, the reading of the journal of
17 January 25, 2012, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19
20
21 House in recess. House reconvened.

22
23
24
25 **MESSAGE(S) FROM THE SENATE**

26
27 The Senate has adopted and transmits herewith: SJR12- 010.

28
29
30
31 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

32
33 On motion of Representative Stephens, the rules were suspended and the
34 following resolution was given immediate consideration.

35
36 **SJR12-010** by Senator(s) Scheffel and Harvey; also Representative(s)
37 McNulty and Murray, Holbert--Concerning the tenth
38 anniversary of the Partnership of Douglas County
39 Governments.

40
41 (Printed and placed in member's file).

42
43 On motion of Representative McNulty, the resolution was **adopted** by
44 **viva voce** vote.

45

1 Co-sponsor(s) added: Representative(s) Balmer, Barker, Baumgardner,
2 Bradford, Brown, Conti, Coram, Court, Ferrandino, Fischer, Joshi, Kerr J.,
3 Labuda, Liston, Massey, Miklosi, Pace, Priola, Ryden, Schafer S., Scott,
4 Stephens, Tyler, Vaad, Waller.

5
6
7
8 On motion of Representative DelGrosso, the House resolved itself into
9 Committee of the Whole for consideration of General Orders, and he was
10 called to the Chair to act as Chairman.

11
12
13
14 **GENERAL ORDERS--SECOND READING OF BILLS**

15
16 The Committee of the Whole having risen, the Chairman reported the
17 titles of the following bills had been read (reading at length had been
18 dispensed with by unanimous consent), the bills considered and action
19 taken thereon as follows:

20
21 (Amendments to the committee amendment are to the printed committee
22 report which was printed and placed in the members' bill file.)

23
24 **HB12-1028** by Representative(s) Gerou; also Senator(s) Steadman--
25 Concerning the continuation of energy-related assistance
26 to low-income households from the operational account of
27 the severance tax trust fund.

28
29 Ordered engrossed and placed on the Calendar for Third Reading and
30 Final Passage.

31
32 **HB12-1068** by Representative(s) McKinley--Concerning the
33 administration of a nonprofit cemetery corporation by
34 persons who own the right to bury a deceased person
35 within the cemetery.

36
37 Laid over until January 31, retaining place on Calendar.

38
39 **HB12-1010** by Representative(s) Baumgardner, Sonnenberg,
40 Swerdfeger, Vigil, Wilson; also Senator(s) Giron, Brophy,
41 Hodge, Roberts, Schwartz--Concerning the reissuance of
42 a lost share certificate of a mutual ditch company.

43
44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.

46
47 **HB12-1022** by Representative(s) Sonnenberg, Baumgardner,
48 Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz,
49 Brophy, Giron, Hodge, Roberts--Concerning the amount
50 of water that permitted mining operations that construct
51 impermeable areas that eliminate preexisting natural
52 evapotranspiration are required to replace.

53
54 Ordered engrossed and placed on the Calendar for Third Reading and
55 Final Passage.

1 **HB12-1001** by Representative(s) Murray and Gardner B., Labuda,
 2 Levy, Waller; also Senator(s) Johnston and Spence,
 3 Brophy, Carroll, Morse, Roberts, Schwartz--Concerning
 4 legislative review of rules of the state board of education
 5 to implement the statewide system to evaluate the
 6 effectiveness of licensed educators.
 7

8 Amendment No. 1, Legal Services Report, dated January 23, 2012, and
 9 placed in member's bill file; Report also printed in House Journal,
 10 January 24, page 76.
 11

12 As amended, ordered engrossed and placed on the Calendar for Third
 13 Reading and Final Passage.
 14

17 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

18
 19 Passed Second Reading: **HB12-1028, 1010, 1022, 1001 amended.**
 20

21 Laid over until date indicated retaining place on Calendar: **HB12-1068--**
 22 January 31, 2012.
 23

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

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

47
 48
 49
 50
 51 House in recess. House reconvened.
 52
 53
 54
 55

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

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

HB12-1013 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, after line 15, insert:

"(c) IF A SCHOOL DISTRICT BOARD OF EDUCATION ADOPTS PROCEDURES PURSUANT TO THIS SUBSECTION (2), THE SCHOOL DISTRICT SHALL NOTIFY A STUDENT'S PARENTS AS SOON AS POSSIBLE AFTER THE SCHOOL DISTRICT IDENTIFIES THE STUDENT AS BEING AT GREATER RISK OF DROPPING OUT OF SCHOOL. THE SCHOOL DISTRICT SHALL PROVIDE TO THE STUDENT'S PARENTS A DESCRIPTION OF THE INTERVENTIONS THAT THE SCHOOL DISTRICT INTENDS TO IMPLEMENT FOR THE STUDENT, IF ANY. THE PARENT MAY APPROVE OR REJECT THE DESCRIBED INTERVENTIONS. IF THE PARENT REJECTS THE INTERVENTIONS, THE SCHOOL DISTRICT SHALL NOT IMPLEMENT THE INTERVENTIONS. THE PARENT MAY TERMINATE THE INTERVENTIONS AT ANY TIME AFTER THE SCHOOL DISTRICT BEGINS PROVIDING THE INTERVENTIONS.

(d) A PARENT MAY CONTACT THE SCHOOL DISTRICT IN WHICH HIS OR HER STUDENT IS ENROLLED TO REQUEST INTERVENTIONS PURSUANT TO THIS SUBSECTION (2) IF THE PARENT DETERMINES THAT THE STUDENT IS AT GREATER RISK OF DROPPING OUT OF SCHOOL."

Page 4, after line 8, insert:

"(3) IF AN INSTITUTE CHARTER SCHOOL ADOPTS PROCEDURES PURSUANT TO THIS SECTION, THE INSTITUTE CHARTER SCHOOL SHALL NOTIFY A STUDENT'S PARENTS AS SOON AS POSSIBLE AFTER THE INSTITUTE CHARTER SCHOOL IDENTIFIES THE STUDENT AS BEING AT GREATER RISK OF DROPPING OUT OF SCHOOL. THE INSTITUTE CHARTER SCHOOL SHALL PROVIDE TO THE STUDENT'S PARENTS A DESCRIPTION OF THE INTERVENTIONS THAT THE INSTITUTE CHARTER SCHOOL INTENDS TO IMPLEMENT FOR THE STUDENT, IF ANY. THE PARENT MAY APPROVE OR REJECT THE DESCRIBED INTERVENTIONS. IF THE PARENT REJECTS THE INTERVENTIONS, THE INSTITUTE CHARTER SCHOOL SHALL NOT IMPLEMENT THE INTERVENTIONS. THE PARENT MAY TERMINATE THE INTERVENTIONS AT ANY TIME AFTER THE INSTITUTE CHARTER SCHOOL BEGINS PROVIDING THE INTERVENTIONS.

(4) A PARENT MAY CONTACT THE INSTITUTE CHARTER SCHOOL IN WHICH HIS OR HER STUDENT IS ENROLLED TO REQUEST INTERVENTIONS PURSUANT TO THIS SECTION IF THE PARENT DETERMINES THAT THE STUDENT IS AT GREATER RISK OF DROPPING OUT OF SCHOOL."

HB12-1061 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 7, strike "THE" and substitute "TO THE
2 EXTENT PRACTICABLE WITHIN AVAILABLE RESOURCES AND SUBJECT TO
3 THE AVAILABILITY OF DATA CURRENTLY COLLECTED BY AND ACCESSIBLE
4 TO STATE AGENCIES, THE".

5
6 Page 2, line 12, strike "FOR".

7
8 Page 2, line 13, strike "THE THREE-YEAR PERIOD FOLLOWING THE
9 REPORT".

10
11 Page 2, line 16, strike "AREA VOCATIONAL SCHOOLS, HIGH" and substitute
12 "AND AREA VOCATIONAL SCHOOLS".

13
14 Page 2, strike lines 17 through 19 and substitute "EXPECT TO ISSUE;
15

16 (b) TO THE EXTENT PROVIDED BY SOURCES EXTERNAL TO THE
17 DEPARTMENT, INDICATE THE STATE'S ANTICIPATED NUMBER OF DEGREES,
18 CERTIFICATES, AND OTHER CREDENTIALS THAT HIGH SCHOOL VOCATIONAL
19 PROGRAMS, APPRENTICESHIP PROGRAMS, AND OTHER PUBLIC OR PRIVATE
20 WORKFORCE TRAINING PROGRAMS EXPECT TO ISSUE.".

21
22 Reletter succeeding paragraphs accordingly.

23
24 Page 3, line 1, strike "AND LEVELS OF EXPERIENCE".

25
26 Page 3, line 4, strike "CAN" and substitute "MAY".

27
28 Page 3, strike line 5 and substitute "PROJECTED WORKFORCE NEEDS.".

29
30 Page 3, line 6, strike "BY DEVELOPING NEW PROGRAMS.".

31
32 Page 3, strikes lines 14 through 16 and substitute:
33

34 "(3) THE DEPARTMENT SHALL SEND THE REPORT TO EVERY PUBLIC
35 POSTSECONDARY GOVERNING BOARD IN THE STATE.".

36
37
38
39 **HB12-1081** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:
42

43 Amend printed bill, page 13, line 1, strike "7," and substitute "8,".
44

45
46
47
48 **LOCAL GOVERNMENT**

49 After consideration on the merits, the Committee recommends the
50 following:
51

52 **HB12-1082** be postponed indefinitely.
53

54
55 **HB12-1159** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **TRANSPORTATION**

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

4
5 **HB12-1016** be postponed indefinitely.

6
7
8 **HB12-1019** be amended as follows, and as so amended, be referred to
9 the Committee on Appropriations with favorable
10 recommendation:

11
12 Amend printed bill, page 5, after line 17 insert:

13
14 "SECTION 5. In Colorado Revised Statutes, 24-60-2502, **amend**
15 section 1 of article 12 as follows:

16
17 **24-60-2502. Execution of agreement.** The general assembly
18 hereby approves and the governor is authorized to enter into an agreement
19 on behalf of this state with any other state or states legally joining therein
20 in the form substantially as follows:

21
22 **ARTICLE 12**

23
24 **Funding**

25
26 SECTION 1. Funds for the administration of this agreement,
27 including participation in the cooperating committee and the actual
28 expenses of the designated representatives, SHALL BE PROVIDED FROM THE
29 FUNDS AVAILABLE TO THE COLORADO STATE PATROL FOR OPERATING
30 EXPENSES AND MOTOR CARRIER SAFETY AND ASSISTANCE PROGRAM
31 GRANTS AND shall be budgeted or expensed TO THE COLORADO STATE
32 PATROL IN FURTHERANCE OF THE ADMINISTRATION OF THIS AGREEMENT
33 as determined appropriate."

34
35 Renumber succeeding sections accordingly.

36
37
38
39 **PRINTING REPORT**

40
41 The Chief Clerk reports the following bills have been correctly printed:
42 **HB12-1178, 1179.**

43
44
45
46 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

47
48 The Speaker has signed: **SJR12-008**

49
50
51
52 **MESSAGE(S) FROM THE SENATE**

53
54 The Senate has adopted and transmits herewith: SJR12-003.

INTRODUCTION OF BILL
First Reading

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

HB12-1179 by Representative(s) Kerr J.--Concerning modifications to the composition of the board of trustees of the public employees' retirement association to ensure that the board has more diverse representation, and requiring a post-enactment review of the implementation of this act.

Committee on Finance

INTRODUCTION OF RESOLUTION

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

SJR12-002 by Senator(s) Roberts, Giron, Schwartz; also Representative(s) Wilson, Baumgardner, Sonnenberg, Swerdfeger, Vigil--Concerning the adverse effects that the diversion of revenues has had on water infrastructure in Colorado.

On motion of Representative Nikkel, the House adjourned until 9:00 a.m., January 27, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Seventeenth Legislative Day

Friday, January 27, 2012

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

2

3 Prayer by Captain Dell Harlow-Curtis, Warrior Transition Battalion
4 Chaplain, Fort Carson.

5

6 Pledge of Allegiance led by Anthony Martin, Community College of
7 Aurora.

8

9 The roll was called with the following result:

10

11 Present--61.

12 Excused--Representative(s) Becker, Beezley, Scott--3.

13 Vacancy--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative A. Williams, the reading of the journal of
19 January 26, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

24

COMMUNICATIONS

25

26

27

STATE OF COLORADO

28 **Department of**
29 **State**

30

31 **UNITED STATES OF AMERICA** } **SS. Certificate**
32 **STATE OF COLORADO**

33

34

35 I, Scott Gessler, Secretary of State of the State of Colorado, do hereby
36 certify that the attached is a true and exact copy of the Designation of
37 Nomination by Vacancy Committee as filed in this office on the twenty-
38 third day of January, 2012, by the Democratic 11th House District
39 Vacancy Committee, designating the appointment of Jonathan Singer to
40 fill the vacancy in the office of the Colorado State House of
41 Representatives, District 11, for the Sixty-eighth General Assembly of
42 the State of Colorado, caused by the resignation of the Honorable Deb
43 Gardner.

1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
2 the Great Seal of the State of Colorado, at the City and County of Denver
3 this twenty-sixth day of January, 2012.

4
5 (Signed)
6 Scott Gessler
7 Secretary of State

8
9
10
11 **STATE OF COLORADO**

12
13 **Department of**
14 **State**

15
16 **UNITED STATES OF AMERICA**) **SS. Certificate**
17 **STATE OF COLORADO**)

18
19 I, Scott Gessler, Secretary of State of the State of Colorado, do hereby
20 certify that the attached is a true and exact copy of the Acceptance of
21 Designation by Vacancy Committee as filed in this office on the twenty-
22 third day of January, 2012, by Jonathan Singer, accepting the
23 appointment of the Democratic 11th House District Vacancy Committee
24 to fill the vacancy in the office of Colorado State House of
25 Representatives, District 11, for the Sixty-eighth General Assembly of
26 the State of Colorado, caused by the resignation of the Honorable Deb
27 Gardner.

28
29 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
30 the Great Seal of the State of Colorado, at the City and County of Denver
31 this twenty-sixth day of January, 2012.

32
33 (Signed)
34 Scott Gessler
35 Secretary of State

36
37
38 The Speaker appointed Representatives Stephens, Waller, and Ferrandino
39 as members of the Credentials Committee

40
41
42 Representative Stephens called a meeting of the Credentials Committee.

43
44
45 House in recess. House reconvened.

46
47
48 On request of Representative Stephens, the following report was read:

49
50
51 **REPORT OF THE COMMITTEE ON CREDENTIALS**

52 January 27, 2012

53
54 The Committee on Credentials has made examination and finds that the
55 certificate of the Democratic Vacancy Committee for the Eleventh
56 Representative District, State of Colorado, naming Jonathan Singer

1 certified by the Secretary of State of the State of Colorado, is a true,
2 complete and authentic certificate. Jonathan Singer is entitled to
3 membership in this body pursuant to law in such case made and
4 provided.

5
6 (signed)
7 Amy Stephens
8 Mark Waller
9 Mark Ferrandino

10

11

12 On motion of Representative Stephens, the report from the Committee on
13 Credentials was **adopted** by **viva voce** vote.

14

15

16 A committee of three, composed of Representatives Liston, Casso, and
17 Young was appointed by the Speaker to wait upon Justice Rice.

18

19

20 Chief Sergeant-at-Arms Wallin announced the arrival of the Honorable
21 Nancy Rice, Justice of the Supreme Court, State of Colorado.

22

23

24 The Committee escorted Justice Rice to the rostrum where she
25 administered the oath of office to Representative elect Jonathan Singer.

26

27

28 The Committee escorted Justice Rice from the chamber.

29

30 On January 27, 2012, at 9:15 a.m., Jonathan Singer, 2201 14th Avenue,
31 Longmont, 80501, was sworn in as Representative for District 11. Justice
32 Nancy Rice administered the oath of office in the Chamber of the House
33 of Representatives.

34

35

36 Speaker McNulty ordered Representative Singer's name added to the roll
37 call of the House

38

39 Present--Representative Jonathan Singer--1.

40

41

42

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

44

45 **JUDICIARY**

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

48

49 **SB12-014** be referred to the Committee of the Whole with favorable
50 recommendation.

51

52

53 On motion of Representative Stephens, **HB12-1054, SB12-014** were
54 made Special Orders on Friday, January 27, 2012, at 9:23 a.m.

55

56

The hour of 9:23 a.m., having arrived, on motion of Representative Baumgardner, the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

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

HB12-1054 by Representative(s) Fields, Summers; also Senator(s) Boyd--Concerning simplification of the procurement process for providers who have previously been approved to participate in health care programs administered by the department of health care policy and financing.

Amendment No. 1, Health & Environment Report, dated January 24, 2012, and placed in member's bill file; Report also printed in House Journal, January 25, pages 84-85.

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

SB12-014 by Senator(s) Bacon and Roberts, Morse; also Representative(s) Levy and Gardner B.--Concerning the conformity of the schedule for disclosure of campaign finance information with the date of the primary election.

Ordered revised and placed on the Calendar for Third Reading and Final Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1054 amended, SB12-014.**

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

	YES	61	NO	0	EXCUSED	3	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y	
Becker	E	Holbert	Y	Miklosi	-	Summers	Y	
Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y	

1	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	Y	Scott	E	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

ECONOMIC & BUSINESS DEVELOPMENT

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

HB12-1002 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, strike lines 4 through 21, and substitute:

"REQUIREMENT. IF THE RULES GOVERNING THE AGENCY'S PERMIT PROCESS OR THE REQUIREMENTS TO QUALIFY FOR A PERMIT HAVE BEEN AMENDED, THE AGENCY SHALL PROCESS THE APPLICATION UNDER THE RULES IN EFFECT ON THE DATE OF THE APPLICATION, UNLESS THE AGENCY DETERMINES IN WRITING THAT:

"(I) (A) THE NEW RULES MATERIALLY AFFECT THE HEALTH AND SAFETY OF THE PUBLIC; AND

(B) USE OF THE EXISTING, UNREVISED RULES IS LIKELY TO RESULT IN AN UNSAFE SITUATION IF THE APPLICANT DOES NOT COMPLY WITH THE NEW RULES; OR

(II) NEW RULES OR NEW REQUIREMENTS ARE NECESSARY TO ENSURE THAT THE AGENCY AND THE PERMIT WILL BE IN COMPLIANCE WITH THE REQUIREMENTS OF FEDERAL LAW AND FEDERAL REGULATIONS.

(b) IF THE AGENCY DETERMINES THAT ONE OF THE EXCEPTIONS TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS SUBSECTION (2) WILL OCCUR IF THE APPLICANT DOES NOT COMPLY WITH THE NEW RULES OR NEW REQUIREMENTS, THE AGENCY SHALL:".

Page 3, line 26, strike "STATUTORY OR ADMINISTRATIVE" and substitute "RULES OR NEW".

Page 3, after line 26 insert:

"(3) IF AN AGENCY ADOPTS OR AMENDS RULES THAT GOVERN OR IMPACT THE APPLICATION PROCESS OR ANY PERMIT ELIGIBILITY

1 REQUIREMENTS AFTER A PERSON HAS APPLIED FOR A PERMIT OR RENEWAL
2 OF A PERMIT AND WHILE THE APPLICATION IS PENDING WITH THE AGENCY,
3 THE PERSON SHALL HAVE THE OPTION TO HAVE THE APPLICATION
4 PROCESSED UNDER THE RULES IN EXISTENCE AT THE TIME OF THE FILING
5 OF THE APPLICATION OR UNDER THE NEW RULES."

6
7
8
9 **HB12-1027** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12
13 Amend printed bill, page 2, line 24, strike "A" and insert "THE
14 DEPARTMENT OR A".

15
16 Page 4, strike lines 11 through 20 and substitute:

17
18 "SECTION 3. Safety clause. The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety."

21
22
23
24 **HB12-1093** be postponed indefinitely.

25
26
27
28
29 **STATE, VETERANS, & MILITARY AFFAIRS**

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

32
33 **HB12-1035** be amended as follows, and as so amended, be referred to
34 the Committee on Appropriations with favorable
35 recommendation:

36
37 Amend printed bill, page 2, after line 15 insert:

38
39 "SECTION 2. In Colorado Revised Statutes, 42-2-303, **repeal**
40 (4) (b) as follows:

41
42 **42-2-303. Contents of identification card.** (4) (b) ~~To be issued~~
43 ~~an identification card bearing a branch of service identifier, or to have~~
44 ~~such license renewed, the applicant shall pay a fee of fifteen dollars to~~
45 ~~the department, which shall be in addition to any other fee for an~~
46 ~~identification card. The department shall transfer the fee to the state~~
47 ~~treasurer, who shall credit the fee to the highway users tax fund."~~

48
49 Renumber succeeding section accordingly.

50
51
52
53 **HB12-1040** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

1 Amend printed bill, page 3, line 12, strike "recognized" and substitute
2 "periodically observed".
3

4 Page 3, line 24, strike "(3);" and substitute "(2);".
5

6 Page 4, strike lines 21 through 27.
7

8 Page 5, strike lines 1 through 10.
9

10 Page 5, line 11, strike "(3)" and substitute "(2)".
11

12 Page 1, line 101, strike "HOLIDAY," and substitute "HOLIDAY IN CERTAIN
13 YEARS,".
14

15
16
17 **HB12-1067** be postponed indefinitely.
18
19

20
21 **APPOINTMENT**
22

23 The Speaker announced the appointment of Representative Singer to
24 replace Representative Court on the Committee on Economic & Business
25 Development Committee.
26

27
28
29 **LAY OVER OF CALENDAR ITEM(S)**
30

31 On motion of Representative Stephens, the following item(s) on the
32 Calendar (was)were laid over until January 30, retaining place on
33 Calendar:
34

35 Consideration of Third Reading--**HB12-1028, 1010, 1022, 1001.**

36 Consideration of General Orders--**HB12-1055.**

37 Consideration of Resolution(s)--**SJR12-002.**
38
39

40
41 On motion of Representative Stephens, the House adjourned until
42 10:00 a.m., January 30, 2012.
43

44 Approved:
45 FRANK McNULTY,
46 Speaker

47 Attest:
48 MARILYN EDDINS,
49 Chief Clerk

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

Twentieth Legislative Day

Monday, January 30, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

4

5 Pledge of Allegiance led by Wyatt Lehmann, Gunnison High School.

6

7 The roll was called with the following result:

8

9 Present--65.

10

11 The Speaker declared a quorum present.

12

13

14 On motion of Representative Szabo, the reading of the journal of
 15 January 27, 2012, was declared dispensed with and approved as corrected
 16 by the Chief Clerk.

17

18

19

20 **THIRD READING OF BILL(S)--FINAL PASSAGE**

21

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

25

26 **HB12-1028** by Representative(s) Gerou; also Senator(s) Steadman--
 27 Concerning the continuation of energy-related assistance
 28 to low-income households from the operational account of
 29 the severance tax trust fund.

30

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

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

35

	YES	49	NO	16	EXCUSED	0	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	N	Solano	Y
38	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
42	Beezley	N	Hullingshorst	Y	Murray	N	Swalm	N
43	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y

1	Brown	N	Joshi	N	Pabon	Y	Szabo	N
2	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
3	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
4	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
5	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
6	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
7	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
8	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
9	Fields	Y	Liston	Y	Singer	Y	Young	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Fields,
 12 Fischer, Hamner, Hulinghorst, Jones, Kefalas, Kerr A., Labuda, Lee, Levy,
 13 Massey, McCann, Miklosi, Pabon, Pace, Peniston, Ryden, Schafer S., Singer,
 14 Solano, Todd, Tyler, Vigil, Williams A., Wilson, Young.

15
 16 **HB12-1010** by Representative(s) Baumgardner, Sonnenberg,
 17 Swerdfeger, Vigil, Wilson; also Senator(s) Giron, Brophy,
 18 Hodge, Roberts, Schwartz--Concerning the reissuance of
 19 a lost share certificate of a mutual ditch company.

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 bill
 24 was declared **passed**.

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

44 Co-sponsor(s) added: Representative(s) Barker, Becker, Brown, DelGrosso,
 45 Fischer, Gardner B., Hamner, Holbert, Jones, Kerr J., Massey, Nikkel, Pace,
 46 Ramirez, Scott, Young.

47
 48 **HB12-1022** by Representative(s) Sonnenberg, Baumgardner,
 49 Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz,
 50 Brophy, Giron, Hodge, Roberts--Concerning the amount
 51 of water that permitted mining operations that construct
 52 impermeable areas that eliminate preexisting natural
 53 evapotranspiration are required to replace.

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	Looper	Y	Solano	Y
6	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
7	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
8	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
9	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
10	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
11	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
12	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
13	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
14	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
15	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
16	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
17	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
18	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
19	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
20	Fields	Y	Liston	Y	Singer	Y	Young	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Becker, Beezley, Brown, Conti, Coram,
23 Fischer, Hamner, Holbert, Kerr J., Liston, Murray, Nikkel, Pace, Priola, Scott,
24 Summers, Vaad.

25
26 **HB12-1001** by Representative(s) Murray and Gardner B., Labuda,
27 Levy, Waller; also Senator(s) Johnston and Spence,
28 Brophy, Carroll, Morse, Roberts, Schwartz--Concerning
29 legislative review of rules of the state board of education
30 to implement the statewide system to evaluate the
31 effectiveness of licensed educators.

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

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

56 Co-sponsor(s) added: Representative(s) Baumgardner, Beezley, Conti,

1 DelGrosso, Fields, Gerou, Hamner, Holbert, Kerr A., Kerr J., Massey, McCann,
 2 Nikkel, Pabon, Pace, Priola, Ramirez, Stephens, Summers, Swerdfeger, Todd,
 3 Vaad, Vigil, Young, Speaker.

4
 5 **HB12-1054** by Representative(s) Fields, Summers; also Senator(s)
 6 Boyd--Concerning simplification of the procurement
 7 process for providers who have previously been approved
 8 to participate in health care programs administered by the
 9 department of health care policy and financing.

10
 11 The question being "Shall the bill pass?".

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

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

34 Co-sponsor(s) added: Representative(s) Brown, Fischer, Gerou, Hullinghorst,
 35 Joshi, Kefalas, Labuda, Lee, Levy, Massey, Pabon, Pace, Ryden, Schafer S.,
 36 Singer, Todd, Tyler, Vigil, Williams A., Wilson, Young.

37
 38 **SB12-014** by Senator(s) Bacon and Roberts, Morse; also
 39 Representative(s) Levy and Gardner B.--Concerning the
 40 conformity of the schedule for disclosure of campaign
 41 finance information with the date of the primary election.

42
 43 The question being "Shall the bill pass?".

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

	YES	64	NO	1	EXCUSED	0	ABSENT	0
49	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
50	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
51	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
52	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
54	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
55	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
56	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y

1	Casso	Y	Kagan	Y	Pace	N	Todd	Y
2	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
3	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
4	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
5	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
6	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
7	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
8	Fields	Y	Liston	Y	Singer	Y	Young	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Hamner, Labuda, Todd, Waller.

14 CONSIDERATION OF RESOLUTION(S)

16 **SJR12-002** by Senator(s) Roberts, Giron, Schwartz; also
 17 Representative(s) Wilson, Baumgardner, Sonnenberg,
 18 Swerdfeger, Vigil--Concerning the adverse effects that the
 19 diversion of revenues has had on water infrastructure in
 20 Colorado.

22 (Printed and placed in members' file)

24 On motion of Representative Wilson, the resolution was **adopted** by the
 25 following roll call vote:

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

45 Co-sponsor(s) added: Representative(s) Becker, Beezley, Bradford, Brown,
 46 Coram, Hamner, Holbert, Kerr J., Labuda, Liston, Looper, Massey, Nikkel,
 47 Pace, Peniston, Ramirez, Schafer S., Scott, Vaad, Young, Speaker.

51 MESSAGE(S) FROM THE SENATE

53 The Senate has adopted and transmits herewith: SJR12-005.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

SJR12-005 by Senator(s) Schwartz; also Representative(s) Todd--
Concerning the designation of January 30, 2012, as
"Colorado 4-H Day".

(Printed and placed in member's file).

On motion of Representative Todd, the resolution was read at length and
adopted by viva voce vote.

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

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB12-1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1007.

INTRODUCTION OF BILLS
First Reading

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

HB12-1180 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the department of agriculture.
Committee on Appropriations

HB12-1181 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the department of corrections.
Committee on Appropriations

- 1 **HB12-1182** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the department of education.
4 Committee on Appropriations
5
- 6 **HB12-1183** by Representative(s) Gerou, Becker, Levy; also Senator(s)
7 Hodge, Steadman, Lambert--Concerning a supplemental
8 appropriation to the offices of the governor, lieutenant
9 governor, and state planning and budgeting.
10 Committee on Appropriations
11
- 12 **HB12-1184** by Representative(s) Gerou, Becker, Levy; also Senator(s)
13 Hodge, Steadman, Lambert--Concerning a supplemental
14 appropriation to the department of health care policy and
15 financing.
16 Committee on Appropriations
17
- 18
19 **HB12-1185** by Representative(s) Gerou, Becker, Levy; also Senator(s)
20 Hodge, Steadman, Lambert--Concerning a supplemental
21 appropriation to the department of higher education.
22 Committee on Appropriations
23
- 24 **HB12-1186** by Representative(s) Gerou, Becker, Levy; also Senator(s)
25 Hodge, Steadman, Lambert--Concerning a supplemental
26 appropriation to the department of human services.
27 Committee on Appropriations
28
- 29 **HB12-1187** by Representative(s) Gerou, Becker, Levy; also Senator(s)
30 Hodge, Steadman, Lambert--Concerning a supplemental
31 appropriation to the judicial department.
32 Committee on Appropriations
33
- 34
35 **HB12-1188** by Representative(s) Gerou, Becker, Levy; also Senator(s)
36 Hodge, Steadman, Lambert--Concerning a supplemental
37 appropriation to the department of labor and employment.
38 Committee on Appropriations
39
- 40 **HB12-1189** by Representative(s) Gerou, Becker, Levy; also Senator(s)
41 Hodge, Steadman, Lambert--Concerning a supplemental
42 appropriation to the department of law.
43 Committee on Appropriations
44
- 45 **HB12-1190** by Representative(s) Gerou, Becker, Levy; also Senator(s)
46 Hodge, Steadman, Lambert--Concerning supplemental
47 appropriation to the department of local affairs.
48 Committee on Appropriations
49
- 50
51 **HB12-1191** by Representative(s) Gerou, Becker, Levy; also Senator(s)
52 Hodge, Steadman, Lambert--Concerning a supplemental
53 appropriation to the department of military and veterans
54 affairs.
55 Committee on Appropriations
56

- 1 **HB12-1192** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the department of natural resources.
4 Committee on Appropriations
5
- 6 **HB12-1193** by Representative(s) Gerou, Becker, Levy; also Senator(s)
7 Hodge, Steadman, Lambert--Concerning a supplemental
8 appropriation to the department of personnel and
9 administration.
10 Committee on Appropriations
11
- 12 **HB12-1194** by Representative(s) Gerou, Becker, Levy; also Senator(s)
13 Hodge, Steadman, Lambert--Concerning a supplemental
14 appropriation to the department of public health and
15 environment.
16 Committee on Appropriations
17
- 18 **HB12-1195** by Representative(s) Gerou, Becker, Levy; also Senator(s)
19 Hodge, Steadman, Lambert--Concerning a supplemental
20 appropriation to the department of public safety.
21 Committee on Appropriations
22
- 23 **HB12-1196** by Representative(s) Gerou, Becker, Levy; also Senator(s)
24 Hodge, Steadman, Lambert--Concerning a supplemental
25 appropriation to the department of regulatory agencies.
26 Committee on Appropriations
27
- 28 **HB12-1197** by Representative(s) Gerou, Becker, Levy; also Senator(s)
29 Hodge, Steadman, Lambert--Concerning a supplemental
30 appropriation to the department of revenue.
31 Committee on Appropriations
32
- 33 **HB12-1198** by Representative(s) Gerou, Becker, Levy; also Senator(s)
34 Hodge, Steadman, Lambert--Concerning a supplemental
35 appropriation to the department of state.
36 Committee on Appropriations
37
- 38 **HB12-1199** by Representative(s) Gerou, Becker, Levy; also Senator(s)
39 Hodge, Steadman, Lambert--Concerning a supplemental
40 appropriation to the department of the treasury.
41 Committee on Appropriations
42
- 43 **HB12-1200** by Representative(s) Gerou, Becker, Levy; also Senator(s)
44 Hodge, Steadman, Lambert--Concerning funding for
45 capital construction, and making supplemental
46 appropriations in connection therewith.
47 Committee on Appropriations
48
49
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APPOINTMENT

The Speaker announced the following temporary appointments:
Local Government--Representative Szabo, Chairman, Representative Balmer, Vice-Chairman.
Representative J. Kerr to replace Representative Bradford as a member.

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB12-014**.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1201 by Representative(s) Gerou, Becker, Levy; also Senator(s) Steadman, Hodge, Lambert--Concerning adjustments in the amount of total program funding for public schools for the 2011-12 budget year, and, in connection therewith, making and reducing appropriations.
Committee on Appropriations

HB12-1202 by Representative(s) Levy, Becker, Gerou; also Senator(s) Lambert, Hodge, Steadman--Concerning authorization for the appropriation of tobacco education program fund moneys to the department of health care policy and financing in order to obtain federal matching funds for the Colorado quitline program.
Committee on Appropriations

HB12-1203 by Representative(s) Gerou, Becker, Levy; also Senator(s) Steadman, Hodge, Lambert--Concerning the reenactment of the statutes that authorize grants from the primary care fund for comprehensive primary care services.
Committee on Appropriations

HB12-1204 by Representative(s) McCann, Kefalas, Young; also Senator(s) Boyd--Concerning the continuation of the regulation of hemodialysis technicians, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.
Committee on Health and Environment

HB12-1205 by Representative(s) Fields, Labuda, Soper; also Senator(s) Tochtrop--Concerning the regulation of persons who engage in business related to persons with hearing

- 1 impairments, and, in connection therewith, implementing
2 the department of regulatory agencies' sunset review
3 recommendations for audiologists and hearing aid
4 providers.
5 Committee on Local Government
6
7 **HB12-1206** by Representative(s) Acree, Baumgardner, Becker,
8 Ramirez, Scott, Solano; also Senator(s) Morse--
9 Concerning the implementation of sunset review of the
10 cold case task force.
11 Committee on Judiciary
12
13 **HB12-1207** by Representative(s) Labuda, Bradford, Fields, Gardner
14 B., Lee, Swerdfeger, Szabo; also Senator(s) Aguilar--
15 Concerning the repeal of the advisory committee on
16 covering all children in Colorado.
17 Committee on Local Government
18
19
20 **HB12-1208** by Representative(s) Lee--Concerning a method of
21 achieving the technical recodification of the Colorado
22 Revised Statutes over a period of time.
23 Committee on Judiciary
24
25 **HB12-1209** by Representative(s) Gardner B.; also Senator(s) Carroll--
26 Concerning the "Uniform Electronic Legal Material Act".
27 Committee on Judiciary
28
29
30 **HB12-1210** by Representative(s) Beezley, Holbert, Becker, Joshi,
31 Kagan, Liston, Miklosi, Szabo; also Senator(s) Jahn--
32 Concerning the recognition of professionals in good
33 standing from other states to practice in Colorado.
34 Committee on Economic and Business Development
35
36 **HB12-1211** by Representative(s) Jones; also Senator(s) Nicholson--
37 Concerning the requirement that a title insurance agent
38 doing business in this state maintain an office within this
39 state that is staffed by the designated responsible producer.
40 Committee on State, Veterans, & Military Affairs
41
42
43 **HB12-1212** by Representative(s) Becker, Gerou, Levy; also Senator(s)
44 Hodge, Steadman, Lambert--Concerning the designation
45 of an on-line education program as a multi-district
46 program if the program is authorized by a board of
47 cooperative services.
48 Committee on Education
49
50 **HB12-1213** by Representative(s) Fields; also Senator(s) King S.--
51 Concerning the penalty for a person who escapes from a
52 place of confinement other than a county jail or
53 correctional facility.
54 Committee on Judiciary
55

1 **HB12-1214** by Representative(s) Becker, Todd; also Senator(s)
2 Nicholson and Spence--Concerning community college
3 two-year degree programs in certain health care fields
4 without a student transfer agreement.
5 Committee on Education

6
7
8
9 **INTRODUCTION OF RESOLUTION**

10
11 The following resolution was read by title and referred to the committee
12 indicated:

13
14 **SJR12-003** by Senator(s) Schwartz, Brophy, Carroll, Giron,
15 Grantham, Guzman, Harvey, Jahn, Tochtrop; also
16 Representative(s) Sonnenberg, Vigil--Concerning approval
17 of water project revolving fund eligibility lists
18 administered by the Colorado water resources and power
19 development authority.
20 Committee on Agriculture, Livestock, & Natural Resources

21
22
23
24 **LAY OVER OF CALENDAR ITEM(S)**

25
26 On motion of Representative Balmer, the following item(s) on the
27 Calendar (was)were laid over until January 31, retaining place on
28 Calendar:

29
30 Consideration of General Orders--**HB12-1055, 1013, 1061, 1081, 1159.**

31
32
33
34 On motion of Representative Balmer, the House adjourned until
35 9:00 a.m., January 31, 2012.

36
37 Approved:
38 FRANK McNULTY,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

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

Twenty-first Legislative Day

Tuesday, January 31, 2012

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

2

3 Prayer by Father Gary Menard, Arrupe Jesuit High School.

4

5 Pledge of Allegiance led by Kayla and Brooke Hunsaker, Benning Lewis
6 Ranch Academy, Colorado Springs.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Gardner, Stephens--2.

12 Present after roll call--Representative(s) Gardner.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Szabo, the reading of the journal of
18 January 30, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22 House in recess. House reconvened.

23

24

25

26 On motion of Representative Balmer, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and he was
28 called to the Chair to act as Chairman.

29

30

31 **GENERAL ORDERS--SECOND READING OF BILLS**

32

33 The Committee of the Whole having risen, the Chairman reported the
34 titles of the following bills had been read (reading at length had been
35 dispensed with by unanimous consent), the bills considered and action
36 taken thereon as follows:

37

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

40

41 **HB12-1055** by Representative(s) Schafer S.; also Senator(s) White--
42 Concerning the division of registrations in the department
43 of regulatory agencies, and, in connection therewith,

renaming the division as the division of professions and occupations, authorizing the executive director of the department to adopt rules pertaining to the administrative duties of the division, and requiring periodic review of the functions of the division.

Amendment No. 1, Economic & Business Development Report, dated January 24, 2012, and placed in member's bill file; Report also printed in House Journal, January 25, page 84.

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

HB12-1013 by Representative(s) Fields and Holbert, Massey; also Senator(s) Hudak and King K., Bacon--Concerning intervention services for middle-grade students.

Amendment No. 1, Education Report, dated January 25, 2012, and placed in member's bill file; Report also printed in House Journal, January 26, page 90.

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

HB12-1061 by Representative(s) Kagan--Concerning requiring a report of the correlation between the educational credentials issued and the state's workforce needs.

Amendment No. 1, Education Report, dated January 25, 2012, and placed in member's bill file; Report also printed in House Journal, January 26, pages 90-91.

Amendment No. 2, by Representative(s) Todd.

Amend the Education Committee report, dated January 25, 2012, page 2, line 6, strike "STATE." and substitute "STATE AND SHALL WORK WITH THE DEPARTMENT OF EDUCATION TO PROVIDE THE REPORT TO THE STATE'S PUBLIC SCHOOL DISTRICTS, THE COLORADO CHARTER SCHOOL INSTITUTE, AND COLORADO PRIVATE ELEMENTARY, MIDDLE, AND HIGH SCHOOLS."

As amended, laid over until February 1, retaining place on Calendar.

HB12-1081 by Representative(s) Duran; also Senator(s) Steadman--Concerning the operations of the Auraria higher education center.

Amendment No. 1, Education Report, dated January 25, 2012, and placed in member's bill file; Report also printed in House Journal, January 26, page 91.

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

HB12-1159 by Representative(s) Brown, Barker, Baumgardner, Beezley, Conti, Court, Holbert, Murray, Ramirez, Vaad; also Senator(s) Nicholson, Cadman, Grantham, King K.,

1 Roberts--Concerning the election of a county
2 commissioner in a county with a population of less than
3 seventy thousand by the voters residing in the district from
4 which the commissioner runs for election.
5

6 Ordered engrossed and placed on the Calendar for Third Reading and
7 Final Passage.
8

9 **HB12-1068** by Representative(s) McKinley--Concerning the
10 administration of a nonprofit cemetery corporation by
11 persons who own the right to bury a deceased person
12 within the cemetery.
13

14 Laid over until February 1, retaining place on Calendar.
15

16 **HB12-1002** by Representative(s) Sonnenberg; also Senator(s) Jahn--
17 Concerning the rules of state agencies applicable to
18 applications for permits.
19

20 Laid over until February 1, retaining place on Calendar.
21

22 **HB12-1040** by Representative(s) Casso--Concerning recognition of
23 September 11 as a state holiday, and, in connection
24 therewith, designating September 11 as "Patriot Day".
25

26 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
27 January 27, 2012, and placed in member's bill file; Report also printed in
28 House Journal, January 27, pages 100-101.
29

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

33 **HB12-1027** by Representative(s) Bradford--Concerning the sale of
34 nonpotentially hazardous food produced in a home
35 kitchen for sale directly to consumers for consumption off
36 premises.
37

38 Amendment No. 1, Economic & Business Development Report, dated
39 January 26, 2012, and placed in member's bill file; Report also printed in
40 House Journal, January 27, page 100.
41

42 Amendment No. 2, by Representative(s) Bradford.
43

44 Amend the Economic and Business Development Committee Report,
45 dated January 26, 2012, page 1, line 1, after "line" insert "14, after
46 "PREMISES." insert ""HOME KITCHEN" MEANS THE PERSON'S OWN
47 KITCHEN, NOT A KITCHEN OWNED BY ANOTHER PERSON, BUSINESS, OR
48 ORGANIZATION."
49

50 Page 2 of the bill, line 21, before "FOR"insert "OWNED BY THE
51 PRODUCER".
52

53 Page 2 of the bill, line".
54

55 Page 1 of the committee report, before line 3 insert:
56

"Page 4 of the bill, strike lines 9 and 10 and substitute "MAINTAIN LIABILITY INSURANCE.".

Page 4 of the bill, after line 10 insert:

"(7) "NONPOTENTIALLY HAZARDOUS" HAS THE MEANING SET FORTH IN SECTION 25-4-1602 (12) AND DOES NOT INCLUDE LOW-ACID, ACIDIFIED FOODS, OR CANNED FOODS.

(8) A PERSON WHO SELLS FOOD PURSUANT TO THIS SECTION MUST HAVE A CERTIFICATE OF COMPLETION FROM A FOOD SAFETY TRAINING COURSE.

(9) A PERSON WHO SELLS FOOD PURSUANT TO THIS SECTION MUST KEEP RECORDS REGARDING RECIPES AND THE PROCUREMENT OF INGREDIENTS.".

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1055 amended, 1013 amended, 1081 amended, 1159, 1040 amended, 1027 amended.**

Laid over until date indicated retaining place on Calendar: **HB12-1061 amended, 1068, 1002--February 1, 2012.**

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

YES	64	NO	0	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	E
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB12-1037 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 3, line 16, after "COMPOUNDS" insert "AND SPRAY ADJUVANTS".

Page 3, strike lines 26 and 27.

Page 4, strike lines 1 through 5.

Reletter succeeding sub-subparagraph.

Page 4, after line 7 insert:

"(III) FOR PURPOSES OF THIS PARAGRAPH (c), "SPRAY ADJUVANTS" MEANS PRODUCTS THAT ARE USED TO INCREASE THE EFFECTIVENESS OF A PESTICIDE.".

Page 5, after line 17 insert:

"SECTION 3. Effective date. This act takes effect upon passage; except that section 2 of this act takes effect July 1, 2012.".

Renumber succeeding section accordingly.

HB12-1083 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 2, line 19, strike "July 1, 2012" and substitute "~~July 1, 2012~~ JUNE 30,".

Page 3, line 4, strike "July 1, 2012" and substitute "~~July 1, 2012~~ JUNE 30,".

Page 3, line 15, strike "July 1, 2012" and substitute "~~July 1, 2012~~ JUNE 30,".

HB12-1087 be postponed indefinitely.

1 **HB12-1105** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 4, line 18, strike "NEITHER A WIND ENERGY
6 RIGHT NOR A".
7

8 Page 4, strike line 19.
9

10 Page 4, line 20, strike "COLORADO OR ANY LOCAL GOVERNMENT."
11
12
13
14

15 **LOCAL GOVERNMENT**

16 After consideration on the merits, the Committee recommends the
17 following:
18

19 **HB12-1017** be referred to the Committee of the Whole with favorable
20 recommendation.
21
22

23
24 **PRINTING REPORT**
25

26 The Chief Clerk reports the following bills have been correctly printed:
27 **HB12-1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210,**
28 **1211, 1212, 1213, 1214.**
29
30

31 **MESSAGE(S) FROM THE SENATE**
32

33 The Senate has passed on Third Reading and transmits to the Revisor of
34 Statutes: **SB12-007, SB12-008, SB12-024, SB12-029, SB12-043, and**
35 **SB12-094.**
36
37

38 **MESSAGE(S) FROM THE REVISOR**
39

40 We herewith transmit:
41 Without comment, SB12-007, 008, 024, 029, 043, and 094.
42
43

44
45 **INTRODUCTION OF BILLS**
46 **First Reading**
47

48 The following bills were read by title and referred to the committees
49 indicated:
50

51 **HB12-1215** by Representative(s) Gerou, Becker, Levy; also Senator(s)
52 Hodge, Steadman, Lambert--Concerning changes to the
53 "Nonadmitted Insurance Act" to conform it to the
54 requirements of the federal "Nonadmitted and Reinsurance
55 Reform Act of 2010".
56 Committee on Finance

- 1 **HB12-1216** by Representative(s) Becker, Gerou, Levy; also Senator(s)
2 Lambert, Hodge, Steadman--Concerning the financing of
3 the division of motor vehicles in the department of
4 revenue.
5 Committee on Appropriations
6
7 **HB12-1217** by Representative(s) Tyler--Concerning the authority of an
8 organization that maintains a regularly established
9 inspection department to conduct inspections of its own
10 pressure-retaining items.
11 Committee on Economic and Business Development
12
13 **HB12-1218** by Representative(s) Peniston, Massey, Hamner, Solano;
14 also Senator(s) Hudak, King K., Hodge, Steadman,
15 Williams S.--Concerning extending the early childhood
16 and school readiness legislative commission.
17 Committee on Education
18 Committee on Appropriations
19
20 **HB12-1219** by Representative(s) Miklosi, Todd; also Senator(s)
21 Williams S.--Concerning funding for emerging medical
22 discoveries at the health sciences center, and, in
23 connection therewith, making an appropriation.
24 Committee on State, Veterans, & Military Affairs
25 Committee on Appropriations
26
27 **HB12-1220** by Representative(s) Becker; also Senator(s) Bacon--
28 Concerning changes to the governance structure of the
29 board of governors of the Colorado state university
30 system, and, in connection therewith, establishing the
31 governance structure for Colorado state university - global
32 campus.
33 Committee on Education
34
35
36

INTRODUCTION OF RESOLUTION

37
38
39 The following resolution was read by title and laid over one day under
40 the rules:
41

- 42 **HJR12-1009** by Representative(s) Massey; also Senator(s) Jahn--
43 Concerning the benefits of homeownership.
44
45
46

47 On motion of Representative Baumgardner, the House adjourned until
48 9:00 a.m., February 1, 2012.
49

50
51
52
53 Approved:
54 FRANK McNULTY,
55 Speaker

53 Attest:
54 MARILYN EDDINS,
55 Chief Clerk

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

Twenty-second Legislative Day

Wednesday, February 1, 2012

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

2

3 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
4 Church, Denver.

5

6 Pledge of Allegiance led by Genesis Najera, Jenny Vigil, Desirae Strain,
7 Mountain Valley High School, Saguache.

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 Szabo, the reading of the journal of
17 January 31, 2012, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22

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

24

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

28

29 **HB12-1055** by Representative(s) Schafer S.; also Senator(s) White--
30 Concerning the division of registrations in the department
31 of regulatory agencies, and, in connection therewith,
32 renaming the division as the division of professions and
33 occupations, authorizing the executive director of the
34 department to adopt rules pertaining to the administrative
35 duties of the division, and requiring periodic review of the
36 functions of the division.

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
41 bill was declared **passed**.

42

	YES	41	NO	23	EXCUSED	0	ABSENT	1
1	Acree	N	Fischer	Y	Looper	N	Solano	Y
2	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
3	Barker	N	Gerou	N	McCann	Y	Soper	Y
4	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
5	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
6	Beezley	N	Hullinghorst	-	Murray	Y	Swalm	Y
7	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
8	Brown	N	Joshi	N	Pabon	Y	Szabo	Y
9	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
10	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
11	Coram	N	Kerr A.	Y	Priola	Y	Vaad	N
12	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
13	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
14	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
15	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
16	Fields	Y	Liston	Y	Singer	Y	Young	Y
17							Speaker	N

18
19 Co-sponsor(s) added: Representative(s) Casso, Court, Fields, Fischer, Labuda,
20 Solano, Todd, Tyler, Vigil, Wilson, Young.

21
22 **HB12-1013** by Representative(s) Fields and Holbert, Massey; also
23 Senator(s) Hudak and King K., Bacon--Concerning
24 intervention services for middle-grade students.
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

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

48
49 Co-sponsor(s) added: Representative(s) Casso, Court, Fischer, Gerou, Hamner,
50 Kerr A., Labuda, Miklosi, Murray, Pace, Schafer S., Singer, Solano, Stephens,
51 Summers, Todd, Tyler, Vigil, Williams A., Young.
52

53 **HB12-1081** by Representative(s) Duran; also Senator(s) Steadman--
54 Concerning the operations of the Auraria higher education
55 center.
56

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

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

24 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Labuda,
 25 Schafer S., Solano, Todd, Tyler, Williams A., Young.

26
 27
 28
 29 **HB12-1159** by Representative(s) Brown, Barker, Baumgardner,
 30 Beezley, Conti, Court, Holbert, Murray, Ramirez, Vaad;
 31 also Senator(s) Nicholson, Cadman, Grantham, King K.,
 32 Roberts--Concerning the election of a county
 33 commissioner in a county with a population of less than
 34 seventy thousand by the voters residing in the district from
 35 which the commissioner runs for election.

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

1	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	N

4 Co-sponsor(s) added: Representative(s) Becker, Bradford, Casso, Coram,
5 Fields, Pace, Sonnenberg.

6
7 **HB12-1040** by Representative(s) Casso--Concerning recognition of
8 September 11 as a state holiday, in certain years, and in
9 connection therewith, designating September 11 as
10 "Patriot Day".

11
12 Laid over until February 2, retaining place on Calendar.

13
14 **HB12-1027** by Representative(s) Bradford also Senator(s) Spence--
15 Concerning the sale of nonpotentially hazardous food
16 produced in a home kitchen for sale directly to consumers
17 for consumption off premises.

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

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

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

42 Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
43 Beezley, Brown, Conti, Court, DelGrosso, Ferrandino, Fischer, Gardner B.,
44 Gerou, Hamner, Holbert, Hullinghorst, Jones, Kerr J., Labuda, Levy, Liston,
45 Massey, Murray, Pabon, Pace, Priola, Ramirez, Schafer S., Scott, Singer,
46 Summers, Szabo, Todd, Tyler, Waller, Williams A., Wilson.

47
48
49
50
51 On motion of Representative J. Kerr, the House resolved itself into
52 Committee of the Whole for consideration of General Orders, and he was
53 called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

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

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

HB12-1061 by Representative(s) Kagan--Concerning requiring a report of the correlation between the educational credentials issued and the state's workforce needs.

(Previously amended as printed in House Journal, January 31, page 116.)

As amended, laid over until February 2, retaining place on Calendar.

HB12-1068 by Representative(s) McKinley--Concerning the administration of a nonprofit cemetery corporation by persons who own the right to bury a deceased person within the cemetery.

Amendment No. 1, Local Government Report, dated January 18, 2012, and placed in member's bill file; Report also printed in House Journal, January 20, page 59.

Amendment No. 2, by Representative(s) McKinley.

Amend printed bill, page 3, line 1, strike "IF SUCCESSFUL, THE".

Page 3, strike lines 2 and 3.

As amended, laid over until February 2, retaining place on Calendar.

HB12-1002 by Representative(s) Sonnenberg; also Senator(s) Jahn--Concerning the rules of state agencies applicable to applications for permits.

Amendment No. 1, Economic & Business Development Report, dated January 26, 2012, and placed in member's bill file; Report also printed in House Journal, January 27, pages 99-100.

Amendment No. 2, by Representative(s) Sonnenberg.

Amend the Economic and Business Development Committee Report, dated, January 26, 2012, page 1, before line 1 insert:

"Amend printed bill, page 3, line 1, after "RULES" insert "AND ANY WRITTEN STATEMENTS OF AGENCY INTERPRETATION OF THE STATUTES".

Page 1 of the committee report, line 2, after "RULES" insert "OR ANY WRITTEN STATEMENTS OF AGENCY INTERPRETATION OF THE STATUTES".

Page 1 of the committee report, line 4, after "RULES" insert "AND ANY WRITTEN STATEMENTS OF AGENCY INTERPRETATION OF THE STATUTES".

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

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

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE**ECONOMIC & BUSINESS DEVELOPMENT**

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

HB12-1007 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, strike line 3 and substitute "(4.5) (a) introductory portion, (4.5) (a) (V), (4.5) (a) (VI), (4.5) (d), (4.5) (e), and (6) (a); **repeal** (4.5) (c); and **add**".

Page 2, line 4, after "(VII)," insert "(4.5) (a) (VIII),".

Page 2, line 6, strike "fifteen" and substitute "~~fifteen~~ THIRTY".

Page 2, line 7, after "issue" insert "AND MAKE AVAILABLE TO THE PUBLIC".

Page 2, line 8, strike "shall" and substitute "~~shall~~ MUST".

Page 2, line 13, strike "AND".

Page 3, line 2, strike "RULE." and substitute "RULE; AND".

Page 3, after line 2 insert:

"(VIII) THE NAME, PHONE NUMBER, E-MAIL ADDRESS, AND POSTAL MAILING ADDRESS OF A POINT OF CONTACT IN THE AGENCY TO AND FROM WHOM A MEMBER OF THE PUBLIC MAY DIRECT QUESTIONS OR COMMENTS AND RECEIVE COMMUNICATION CONCERNING THE REGULATORY ANALYSIS.

(c) ~~The regulatory analysis shall be available to the public at least five days prior to the rule-making hearing.~~

(d) If the agency has made a good faith effort to comply with the requirements of paragraphs (a) ~~to (c)~~ AND (b) of this subsection (4.5), the rule shall not be invalidated on the ground that the contents of the regulatory analysis are insufficient or inaccurate.

(e) Nothing in paragraphs (a) ~~to (c)~~ AND (b) of this subsection (4.5) shall limit an agency's discretionary authority to adopt or amend rules."

Page 3, line 3, after "(g)" insert "(I)".

Page 3, after line 8 insert:

"(II) THIS SUBSECTION (4.5) DOES NOT REQUIRE THE DIVISION OF PARKS AND WILDLIFE TO ISSUE A REGULATORY ANALYSIS FOR RULES REGULATING HUNTING AND FISHING LICENSES."

Page 3, after line 16 insert:

"(6) (a) AN AGENCY MAY ADOPT a temporary or emergency rule

1 ~~may be adopted~~ without compliance with the procedures prescribed in
 2 subsection (4) of this section and with less than the twenty days' notice
 3 prescribed in subsection (3) of this section, or where circumstances
 4 imperatively require, without notice, only if the agency finds that
 5 immediate adoption of the rule is imperatively necessary to comply with
 6 a state or federal law or federal regulation or for the preservation of
 7 public health, safety, or welfare and compliance with the requirements of
 8 this section would be contrary to the public interest and makes ~~such a~~
 9 ~~THIS finding on the record. Such findings and a statement of the reasons~~
 10 ~~for the action shall be published with the rule~~ THE AGENCY SHALL
 11 PUBLISH THESE FINDINGS AND A STATEMENT OF THE REASONS FOR THE
 12 ACTION WITH THE RULE. AN AGENCY MAY ADOPT a temporary or
 13 emergency rule ~~may be adopted~~ without compliance with subsection
 14 SUBSECTIONS (2.5) AND (4.5) of this section, but ~~shall not become~~ THE
 15 AGENCY SHALL NOT MAKE A TEMPORARY OR EMERGENCY RULE permanent
 16 without compliance with ~~such subsection~~ SUBSECTIONS (2.5) AND (4.5) OF
 17 THIS SECTION. A temporary or emergency rule ~~shall become~~ BECOMES
 18 effective on adoption or on ~~such later~~ A date as is stated in the rule, ~~shall~~
 19 MUST be published promptly, and ~~shall have effect~~ IS EFFECTIVE for not
 20 more than one hundred twenty days after its adoption or for ~~such~~ A shorter
 21 period as ~~may be specifically~~ provided by the statute governing ~~such~~ THE
 22 agency, unless made permanent by compliance with subsections (3) and
 23 (4) of this section."

24

25

26

27 **HB12-1044** be amended as follows, and as so amended, be referred to
 28 the Committee on Appropriations with favorable
 29 recommendation:

30

31 Amend printed bill, page 4, strike lines 20 and 21 and substitute "CREATE
 32 JOBS IN COLORADO."

33

34

35

36 **HB12-1059** be amended as follows, and as so amended, be referred to
 37 the Committee on Appropriations with favorable
 38 recommendation:

39

40 Amend printed bill, page 3, line 8, strike "TITLE, OTHER THAN ARTICLE 61
 41 OF THIS TITLE," and substitute "TITLE".

42

43 Page 3, after line 20 insert:

44

45 "(3) THIS SECTION DOES NOT APPLY TO AUTHORITY TO PRACTICE
 46 UNDER ARTICLE 25, 28, 36, OR 61 OF THIS TITLE."

47

48 Page 4, strike lines 9 through 19 and substitute:

49

50 **"12-71-104. Continuing education - regulated service members**
 51 **- rules.** (1) AN AGENCY MAY ACCEPT, FROM".

52

53 Page 4, line 26, strike "(b)" and substitute "(2)".

54

55 Page 5, strike line 1 and substitute "THIS SECTION".

56

1 Page 20, line 21, strike "including ~~but not limited to~~" and substitute
2 "including, but not limited to,".

3
4 Page 21, line 7, strike "including ~~but not limited to~~" and substitute
5 "including, but not limited to,".

6
7
8
9 **HB12-1127** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12
13 Amend printed bill, page 2, line 3, after "(a)" insert "and (4) (a)".

14
15 Page 6, before line 1 insert:

16
17 "(4) (a) THE DIVISION SHALL DETERMINE EMPLOYER PREMIUM
18 RATES FOR EMPLOYERS NEWLY SUBJECT TO ARTICLES 70 TO 82 OF THIS
19 TITLE EACH YEAR AS OF THE COMPUTATION DATE IN ACCORDANCE WITH
20 SUBSECTION (3) OF THIS SECTION. New employers pay the same premiums
21 as unrated employers as prescribed in subsection (3) of this section OR AT
22 THE COMPUTED RATE, WHICHEVER IS HIGHER, unless there have been
23 twelve consecutive calendar months immediately preceding the
24 computation date during which an employer's account has been
25 chargeable with benefit payments.".

26
27
28
29
30 **HEALTH & ENVIRONMENT**

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

33
34 **HB12-1041** be amended as follows, and as so amended, be referred to
35 the Committee on Finance with favorable
36 recommendation:

37
38 Amend printed bill, page 2, line 4, strike "**death.**" and substitute "**death -**
39 **repeal.**".

40
41 Page 2, line 17, after "(b)" insert "(I)".

42
43 Page 3, after line 2 insert:

44
45 "(II) NO LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF
46 THIS PARAGRAPH (b), THE DEPARTMENT SHALL REPORT TO THE HEALTH
47 AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR
48 ITS SUCCESSOR COMMITTEE, ON THE DEVELOPMENT AND IMPLEMENTATION
49 OF THE ELECTRONIC DEATH REGISTRATION SYSTEM. THE DEPARTMENT
50 SHALL INCLUDE IN THE REPORT INFORMATION REGARDING WHETHER THE
51 DEPARTMENT HAS MODIFIED STAFFING LEVELS AND FEES SINCE THE
52 IMPLEMENTATION OF THE SYSTEM. THIS SUBPARAGRAPH (II) IS REPEALED,
53 EFFECTIVE SEPTEMBER 1, 2014.".

54
55
56

1 **HB12-1058** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4

5
6 **PRINTING REPORT**
7

8 The Chief Clerk reports the following bills have been correctly printed:
9 **HB12-1215, 1216, 1217, 1218, 1219, 1220.**
10

11
12
13 **MESSAGE(S) FROM THE SENATE**
14

15 The Senate has adopted and returns herewith: HJR12-1003, HJR12-1005,
16 HJR12-1006, and HJR12-1008.
17

18
19
20 **LAY OVER OF CALENDAR ITEM(S)**
21

22 On motion of Representative Waller, the following item(s) on the
23 Calendar (was)were laid over until February 2, retaining place on
24 Calendar:
25

26 Consideration of Resolution(s)--**HJR12-1009.**
27

28
29
30 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
31 February 2, 2012.
32

33
34
35
36
37
38

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Twenty-third Legislative Day

Thursday, February 2, 2012

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

2

3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4

5 Pledge of Allegiance led by Tyler Steele, Home Schooled, Bayfield.

6

7 The roll was called with the following result:

8

9 Present--65.

10

11 The Speaker declared a quorum present.

12

13

14 On motion of Representative Szabo, the reading of the journal of
 15 February 1, 2012, was declared dispensed with and approved as corrected
 16 by the Chief Clerk.

17

18

19 **THIRD READING OF BILL(S)--FINAL PASSAGE**

20

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

24

25 **HB12-1040** by Representative(s) Casso--Concerning recognition of
 26 September 11 as a state holiday, in certain years, and in
 27 connection therewith, designating September 11 as
 28 "Patriot Day".

29

30 As amended, laid over until February 6, retaining place on Calendar.

31

32 **HB12-1002** by Representative(s) Sonnenberg; also Senator(s) Jahn--
 33 Concerning the rules of state agencies applicable to
 34 applications for permits.

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	48	NO	17	EXCUSED	0	ABSENT	0
42	Acree	Y	Fischer	N	Looper	Y	Solano	N
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	Y	Gerou	Y	McCann	N	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
5	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
6	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
7	Casso	N	Kagan	Y	Pace	Y	Todd	Y
8	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
9	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
10	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
11	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
12	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
13	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
14	Fields	N	Liston	Y	Singer	N	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Baumgardner, Becker, Beezley, Brown,
 17 Coram, DelGrosso, Gerou, Holbert, Joshi, Liston, Pace, Priola, Ramirez, Scott,
 18 Swalm, Speaker.

23 CONSIDERATION OF RESOLUTION(S)

25 **HJR12-1009** by Representative(s) Massey; also Senator(s) Jahn--
 26 Concerning the benefits of homeownership.

28 (Printed and placed in members' file)

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

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

44 MESSAGE(S) FROM THE SENATE

46 The Senate has adopted and transmits herewith: SJR12-011, 012.

49 INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

51 On motion of Representative Stephens, the rules were suspended and the
 52 following resolutions were given immediate consideration.

54 **SJR12-012** by Senator(s) Nicholson; also Representative(s) DelGrosso
 55 and Lee--Concerning recognition of community behavioral
 56 health providers in Colorado.

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

2
3 On motion of Representative DelGrosso, the resolution was **adopted** by
4 **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, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
9 Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Levy,
10 Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon,
11 Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
12 Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd,
13 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

14
15 **SJR12-011** by Senator(s) Schwartz; also Representative(s)
16 Sonnenberg--Concerning the recognition of Colorado
17 Centennial Farms.

18
19 On motion of Representative Sonnenberg, the resolution was read at
20 length and **adopted** by the following roll call vote:

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

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

48
49
50
51 House in recess. House reconvened.
52
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56

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

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

HB12-1090 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 12, line 11, strike "(9.5) (b) (II),".

Page 12, line 12, strike "(10) (a) (IV), (10) (b) (I),".

Page 13, strike lines 20 through 25.

Page 14, strike lines 20 through 27.

Page 15, strike lines 1 through 20.

FINANCE

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

HB12-1011 be postponed indefinitely.

HB12-1018 be referred to the Committee of the Whole with favorable recommendation.

HB12-1031 be referred to the Committee of the Whole with favorable recommendation.

HB12-1037 be referred favorably to the Committee on Appropriations.

HB12-1077 be referred to the Committee of the Whole with favorable recommendation.

HB12-1096 be referred to the Committee of the Whole with favorable recommendation.

HB12-1104 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, line 5, strike "January 1, 2020," and substitute "~~January 1, 2020~~ JANUARY 1, 2017,".

1 Page 5, line 4, strike "January 1, 2021," and substitute "~~January 1, 2021~~
2 JANUARY 1, 2018,".

3
4
5
6 **HB12-1177** be amended as follows, and as so amended, be referred to
7 the Committee on Appropriations with favorable
8 recommendation:
9

10 Amend printed bill, page 2, line 12, strike "ON DECEMBER 31, 2011;" and
11 substitute "IN DECEMBER 2011;".

12
13 Page 2, line 18, strike "ON DECEMBER 31," and substitute "IN DECEMBER".

14
15 Page 3, line 13, after "PROGRAM." insert "FOR ELIGIBLE INDIVIDUALS, THE
16 GRANTS MAY BE MADE RETROACTIVE TO JANUARY 1, 2012.".

17
18
19
20
21 **JUDICIARY**

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

24
25 **HB12-1053** 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 4, line 7, strike "SENTENCE." and substitute
30 "SENTENCE PURSUANT TO RULE 35 (a) OR (b) OF THE COLORADO RULES OF
31 CRIMINAL PROCEDURE.".

32
33 Page 6, line 6, strike "ALLOW OTHER ARRANGEMENTS" and substitute
34 "ARRANGE AND PROVIDE THE MEANS".

35
36 Page 6, line 7, strike "OR" and substitute "AND".

37
38 Page 6, line 21, strike "OTHER ARRANGEMENTS," and substitute "THE
39 COURT TO ARRANGE FOR AND PROVIDE THE MEANS TO ADDRESS THE
40 COURT,".

41
42 Page 6, line 22, strike "TECHNOLOGY, TO" and substitute "TECHNOLOGY.".

43
44 Page 6, line 23, strike "ADDRESS THE COURT.".

45
46 Page 6, line 26, strike "DOES NOT APPLY" and substitute "APPLIES".

47
48 Page 7, line 1, strike "CORRECTIONS." and substitute "CORRECTIONS, BUT
49 IS LIMITED TO PARTICIPATION BY TELEPHONE.".

50
51 Page 7, line 24, after "RECORD," insert "OR THE DEFENSE ATTORNEY'S
52 AGENT,".

53
54 Page 7, strike lines 26 and 27.

55
56 Page 8, strike lines 1 through 8 and substitute:

1 "(x) THE RIGHT TO BE NOTIFIED OF HOW TO REQUEST PROTECTION
2 OF THEIR ADDRESS PURSUANT TO THE COLORADO RULES OF CRIMINAL
3 PROCEDURE."

4
5 Page 8, line 25, after "(11) (h)," insert "(11) (i),".

6
7 Page 10, line 7, strike "AND".

8
9 Page 10, line 12, strike "STATEMENT." and substitute "STATEMENT;".

10
11 Page 10, after line 12 insert:

12
13 "(i) THE AVAILABILITY OF THE DISTRICT ATTORNEY TO SEEK A
14 COURT ORDER TO PROTECT A VICTIM'S RESIDENTIAL ADDRESS."

15
16 Page 13, line 12, after "NOTICE" insert "FROM THE DISTRICT ATTORNEY'S
17 OFFICE".

18
19 Page 14, line 2, after the period add "THE VICTIM SHALL HAVE THE RIGHT
20 AND BE GIVEN THE OPTION TO INDICATE IN WRITING OR ELECTRONICALLY
21 HIS OR HER DESIRE TO NOT BE CONTACTED BY THE DISTRICT ATTORNEY OR
22 ANY JUDICIAL PERSONNEL AND OPT OUT OF THE VICTIM RIGHTS PROCESS."

23
24 Page 15, line 10, strike "OR ADDRESS".

25
26 Page 15, line 11, strike "OR ADDRESS".

27
28 Page 15, line 16, strike "THE DEFENDANT'S ATTORNEY SHALL NOT SHARE
29 A".

30
31 Page 15, strike lines 17 and 18.

32
33
34
35 **HB12-1073** be referred to the Committee of the Whole with favorable
36 recommendation.

37
38
39 **HB12-1100** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:

42
43 Amend printed bill, page 3, line 16, strike "UNDER CIRCUMSTANCES NOT"
44 and substitute "THROUGH METHODS OTHER THAN THE SCREENING OR
45 TESTING".

46
47
48
49
50 **STATE, VETERANS, & MILITARY AFFAIRS**

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

53
54 **HB12-1003** be postponed indefinitely.

55
56

TRANSPORTATION

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

HB12-1023 be referred favorably to the Committee on Appropriations.

HB12-1066 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 16, line 1, strike "and (52.7)".

Page 16, line 5, strike "OR A MINIATURE TRUCK".

Page 16, strike lines 10 through 14.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1009.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1221 by Representative(s) Liston, Kerr J., Balmer, Miklosi, Summers, Swalm, Williams A.; also Senator(s) Tochtrop, Boyd, Morse--Concerning billing for anatomic pathology services.

Committee on Economic and Business Development

SB12-043 by Senator(s) King K.; also Representative(s) Stephens--Concerning clarification of the ages of children who may attend a children's resident camp.

Committee on Education

SB12-094 by Senator(s) Hodge, Carroll, Aguilar, Boyd, Giron, Guzman, Harvey, Hudak, Jahn, Mitchell, Neville, Newell, Nicholson, Schwartz, Steadman, Tochtrop, White; also Representative(s) Szabo, Acree, Balmer, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, DelGrosso, Ferrandino, Gardner B., Holbert, Hulinghorst, Jones, Joshi, Kerr J., Liston, Looper, Murray, Nikkel, Pabon, Priola, Ramirez, Scott, Swalm, Swerdfeger, Todd, Tyler, Waller, Williams A.--Concerning clarification of the definition of food used in state sales tax laws to ensure that the treatment for sales tax purposes of a food product sold for domestic home consumption by a grocery store, supermarket, or convenience store does not change solely

1 because the store sells the food product or markets the
2 food product for sale as a convenience food.
3 Committee on Local Government

4
5
6
7 **APPOINTMENTS**
8

9 Pursuant to House rule 49, the Speaker announced the appointments of
10 Representatives Massey, Chairman, Levy, Vice-Chairman, DelGrosso,
11 Solano, and Sonnenberg, to the Committee on Ethics.

12
13
14
15 **LAY OVER OF CALENDAR ITEM(S)**
16

17 On motion of Representative Stephens, the following item(s) on the
18 Calendar (was)were laid over until February 6, retaining place on
19 Calendar:

20
21 Consideration of General Orders--**HB1061 amended, 1068 amended,**
22 **1105, 1017.**

23
24
25
26 On motion of Representative Stephens, the House adjourned until
27 10:00 a.m., February 6, 2012.

28
29 Approved:
30 FRANK McNULTY,
31 Speaker

32 Attest:
33 MARILYN EDDINS,
34 Chief Clerk

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

Twenty-seventh Legislative Day

Monday, February 6, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

4

5 Pledge of Allegiance led by Mary Askham, Mountain View High School,
6 Loveland.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Casso, Miklosi--2.

12 Absent--Representative(s) Labuda--1.

13 Present after roll call--Representative(s) Labuda.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Swerdfeger, the reading of the journal of
19 February 2, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

24

25

MESSAGE(S) FROM THE SENATE

26

27 The Senate has adopted and transmits herewith: SJR12- 009, 013.

28

29

30

31 **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

32

33 On motion of Representative Stephens, the rules were suspended and the
34 following resolutions were given immediate consideration.

35

36 **SJR12-013** by Senator(s) Steadman, Shaffer B., Bacon, Heath,
37 Hodge, Hudak, Johnston, King K., Renfroe, Spence; also
38 Representative(s) Massey--Concerning the designation of
39 February 6 through 10, 2012, as "National School
40 Counseling Week".

41

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

43

1 On motion of Representative Massey, the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
5 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Conti, Coram, Court,
6 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner,
7 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
8 Lee, Levy, Liston, Looper, McCann, McKinley, Murray, Nikkel, Pabon, Pace,
9 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
10 Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd,
11 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

12
13 **SJR12-009** by Senator(s) Heath; also Representative(s) Summers and
14 Miklosi--Concerning recognition of career and technical
15 education month.

16
17 (Printed and placed in member's file).

18
19 On motion of Representative Summers, the resolution was read at length
20 and **adopted** by **viva voce** vote.

21
22 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
23 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Conti, Coram, Court,
24 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner,
25 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
26 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Murray, Nikkel,
27 Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer,
28 Solano, Sonnenberg, Soper, Stephens, Swalm, Swerdfeger, Szabo, Todd, Tyler,
29 Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

30
31
32 House in recess. House reconvened.
33
34

35 36 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

37 **APPROPRIATIONS**

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

40
41
42 **HB12-1008** be referred to the Committee of the Whole with favorable
43 recommendation.

44
45
46 **HB12-1009** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49
50 Amend printed bill, page 2, line 10, strike "FOR" and substitute "EXCEPT
51 AS SET FORTH IN PARAGRAPH (d) OF THIS SUBSECTION (1), FOR".

52
53 Page 3, after line 9 insert:

54
55 "(d) A STATE INSTITUTION OF HIGHER EDUCATION IS NOT REQUIRED
56 TO INCLUDE THE INFORMATION REQUIRED BY SUBPARAGRAPHS (IV) AND

1 (V) OF PARAGRAPH (a) OR PARAGRAPH (b) OF THIS SUBSECTION (1) IN ITS
2 REPORT TO THE CONTROLLER."

3

4 Page 3, after line 24, insert:

5

6 "SECTION 3. No appropriation. The general assembly has
7 determined that this act can be implemented within existing
8 appropriations, and therefore no separate appropriation of state moneys
9 is necessary to carry out the purposes of this act."

10

11 Renumber succeeding section accordingly.

12

13

14

15 **HB12-1032** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18

19 Amend printed bill, page 5, after line 1 insert:

20

21 "SECTION 5. Appropriation. In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 wildland-urban interface training fund created in section 24-33.5-1212 (5)
24 (a), Colorado Revised Statutes, not otherwise appropriated, to the
25 department of public safety, for the fiscal year beginning July 1, 2012, the
26 sum of \$50,000, or so much thereof as may be necessary, for allocation
27 to the office of preparedness, security, and fire safety for personal
28 services and operating expenses.

29

30 Renumber succeeding sections accordingly.

31

32 Page 1, line 101, strike "PROGRAMS." and substitute "PROGRAMS, AND,
33 IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

34

35

36

37 **HB12-1034** be referred to the Committee of the Whole with favorable
38 recommendation.

39

40

41 **HB12-1177** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:

44

45 Amend printed bill, page 4 after line 6, insert:

46

47

48

49

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		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	"SECTION 2. Appropriation to the department of human services for the fiscal year beginning July 1, 2011. In Session Laws of Colorado 2011, section						
2	2 of chapter 335, (SB 11-209), amend Part VII (10) (C); and add Part VII (10) (C) footnote 28a, as follows:						
3	Section 2. Appropriation.						
4							
5	PART VII						
6	DEPARTMENT OF HUMAN SERVICES						
7	(10) ADULT ASSISTANCE PROGRAMS						
8	(C) Other Grant Programs						
9	Administration - Home Care Allowance						
10	SEP Contract	1,063,259	1,063,259				
11	Aid to the Needy Disabled Programs	17,428,495	11,421,471		6,007,024 ^a		
12	Burial Reimbursements	508,000	402,985		105,015(L) ^b		
13	Home Care Allowance	10,543,757	9,999,736		544,021(L) ^b		
14	HOME CARE ALLOWANCE GRANT	10,074,145	9,530,124				
15	PROGRAM ^{28a}	469,612	469,612				
16	Adult Foster Care	157,469	149,596		7,873(L) ^b		
17	SSI Stabilization Fund Programs	1,000,000			1,000,000 ^c		
18		30,700,980					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	° This amount shall be from the State Supplemental Security Income Stabilization Fund, created pursuant to Section 26-2-210, C.R.S. This amount is shown for						
2	informational purposes only, as the State Supplemental Security Income Stabilization Fund is continuously appropriated to the Department of Human Services for						
3	qualified expenditures.						
4	TOTALS PART VII						
5	(HUMAN SERVICES)	\$2,091,045,838	\$618,764,498		\$331,395,230 ^a	\$450,969,434	\$689,916,676

7 ^a Of this amount, \$117,836,940 contains an (L) notation.

8 **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

9 28a DEPARTMENT OF HUMAN SERVICES, ADULT ASSISTANCE PROGRAMS, OTHER GRANT PROGRAMS, HOME CARE ALLOWANCE; AND HOME CARE
10 ALLOWANCE GRANT PROGRAM -- PURSUANT TO SECTION 26-2-122.4 (3), C.R.S., ANY AMOUNT IN THE HOME CARE ALLOWANCE GRANT
11 PROGRAM LINE ITEM THAT IS NOT REQUIRED TO OPERATE THE GRANT PROGRAM MAY BE TRANSFERRED TO THE HOME CARE ALLOWANCE
12 PROGRAM LINE ITEM AND USED TO PROVIDE ADDITIONAL BENEFITS UNDER THAT PROGRAM.

14 **SECTION 3. Appropriation to the department of human services for the fiscal year beginning July 1, 2011.** In Session Laws of Colorado 2011, section 2
15 of chapter 335, (SB 11-209), **amend** Part VII (10) (C); and **add** Part VII (10) (C) footnote 28a, as Part VII (10) (C) is amended by HB 12-1186, as follows:

16 Section 2. **Appropriation.**

17 **PART VII**
18 **DEPARTMENT OF HUMAN SERVICES**

19 (10) ADULT ASSISTANCE PROGRAMS
20 (C) Other Grant Programs

21	Administration - Home Care Allowance			
22	SEP Contract	1,063,259	1,063,259	
23	Aid to the Needy Disabled Programs	17,428,495	11,421,471	6,007,024 ^a
24	Burial Reimbursements	508,000	402,985	105,015 (L) ^b

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Home Care Allowance ALLOWANCE ^{28a}	10,543,757		9,999,736		544,021	(L) ^b	
2	10,074,145		9,530,124				
3 HOME CARE ALLOWANCE GRANT							
4 PROGRAM ^{28a}	469,612		469,612				
5 Adult Foster Care	157,469		149,596		7,873	(L) ^b	
6 SSI Stabilization Fund Programs	<u>1,000,000</u>				1,000,000 ^c		
7	30,700,980						
8 ^a Of this amount, it is estimated that \$3,413,687(L) shall be from local funds, \$2,279,944 shall be from federal interim assistance reimbursement payments, and \$313,393 shall							
9 be from other refunds and state revenue intercepts.							
10 ^b These estimated amounts shall be from local funds.							
11 ^c This amount shall be from the State Supplemental Security Income Stabilization Fund, created pursuant to Section 26-2-210, C.R.S. This amount is shown for informational							
12 purposes only, as the State Supplemental Security Income Stabilization Fund is continuously appropriated to the Department of Human Services for qualified expenditures.							
13 TOTALS PART VII							
14 (HUMAN SERVICES)	<u>\$2,079,353,036</u>		<u>\$619,875,097</u>		<u>\$332,780,723^a</u>	<u>\$452,550,757</u>	<u>\$674,146,459</u>

15 ^a Of this amount, \$117,836,940 contains an (L) notation.

16
17 **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

18 28a DEPARTMENT OF HUMAN SERVICES, ADULT ASSISTANCE PROGRAMS, OTHER GRANT PROGRAMS, HOME CARE ALLOWANCE; AND HOME CARE
19 ALLOWANCE GRANT PROGRAM -- PURSUANT TO SECTION 26-2-122.4 (3), C.R.S, ANY AMOUNT IN THE HOME CARE ALLOWANCE GRANT
20 PROGRAM LINE ITEM THAT IS NOT REQUIRED TO OPERATE THE GRANT PROGRAM MAY BE TRANSFERRED TO THE HOME CARE ALLOWANCE
21 PROGRAM LINE ITEM AND USED TO PROVIDE ADDITIONAL BENEFITS UNDER THAT PROGRAM.

22

APPROPRIATION FROM							
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	
\$	\$	\$	\$	\$	\$	\$	

1 **SECTION 4. Effective date.** (1) Except as otherwise provided in this section, this act takes effect upon passage.
2 (2) Section 2 of this act takes effect only if House Bill 12-1186 does not becomes law.
3 (3) Section 3 of this act takes effect only if House Bill 12-1186 becomes law and takes effect either upon the effective date of this act or House Bill 12-1186,
4 whichever is later."
5 Renumber succeeding section accordingly.
6 Page 1, line 102, strike "INDIVIDUALS." and substitute "INDIVIDUALS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."
7

- 1 **HB12-1180** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **HB12-1181** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **HB12-1182** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
- 13 **HB12-1183** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
- 17 **HB12-1184** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20
- 21 Amend printed bill, page 13, line 8, in the TOTAL column strike
22 "3,517,360,117" and substitute "3,523,622,209", in the GENERAL
23 FUND column strike "986,596,227(M)" and substitute "985,981,237(M)",
24 in the CASH FUNDS column strike "510,742,466^b" and substitute
25 "513,383,953^b", and in the FEDERAL FUNDS column strike
26 "1,732,744,299" and substitute "1,736,979,894".
27
- 28 Page 14, line 3, strike "\$7,629,150" and substitute "~~\$7,629,150~~
29 \$10,270,637".
30
- 31 Page 15, line 12, in the ITEM & SUBTOTAL column strike
32 "309,825,106" and substitute "~~309,825,106~~", in the CASH FUNDS
33 column strike "154,912,553^a" and substitute "~~154,912,553^a~~", and in the
34 FEDERAL FUNDS column strike "154,912,553" and substitute
35 "~~154,912,553~~".
36
- 37 Page 15, after line 12 in the ITEM & SUBTOTAL column insert
38 "293,928,866", in the CASH FUNDS column insert "146,964,433^a", and
39 in the FEDERAL FUNDS column insert "146,964,433".
40
- 41 Adjust affected totals accordingly.
42
- 43 Page 17, line 4, strike "\$10,225,900" and substitute "~~\$10,225,900~~
44 \$2,277,780".
45
46
47
- 48 **HB12-1185** be referred to the Committee of the Whole with favorable
49 recommendation.
50
51
- 52 **HB12-1186** be referred to the Committee of the Whole with favorable
53 recommendation.
54
55
56

- 1 **HB12-1187** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **HB12-1188** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **HB12-1189** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
- 13 **HB12-1190** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
- 17 **HB12-1191** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20
- 21 **HB12-1192** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24
- 25 **HB12-1193** be referred to the Committee of the Whole with favorable
26 recommendation.
27
28
- 29 **HB12-1194** be referred to the Committee of the Whole with favorable
30 recommendation.
31
32
- 33 **HB12-1195** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36
- 37 **HB12-1196** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
- 41 **HB12-1197** be referred to the Committee of the Whole with favorable
42 recommendation.
43
44
- 45 **HB12-1198** be referred to the Committee of the Whole with favorable
46 recommendation.
47
48
- 49 **HB12-1199** be referred to the Committee of the Whole with favorable
50 recommendation.
51
52
- 53 **HB12-1200** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **HB12-1201** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB12-1202** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend print bill, page 11, after line 3, insert the following: "b THIS
10 AMOUNT SHALL BE TRANSFERRED FROM THE MEDICAL SERVICES
11 PREMIUMS LINE ITEM IN THE DEPARTMENT OF HEALTH CARE POLICY AND
12 FINANCING FOR THE COLORADO QUITLINE."
13

14 Page 11, line 9, in the GENERAL FUND EXEMPT column, strike
15 "\$466,100" and substitute "\$446,100".
16
17
18

19 **HB12-1203** be referred to the Committee of the Whole with favorable
20 recommendation.
21
22
23
24

25 **ECONOMIC & BUSINESS DEVELOPMENT**

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

29 **HB12-1052** be amended as follows, and as so amended, be referred to
30 the Committee on Finance with favorable
31 recommendation:
32
33

34 Amend printed bill, page 2, line 20, strike "REQUIRE" and substitute
35 "REQUEST".
36

37 Page 3, line 10, strike "DATE" and substitute "YEAR".
38
39
40

41 **HB12-1071** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:
44

45 Amend printed bill, strike everything below the enacting clause and
46 substitute:
47

48 "SECTION 1. In Colorado Revised Statutes, **add** part 15 to
49 article 4 of title 10 as follows:
50

51 PART 15

52
53 PORTABLE ELECTRONICS INSURANCE

54
55 **10-4-1501. Definitions.** AS USED IN THIS PART 15, UNLESS THE
56 CONTEXT OTHERWISE REQUIRES:

1 (1) "CUSTOMER" MEANS A PERSON WHO PURCHASES PORTABLE
2 ELECTRONICS OR SERVICES.

3
4 (2) "ENROLLED CUSTOMER" MEANS A CUSTOMER WHO ELECTS
5 COVERAGE UNDER A PORTABLE ELECTRONICS INSURANCE POLICY ISSUED
6 TO A VENDOR OF PORTABLE ELECTRONICS.

7
8 (3) "INSURER" MEANS ANY ADMITTED COMPANY OR AUTHORIZED
9 COMPANY, AS DEFINED IN SECTION 10-1-102 (3), APPROVED TO TRANSACT
10 INSURANCE IN THIS STATE.

11
12 (4) "LOCATION" MEANS ANY PHYSICAL LOCATION IN THIS STATE OR
13 ANY WEB SITE, CALL CENTER SITE, OR SIMILAR LOCATION DIRECTED TO
14 RESIDENTS OF THIS STATE.

15
16 (5) "PORTABLE ELECTRONICS" MEANS PERSONAL,
17 SELF-CONTAINED, EASILY CARRIED BY AN INDIVIDUAL,
18 BATTERY-OPERATED ELECTRONIC COMMUNICATION, VIEWING, LISTENING,
19 RECORDING, GAMING, COMPUTING, OR GLOBAL POSITIONING DEVICES,
20 INCLUDING CELL OR SATELLITE PHONES, PAGERS, PERSONAL GLOBAL
21 POSITIONING SATELLITE UNITS, PORTABLE COMPUTERS, PORTABLE AUDIO
22 LISTENING, WIRELESS DEVICES, VIDEO VIEWING OR RECORDING DEVICES,
23 DIGITAL CAMERAS, VIDEO CAMCORDERS, PORTABLE GAMING SYSTEMS,
24 DOCKING STATIONS, AUTOMATIC ANSWERING DEVICES, AND OTHER
25 SIMILAR DEVICES AND THEIR ACCESSORIES, AND SERVICE RELATED TO THE
26 USE OF SUCH DEVICES.

27
28 (6) (a) "PORTABLE ELECTRONICS INSURANCE" MEANS INSURANCE
29 THAT PROVIDES COVERAGE FOR THE REPAIR OR REPLACEMENT OF
30 PORTABLE ELECTRONICS THAT MAY PROVIDE COVERAGE FOR PORTABLE
31 ELECTRONICS AGAINST ANY ONE OR MORE OF THE FOLLOWING CAUSES OF
32 LOSS:

33
34 (I) LOSS;

35
36 (II) THEFT;

37
38 (III) INOPERABILITY DUE TO MECHANICAL FAILURE OR
39 MALFUNCTION;

40
41 (IV) DAMAGE; OR

42
43 (V) OTHER SIMILAR CAUSES OF LOSS.

44
45 (b) "PORTABLE ELECTRONICS INSURANCE" DOES NOT INCLUDE:

46
47 (I) A SERVICE CONTRACT OR EXTENDED WARRANTY THAT
48 PROVIDES COVERAGE LIMITED TO THE REPAIR, REPLACEMENT, OR
49 MAINTENANCE OF PROPERTY FOR THE OPERATIONAL OR STRUCTURAL
50 FAILURE OF PROPERTY DUE TO A DEFECT IN MATERIALS, WORKMANSHIP,
51 ACCIDENTAL DAMAGE FROM HANDLING, POWER SURGES, OR NORMAL
52 WEAR AND TEAR;

53
54 (II) A SERVICE CONTRACT THAT IS IN EFFECT AS OF THE EFFECTIVE
55 DATE OF THIS PART 15 THAT PROVIDES COVERAGE FOR THE LOSS OF
56 PORTABLE ELECTRONICS ASSOCIATED WITH AN ONGOING SERVICE

1 RELATIONSHIP BETWEEN A VENDOR AND A CONSUMER OR THAT IS
2 OTHERWISE REGULATED PURSUANT TO RULES PROMULGATED BY THE
3 COMMISSIONER;

4
5 (III) A POLICY OF INSURANCE COVERING A SELLER'S OR
6 MANUFACTURER'S OBLIGATIONS UNDER A WARRANTY; OR

7
8 (IV) A HOMEOWNER'S, RENTER'S, PRIVATE PASSENGER
9 AUTOMOBILE, COMMERCIAL MULTI-PERIL, OR SIMILAR POLICY.

10
11 (7) "PORTABLE ELECTRONICS TRANSACTION" MEANS:

12
13 (a) THE SALE OR LEASE OF PORTABLE ELECTRONICS BY A VENDOR
14 TO A CUSTOMER; OR

15
16 (b) THE SALE OF A SERVICE RELATED TO THE USE OF PORTABLE
17 ELECTRONICS BY A VENDOR TO A CUSTOMER.

18
19 (8) "SUPERVISING ENTITY" MEANS A BUSINESS ENTITY THAT IS A
20 LICENSED INSURER OR INSURANCE PRODUCER THAT IS AUTHORIZED BY AN
21 INSURER TO SUPERVISE THE ADMINISTRATION OF A PORTABLE
22 ELECTRONICS INSURANCE PROGRAM.

23
24 (9) "VENDOR" MEANS A PERSON IN THE BUSINESS OF ENGAGING IN
25 PORTABLE ELECTRONICS TRANSACTIONS DIRECTLY OR INDIRECTLY.

26
27 **10-4-1502. Licensure of vendors.** (1) A VENDOR SHALL HOLD A
28 LIMITED LINES PRODUCER LICENSE ISSUED BY THE DIVISION IN
29 ACCORDANCE WITH PART 4 OF ARTICLE 2 OF THIS TITLE IN ORDER TO SELL
30 OR OFFER COVERAGE UNDER A POLICY OF PORTABLE ELECTRONICS
31 INSURANCE.

32
33 (2) A LIMITED LINES PRODUCER LICENSE ISSUED FOR THE PURPOSES
34 OF THIS PART 15 AUTHORIZES AN EMPLOYEE OR AUTHORIZED
35 REPRESENTATIVE OF THE VENDOR TO SELL OR OFFER COVERAGE UNDER A
36 POLICY OF PORTABLE ELECTRONICS INSURANCE TO A CUSTOMER AT EACH
37 LOCATION AT WHICH THE VENDOR ENGAGES IN PORTABLE ELECTRONICS
38 TRANSACTIONS.

39
40 (3) THE SUPERVISING ENTITY SHALL MAINTAIN A REGISTRY OF
41 VENDOR LOCATIONS THAT ARE AUTHORIZED TO SELL OR SOLICIT PORTABLE
42 ELECTRONICS INSURANCE COVERAGE IN THIS STATE. UPON REQUEST BY
43 THE COMMISSIONER AND WITH TEN DAYS' NOTICE TO THE SUPERVISING
44 ENTITY, THE SUPERVISING ENTITY SHALL MAKE THE REGISTRY OPEN TO
45 INSPECTION AND EXAMINATION BY THE COMMISSIONER DURING REGULAR
46 BUSINESS HOURS OF THE SUPERVISING ENTITY.

47
48 (4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A LICENSE
49 ISSUED PURSUANT TO THIS PART 15 AUTHORIZES THE LICENSEE AND ITS
50 EMPLOYEES OR AUTHORIZED REPRESENTATIVES TO ENGAGE IN THOSE
51 ACTIVITIES THAT ARE PERMITTED IN THIS PART 15.

52
53 **10-4-1503. Requirements for sale of portable electronics**
54 **insurance.** (1) AT EVERY LOCATION WHERE PORTABLE ELECTRONICS
55 INSURANCE IS OFFERED TO CUSTOMERS, THE VENDOR SHALL MAKE
56 BROCHURES OR OTHER WRITTEN MATERIALS AVAILABLE TO A PROSPECTIVE

1 CUSTOMER THAT:

2
3 (a) DISCLOSE THAT PORTABLE ELECTRONICS INSURANCE MAY
4 PROVIDE A DUPLICATION OF COVERAGE ALREADY PROVIDED BY A
5 CUSTOMER'S HOMEOWNER'S INSURANCE POLICY, RENTER'S INSURANCE
6 POLICY, OR OTHER SOURCE OF COVERAGE;

7
8 (b) STATE THAT THE ENROLLMENT BY THE CUSTOMER IN A
9 PORTABLE ELECTRONICS INSURANCE PROGRAM IS NOT REQUIRED IN ORDER
10 TO PURCHASE OR LEASE PORTABLE ELECTRONICS OR SERVICES;

11
12 (c) SUMMARIZE THE MATERIAL TERMS OF THE INSURANCE
13 COVERAGE, INCLUDING:

14
15 (I) THE IDENTITY OF THE INSURER;

16
17 (II) THE IDENTITY OF THE SUPERVISING ENTITY;

18
19 (III) THE AMOUNT OF ANY APPLICABLE DEDUCTIBLE AND HOW IT
20 IS TO BE PAID;

21
22 (IV) BENEFITS OF THE COVERAGE; AND

23
24 (V) KEY TERMS AND CONDITIONS OF COVERAGE, SUCH AS
25 WHETHER PORTABLE ELECTRONICS MAY BE REPAIRED OR REPLACED WITH
26 SIMILAR MAKE AND MODEL RECONDITIONED OR NONORIGINAL
27 MANUFACTURER PARTS OR EQUIPMENT;

28
29 (d) SUMMARIZE THE PROCESS FOR FILING A CLAIM, INCLUDING A
30 DESCRIPTION OF HOW TO RETURN PORTABLE ELECTRONICS AND THE
31 MAXIMUM FEE APPLICABLE IF THE CUSTOMER FAILS TO COMPLY WITH ANY
32 EQUIPMENT RETURN REQUIREMENTS; AND

33
34 (e) STATE THAT AN ENROLLED CUSTOMER MAY CANCEL
35 ENROLLMENT FOR COVERAGE UNDER A PORTABLE ELECTRONICS
36 INSURANCE POLICY AT ANY TIME, AND THAT THE PERSON PAYING THE
37 PREMIUM WILL RECEIVE A REFUND OF ANY APPLICABLE UNEARNED
38 PREMIUM.

39
40 (2) AN INSURER MAY OFFER PORTABLE ELECTRONICS INSURANCE
41 ON A MONTH-TO-MONTH OR OTHER PERIODIC BASIS AS A GROUP OR
42 MASTER COMMERCIAL INLAND MARINE POLICY ISSUED TO A VENDOR OF
43 PORTABLE ELECTRONICS FOR ITS ENROLLED CUSTOMERS.

44
45 (3) A POLICY OF INSURANCE PROVIDES PRIMARY COVERAGE IN THE
46 EVENT OF A COVERED LOSS UNDER MORE THAN ONE POLICY.

47
48 (4) EACH INSURER SHALL ESTABLISH ELIGIBILITY AND
49 UNDERWRITING STANDARDS FOR CUSTOMERS ELECTING TO ENROLL IN
50 COVERAGE FOR EACH PORTABLE ELECTRONICS INSURANCE PROGRAM.

51
52 **10-4-1504. Authority of vendors of portable electronics.**

53 (1) THE EMPLOYEES AND AUTHORIZED REPRESENTATIVES OF VENDORS
54 MAY SELL OR OFFER PORTABLE ELECTRONICS INSURANCE TO CUSTOMERS
55 AND ARE NOT SUBJECT TO LICENSURE AS AN INSURANCE PRODUCER UNDER
56 THIS TITLE IF:

1 (a) THE VENDOR OBTAINS A LIMITED LINES PRODUCER LICENSE TO
2 AUTHORIZE ITS EMPLOYEES OR AUTHORIZED REPRESENTATIVES TO SELL OR
3 OFFER PORTABLE ELECTRONICS INSURANCE PURSUANT TO THIS SECTION;
4

5 (b) THE INSURER ISSUING THE PORTABLE ELECTRONICS INSURANCE
6 EITHER DIRECTLY SUPERVISES, AUTHORIZES, OR APPOINTS A SUPERVISING
7 ENTITY TO SUPERVISE THE ADMINISTRATION OF THE PROGRAM, INCLUDING
8 DEVELOPMENT OF A TRAINING PROGRAM FOR EMPLOYEES AND
9 AUTHORIZED REPRESENTATIVES OF THE VENDORS. THE SUPERVISING
10 ENTITY SHALL INCLUDE THE FOLLOWING IN THE TRAINING PROGRAM,
11 WHICH MUST INCLUDE EMPLOYEES AND AUTHORIZED REPRESENTATIVES
12 OF VENDORS WHO ARE DIRECTLY ENGAGED IN THE ACTIVITY OF SELLING
13 OR OFFERING PORTABLE ELECTRONICS INSURANCE:
14

15 (I) A SUPPLEMENTAL EDUCATION PROGRAM REGARDING THE
16 PORTABLE ELECTRONICS INSURANCE PRODUCT THAT IS CONDUCTED AND
17 OVERSEEN BY LICENSED EMPLOYEES OF THE SUPERVISING ENTITY IF THE
18 TRAINING PROGRAM IS PROVIDED IN ELECTRONIC FORMAT; AND
19

20 (II) INSTRUCTION TO EACH EMPLOYEE OR AUTHORIZED
21 REPRESENTATIVE ABOUT THE PORTABLE ELECTRONICS INSURANCE
22 OFFERED TO CUSTOMERS AND THE DISCLOSURES REQUIRED UNDER
23 SECTION 10-4-1503; AND
24

25 (c) THE EMPLOYEE OR AUTHORIZED REPRESENTATIVE OF A VENDOR
26 DOES NOT ADVERTISE, REPRESENT, OR OTHERWISE HOLD HIMSELF OR
27 HERSELF OUT AS A NONLIMITED LINES LICENSED INSURANCE PRODUCER.
28

29 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A VENDOR
30 SHALL NOT COMPENSATE EMPLOYEES OR AUTHORIZED REPRESENTATIVES
31 OF A VENDOR BASED PRIMARILY ON THE NUMBER OF CUSTOMERS
32 ENROLLED FOR PORTABLE ELECTRONICS INSURANCE COVERAGE, BUT THE
33 VENDOR MAY COMPENSATE EMPLOYEES OR AUTHORIZED
34 REPRESENTATIVES FOR ACTIVITIES UNDER THE LIMITED LINES LICENSE AS
35 LONG AS THE COMPENSATION IS INCIDENTAL TO THE EMPLOYEE'S OR
36 AUTHORIZED REPRESENTATIVE'S OVERALL COMPENSATION.
37

38 (3) A VENDOR MAY BILL AND COLLECT CHARGES FOR PORTABLE
39 ELECTRONICS INSURANCE COVERAGE. A VENDOR SHALL SEPARATELY
40 ITEMIZE ANY CHARGE TO THE ENROLLED CUSTOMER FOR COVERAGE THAT
41 IS NOT INCLUDED IN THE COST ASSOCIATED WITH THE PURCHASE OR LEASE
42 OF PORTABLE ELECTRONICS AND ANY RELATED SERVICES. IF THE
43 PORTABLE ELECTRONICS INSURANCE COVERAGE IS INCLUDED WITH THE
44 PURCHASE OR LEASE OF PORTABLE ELECTRONICS OR RELATED SERVICES,
45 THE VENDOR SHALL CLEARLY AND CONSPICUOUSLY DISCLOSE TO THE
46 ENROLLED CUSTOMER THAT THE PORTABLE ELECTRONICS INSURANCE
47 COVERAGE IS INCLUDED WITH THE PORTABLE ELECTRONICS OR RELATED
48 SERVICES. VENDORS BILLING AND COLLECTING THE CHARGES ARE NOT
49 REQUIRED TO MAINTAIN THE CHARGES IN A SEGREGATED ACCOUNT IF THE
50 VENDOR IS AUTHORIZED BY THE INSURER TO HOLD THE CHARGES IN AN
51 ALTERNATIVE MANNER AND REMITS THE CHARGES TO THE SUPERVISING
52 ENTITY WITHIN SIXTY DAYS AFTER RECEIPT. ALL CHARGES RECEIVED BY
53 A VENDOR FROM AN ENROLLED CUSTOMER FOR THE SALE OF PORTABLE
54 ELECTRONICS INSURANCE ARE HELD IN TRUST BY THE VENDOR IN A
55 FIDUCIARY CAPACITY FOR THE BENEFIT OF THE INSURER. VENDORS MAY
56 RECEIVE COMPENSATION FOR BILLING AND COLLECTION SERVICES.

1 **10-4-1505. Suspension or revocation of license.** (1) IF A
2 VENDOR OF PORTABLE ELECTRONICS OR ITS EMPLOYEE OR AUTHORIZED
3 REPRESENTATIVE VIOLATES THIS PART 15, THE COMMISSIONER MAY TAKE
4 DISCIPLINARY ACTION AGAINST THE VENDOR IN ACCORDANCE WITH PART
5 8 OF ARTICLE 2 OF THIS TITLE. A FINE IMPOSED AS DISCIPLINARY ACTION
6 SHALL NOT EXCEED FIVE THOUSAND DOLLARS IN THE AGGREGATE FOR
7 MULTIPLE VIOLATIONS ARISING FROM THE SAME OR SIMILAR CONDUCT.

8
9 (2) IN ADDITION TO OTHER PENALTIES AUTHORIZED BY PART 8 OF
10 ARTICLE 2 OF THIS TITLE, THE COMMISSIONER MAY:

11
12 (a) SUSPEND THE PRIVILEGE OF TRANSACTING PORTABLE
13 ELECTRONICS INSURANCE PURSUANT TO THIS PART 15 AT SPECIFIC
14 BUSINESS LOCATIONS WHERE VIOLATIONS HAVE OCCURRED; AND

15
16 (b) SUSPEND OR REVOKE THE ABILITY OF INDIVIDUAL EMPLOYEES
17 OR AUTHORIZED REPRESENTATIVES TO ACT UNDER THE LICENSE.

18
19 **10-4-1506. Termination of portable electronics insurance.**
20 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW:

21
22 (a) (I) EXCEPT AS SPECIFIED IN SUBPARAGRAPHS (II) AND (III) OF
23 THIS PARAGRAPH (a), AN INSURER MAY TERMINATE OR OTHERWISE
24 CHANGE THE TERMS AND CONDITIONS OF A POLICY OF PORTABLE
25 ELECTRONICS INSURANCE ONLY UPON PROVIDING THE VENDOR AND
26 ENROLLED CUSTOMERS WITH AT LEAST THIRTY DAYS' NOTICE;

27
28 (II) AN INSURER MAY TERMINATE AN ENROLLED CUSTOMER'S
29 ENROLLMENT UNDER A PORTABLE ELECTRONICS INSURANCE POLICY UPON
30 FIFTEEN DAYS' NOTICE FOR NONPAYMENT OF PREMIUM OR FOR DISCOVERY
31 OFFRAUD OR MATERIAL MISREPRESENTATION IN OBTAINING COVERAGE OR
32 IN THE PRESENTATION OF A CLAIM UNDER THE POLICY;

33
34 (III) AN INSURER MAY IMMEDIATELY TERMINATE AN ENROLLED
35 CUSTOMER'S ENROLLMENT UNDER A PORTABLE ELECTRONICS INSURANCE
36 POLICY;

37
38 (A) IF THE ENROLLED CUSTOMER CEASES TO HAVE AN ACTIVE
39 SERVICE WITH THE VENDOR OF PORTABLE ELECTRONICS; OR

40
41 (B) IF AN ENROLLED CUSTOMER EXHAUSTS THE AGGREGATE LIMIT
42 OF LIABILITY, IF ANY, UNDER THE TERMS OF THE PORTABLE ELECTRONICS
43 INSURANCE POLICY AND THE INSURER SENDS NOTICE OF TERMINATION TO
44 THE ENROLLED CUSTOMER WITHIN THIRTY CALENDAR DAYS AFTER
45 EXHAUSTION OF THE LIMIT. IF NOTICE IS NOT TIMELY SENT, ENROLLMENT
46 CONTINUES NOTWITHSTANDING THE AGGREGATE LIMIT OF LIABILITY UNTIL
47 THE INSURER SENDS NOTICE OF TERMINATION TO THE ENROLLED
48 CUSTOMER.

49
50 (b) IF THE INSURER CHANGES THE TERMS AND CONDITIONS, THEN
51 THE INSURER SHALL PROVIDE THE VENDOR WITH A REVISED POLICY OR
52 ENDORSEMENT AND SHALL PROVIDE EACH ENROLLED CUSTOMER WITH A
53 REVISED CERTIFICATE, ENDORSEMENT, UPDATED BROCHURE, OR OTHER
54 EVIDENCE INDICATING THAT A CHANGE IN THE TERMS AND CONDITIONS
55 HAS OCCURRED AND A SUMMARY OF THE MATERIAL CHANGES;

56

1 (c) WHEN A VENDOR TERMINATES A PORTABLE ELECTRONICS
2 INSURANCE POLICY, THE VENDOR SHALL MAIL OR DELIVER WRITTEN
3 NOTICE TO EACH ENROLLED CUSTOMER ADVISING THE ENROLLED
4 CUSTOMER OF THE TERMINATION OF THE POLICY AND THE EFFECTIVE DATE
5 OF TERMINATION. THE INSURER SHALL MAIL OR DELIVER WRITTEN NOTICE
6 TO THE ENROLLED CUSTOMER AT LEAST THIRTY DAYS BEFORE THE
7 TERMINATION.

8
9 (d) (I) WHENEVER NOTICE OR CORRESPONDENCE WITH RESPECT TO
10 A POLICY OF PORTABLE ELECTRONICS INSURANCE IS REQUIRED PURSUANT
11 TO THIS PART 15 OR IS OTHERWISE REQUIRED BY LAW, THE INSURER,
12 VENDOR, OR OTHER PERSON SHALL SEND IT IN WRITING WITHIN THE NOTICE
13 PERIOD, IF ANY, SPECIFIED WITHIN THE STATUTE OR RULE REQUIRING THE
14 NOTICE OR CORRESPONDENCE. NOTWITHSTANDING ANY OTHER PROVISION
15 OF LAW, AN INSURER, VENDOR, OR OTHER PERSON MAY SEND NOTICES AND
16 CORRESPONDENCE BY EITHER MAIL OR ELECTRONIC MEANS.

17
18 (II) IF THE NOTICE OR CORRESPONDENCE IS MAILED, THE INSURER
19 SHALL SEND IT TO THE VENDOR AT THE VENDOR'S MAILING ADDRESS
20 SPECIFIED FOR SUCH PURPOSE AND TO ITS AFFECTED ENROLLED
21 CUSTOMERS' LAST-KNOWN MAILING ADDRESSES ON FILE WITH THE
22 INSURER. THE INSURER OR VENDOR SHALL MAINTAIN PROOF OF MAILING
23 IN A FORM AUTHORIZED OR ACCEPTED BY THE UNITED STATES POSTAL
24 SERVICE OR OTHER COMMERCIAL MAIL DELIVERY SERVICE.

25
26 (III) IF THE NOTICE OR CORRESPONDENCE IS SENT BY ELECTRONIC
27 MEANS, THE INSURER SHALL SEND IT TO THE VENDOR AT THE VENDOR'S
28 ELECTRONIC MAIL ADDRESS SPECIFIED FOR SUCH PURPOSE AND TO ITS
29 AFFECTED ENROLLED CUSTOMERS' LAST-KNOWN ELECTRONIC MAIL
30 ADDRESS AS PROVIDED BY EACH ENROLLED CUSTOMER TO THE INSURER OR
31 VENDOR. THE INSURER OR VENDOR SHALL MAINTAIN PROOF THAT THE
32 NOTICE OR CORRESPONDENCE WAS SENT.

33
34 (IV) FOR PURPOSES OF THIS PARAGRAPH (d), AN ENROLLED
35 CUSTOMER'S PROVISION OF AN ELECTRONIC MAIL ADDRESS TO THE
36 INSURER OR VENDOR IS CONSENT TO RECEIVE NOTICES AND
37 CORRESPONDENCE BY ELECTRONIC MEANS.

38
39 (e) THE SUPERVISING ENTITY APPOINTED BY THE INSURER MAY
40 SEND NOTICE OR CORRESPONDENCE REQUIRED BY THIS SECTION OR
41 OTHERWISE REQUIRED BY LAW ON BEHALF OF AN INSURER OR VENDOR.

42
43 **10-4-1507. Application for license - fees.** (1) AN APPLICANT FOR
44 A LICENSE UNDER THIS PART 15 SHALL APPLY FOR A LICENSE IN
45 ACCORDANCE WITH SECTION 10-2-404; EXCEPT THAT, IN LIEU OF
46 PROVIDING INFORMATION FOR ALL OFFICERS, PARTNERS, AND DIRECTORS
47 AS REQUIRED BY SECTION 10-2-404 (2), THE REQUIRED INFORMATION TO
48 BE SUBMITTED FOR A LICENSE PURSUANT TO THIS PART 15 IS LIMITED TO
49 THE INFORMATION PERTAINING TO AN EMPLOYEE OR OFFICER OF THE
50 VENDOR THAT IS DESIGNATED BY THE APPLICANT AS THE PERSON
51 RESPONSIBLE FOR THE VENDOR'S COMPLIANCE WITH THIS PART 15. IF THE
52 VENDOR DERIVES MORE THAN FIFTY PERCENT OF ITS REVENUE FROM THE
53 SALE OF PORTABLE ELECTRONICS INSURANCE, THE VENDOR SHALL
54 PROVIDE THE LOCATION OF THE HOME OFFICE, NAME, RESIDENCE ADDRESS,
55 AND OTHER INFORMATION REQUIRED BY THE COMMISSIONER FOR ALL
56 OFFICERS, DIRECTORS, AND SHAREHOLDERS OF RECORD HAVING

1 BENEFICIAL OWNERSHIP OF TEN PERCENT OR MORE OF ANY CLASS OF
2 SECURITIES REGISTERED UNDER THE FEDERAL SECURITIES LAWS.

3
4 (2) FOR PURPOSES OF COMPLYING WITH SECTION 10-2-404 (2) (d),
5 THE LICENSED PRODUCER DESIGNATED BY AN APPLICANT IS NOT REQUIRED
6 TO BE AN OFFICER, PARTNER, EMPLOYEE, OR DIRECTOR OF THE APPLICANT.

7
8 (3) AN APPLICANT FOR A LICENSE PURSUANT TO THIS PART 15 IS
9 EXEMPT FROM THE REQUIREMENTS OF SECTIONS 10-2-404 (2) (f) AND
10 10-2-406.

11
12 (4) ANY VENDOR ENGAGING IN PORTABLE ELECTRONICS
13 INSURANCE TRANSACTIONS ON OR BEFORE THE EFFECTIVE DATE OF THIS
14 PART 15 SHALL APPLY FOR LICENSURE WITHIN NINETY DAYS AFTER THE
15 EFFECTIVE DATE OF THIS PART 15. ANY APPLICANT COMMENCING
16 OPERATIONS AFTER THE EFFECTIVE DATE OF THIS PART 15 SHALL OBTAIN
17 A LICENSE BEFORE OFFERING PORTABLE ELECTRONICS INSURANCE.

18
19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect January 1, 2013; except that, if a referendum petition is filed
21 pursuant to section 1 (3) of article V of the state constitution against this
22 act or an item, section, or part of this act within the ninety-day period
23 after final adjournment of the general assembly, then the act, item,
24 section, or part will not take effect unless approved by the people at the
25 general election to be held in November 2012 and, in such case, will take
26 effect on January 1, 2013, or on the date of the official declaration of the
27 vote thereon by the governor, whichever is later."

28
29
30
31
32 **FINANCE**

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

35
36 **HB12-1005** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend printed bill, page 3, line 11, after "(m)." add "NO SECURITY
41 ISSUED BY A CORPORATION OR BANK THAT IS NOT ORGANIZED AND
42 OPERATED WITHIN THE UNITED STATES MAY BE PURCHASED PURSUANT TO
43 THIS PARAGRAPH (m) UNLESS THE GOVERNING BODY OF THE PUBLIC
44 ENTITY AUTHORIZES INVESTMENT IN SUCH SECURITIES."

45
46
47
48
49 **HEALTH & ENVIRONMENT**

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

52
53 **HB12-1047** be referred to the Committee of the Whole with favorable
54 recommendation.

55
56

1 **HB12-1065** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend printed bill, page 3, line 8, strike "BOARD, ON A CASE-BY-CASE
6 BASIS, MAY" and substitute "BOARD SHALL".
7

8 Page 3, line 10, strike "PLAN," and substitute "PLAN IF THE ADVANCED
9 PRACTICE NURSE SATISFIES THE REQUIREMENTS OF THIS
10 SUB-SUBPARAGRAPH (B),".
11

12 Page 3, line 11, strike "JULY 1, 2012." and substitute "SEPTEMBER 30,
13 2012." and strike "JULY 1, 2012," and substitute "SEPTEMBER 30, 2012,".
14

15 Page 3, line 13, before "SIGNED" strike "THE" and substitute "A".
16

17 Page 3, line 14, strike "PLAN BY JULY 1, 2011, AS" and substitute "PLAN
18 BY, OR HAD AN EXISTING COLLABORATIVE AGREEMENT WITH A PHYSICIAN
19 ON, JULY 1, 2011, AND".
20

21 Page 3, strike line 15.
22

23 Page 3, strike lines 17 through 19.
24
25
26
27

28 **JUDICIARY**

29 After consideration on the merits, the Committee recommends the
30 following:
31

32 **HB12-1026** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35

36 Amend printed bill, page 2, line 14, after "OFFICER" insert "ONLY".
37

38 Page 2, line 25, strike "ATTORNEY." and substitute "ATTORNEY OR AN
39 ATTORNEY WHO CONTRACTS WITH A MUNICIPALITY, CITY, TOWN,
40 STATUTORY CITY OR TOWN, OR CITY AND COUNTY, LOCAL GOVERNMENT
41 TO SERVE AS A CITY ATTORNEY, TOWN ATTORNEY, SENIOR ASSISTANT CITY
42 ATTORNEY, ASSISTANT CITY ATTORNEY, CHIEF DEPUTY CITY ATTORNEY,
43 DEPUTY CITY ATTORNEY, SPECIAL DEPUTY CITY ATTORNEY, PROSECUTING
44 ATTORNEY, SENIOR PROSECUTING ATTORNEY, SENIOR PROSECUTOR, OR
45 SPECIAL PROSECUTOR ON A LESS THAN A FULL-TIME BASIS".
46
47
48

49 **HB12-1079** be referred favorably to the Committee on State, Veterans,
50 & Military Affairs.
51

52
53 **HB12-1088** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **HB12-1101** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 4, after "(1.5)" insert "and (1.7)".

6
7 Page 2, line 6, strike "she KNOWINGLY:" and substitute "she:".
8

9 Page 2, after line 6, insert:
10

11 "(a) KNOWINGLY:".
12

13 Page 2, line 7, strike "(a)" and substitute "~~(a)~~ (I)".
14

15 Page 2, strike line 11, and substitute "payment;".
16

17 Page 2, line 12, strike "(b)" and substitute "~~(b)~~ (II)".
18

19 Page 2, strike line 17, and substitute "financial payment;".
20

21 Page 2, line 18, strike "(c)" and substitute "~~(c)~~ (III)".
22

23 Page 2, line 21, strike "DEFRAUD, IF THE DEVICE OR INFORMATION IS
24 THAT" and substitute "DEFRAUD;".
25

26 Page 2, strike line 22.
27

28 Page 2, line 23, strike "(d)" and substitute "~~(d)~~ (IV)".
29

30 Page 3, strike line 1, and substitute "credit; OR".
31

32 Page 3, line 2, strike "(e)" and substitute "~~(e)~~ (V)".
33

34 Page 3, line 4, strike "document," and substitute "document;".
35

36 Page 3, strike line 5, and substitute "~~or~~ AND".
37

38 Page 3, after line 5, insert:
39

40 "(b) THE INFORMATION OR DEVICE IS THAT OF ANOTHER."
41

42 Page 3, strike lines 6 through 10 and substitute:
43

44 "(1.5) THE ELEMENT SET FORTH IN PARAGRAPH (b) OF SUBSECTION
45 (1) IS ONE OF STRICT LIABILITY.
46

47 (1.7) THIS SECTION SHALL NOT APPLY TO USE OR POSSESSION IN
48 COMPLIANCE WITH OR IN CONNECTION WITH A PURPOSE PERMITTED UNDER
49 THE FEDERAL "FAIR CREDIT REPORTING ACT", AS AMENDED, 15 U.S.C.
50 1681 ET SEQ.; THE FEDERAL "FAIR AND ACCURATE CREDIT TRANSACTIONS
51 ACT OF 2003", 15 U.S.C. 1601; THE FEDERAL "DRIVER'S PRIVACY
52 PROTECTION ACT OF 1994", 18 U.S.C. 2721, ET SEQ.; THE FEDERAL
53 "GRAMM-LEACH-BLILEY ACT", 15 U.S.C. 6801; OR THE FEDERAL
54 "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996",
55 42 U.S.C. 201."
56

1 Page 3, line 14, strike "10, 2011, if adjournment sine die is on May 11,
2 2011);" and substitute "8, 2012, if adjournment sine die is on May 9,
3 2012);".
4
5
6
7

8 **STATE, VETERANS, & MILITARY AFFAIRS**

9 After consideration on the merits, the Committee recommends the
10 following:
11

12 **HB12-1020** be postponed indefinitely.
13
14

15 **HB12-1024** be referred to the Committee of the Whole with favorable
16 recommendation.
17
18

19 **HB12-1070** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:
22

23 Amend printed bill, page 2, line 3, strike "(1) (b) (II) (E),".
24

25 Page 2, line 4, after "**repeal**" insert "(1) (b) (II) (E) and".
26

27 Page 2, strike lines 15 and 16 and substitute:
28

29 "AND COUNTY, SCHOOL DISTRICT, OR ANY ELECTIVE OFFICE WITHIN A
30 SPECIAL DISTRICT FOR WHICH THE ANNUAL COMPENSATION EXCEEDS
31 SIXTEEN HUNDRED DOLLARS."
32

33 Page 2, strike lines 18 and 19 and substitute:
34

35 "(E) ~~Any elective office within a special district for which the~~
36 ~~annual compensation is less than twelve hundred dollars.~~"
37

38 Page 5, strike lines 1 through 4 and substitute:
39

40 ~~"event; or a series of tickets to sporting events of a specific team~~
41 ~~scheduled during a season with a total value of one hundred dollars or~~
42 ~~more, or a series of tickets to cultural events of a specific performing~~
43 ~~company or organization with a total value of one hundred dollars or~~
44 ~~more;".~~
45

46 Page 5, line 14, after "GOVERNMENT" insert "IN THE CASE OF AN
47 INCUMBENT OR ELECTED CANDIDATE SUBJECT TO THE PROVISIONS OF SAID
48 ARTICLE".
49

50 Page 5, strike lines 16 through 19 and substitute:
51

52 "candidate's office or the governmental entity in which such office is
53 held;".
54

55 Page 7, line 22, after "GOVERNMENT" insert "IN THE CASE OF AN
56 INCUMBENT OR ELECTED CANDIDATE SUBJECT TO THE PROVISIONS OF SAID

1 ARTICLE".

2
3 Page 7, strike lines 24 through 27 and substitute:

4
5 "candidate's office or the governmental entity in which such office is
6 held;".

7
8 Page 13, line 3, strike "7," and substitute "8,".

9
10
11
12 **HB12-1089** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16
17
18 **TRANSPORTATION**

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

21
22 **HB12-1012** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:

25
26 Amend printed bill, page 2, line 11, strike "than ~~ten thousand~~ FIFTY
27 THOUSAND dollars." and substitute "than: ~~ten thousand dollars~~."

28
29 (I) FOR A DEPARTMENT OF TRANSPORTATION PROJECT OR A
30 PROJECT WITH DEPARTMENT OF TRANSPORTATION OVERSIGHT, THE LESSER
31 OF THE AMOUNT ELIGIBLE FOR FEDERAL FUNDING PARTICIPATION IN ANY
32 FEDERALLY FUNDED PROJECT OR FIFTY THOUSAND DOLLARS;

33
34 (II) FOR ANY OTHER PROJECT, TEN THOUSAND DOLLARS."

35
36 Page 1, line 105, strike "THE AGENCY." and substitute "A DEPARTMENT
37 OF TRANSPORTATION PROJECT OR A PROJECT WITH DEPARTMENT OF
38 TRANSPORTATION OVERSIGHT."

39
40
41
42 **HB12-1014** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:

45
46 Amend printed bill, page 2, line 3, strike "and (1.5) (b)".

47
48 Page 2, line 11, after "registered." add "IN BOTH ITS ANNUAL
49 PERFORMANCE REPORT PUBLISHED PURSUANT TO SECTION 2-7-205, C.R.S.,
50 AND ITS ANNUAL PRESENTATION TO HOUSE OF REPRESENTATIVES AND
51 SENATE COMMITTEES OF REFERENCE MADE PURSUANT TO SECTION
52 2-7-203, C.R.S., THE DEPARTMENT OF TRANSPORTATION SHALL IDENTIFY
53 ANY DEPARTMENT PROJECTS THAT HAVE BEEN DELAYED FOR A YEAR OR
54 MORE DUE TO A LACK OF FUNDING RESULTING FROM THE LATE FEE
55 REDUCTION ENACTED BY HOUSE BILL 12-1014, ENACTED IN 2012."

56

1 Page 2, strike lines 22 through 25.

2
3 Page 3, strike lines 1 through 12.

4
5
6
7 **PRINTING REPORT**

8
9 The Chief Clerk reports the following bill has been correctly printed:
10 **HB12-1221.**

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 **HB12-1222** by Representative(s) Becker, Gerou, Levy; also Senator(s)
21 Hodge, Steadman, Lambert--Concerning the recreation of
22 the department of transportation renovation fund to be
23 used for transportation-related purposes.
24 Committee on Transportation

25
26 **HB12-1223** by Representative(s) Levy, Becker, Gerou; also Senator(s)
27 Steadman, Hodge, Lambert--Concerning earned time for
28 inmates.
29 Committee on Judiciary

30
31 **HB12-1224** by Representative(s) Becker, Gerou, Levy; also Senator(s)
32 Lambert, Hodge, Steadman--Concerning the creation of a
33 consolidated communications system authority.
34 Committee on Transportation

35
36 **HB12-1225** by Representative(s) Ramirez; also Senator(s) Steadman--
37 Concerning designation as a model charter school
38 authorizer.
39 Committee on Education

40
41 **HB12-1226** by Representative(s) Barker; also Senator(s) Aguilar--
42 Concerning a surcharge on persons convicted of crimes
43 against at-risk persons.
44 Committee on Judiciary
45 Committee on Appropriations

46
47 **HB12-1227** by Representative(s) Young--Concerning postsecondary
48 certificate programs that combine basic education course
49 work with skills training.
50 Committee on State, Veterans, & Military Affairs

51
52 **HB12-1228** by Representative(s) DelGrosso, McCann; also Senator(s)
53 Steadman--Concerning criminal background checks for
54 neighborhood youth organizations seeking to obtain a
55 license.
56 Committee on Economic and Business Development

- 1 **HB12-1229** by Representative(s) Murray; also Senator(s) Scheffel--
2 Concerning publication requirements for a newspaper in
3 which a legal notice or advertisement is printed.
4 Committee on Local Government
5
- 6 **HB12-1230** by Representative(s) Young; also Senator(s) Aguilar--
7 Concerning studies of the redesign of long-term services
8 for persons with developmental disabilities.
9 Committee on State, Veterans, & Military Affairs
10 Committee on Appropriations
11
- 12 **HB12-1231** by Representative(s) Ryden, Gardner B., Kagan, Pabon,
13 Singer, Wilson; also Senator(s) Spence--Concerning the
14 authority of the department of revenue to allow licensed
15 private investigators access to certain motor vehicle
16 records for specified purposes.
17 Committee on Judiciary
18
- 19 **HB12-1232** by Representative(s) Gardner B.; also Senator(s)
20 Nicholson--Concerning a limitation on liability for the
21 treatment costs of specified health care conditions of a
22 person in custody.
23 Committee on Judiciary
24
- 25 **HB12-1233** by Representative(s) Labuda, Barker, Casso, Gardner B.,
26 Pabon; also Senator(s) Carroll--Concerning the ability of
27 a court to enter a decree of legal separation in certain
28 circumstances without the appearance of the parties.
29 Committee on Judiciary
30
- 31 **HB12-1234** by Representative(s) Tyler, Fischer, Hulinghorst, Solano--
32 Concerning a right to participate in proceedings before the
33 public utilities commission by customers of regulated
34 businesses.
35 Committee on State, Veterans, & Military Affairs
36
- 37 **HB12-1235** by Representative(s) Kerr A.; also Senator(s) Johnston--
38 Concerning a requirement that public school structures
39 satisfy minimum energy-efficient design standards.
40 Committee on State, Veterans, & Military Affairs
41
- 42 **HB12-1236** by Representative(s) Summers, Holbert; also Senator(s)
43 Jahn, Boyd--Concerning the regulation of charitable
44 solicitations.
45 Committee on Finance
46
- 47 **HB12-1237** by Representative(s) Williams A.--Concerning the records
48 kept by the unit owners' association of a common interest
49 community.
50 Committee on Local Government
51
- 52 **SB12-007** by Senator(s) Hudak and Spence, Williams S.; also
53 Representative(s) Hamner--Concerning the standardization
54 of the procedural requirements for the issuance of special
55 license plates.
56 Committee on Transportation

- 1 **SB12-008** by Senator(s) Brophy, Giron, Hodge, Roberts, Schwartz;
2 also Representative(s) Sonnenberg, Baumgardner,
3 Swerdfeger, Vigil, Wilson--Concerning postponement of
4 the repeal of requirements to replace well depletions to the
5 Denver basin aquifers.
6 Committee on Agriculture, Livestock, & Natural Resources
7
8 **SB12-024** by Senator(s) Harvey; also Representative(s) Holbert--
9 Concerning the obligations of a residential nonprofit
10 corporation to its residential members, and, in connection
11 therewith, clarifying open meeting provisions and limiting
12 the conditions under which the corporation must refund
13 moneys paid by a residential member.
14 Committee on Economic and Business Development
15
16 **SB12-029** by Senator(s) Morse, Brophy, Guzman, Roberts, Schwartz;
17 also Representative(s) Gardner B., Labuda, Levy, Murray,
18 Waller--Concerning the enactment of Colorado Revised
19 Statutes 2011 as the positive and statutory law of the state
20 of Colorado.
21 Committee on Judiciary
22
23
24

LAY OVER OF CALENDAR ITEM(S)

- 25
26
27 On motion of Representative Waller, the following item(s) on the
28 Calendar was (were) laid over until February 7, retaining place on
29 Calendar:
30
31 Consideration of Third Reading--**HB12-1040**.
32 Consideration of General Orders--**HB12-1061 amended, 1068 amended,**
33 **1105, 1017, 1127, 1058, 1090, 1018, 1031, 1077, 1096, 1104, 1053,**
34 **1073, 1100.**
35
36
37

- 38 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
39 February 7, 2012.
40

- 41
42
43
44 Attest:
45 MARILYN EDDINS,
46 Chief Clerk

Approved:
FRANK McNULTY,
Speaker

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

Twenty-eighth Legislative Day

Tuesday, February 7, 2012

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

2

3 Prayer by Father Timothy McMahon, Arrupe Jesuit High School.

4

5 Pledge of Allegiance led by Julian Bravo, Metro State College, Denver.

6

7 The roll was called with the following result:

8

9 Present--59.

10 Excused--Representative(s) DelGrosso, Holbert, Singer, Stephens,
11 Swalm, Wilson--6.

12 Present after roll call--Representative(s) DelGrosso, Holbert,
13 Singer, Stephens, Swalm, Wilson.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Swerdfeger, the reading of the journal of
19 February 6, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 On motion of Representative Waller, **HB12-1180, 1181, 1182, 1183,**
24 **1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194,**
25 **1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1068** were made
26 Special Orders on Tuesday, February 7, 2011, at 9:30 a.m.

27

28

29 The hour of 9:30 a.m., having arrived, on motion of Representative
30 Massey, the House resolved itself into Committee of the Whole for
31 consideration of Special Orders and he was called to the Chair to act as
32 Chairman.

33

34

SPECIAL ORDERS--SECOND READING OF BILLS

35

36
37 The Committee of the Whole having risen, the Chairman reported the
38 titles of the following bills had been read (reading at length had been
39 dispensed with by unanimous consent), the bills considered and action
40 taken thereon as follows:

41

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

1 **HB12-1180** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the department of agriculture.
4

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

8 **HB12-1181** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Hodge, Steadman, Lambert--Concerning a supplemental
10 appropriation to the department of corrections.
11

12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14

15 **HB12-1182** by Representative(s) Gerou, Becker, Levy; also Senator(s)
16 Hodge, Steadman, Lambert--Concerning a supplemental
17 appropriation to the department of education.
18

19 Ordered engrossed and placed on the Calendar for Third Reading and
20 Final Passage.
21

22 **HB12-1183** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning a supplemental
24 appropriation to the offices of the governor, lieutenant
25 governor, and state planning and budgeting.
26

27 Ordered engrossed and placed on the Calendar for Third Reading and
28 Final Passage.
29

30 **HB12-1184** by Representative(s) Gerou, Becker, Levy; also Senator(s)
31 Hodge, Steadman, Lambert--Concerning a supplemental
32 appropriation to the department of health care policy and
33 financing.
34

35 Amendment No. 1, Appropriations Report, dated February 6, 2012, and
36 placed in member's bill file; Report also printed in House Journal,
37 February 6, page 148.
38

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

42 **HB12-1185** by Representative(s) Gerou, Becker, Levy; also Senator(s)
43 Hodge, Steadman, Lambert--Concerning a supplemental
44 appropriation to the department of higher education.
45

46 Ordered engrossed and placed on the Calendar for Third Reading and
47 Final Passage.
48

49 **HB12-1186** by Representative(s) Gerou, Becker, Levy; also Senator(s)
50 Hodge, Steadman, Lambert--Concerning a supplemental
51 appropriation to the department of human services.
52

53 Ordered engrossed and placed on the Calendar for Third Reading and
54 Final Passage.
55
56

1 **HB12-1187** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the judicial department.
4

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

8 **HB12-1188** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Hodge, Steadman, Lambert--Concerning a supplemental
10 appropriation to the department of labor and employment.
11

12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14

15 **HB12-1189** by Representative(s) Gerou, Becker, Levy; also Senator(s)
16 Hodge, Steadman, Lambert--Concerning a supplemental
17 appropriation to the department of law.
18

19 Ordered engrossed and placed on the Calendar for Third Reading and
20 Final Passage.
21

22 **HB12-1190** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning supplemental
24 appropriation to the department of local affairs.
25

26 Ordered engrossed and placed on the Calendar for Third Reading and
27 Final Passage.
28

29 **HB12-1191** by Representative(s) Gerou, Becker, Levy; also Senator(s)
30 Hodge, Steadman, Lambert--Concerning a supplemental
31 appropriation to the department of military and veterans
32 affairs.
33

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

37 **HB12-1200** by Representative(s) Gerou, Becker, Levy; also Senator(s)
38 Hodge, Steadman, Lambert--Concerning funding for
39 capital construction, and making supplemental
40 appropriations in connection therewith.
41

42 Amendment No. 1, by Representative(s) Sonnenberg.
43

44 Amend printed bill, page 31, line 7, in the ITEM & SUBTOTAL column
45 strike "2,000,000" and substitute "2,000,000" and in the CAPITAL
46 CONSTRUCTION FUND column strike "2,000,000" and substitute
47 "2,000,000".
48

49 Page 31, after line 7, in the ITEM & SUBTOTAL column insert
50 "2,451,384" and in the CAPITAL CONSTRUCTION FUND column
51 insert "2,451,384".
52

53 Page 31, line 12, in the TOTAL column strike "3,018,104" and substitute
54 "3,018,104".
55

56 Page 31, after line 12, in the TOTAL column insert "3,469,488".

1 Page 32, line 9, in the TOTAL column strike "\$6,665,417" and substitute
2 "~~\$6,665,417~~" and in the CAPITAL CONSTRUCTION FUND column
3 strike "\$3,018,104" and substitute "~~\$3,018,104~~".
4

5 Page 32, after line 9, in the TOTAL column insert "\$7,116,801" and in
6 the CAPITAL CONSTRUCTION FUND column insert "\$3,469,488".
7

8 Adjust affected totals accordingly.
9

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

13 **HB12-1192** by Representative(s) Gerou, Becker, Levy; also Senator(s)
14 Hodge, Steadman, Lambert--Concerning a supplemental
15 appropriation to the department of natural resources.
16

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

20 **HB12-1193** by Representative(s) Gerou, Becker, Levy; also Senator(s)
21 Hodge, Steadman, Lambert--Concerning a supplemental
22 appropriation to the department of personnel and
23 administration.
24

25 Ordered engrossed and placed on the Calendar for Third Reading and
26 Final Passage.
27

28 **HB12-1194** by Representative(s) Gerou, Becker, Levy; also Senator(s)
29 Hodge, Steadman, Lambert--Concerning a supplemental
30 appropriation to the department of public health and
31 environment.
32

33 Ordered engrossed and placed on the Calendar for Third Reading and
34 Final Passage.
35

36
37
38 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
39

40 Representative Pace moved to amend the Report of the Committee of the
41 Whole to reverse the action taken by the Committee in adopting
42 Amendment No. 1 by Representative Sonnenberg (printed in House
43 Journal page 167, lines 42-56 and page 168, lines 1-8) to show that said
44 amendment lost, that the following Pace amendment to **HB12-1200** did
45 pass and that HB12-1200, as amended, did pass:
46

47 Amend printed bill, page 16, after line 6 insert:
48

49	TOTAL	CAPITAL
50		CONSTRUCTION
51		FUND
52	\$	\$

53
54 **"PART 0.5**
55 **DEPARTMENT OF AGRICULTURE**
56

1 **(1) CAPITAL CONSTRUCTION**

2 NAVAL AND MARINE

3 CORPS RESERVE

4 BUILDINGS ABATEMENT

5 AND DEMOLITION 451,384 451,384

6

7 **TOTALS PART 0.5**8 **(AGRICULTURE)** \$451,384 \$451,384".

9

10 Page 36, line 1, in the CAPITAL CONSTRUCTION FUND column
11 strike "\$48,891,749" and substitute "~~\$48,891,749~~".

12

13 Page 36, line 2, in the TOTAL column strike "\$188,760,046" and
14 substitute "\$189,211,430" and in the CAPITAL CONSTRUCTION
15 FUND column insert "\$49,343,133".

16

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

18

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

37

38

39

40

41 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

42

43 Passed Second Reading: **HB12-1180, 1181, 1182, 1183, 1184 amended,**
44 **1185, 1186, 1187, 1188, 1189, 1190, 1191, 1200 amended, 1192, 1193,**
45 **1194.**

46

47 Laid over until later in the day retaining place on Calendar: **HB12-1195,**
48 **1196, 1197, 1198, 1199, 1201, 1202, 1203, 1068 amended.**

49

50 The Chairman moved the adoption of the Committee of the Whole
51 Report. As shown by the following roll call vote, a majority of those
52 elected to the House voted in the affirmative, and the Report was
53 **adopted.**

54

55

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

On motion of Representative Massey, the House resolved itself into Committee of the Whole for continuation of consideration of Special Orders and he was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

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

HB12-1195 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the department of public safety.

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

HB12-1196 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the department of regulatory agencies.

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

HB12-1197 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the department of revenue.

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

1 **HB12-1198** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the department of state.
4

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

8 **HB12-1199** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Hodge, Steadman, Lambert--Concerning a supplemental
10 appropriation to the department of the treasury.
11

12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14

15 **HB12-1201** by Representative(s) Gerou, Becker, Levy; also Senator(s)
16 Steadman, Hodge, Lambert--Concerning adjustments in
17 the amount of total program funding for public schools for
18 the 2011-12 budget year, and, in connection therewith,
19 making and reducing appropriations.
20

21 Ordered engrossed and placed on the Calendar for Third Reading and
22 Final Passage.
23

24 **HB12-1202** by Representative(s) Levy, Becker, Gerou; also Senator(s)
25 Lambert, Hodge, Steadman--Concerning authorization for
26 the appropriation of tobacco education program fund
27 moneys to the department of health care policy and
28 financing in order to obtain federal matching funds for the
29 Colorado quitline program.
30

31 Amendment No. 1, Appropriations Report, dated February 6, 2012, and
32 placed in member's bill file; Report also printed in House Journal,
33 February 6, page 150.
34

35 As amended, ordered engrossed and placed on the Calendar for Third
36 Reading and Final Passage.
37

38 **HB12-1203** by Representative(s) Gerou, Becker, Levy; also Senator(s)
39 Steadman, Hodge, Lambert--Concerning the reenactment
40 of the statutes that authorize grants from the primary care
41 fund for comprehensive primary care services.
42

43 Ordered engrossed and placed on the Calendar for Third Reading and
44 Final Passage.
45

46 On motion of Representative Waller, the remainder of the Special Orders
47 Calendar (**HB12-1068 amended**) was laid over until February 8,
48 retaining place on Calendar.
49

50 _____

51
52 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
53

54 Passed Second Reading: **HB12-1195, 1196, 1197, 1198, 1199, 1201,**
55 **1202 amended, 1203.**
56

1 Laid over until date indicated retaining place on Calendar: **HB12-1068**
 2 **amended**--February 8, 2012.

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

	YES	62	NO	0	EXCUSED	3	ABSENT	0
10	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
11	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
12	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
13	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
14	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
15	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
16	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
17	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
18	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
19	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
20	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
21	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
22	DelGrosso	Y	Labuda	Y	Ryden	E	Waller	Y
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
24	Ferrandino	Y	Levy	Y	Scott	E	Wilson	Y
25	Fields	Y	Liston	Y	Singer	Y	Young	Y
26							Speaker	Y

27
 28
 29 House in recess. House reconvened.

30 31 32 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

33 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

36
 37
 38 **HB12-1060** be postponed indefinitely.

39
 40
 41 **HB12-1125** be referred favorably to the Committee on Appropriations.

42 .
 43
 44 **HB12-1147** be amended as follows, and as so amended, be referred to
 45 the Committee of the Whole with favorable
 46 recommendation:

47
 48 Amend printed bill, page 1, after line 1 insert:

49
 50 "SECTION 1. Legislative declaration. The general assembly
 51 hereby finds and declares that the designation of the western tiger
 52 salamander as state amphibian of the state of Colorado shall not stop,
 53 delay, otherwise impede a public or private construction project or
 54 agriculture activity from proceeding."

55
 56 Renumber succeeding sections according.

1 **HB12-1158** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **EDUCATION**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **HB12-1149** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:
14

15 Amend printed bill, page 3, line 2, strike "EFFECT." and substitute
16 "EFFECT, OR BY JANUARY 15 OF THE CALENDAR YEAR IN WHICH THE
17 DIRECTED ACTION WOULD TAKE EFFECT IF THE SCHOOL DISTRICT OR THE
18 INSTITUTE APPEALS THE DETERMINATION OF THE PLAN THE PUBLIC
19 SCHOOL IS REQUIRED TO ADOPT."
20

21
22
23 **HB12-1212** be referred to the Committee of the Whole with favorable
24 recommendation.
25
26
27

28
29 **LOCAL GOVERNMENT**

30 After consideration on the merits, the Committee recommends the
31 following:
32

33 **HB12-1173** be postponed indefinitely.
34
35

36 **HB12-1176** be postponed indefinitely.
37
38
39

40 **PRINTING REPORT**

41
42 The Chief Clerk reports the following bills have been correctly printed:
43 **HB12-1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231,**
44 **1232, 1233, 1234, 1235, 1236, 1237.**
45
46
47

48 **INTRODUCTION OF BILLS**
49 **First Reading**
50

51 The following bills were read by title and referred to the committees
52 indicated:
53

54 **HB12-1238** by Representative(s) Massey and Hamner, Fields, Pabon,
55 Priola, Casso, Gerou, Lee, Murray, Pace, Sonnenberg,
56 Swerdfeger; also Senator(s) Johnston and Spence, Bacon,

- 1 Giron, Jahn, Newell--Concerning literacy education for
2 students enrolled in kindergarten through third grade, and,
3 in connection therewith, creating the "Colorado Early
4 Literacy Act".
5 Committee on Education
6
- 7 **HB12-1239** by Representative(s) Vaad--Concerning the amount of
8 approval required for certain special district actions, and,
9 in connection therewith, allowing persons who own
10 property that is outside the boundaries of a special district
11 but within the existing or proposed service area of the
12 special district to vote in special district elections,
13 allowing a special district to expand its service area into a
14 new county only with the approval of the board of county
15 commissioners of the county, and increasing the
16 percentage of the taxpaying electors of a proposed
17 metropolitan district who must sign a petition for
18 organization of the district.
19 Committee on Local Government
20
- 21 **HB12-1240** by Representative(s) Kerr A.--Concerning statutory
22 changes to K-12 education.
23 Committee on Education
24 Committee on Finance
25 Committee on Appropriations
26
- 27 **HB12-1241** by Representative(s) Ferrandino, Hullinghorst, Court,
28 Fischer, Labuda, Levy, Pabon, Singer--Concerning
29 enterprise zone designations.
30 Committee on Finance
31
- 32 **HB12-1242** by Representative(s) Massey, Kefalas, Summers; also
33 Senator(s) Boyd--Concerning the creation of an electronic
34 biometric prescribing system using biometric identifiers to
35 transmit information pertaining to the distribution of
36 certain medications.
37 Committee on Health and Environment
38 Committee on Economic and Business Development
39
- 40 **HB12-1243** by Representative(s) Todd, Ferrandino, Lee--Concerning
41 the review of processes used to make appointments to state
42 boards and commissions.
43 Committee on State, Veterans, & Military Affairs
44
- 45 **HB12-1244** by Representative(s) Scott; also Senator(s) Foster--
46 Concerning an inventory of local governmental entities
47 created by the secretary of state, and, in connection
48 therewith, specifying the information that must be
49 included in the inventory.
50 Committee on Local Government
51
- 52 **HB12-1245** by Representative(s) Fields, Ferrandino--Concerning
53 options regarding health care coverage for government
54 employees.
55 Committee on State, Veterans, & Military Affairs
56

- 1 **HB12-1246** by Representative(s) Becker, Gerou, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a reversal of the
3 annual payday shift as it applies to state employees paid on
4 a biweekly basis, and making an appropriation in
5 connection therewith.
6 Committee on Finance
7
- 8 **HB12-1247** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Steadman, Hodge, Lambert--Concerning annual reductions
10 in the amount of tobacco litigation settlement moneys that
11 are allocated in the fiscal year in which the state receives
12 them, and, in connection therewith, offsetting the
13 reductions with tobacco litigation settlement cash fund
14 moneys made available by the repeal of the short-term
15 innovative health program grant fund.
16 Committee on Appropriations
17
- 18 **HB12-1248** by Representative(s) Gerou, Becker, Levy; also Senator(s)
19 Lambert, Hodge, Steadman--Concerning the receipt of
20 certain moneys by the department of law.
21 Committee on Appropriations
22
- 23 **HB12-1249** by Representative(s) Gerou, Becker, Levy; also Senator(s)
24 Steadman, Hodge, Lambert--Concerning the manner in
25 which tobacco litigation settlement moneys are allocated
26 to the state auditor's office for the costs of conducting
27 program reviews and evaluations of the performance of
28 tobacco settlement programs.
29 Committee on Appropriations
30
- 31 **HB12-1250** by Representative(s) Holbert; also Senator(s) Harvey--
32 Concerning the premium subsidy provided by public
33 employers to the health care benefits program
34 administered by the public employees' retirement
35 association.
36 Committee on Finance
37 Committee on Appropriations
38
- 39 **HB12-1251** by Representative(s) Hullinghorst, Ferrandino; also
40 Senator(s) Heath--Concerning reforms to the "Urban and
41 Rural Enterprise Zone Act".
42 Committee on Finance
43
- 44 **HB12-1252** by Representative(s) Nikkel; also Senator(s) Spence--
45 Concerning the creation of an on-line database for a state
46 institution of higher education's financial information.
47 Committee on Education
48
- 49 **HB12-1253** by Representative(s) Kefalas; also Senator(s) Johnston--
50 Concerning the real property expense assistance grants for
51 low-income seniors and disabled individuals, and, in
52 connection therewith, modifying grant amounts and
53 increasing maximum income limits for grant qualification.
54 Committee on Finance
55

- 1 **HB12-1254** by Representative(s) Swerdfeger; also Senator(s) Giron--
2 Concerning the reallocation of the conservation trust fund
3 to a metropolitan district that provides parks and recreation
4 services within the unincorporated area of a county only.
5 Committee on Local Government
6
- 7 **HB12-1255** by Representative(s) Baumgardner, Acree, Becker, Brown,
8 Conti, Ferrandino, Holbert, Joshi, Kerr J., Looper,
9 McNulty, Murray, Priola, Scott; also Senator(s) None,
10 Cadman, Grantham, Neville--Concerning ending the
11 continuous appropriation of state moneys.
12 Committee on Appropriations
13
14
- 15 **HB12-1256** by Representative(s) McCann, Pabon; also Senator(s)
16 Mitchell--Concerning a formula for spousal maintenance
17 awarded at permanent orders.
18 Committee on Judiciary
19
- 20 **HB12-1257** by Representative(s) Kefalas; also Senator(s) Boyd--
21 Concerning transparency in the delivery of health care
22 services.
23 Committee on State, Veterans, & Military Affairs
24
25
- 26 **HB12-1258** by Representative(s) DelGrosso; also Senator(s) Jahn--
27 Concerning regulation of public utilities in terms of
28 alternative fuel vehicles.
29 Committee on Transportation
30
- 31 **HB12-1259** by Representative(s) Miklosi--Concerning the right of a
32 person, including a veteran, to waive confidentiality
33 requirements protecting personal work information
34 obtained by the department of labor and employment for
35 unemployment benefit claims to permit the department to
36 forward certain information to potential employers.
37 Committee on State, Veterans, & Military Affairs
38
- 39 **HB12-1260** by Representative(s) Labuda, Court, Ferrandino, Soper,
40 Wilson--Concerning the cap on the amount of an income
41 tax credit that may be claimed in an income tax year for
42 qualified investments in an enterprise zone.
43 Committee on Finance
44
- 45 **HB12-1261** by Representative(s) Solano, Massey, Todd--Concerning
46 effective educators in low-performing, high-needs schools.
47 Committee on Education
48 Committee on Appropriations
49
50
- 51 **HB12-1262** by Representative(s) Gardner B.; also Senator(s) Roberts--
52 Concerning enactment of amendments to the secured
53 transactions provisions of the "Uniform Commercial
54 Code".
55 Committee on Judiciary
56

- 1 **HB12-1263** by Representative(s) Levy; also Senator(s) Steadman--
2 Concerning reducing barriers to employment for people
3 with criminal records.
4 Committee on State, Veterans, & Military Affairs
5
- 6 **HB12-1264** by Representative(s) Solano--Concerning measures to
7 facilitate the process of distributed generation
8 interconnection.
9 Committee on Agriculture, Livestock, & Natural Resources
10
- 11
- 12 **HB12-1265** by Representative(s) Pace, Ferrandino, Lee, Singer; also
13 Senator(s) Giron--Concerning a requirement that the state
14 treasurer invest a specified amount of state moneys in
15 domestic fixed income securities issued for the purpose of
16 raising capital for Colorado businesses so long as the state
17 treasurer can do so without violating the state treasurer's
18 existing duty to use prudence and care to preserve the
19 principal and to secure the maximum rate of interest
20 consistent with safety and liquidity when investing state
21 moneys.
22 Committee on Finance
23
- 24 **HB12-1266** by Representative(s) Sonnenberg, Gardner B.; also
25 Senator(s) Morse--Concerning the continuation of the
26 licensing of persons who furnish bail for compensation.
27 Committee on Judiciary
28
29
- 30 **HB12-1267** by Representative(s) Coram; also Senator(s) Grantham--
31 Concerning the simplification of certain preelection
32 procedures in order to reduce the cost of administering
33 elections.
34 Committee on State, Veterans, & Military Affairs
35
- 36 **HB12-1268** by Representative(s) Acree, Beezley, Joshi, Kerr J.,
37 McCann, Ramirez--Concerning a transfer of functions
38 pertaining to health facility compliance with certain
39 building safety standards from the department of public
40 health and environment to the division of fire safety in the
41 office of preparedness, security, and fire safety within the
42 department of public safety, and, in connection therewith,
43 renaming the public school construction and inspection
44 section in the division of fire safety.
45 Committee on Health and Environment
46
47
- 48 **HB12-1269** by Representative(s) Kerr J.--Concerning the threshold
49 amount of campaign activity by a candidate committee in
50 connection with a special district election that triggers
51 disclosure requirements under the "Fair Campaign
52 Practices Act".
53 Committee on State, Veterans, & Military Affairs
54
55

- 1 **HB12-1270** by Representative(s) Ryden, Jones, Liston, Miklosi, Tyler,
2 Wilson--Concerning an increase in the limit on the amount
3 of alcohol beverages a person licensed to sell alcohol
4 beverages for on-premises consumption may purchase
5 from a licensed alcohol beverage retailer.
6 Committee on Economic and Business Development
7
- 8 **HB12-1271** by Representative(s) Nikkel and McCann, Levy; also
9 Senator(s) Giron--Concerning charging of juveniles by
10 direct file of information or indictment in district court.
11 Committee on Judiciary
12
- 13 **HB12-1272** by Representative(s) Duran, Fields, Tyler, Casso,
14 Ferrandino, Hulinghorst, Miklosi, Singer, Solano, Soper,
15 Vigil--Concerning continuation of enhanced
16 unemployment insurance benefits for unemployed
17 individuals participating in approved training programs.
18 Committee on Economic and Business Development
19 Committee on Appropriations
20
- 21 **HB12-1273** by Representative(s) Pabon, Conti, McCann, Swerdfeger;
22 also Senator(s) Steadman--Concerning the inclusion of
23 approved facility schools affiliated with a hospital to the
24 definition of child care facility for purposes of the child
25 care contribution income tax credit.
26 Committee on Finance
27
- 28 **HB12-1274** by Representative(s) Swerdfeger; also Senator(s) Jahn--
29 Concerning the regulation of notaries public.
30 Committee on State, Veterans, & Military Affairs
31
- 32 **HB12-1275** by Representative(s) Pace; also Senator(s) White--
33 Concerning the encouragement of outdoor recreational
34 opportunities, and, in connection therewith, creating the
35 wildlife sporting license plate.
36 Committee on Transportation
37
- 38 **HB12-1276** by Representative(s) Duran, Summers, Fields, McCann,
39 Casso, Hulinghorst, Massey, Swerdfeger, Vigil--
40 Concerning child care licensure waivers for materials
41 related to a child care center's curriculum.
42 Committee on Health and Environment
43
- 44 **HB12-1277** by Representative(s) Jones, Fischer, Ryden, Singer,
45 Solano; also Senator(s) Bacon--Concerning strengthening
46 local governments' regulation of oil and gas operations,
47 and, in connection therewith, strengthening local
48 governments' zoning and land use authority over oil and
49 gas operations.
50 Committee on Local Government
51
- 52 **HB12-1278** by Representative(s) Fischer--Concerning groundwater in
53 the South Platte river basin.
54 Committee on Agriculture, Livestock, & Natural Resources
55

- 1 **HB12-1279** by Representative(s) Lee, Court, Kefalas--Concerning the
2 public financing of elections to the general assembly.
3 Committee on State, Veterans, & Military Affairs
4
- 5 **HB12-1280** by Representative(s) Coram and Sonnenberg, Becker,
6 Casso, Massey, McKinley, Scott; also Senator(s) Tochtrop
7 and Spence, Hodge--Concerning regulation of the state
8 lottery by the state lottery division in the department of
9 revenue, and, in connection therewith, authorizing the
10 installation of video lottery terminals under the control of
11 the division.
12 Committee on Agriculture, Livestock, & Natural Resources
13 Committee on Appropriations
14
15
- 16 **HB12-1281** by Representative(s) Young, Ferrandino, Fields, Kefalas,
17 Kerr A., McCann, Peniston, Schafer S.--Concerning a
18 pilot program establishing new payment methodologies in
19 medicaid.
20 Committee on Health and Environment
21
- 22 **HB12-1282** by Representative(s) Ramirez; also Senator(s) Nicholson--
23 Concerning the ability of the Colorado geological survey
24 to exempt review of the geologic factors of a preliminary
25 subdivision plan upon request from the board of county
26 commissioners of a county.
27 Committee on Local Government
28
29
- 30 **HB12-1283** by Representative(s) Barker; also Senator(s) Giron--
31 Concerning the department of public safety, and, in
32 connection therewith, renaming and reorganizing certain
33 existing entities.
34 Committee on Judiciary
35
- 36 **HB12-1284** by Representative(s) Wilson, Hamner, Kefalas, Lee,
37 Pabon, Ryden, Tyler; also Senator(s) Heath, Schwartz--
38 Concerning the creation of a legislative interim committee
39 to study small business financing in Colorado.
40 Committee on Economic and Business Development
41
- 42 **HB12-1285** by Representative(s) Gerou; also Senator(s) Jahn--
43 Concerning modifications to statutory provisions
44 governing intergovernmental cooperation to address
45 wildland fire mitigation where a municipality owns land
46 inside a county for utility purposes.
47 Committee on Local Government
48
- 49 **HB12-1286** by Representative(s) Massey and Ferrandino, Todd,
50 Brown, Casso, Coram, Court, Duran, Fields, Fischer,
51 Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J.,
52 Liston, McCann, Miklosi, Pabon, Pace, Peniston, Priola,
53 Ryden, Schafer S., Singer, Soper, Summers, Swerdfeger,
54 Vigil, Williams A., Wilson, Young; also Senator(s) Newell
55 and White, Aguilar, Bacon, Boyd, Foster, Heath, Jahn,
56 Morse, Nicholson, Shaffer B., Steadman, Williams S.--

- 1 Concerning film production activities in Colorado, and, in
2 connection therewith, making an appropriation.
3 Committee on Economic and Business Development
4
- 5 **HB12-1287** by Representative(s) Pabon--Concerning the amount of the
6 actual value of residential real property that qualifies for
7 the senior property tax exemption to be exempted from
8 property taxation for any property tax year commencing on
9 or after January 1, 2012.
10 Committee on Finance
11 Committee on Appropriations
12
- 13 **HB12-1288** by Representative(s) Murray; also Senator(s) Bacon--
14 Concerning the administration of information technology
15 projects in state government.
16 Committee on Economic and Business Development
17
- 18 **HB12-1289** by Representative(s) Nikkel, DelGrosso; also Senator(s)
19 Jahn, Cadman--Concerning complaints to the division of
20 insurance on certain adverse actions of auto insurers.
21 Committee on Economic and Business Development
22
- 23 **HB12-1290** by Representative(s) Brown; also Senator(s) Tochtrop--
24 Concerning the voluntary contribution designation
25 benefiting the Colorado for Healthy Landscapes fund that
26 appears on the state individual income tax return forms.
27 Committee on Finance
28
- 29 **HB12-1291** by Representative(s) Wilson, Court, Miklosi, Ryden,
30 Sonnenberg, Soper, Todd--Concerning an exemption from
31 the late fee for motor vehicle registration for collector
32 vehicles.
33 Committee on Transportation
34
- 35 **HB12-1292** by Representative(s) Murray--Concerning technical
36 modifications to laws relating to the administration of
37 elections, and, in connection therewith, harmonizing
38 current laws with federal law, altering the time periods
39 within which certain actions must be taken, raising certain
40 fees, and deleting obsolete references.
41 Committee on State, Veterans, & Military Affairs
42
- 43 **HB12-1293** by Representative(s) Todd, Court, Ferrandino, Liston,
44 Murray--Concerning modifications to procedures that
45 govern recall elections.
46 Committee on State, Veterans, & Military Affairs
47
- 48 **HB12-1294** by Representative(s) Liston, Todd, Acree, Baumgardner,
49 Gardner B., Kerr J., Massey, Miklosi, Murray, Priola,
50 Ramirez, Soper, Swalm, Swerdfeger, Szabo; also
51 Senator(s) Tochtrop, Boyd, Mitchell, Neville, White--
52 Concerning modifications to the system of regulation of
53 health facilities currently regulated by the department of
54 public health and environment.
55 Committee on Economic and Business Development
56
-

INTRODUCTION OF RESOLUTION

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

HJR12-1010 by Representative(s) Todd and Massey; also Senator(s) Newell and White--Concerning recognition of the film, television, and video gaming industry in Colorado.

APPOINTMENT

The Minority Leader announced the temporary appointment of Representative Pabon to replace Representative Lee to the Committee on Local Government for February 8-10, 2012.

Correction

H.J. page 164, strike lines 22 through 30.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Swerdfeger, the following item(s) on the Calendar was (were) laid over until February 8, retaining place on Calendar:

Consideration of Third Reading--**HB12-1040**.
Consideration of General Orders--**HB12-1061 amended, 1105, 1017, 1127, 1058, 1090, 1018, 1031, 1077, 1096, 1104, 1053, 1073, 1100**.

On motion of Representative Swerdfeger, the House adjourned until 10:00 a.m., February 8, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Twenty-ninth Legislative Day

Wednesday, February 8, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by Representative Cherylin Peniston.

4

5 Pledge of Allegiance led by Alyssa and Katie Kunter, Hulstroms Options,
6 Northglenn.

7

8 The roll was called with the following result:

9

10 Present--60.

11 Excused--Representative(s) Lee, McKinley, Schafer, Scott,
12 Sonnenberg--5.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Swerdfeger, the reading of the journal of
18 February 7, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23

24

CONSIDERATION OF RESOLUTION(S)

25

26 **HJR12-1010** by Representative(s) Todd and Massey; also Senator(s)
27 Newell and White--Concerning recognition of the film,
28 television, and video gaming industry in Colorado.

29

30 (Printed and placed in members' file)

31

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

34

35 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Brown, Casso,
36 Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer,
37 Gardner B., Gerou, Hamner, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
38 Labuda, Levy, Liston, Looper, McCann, Miklosi, Murray, Nikkel, Pabon, Pace,
39 Peniston, Ramirez, Ryden, Singer, Solano, Soper, Stephens, Summers,
40 Swerdfeger, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

41

42

43

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

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 **HB12-1127** by Representative(s) Liston, Priola, Holbert, Swalm,
17 Swerdfeger, Szabo; also Senator(s) S. Williams--
18 Concerning elimination of an increase in the
19 unemployment insurance premium rate for new employers.

20
21 Amendment No. 1, Economic & Business Development Report, dated
22 January 31, 2012, and placed in member's bill file; Report also printed in
23 House Journal, February 1, page 131.

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

27
28 **HB12-1058** by Representative(s) Joshi; also Senator(s) Nicholson--
29 Concerning the requirement that the department of public
30 health and environment provide infant eye prophylaxis.

31
32 Ordered engrossed and placed on the Calendar for Third Reading and
33 Final Passage.

34
35 **HB12-1090** by Representative(s) Pace--Concerning the annual date for
36 establishing the total pupil enrollment of each public
37 school.

38
39 Amendment No. 1, Education Report, dated February 1, 2012, and
40 placed in member's bill file; Report also printed in House Journal,
41 February 2, page 136.

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

45
46 **HB12-1018** by Representative(s) Labuda, Barker, Duran, Gardner B.,
47 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also
48 Senator(s) Tochtrop, Morse, King S., White--Concerning
49 modifications to available affiliation by social security
50 employers with the fire and police pension association.

51
52 Ordered engrossed and placed on the Calendar for Third Reading and
53 Final Passage.

1 **HB12-1031** by Representative(s) Peniston, Labuda, Duran, Ramirez,
2 Schafer S.; also Senator(s) Tochtrop, King S., Morse--
3 Concerning the authority of the board of the fire and police
4 pension association to make amendments to plans for the
5 administration of benefits.
6

7 Ordered engrossed and placed on the Calendar for Third Reading and
8 Final Passage.
9

10 **HB12-1077** by Representative(s) Gardner B., Barker, Duran, Labuda,
11 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also
12 Senator(s) Tochtrop, King S., White--Concerning
13 modifications to the investment confidentiality provisions
14 related to police officers' and firefighters' pension plans.
15

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

19 **HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti,
20 DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda,
21 McCann, Pabon, Swalm, Swerdfeger; also Senator(s)
22 Brophy--Concerning an extension of the period for which
23 the voluntary contribution designation line benefiting the
24 Make-A-Wish Foundation of Colorado fund appears on
25 state individual income tax return forms.
26

27 Ordered engrossed and placed on the Calendar for Third Reading and
28 Final Passage.
29

30 **HB12-1104** by Representative(s) Swerdfeger, Acree, Conti,
31 Hullinghorst, Kagan, Kefalas, Pabon, Swalm; also
32 Senator(s) Giron--Concerning a change to the voluntary
33 contribution designation benefiting the Colorado breast
34 and women's reproductive cancers fund, and, in
35 connection therewith, changing the name of the fund to the
36 Colorado cancer fund and expanding the purpose of the
37 fund to include furtherance of the Colorado Cancer
38 Coalition's work on behalf of the cancer community.
39

40 Amendment No. 1, Finance Report, dated February 1, 2012, and placed
41 in member's bill file; Report also printed in House Journal, February 2,
42 pages 136-137.
43

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

47 **HB12-1053** by Representative(s) Gardner B.; also Senator(s) Giron--
48 Concerning the victims' rights act.
49

50 Amendment No. 1, Judiciary Report, dated January 31, 2012, and placed
51 in member's bill file; Report also printed in House Journal, January 31,
52 pages 137-138.
53

54 Amendment No. 2, by Representative(s) B. Gardner.
55

56 Amend printed bill, page 15, after line 18, insert:

1 **"SECTION 4.** In Colorado Revised Statutes, 24-4.1-108, **amend**
2 (1) (f) as follows:

3
4 **24-4.1-108. Awarding compensation.** (1) A person is entitled to
5 an award of compensation under this part 1 if:

6
7 (f) The application for an award of compensation under this part
8 1 is filed with the board within one year of the date of injury to the victim
9 or within such further extension of time as the board, for good cause
10 shown, allows. FOR PURPOSES OF THIS PARAGRAPH (f), "GOOD CAUSE"
11 MAY BE BUT IS NOT NECESSARILY LIMITED TO CIRCUMSTANCES IN WHICH
12 THE CRIME WAS NOT SOLVED OR REPORTED WITHIN A YEAR."

13
14 Renumber succeeding section accordingly.

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

18
19 **HB12-1073** by Representative(s) Brown; also Senator(s) Roberts--
20 Concerning the transfer of a judgeship from the first
21 judicial district to the sixth judicial district.

22
23 Ordered engrossed and placed on the Calendar for Third Reading and
24 Final Passage.

25
26 **HB12-1100** by Representative(s) Summers; also Senator(s) Aguilar--
27 Concerning the admissibility in criminal proceedings of
28 the results of a prenatal screening for illegal substances.

29
30 Amendment No. 1, Judiciary Report, dated January 31, 2012, and placed
31 in member's bill file; Report also printed in House Journal, January 31,
32 page 138.

33
34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **HB12-1008** by Representative(s) Acree; also Senator(s) Jahn--
38 Concerning additional methods for providing input to
39 executive branch agencies about proposed rules, and, in
40 connection therewith, directing agencies to establish
41 representative groups to evaluate and comment on
42 proposed rules, requiring agencies to notify the general
43 assembly of any rule-making that results in increases in
44 fees or fines, and requiring agencies to submit
45 departmental regulatory agendas to the general assembly.

46
47 Ordered engrossed and placed on the Calendar for Third Reading and
48 Final Passage.

49
50 **HB12-1009** by Representative(s) Gerou; also Senator(s) Lambert--
51 Concerning a report related to the federal moneys received
52 by the executive branch.

53
54 Amendment No. 1, Appropriations Report, dated February 6, 2012, and
55 placed in member's bill file; Report also printed in House Journal,
56 February 6, pages 142-143.

1 Amendment No. 2, by Representative(s) Becker and Beezley.

2
3 Amend the Appropriations Committee Report, dated February 6, 2012,
4 page 1, after line 2 insert:

5
6 "Page 2, line 17, strike "AND".

7
8 Page 2, line 19, strike "EXPENSES." and substitute "EXPENSES; AND

9
10 (VI) ANY OBLIGATIONS IMPOSED ON THE STATE AS A RESULT OF
11 ACCEPTING THE FEDERAL MONEYS."."

12
13 Page 1 of the report, line 5, strike "(IV) AND".

14
15 Page 1 of the report, line 6, strike "(V)" and substitute "(IV), (V), and
16 (VI)".

17
18 Amendment No. 3, by Representative(s) Beezley.

19
20 Amend Amendment No. 2 by Representatives Becker and Beezley,
21 page 187, line 10, strike:

22
23 "(VI) ANY" and substitute:

24
25 "(VI) A SUMMARY OF ANY".

26
27 As amended, laid over until February 9, retaining place on Calendar.

28
29 **HB12-1032** by Representative(s) Hamner; also Senator(s) Nicholson--
30 Concerning continuation of forestry-related programs.

31
32 Amendment No. 1, Appropriations Report, dated February 6, 2012, and
33 placed in member's bill file; Report also printed in House Journal,
34 February 6, page 143.

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

38
39 **HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s)
40 Hodge, Steadman, Lambert--Concerning a grant program
41 to provide home care allowance benefits to certain eligible
42 individuals.

43
44 Amendment No. 1, Finance Report, dated February 2, 2012, and placed
45 in member's bill file; Report also printed in House Journal, February 2,
46 page 137.

47
48 Amendment No. 2, Appropriations Report, dated February 6, 2012, and
49 placed in member's bill file; Report also printed in House Journal,
50 February 6, pages 143-147.

51
52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.

54
55
56

1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2
3 Representative Ferrandino moved to amend the Report of the Committee
4 of the Whole to reverse the action taken by the Committee in not adopting
5 the Economic & Business Development Committee Report to
6 HB 12-1008, dated January 24, 2012, to show that said report passed, and
7 that **HB 12-1008**, as amended, passed.

8
9 The amendment was declared **lost** by the following roll call vote:

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

30
31
32 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

33
34 Passed Second Reading: **HB12-1127 amended, 1058, 1090 amended,**
35 **1018, 1031, 1077, 1096, 1104 amended, 1053 amended, 1073, 1100**
36 **amended, 1008, 1032 amended, 1177 amended.**

37
38 Laid over until date indicated retaining place on Calendar: **HB12-1009**
39 **amended--February 9, 2012.**

40
41 The Chairman moved the adoption of the Committee of the Whole
42 Report. As shown by the following roll call vote, a majority of those
43 elected to the House voted in the affirmative, and the Report was
44 **adopted.**

	YES	60	NO	0	EXCUSED	5	ABSENT	0
47	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
48	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	E
49	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
50	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
51	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
52	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
53	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
54	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
55	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
56	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y

1	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
2	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
3	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
4	Duran	Y	Lee	E	Schafer S.	E	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	E	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	Y

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SJR12-002, 005, 009, 010, 011, 012, and 013.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmits to the Revisor of Statutes: **SB12-009, SB12-066 and SB12-010.**

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

SB12-013 As amended in General Orders as printed in Senate Journal, February 6, 2012, page 92.

SB12-033 As amended in General Orders as printed in Senate Journal, February 6, 2012, page 91.

SB12-048 As amended in General Orders as printed in Senate Journal, February 6, 2012, page 92.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB12-009, 010, and 066.

Without comment, as amended, SB12-013, 033, and 048.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Holbert, the following item(s) on the Calendar was (were) laid over until February 9, retaining place on Calendar:

Consideration of Special Orders--**HB12-1068 amended.**

Consideration of Third Reading--**HB12-1040, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1200, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1201, 1202, 1203.**

Consideration of General Orders--**HB12-1061 amended, 1105, 1017, 1034, 1071, 1005, 1047, 1026, 1088, 1024, 1070, 1089.**

1 On motion of Representative Holbert, the House adjourned until
2 9:00 a.m., February 9, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

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

Thirtieth Legislative Day

Thursday, February 9, 2012

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

2

3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4

5 Pledge of Allegiance led by Jenny Tamariz, Arrupe High School, Denver.

6

7 The roll was called with the following result:

8

9 Present--61.

10 Excused--Representative(s) Lee, McKinley, McNulty--3.

11 Absent--Representative(s) Singer--1.

12 Present after roll call--Representative(s) McNulty, Singer.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Swerdfeger, the reading of the journal of
18 February 8, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

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

24

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

28

29 **HB12-1040** by Representative(s) Casso--Concerning recognition of
30 September 11 as a state holiday, in certain years, and in
31 connection therewith, designating September 11 as
32 "Patriot Day".

33

34 Laid over until February 10, retaining place on Calendar.

35

36 **HB12-1180** by Representative(s) Gerou, Becker, Levy; also Senator(s)
37 Hodge, Steadman, Lambert--Concerning a supplemental
38 appropriation to the department of agriculture.

39

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

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

	YES	61	NO	0	EXCUSED	3	ABSENT	1
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	-	Young	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Jones, Labuda, Priola, Ryden,
20 Schafer S., Vigil, Wilson.

21
22 **HB12-1181** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning a supplemental
24 appropriation to the department of corrections.
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

	YES	40	NO	21	EXCUSED	3	ABSENT	1
31								
32	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
33	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
34	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
35	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
36	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
37	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
38	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
39	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
40	Casso	N	Kagan	Y	Pace	Y	Todd	Y
41	Conti	N	Kefalas	N	Peniston	Y	Tyler	Y
42	Coram	Y	Kerr A.	N	Priola	N	Vaad	Y
43	Court	Y	Kerr J.	N	Ramirez	N	Vigil	N
44	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
45	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
46	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
47	Fields	N	Liston	N	Singer	-	Young	N
48							Speaker	E

49 Co-sponsor(s) added: Representative(s) Labuda, Ryden, Schafer S.
50

51 **HB12-1182** by Representative(s) Gerou, Becker, Levy; also Senator(s)
52 Hodge, Steadman, Lambert--Concerning a supplemental
53 appropriation to the department of 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

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

YES	61	NO	0	EXCUSED	3	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	-	Young	Y
						Speaker	E

Co-sponsor(s) added: Representative(s) Casso, Fields, Hamner, Kerr A., Labuda, Peniston, Todd, Young.

HB12-1183 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

The question being "Shall the bill pass?".

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

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	E

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

1 **HB12-1184** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 2 Hodge, Steadman, Lambert--Concerning a supplemental
 3 appropriation to the department of health care policy and
 4 financing.
 5

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

	YES	48	NO	15	EXCUSED	2	ABSENT	0
12	Acree	Y	Fischer	Y	Looper	N	Solano	Y
13	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	Y
14	Barker	N	Gerou	Y	McCann	Y	Soper	Y
15	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
16	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
17	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
18	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
19	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
20	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
21	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
22	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
23	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
24	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
25	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
26	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
27	Fields	Y	Liston	N	Singer	Y	Young	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Wilson, Young.
 30
 31

32 **HB12-1185** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 33 Hodge, Steadman, Lambert--Concerning a supplemental
 34 appropriation to the department of higher education.
 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	63	NO	0	EXCUSED	2	ABSENT	0
42	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
44	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
46	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
47	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
48	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
49	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
50	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
51	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
52	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
53	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
54	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
55	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
56	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y

1 Fields Y Liston Y Singer Y Young Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Casso, Fields, Hamner, Labuda,
 4 Peniston, Solano, Todd, Vigil, Williams A., Wilson, Young.
 5
 6 **HB12-1186** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 7 Hodge, Steadman, Lambert--Concerning a supplemental
 8 appropriation to the department of human services.
 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

	YES	60	NO	3	EXCUSED	2	ABSENT	0
16 Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
17 Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N	
18 Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
19 Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y	
20 Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y	
21 Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y	
22 Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y	
23 Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y	
24 Casso	Y	Kagan	Y	Pace	Y	Todd	Y	
25 Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y	
26 Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y	
27 Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y	
28 DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y	
29 Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y	
30 Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y	
31 Fields	Y	Liston	N	Singer	Y	Young	Y	
32						Speaker	Y	

33 Co-sponsor(s) added: Representative(s) Casso, Labuda, Solano, Wilson, Young.
 34
 35 **HB12-1187** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 36 Hodge, Steadman, Lambert--Concerning a supplemental
 37 appropriation to the judicial department.
 38

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

	YES	57	NO	6	EXCUSED	2	ABSENT	0
45 Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
46 Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
47 Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
48 Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y	
49 Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y	
50 Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N	
51 Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y	
52 Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y	
53 Casso	Y	Kagan	Y	Pace	Y	Todd	Y	
54 Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y	
55 Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y	
56 Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y	

1	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
2	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
3	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
4	Fields	Y	Liston	Y	Singer	Y	Young	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Labuda, Ryden.

7
8 **HB12-1188** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Hodge, Steadman, Lambert--Concerning a supplemental
10 appropriation to the department of labor and employment.

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	63	NO	0	EXCUSED	2	ABSENT	0
18	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
19	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
20	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
21	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
22	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
23	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
24	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
25	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
26	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
27	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
28	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
29	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
30	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
31	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
32	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
33	Fields	Y	Liston	Y	Singer	Y	Young	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Casso, Fields, Williams A., Young.

36
37 **HB12-1189** by Representative(s) Gerou, Becker, Levy; also Senator(s)
38 Hodge, Steadman, Lambert--Concerning a supplemental
39 appropriation to the department of law.

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**.

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

1	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
2	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
3	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
4	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) McCann, Ryden.

9
10 **HB12-1190** by Representative(s) Gerou, Becker, Levy; also Senator(s)
11 Hodge, Steadman, Lambert--Concerning supplemental
12 appropriation to the department of local affairs.

13
14 The question being "Shall the bill pass?".

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

18								
19	YES	63	NO	0	EXCUSED	2	ABSENT	0
20	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
21	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
22	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
23	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
24	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
25	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
26	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
27	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
28	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
29	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
30	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
32	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
33	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
34	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
35	Fields	Y	Liston	Y	Singer	Y	Young	Y
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Labuda, Ryden, Vigil.

38
39 **HB12-1191** by Representative(s) Gerou, Becker, Levy; also Senator(s)
40 Hodge, Steadman, Lambert--Concerning a supplemental
41 appropriation to the department of military and veterans
42 affairs.

43
44 The question being "Shall the bill pass?".

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

48								
49	YES	63	NO	0	EXCUSED	2	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
53	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y

1	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
2	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
3	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
4	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
5	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
6	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
7	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
8	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
9	Fields	Y	Liston	Y	Singer	Y	Young	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Casso, Ferrandino, Fields, Hamner,
12 Kerr A., Labuda, Ryden, Summers, Todd, Young.

13
14 **HB12-1200** by Representative(s) Gerou, Becker, Levy; also Senator(s)
15 Hodge, Steadman, Lambert--Concerning funding for
16 capital construction, and making supplemental
17 appropriations in connection therewith.

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

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

23	YES	51	NO	12	EXCUSED	2	ABSENT	0
24								
25	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
26	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
29	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
31	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
33	Casso	N	Kagan	Y	Pace	N	Todd	Y
34	Conti	Y	Kefalas	N	Peniston	Y	Tyler	N
35	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
36	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
38	Duran	N	Lee	E	Schafer S.	N	Williams A.	N
39	Ferrandino	N	Levy	Y	Scott	Y	Wilson	Y
40	Fields	N	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Holbert, Liston.

43
44 **HB12-1192** by Representative(s) Gerou, Becker, Levy; also Senator(s)
45 Hodge, Steadman, Lambert--Concerning a supplemental
46 appropriation to the department of natural resources.

47
48 The question being "Shall the bill pass?".

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

52	YES	63	NO	0	EXCUSED	2	ABSENT	0
53								
54	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
55	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
56	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

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

15 Co-sponsor(s) added: Representative(s) Brown, Hamner, Labuda, Wilson,
16 Young.

17
18 **HB12-1193** by Representative(s) Gerou, Becker, Levy; also Senator(s)
19 Hodge, Steadman, Lambert--Concerning a supplemental
20 appropriation to the department of personnel and
21 administration.
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

28	YES	63	NO	0	EXCUSED	2	ABSENT	0
29	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
30	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
31	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
32	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
33	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
34	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
35	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
36	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
37	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
38	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
39	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
40	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
41	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
42	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
43	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
44	Fields	Y	Liston	Y	Singer	Y	Young	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Labuda, Ramirez, Swerdfeger,
47 Williams A.
48
49

50 **HB12-1194** by Representative(s) Gerou, Becker, Levy; also Senator(s)
51 Hodge, Steadman, Lambert--Concerning a supplemental
52 appropriation to the department of public health and
53 environment.
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	38	NO	25	EXCUSED	2	ABSENT	0
5	Acree	N	Fischer	Y	Looper	N	Solano	Y
6	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
7	Barker	N	Gerou	Y	McCann	Y	Soper	Y
8	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
9	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
10	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
11	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
12	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
13	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
14	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
15	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
16	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
17	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
18	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
19	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
20	Fields	Y	Liston	N	Singer	Y	Young	Y
21							Speaker	N

22 Co-sponsor(s) added: Representative(s) Casso, Fischer, Hamner, Jones, Kerr A.,
23 Labuda, Young.

24
25 **HB12-1195** by Representative(s) Gerou, Becker, Levy; also Senator(s)
26 Hodge, Steadman, Lambert--Concerning a supplemental
27 appropriation to the department of public safety.

28
29 The question being "Shall the bill pass?".

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

	YES	52	NO	11	EXCUSED	2	ABSENT	0
35	Acree	N	Fischer	Y	Looper	Y	Solano	Y
36	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
37	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
38	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
39	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
40	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
41	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
42	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
43	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
44	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
45	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
46	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
47	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
48	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
49	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
50	Fields	Y	Liston	Y	Singer	Y	Young	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Labuda, Ryden, Wilson, Young.

53
54 **HB12-1196** by Representative(s) Gerou, Becker, Levy; also Senator(s)
55 Hodge, Steadman, Lambert--Concerning a supplemental
56 appropriation to the department of regulatory agencies.

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

	YES	36	NO	27	EXCUSED	2	ABSENT	0
7	Acree	N	Fischer	Y	Looper	N	Solano	Y
8	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
9	Barker	N	Gerou	Y	McCann	Y	Soper	Y
10	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
11	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
12	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
13	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
14	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
15	Casso	N	Kagan	Y	Pace	Y	Todd	Y
16	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
17	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
18	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	N
19	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
20	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
21	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
22	Fields	Y	Liston	N	Singer	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Fischer, Labuda.

25
 26 **HB12-1197** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 27 Hodge, Steadman, Lambert--Concerning a supplemental
 28 appropriation to the department of revenue.

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	38	NO	25	EXCUSED	2	ABSENT	0
36	Acree	Y	Fischer	Y	Looper	N	Solano	Y
37	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
38	Barker	N	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
40	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
41	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
42	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
43	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
44	Casso	Y	Kagan	Y	Pace	N	Todd	Y
45	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
47	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
48	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
49	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
51	Fields	Y	Liston	N	Singer	Y	Young	Y
52							Speaker	Y

53
 54 **HB12-1198** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 55 Hodge, Steadman, Lambert--Concerning a supplemental
 56 appropriation to the department of state.

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

	YES	33	NO	30	EXCUSED	2	ABSENT	0
7	Acree	Y	Fischer	N	Looper	Y	Solano	N
8	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
9	Barker	Y	Gerou	Y	McCann	N	Soper	N
10	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
11	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
12	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
13	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
14	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
15	Casso	N	Kagan	N	Pace	N	Todd	N
16	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	N
17	Coram	Y	Kerr A.	N	Priola	N	Vaad	Y
18	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
19	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
20	Duran	N	Lee	E	Schafer S.	N	Williams A.	N
21	Ferrandino	N	Levy	Y	Scott	N	Wilson	N
22	Fields	N	Liston	Y	Singer	N	Young	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Holbert.

25
 26 **HB12-1199** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 27 Hodge, Steadman, Lambert--Concerning a supplemental
 28 appropriation to the department of the treasury.

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	63	NO	0	EXCUSED	2	ABSENT	0
36	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
37	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
38	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
40	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
41	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
42	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
43	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
47	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
48	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
49	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
51	Fields	Y	Liston	Y	Singer	Y	Young	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Holbert.

54
 55 **HB12-1201** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 56 Steadman, Hodge, Lambert--Concerning adjustments in

the amount of total program funding for public schools for the 2011-12 budget year, and, in connection therewith, making and reducing appropriations.

The question being "Shall the bill pass?".

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

YES	61	NO	2	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Casso, Hamner, Jones, Kerr A., Solano, Todd, Williams A., Young.

HB12-1202 by Representative(s) Levy, Becker, Gerou; also Senator(s) Lambert, Hodge, Steadman--Concerning authorization for the appropriation of tobacco education program fund moneys to the department of health care policy and financing in order to obtain federal matching funds for the Colorado quitline program.

The question being "Shall the bill pass?".

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

YES	38	NO	25	EXCUSED	2	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	N	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
Becker	Y	Holbert	N	Miklosi	Y	Summers	N
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
Brown	Y	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N

1	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
2	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
3	Fields	Y	Liston	N	Singer	Y	Young	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Kerr A., Labuda, Ryden, Todd.

6
7 **HB12-1203** by Representative(s) Gerou, Becker, Levy; also Senator(s)
8 Steadman, Hodge, Lambert--Concerning the reenactment
9 of the statutes that authorize grants from the primary care
10 fund for comprehensive primary care services.

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

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

17	YES	63	NO	0	EXCUSED	2	ABSENT	0
18	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
19	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
20	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
21	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
22	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
23	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
24	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
25	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
26	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
27	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
28	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
29	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
30	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
31	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
32	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
33	Fields	Y	Liston	Y	Singer	Y	Young	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Labuda, Summers, Todd, Young.

36
37 **HB12-1127** by Representative(s) Liston, Priola, Holbert, Swalm,
38 Swerdfeger, Szabo; also Senator(s) S.Williams--
39 Concerning elimination of an increase in the
40 unemployment insurance premium rate for new employers.

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**.

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

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Acree, Brown, Conti, Kerr A., Kerr J.,
10 Labuda, Pabon, Pace, Soper, Stephens, Summers, Todd, Williams A.

11
12 **HB12-1058** by Representative(s) Joshi; also Senator(s) Nicholson--
13 Concerning the requirement that the department of public
14 health and environment provide infant eye prophylaxis.

15
16 The question being "Shall the bill pass?".

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

21	YES	63	NO	0	EXCUSED	2	ABSENT	0
22	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
23	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
26	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
27	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
33	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
37	Fields	Y	Liston	Y	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Acree, Barker, Bradford, Brown,
40 Fields, Kerr A., Labuda, Schafer S., Soper, Todd, Young.

41
42 **HB12-1090** by Representative(s) Pace; also Senator(s) Newell--
43 Concerning the annual date for establishing the total pupil
44 enrollment of each public school.

45
46 As shown by the following roll call vote, a majority of all members
47 elected to the House voted in the affirmative, and Representative Pace
48 was given permission to offer a Third Reading amendment:

50	YES	62	NO	1	EXCUSED	2	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

Third Reading amendment No. 1, by Representative Pace.

Amend the engrossed bill, page 12, line 11, strike "(9.5) (a) (II)," and substitute "(9.5) (a),".

Page 13, strike line 11 and substitute:

"(9.5) (a) (I) "Preschool program enrollment" means the number of pupils enrolled in a district preschool program pursuant to article 28 of this title on ~~October 1~~ THE PUPIL ENROLLMENT COUNT DAY within the applicable budget year. ~~or the school date nearest said date.~~ A pupil enrolled in a district preschool program pursuant to article 28 of this title shall be counted as a half-day pupil.

(II) Notwithstanding the provisions of subparagraph (I)".

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
32	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
33	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
34	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
35	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
36	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
37	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
38	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
39	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
40	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
41	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
42	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
43	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
44	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
45	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
46	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
47	Fields	Y	Liston	Y	Singer	Y	Young	Y
48							Speaker	Y

The question being, "Shall the bill, as amended, pass?"

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Court, Fields, Hamner, Schafer S.,
 20 Todd, Wilson.

21
 22
 23 **HB12-1018** by Representative(s) Labuda, Barker, Duran, Gardner B.,
 24 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also
 25 Senator(s) Tochtrop, Morse, King S., White--Concerning
 26 modifications to available affiliation by social security
 27 employers with the fire and police pension association.

28
 29 The question being "Shall the bill pass?".

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
34								
35	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
36	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
37	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
38	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
39	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
40	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
41	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
42	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
43	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
44	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
45	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
46	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
47	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
48	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
49	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
50	Fields	Y	Liston	Y	Singer	Y	Young	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Fields, Kerr A., Wilson, Young.

53
 54 **HB12-1031** by Representative(s) Peniston, Labuda, Duran, Ramirez,
 55 Schafer S.; also Senator(s) Tochtrop, King S., Morse--
 56 Concerning the authority of the board of the fire and police

pension association to make amendments to plans for the administration of benefits.

The question being "Shall the bill pass?".

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

YES	59	NO	4	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
Barker	N	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Todd, Williams A., Wilson, Young.

HB12-1077 by Representative(s) Gardner B., Barker, Duran, Labuda, Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also Senator(s) Tochtrop, King S., White--Concerning modifications to the investment confidentiality provisions related to police officers' and firefighters' pension plans.

The question being "Shall the bill pass?".

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

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y

1 Fields Y Liston Y Singer Y Young Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Kerr A., Kerr J., Todd, Wilson, Young.

4
 5 **HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti,
 6 DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda,
 7 McCann, Pabon, Swalm, Swerdfeger; also Senator(s)
 8 Brophy--Concerning an extension of the period for which
 9 the voluntary contribution designation line benefiting the
 10 Make-A-Wish Foundation of Colorado fund appears on
 11 state individual income tax return forms.

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**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
19 Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
20 Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
21 Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
22 Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y	
23 Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y	
24 Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y	
25 Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y	
26 Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y	
27 Casso	Y	Kagan	Y	Pace	Y	Todd	Y	
28 Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y	
29 Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y	
30 Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y	
31 DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y	
32 Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y	
33 Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y	
34 Fields	Y	Liston	Y	Singer	Y	Young	Y	
35						Speaker	Y	

36 Co-sponsor(s) added: Representative(s) Casso, Fischer, Kerr J., Priola,
 37 Schafer S., Summers, Todd, Wilson, Young.

38
 39 **HB12-1104** by Representative(s) Swerdfeger, Acree, Conti,
 40 Hullinghorst, Kagan, Kefalas, Pabon, Swalm; also
 41 Senator(s) Giron--Concerning a change to the voluntary
 42 contribution designation benefiting the Colorado breast
 43 and women's reproductive cancers fund, and, in
 44 connection therewith, changing the name of the fund to the
 45 Colorado cancer fund and expanding the purpose of the
 46 fund to include furtherance of the Colorado Cancer
 47 Coalition's work on behalf of the cancer community.

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
55 Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
56 Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	

1	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
6	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
7	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
8	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
9	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
10	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
11	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
12	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
13	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
14	Fields	Y	Liston	Y	Singer	Y	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Barker, Brown, Fischer, Jones, Kerr A.,
 17 Kerr J., Labuda, Massey, Pace, Solano, Todd, Vigil, Williams A., Wilson,
 18 Young.

19
 20 **HB12-1053** by Representative(s) Gardner B.; also Senator(s) Giron--
 21 Concerning the victims' rights 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	63	NO	0	EXCUSED	2	ABSENT	0
28								
29	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
30	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
31	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
32	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
33	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
34	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
35	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
36	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
37	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
38	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
39	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
40	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
41	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
42	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
43	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
44	Fields	Y	Liston	Y	Singer	Y	Young	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Barker, Brown, Fields, Kefalas, Kerr J.,
 47 Labuda, Liston, Nikkel, Pace, Ryden, Schafer S., Solano, Summers, Todd,
 48 Young.

49
 50
 51 **HB12-1073** by Representative(s) Brown; also Senator(s) Roberts--
 52 Concerning the transfer of a judgeship from the first
 53 judicial district to the sixth judicial district.

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	0	EXCUSED	2	ABSENT	0
5	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
6	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
7	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
8	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
9	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
10	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
11	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
12	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
13	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
14	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
15	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
16	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
17	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
18	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
19	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
20	Fields	Y	Liston	Y	Singer	Y	Young	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Barker, Bradford, Coram, Holbert,
23 Joshi, Kerr J., Pace, Summers.

24
25 **HB12-1100** by Representative(s) Summers; also Senator(s) Aguilar--
26 Concerning the admissibility in criminal proceedings of
27 the results of a prenatal screening for illegal substances.

28
29 The question being "Shall the bill pass?".

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
35	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
36	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
37	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
38	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
39	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
40	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
41	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
42	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
43	Casso	N	Kagan	Y	Pace	Y	Todd	Y
44	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
45	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
46	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
47	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
48	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
49	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
50	Fields	Y	Liston	Y	Singer	Y	Young	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Barker, Brown, Court, Fields, Fischer,
53 Jones, Kagan, Kerr A., Kerr J., Labuda, Liston, Massey, Nikkel, Pabon, Pace,
54 Ramirez, Ryden, Solano, Stephens, Todd, Vigil, Wilson, Young.

55

1 **HB12-1008** by Representative(s) Acree; also Senator(s) Jahn--
 2 Concerning additional methods for providing input to
 3 executive branch agencies about proposed rules, and, in
 4 connection therewith, directing agencies to establish
 5 representative groups to evaluate and comment on
 6 proposed rules, requiring agencies to notify the general
 7 assembly of any rule-making that results in increases in
 8 fees or fines, and requiring agencies to submit
 9 departmental regulatory agendas to the general assembly.

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

	YES	40	NO	23	EXCUSED	2	ABSENT	0
17	Acree	Y	Fischer	N	Looper	Y	Solano	N
18	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
19	Barker	Y	Gerou	Y	McCann	Y	Soper	N
20	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
22	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
23	Bradford	N	Jones	N	Nikkel	Y	Swerdfeger	Y
24	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
25	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
26	Conti	Y	Kefalas	N	Peniston	N	Tyler	Y
27	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
28	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
29	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
30	Duran	N	Lee	E	Schafer S.	N	Williams A.	N
31	Ferrandino	N	Levy	N	Scott	N	Wilson	N
32	Fields	N	Liston	Y	Singer	N	Young	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Barker, Brown, Kerr J., Liston.

35
 36 **HB12-1032** by Representative(s) Hamner; also Senator(s) Nicholson--
 37 Concerning continuation of forestry-related programs, and,
 38 in connection therewith, making an appropriation.

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

	YES	57	NO	6	EXCUSED	2	ABSENT	0
46	Acree	Y	Fischer	Y	Looper	N	Solano	Y
47	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
48	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
49	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
50	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
51	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
52	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
53	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
54	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
55	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
56	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y

1	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
2	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
3	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
4	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
5	Fields	Y	Liston	Y	Singer	Y	Young	Y
6							Speaker	N

7 Co-sponsor(s) added: Representative(s) Fields, Fischer, Gerou, Hulinghorst,
8 Kerr A., Kerr J., Pace, Todd, Wilson, Young.

9
10 **HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s)
11 Hodge, Steadman, Lambert--Concerning a grant program
12 to provide home care allowance benefits to certain eligible
13 individuals, and, in connection therewith, making an
14 appropriation.
15

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

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

21	YES	63	NO	0	EXCUSED	2	ABSENT	0
22	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
23	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
26	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
27	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
33	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
37	Fields	Y	Liston	Y	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Barker, Brown, Conti, DelGrosso,
40 Fields, Fischer, Hamner, Hulinghorst, Kerr A., Kerr J., Pabon, Pace,
41 Schafer S., Solano, Summers, Todd, Vigil, Wilson, Young.
42
43
44

45 On motion of Representative DelGrosso, the House resolved itself into
46 Committee of the Whole for consideration of General Orders, and he was
47 called to the Chair to act as Chairman.
48
49

50 GENERAL ORDERS--SECOND READING OF BILLS

51
52 The Committee of the Whole having risen, the Chairman reported the
53 titles of the following bills had been read (reading at length had been
54 dispensed with by unanimous consent), the bills considered and action
55 taken thereon as follows:
56

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 **HB12-1061** by Representative(s) Kagan; also Senator(s) Newell--
5 Concerning requiring a report of the correlation between
6 the educational credentials issued and the state's workforce
7 needs.

8
9 (Previously amended as printed in House Journal, January 31, page 116.)

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

13
14 **HB12-1034** by Representative(s) Looper, Fischer, Hamner, Jones,
15 Ramirez, Tyler, Vaad, Young; also Senator(s) Spence,
16 Hudak, King S., Williams S.--Concerning continuing the
17 processors and end users fund that encourages recycling of
18 waste tires.

19
20 Amendment No. 1, Transportation & Energy Report, dated
21 January 18, 2012, and placed in member's bill file; Report also printed in
22 House Journal, January 19, pages 53-54.

23
24 Amendment No. 2, by Representative(s) Gardner.

25
26 Amend printed bill, page 3, line 3, after "~~fund.~~" insert "THE STATE
27 DEPARTMENT SHALL IDENTIFY OTHER MARKETS IN THE STATE THAT ARE
28 ABLE, WITHOUT TAXPAYER OR WASTE TIRE CLEAN UP FUNDS, TO
29 ELIMINATE ILLEGAL TIRE DUMPING AND TO RECYCLE OR REUSE WASTE
30 TIRES IN NEWER TECHNOLOGIES.".

31
32 Page 3, line 4, strike "2020." and substitute "2015.".

33
34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **HB12-1071** by Representative(s) Liston; also Senator(s) Jahn--
38 Concerning portable electronics insurance.

39
40 Amendment No. 1, Economic & Business Development Report, dated
41 February 2, 2012, and placed in member's bill file; Report also printed in
42 House Journal, February 6, pages 150-157.

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

46
47 **HB12-1047** by Representative(s) Kefalas, Gardner B.; also Senator(s)
48 Newell--Concerning the waiver of non-safety licensing
49 standards for kinship foster care.

50
51 Ordered engrossed and placed on the Calendar for Third Reading and
52 Final Passage.

53
54 **HB12-1088** by Representative(s) Holbert and Becker, Baumgardner,
55 Sonnenberg, McKinley, Scott, Balmer, Looper, Liston,
56 Coram, Stephens, Acree, Barker, Beezley, Brown, Joshi,

McNulty, Priola, Ramirez, Swalm; also Senator(s) Grantham--Concerning the use of deadly physical force against a person who makes an illegal entry into a place of business.

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

HB12-1024 by Representative(s) Szabo--Concerning a requirement that the ballot title of a statewide measure be written in plain language.

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

On motion of Representative Stephens, the following bills on the General Orders Calendar (**HB12-1105, 1017, 1009 amended, 1005, 1026**) were laid over until February 10, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1061 amended, 1034 amended, 1071 amended, 1047, 1088, 1024.**

Laid over until date indicated retaining place on Calendar: **HB12-1105, 1017, 1009 amended, 1005, 1026**--February 10, 2012.

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

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

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

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

HB12-1043 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

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

"SECTION 1. In Colorado Revised Statutes, 22-32-109, **amend** (1) (nn) as follows:

22-32-109. Board of education - specific duties. (1) In addition to any other duty required to be performed by law, each board of education shall have and perform the following specific duties:

(nn) To ensure that each student who enrolls in the sixth grade in a public school of the school district, including but not limited to a district charter school, on the day of enrollment is registered with the state-provided, free on-line college planning and preparation resource, commonly referred to as "CollegeInColorado.org". The school district, the department of education, and the department of higher education shall collaborate to monitor the implementation of this paragraph (nn) and to ensure optimal interactivity between the various data bases and student record systems employed by school districts and college in Colorado. Each public school shall assist each student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan no later than the beginning of ninth grade but may assist the student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan in any grade prior to ninth grade. AT A MINIMUM, EACH PUBLIC SCHOOL SHALL ENSURE THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER EXPLAINS TO THE STUDENT AND THE STUDENT'S PARENT OR LEGAL GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS ACT", ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE COUNSELOR OR TEACHER SHALL ASSIST THE STUDENT IN COURSE PLANNING TO ENABLE THE STUDENT TO CONCURRENTLY ENROLL IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION.

SECTION 2. In Colorado Revised Statutes, 22-30.5-505, **amend** (3) (f) as follows:

22-30.5-505. State charter school institute - institute board - appointment - powers and duties - rules. (3) The mission of the institute board shall be to foster high-quality public school choices offered through institute charter schools, including particularly schools that are focused on closing the achievement gap for at-risk students. In discharging its duties pursuant to this part 5, the institute shall:

1 (f) Ensure that each student who enrolls in the sixth grade in an
2 institute charter school, on the day of enrollment, is registered with the
3 state-provided, free on-line college planning and preparation resource,
4 commonly referred to as "CollegeInColorado.org". The institute, the
5 department, and the department of higher education shall collaborate to
6 monitor the implementation of this paragraph (f) and to ensure optimal
7 interactivity between the various data bases and student record systems
8 employed by institute charter schools and college in Colorado. Each
9 institute charter school shall assist each student and his or her parent or
10 legal guardian to develop and maintain the student's individual career and
11 academic plan no later than the beginning of ninth grade but may assist
12 the student and his or her parent or legal guardian to develop and
13 maintain the student's individual career and academic plan in any grade
14 prior to ninth grade. AT A MINIMUM, EACH INSTITUTE CHARTER SCHOOL
15 SHALL ENSURE THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S
16 INDIVIDUAL CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER
17 EXPLAINS TO THE STUDENT AND THE STUDENT'S PARENT OR LEGAL
18 GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY
19 ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION
20 PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS ACT",
21 ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE STUDENT OR
22 THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE COUNSELOR OR
23 TEACHER SHALL ASSIST THE STUDENT IN COURSE PLANNING TO ENABLE
24 THE STUDENT TO CONCURRENTLY ENROLL IN COURSES WITH AN
25 INSTITUTION OF HIGHER EDUCATION.

26
27 **SECTION 3.** In Colorado Revised Statutes, **add** 22-35-104.5 as
28 follows:

29
30 **22-35-104.5. Concurrent enrollment - early completion of high**
31 **school graduation requirements.** (1) AS USED IN THIS SECTION,
32 "ELIGIBLE QUALIFIED STUDENT" MEANS:

33
34 (a) A QUALIFIED STUDENT ENROLLED IN TWELFTH GRADE WHO
35 REQUIRES LESS THAN FULL-TIME ENROLLMENT TO COMPLETE THE
36 GRADUATION REQUIREMENTS ESTABLISHED BY THE LOCAL EDUCATION
37 PROVIDER AND IS APPROVED FOR ENROLLMENT IN POSTSECONDARY
38 COURSES BY THE COUNSELOR OR TEACHER WHO ASSISTS THE STUDENT IN
39 MAINTAINING THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN;
40 OR

41
42 (b) A QUALIFIED STUDENT WHO COMPLETES THE GRADUATION
43 REQUIREMENTS ESTABLISHED BY THE LOCAL EDUCATION PROVIDER BY THE
44 END OF THE FIRST SEMESTER OF THE QUALIFIED STUDENT'S
45 TWELFTH-GRADE YEAR AND IS APPROVED FOR ENROLLMENT IN
46 POSTSECONDARY COURSES BY THE COUNSELOR OR TEACHER WHO ASSISTS
47 THE STUDENT IN MAINTAINING THE STUDENT'S INDIVIDUAL CAREER AND
48 ACADEMIC PLAN.

49
50 (2) AT LEAST NINETY DAYS BEFORE THE END OF THE ACADEMIC
51 TERM THAT IMMEDIATELY PRECEDES THE INTENDED TERM OF
52 CONCURRENT ENROLLMENT, AN ELIGIBLE QUALIFIED STUDENT WHO
53 CHOOSES TO CONCURRENTLY ENROLL IN AN INSTITUTION OF HIGHER
54 EDUCATION SHALL SUBMIT TO THE SUPERINTENDENT OF THE STUDENT'S
55 SCHOOL DISTRICT OR THE SUPERINTENDENT'S DESIGNEE, OR, IF THE
56 ELIGIBLE QUALIFIED STUDENT IS ENROLLED IN A CHARTER SCHOOL OR A

1 SCHOOL OF A BOCES, TO THE CHIEF SCHOOL ADMINISTRATOR:

2
3 (a) AN APPLICATION TO CONCURRENTLY ENROLL IN AN
4 INSTITUTION OF HIGHER EDUCATION AND EVIDENCE THAT THE ELIGIBLE
5 QUALIFIED STUDENT MEETS OR, BY THE BEGINNING OF THE INTENDED
6 TERM OF CONCURRENT ENROLLMENT, WILL MEET THE REQUIREMENTS
7 SPECIFIED IN SUBSECTION (1) OF THIS SECTION;

8
9 (b) THE NAME OF THE INSTITUTION OF HIGHER EDUCATION THAT
10 THE ELIGIBLE QUALIFIED STUDENT HAS SELECTED; AND

11
12 (c) WRITTEN EVIDENCE THAT THE SELECTED INSTITUTION OF
13 HIGHER EDUCATION HAS AGREED TO CONCURRENTLY ENROLL THE
14 ELIGIBLE QUALIFIED STUDENT.

15
16 (3) NOTWITHSTANDING ANY PROVISION OF SECTION 22-35-104 TO
17 THE CONTRARY, THE SUPERINTENDENT, THE SUPERINTENDENT'S DESIGNEE,
18 OR THE CHIEF SCHOOL ADMINISTRATOR, WHICHEVER IS APPLICABLE, SHALL
19 AUTHORIZE AN ELIGIBLE QUALIFIED STUDENT WHO COMPLIES WITH THE
20 PROVISIONS OF SUBSECTION (2) OF THIS SECTION TO ENROLL
21 CONCURRENTLY.

22
23 (4) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
24 THIS SUBSECTION (4), IF THE LOCAL EDUCATION PROVIDER DOES NOT HAVE
25 A COOPERATIVE AGREEMENT WITH THE ELIGIBLE QUALIFIED STUDENT'S
26 SELECTED INSTITUTION OF HIGHER EDUCATION, THE LOCAL EDUCATION
27 PROVIDER SHALL ATTEMPT TO ENTER INTO A COOPERATIVE AGREEMENT
28 WITH THE SELECTED INSTITUTION.

29
30 (b) THE LOCAL EDUCATION PROVIDER IS NOT REQUIRED TO ENTER
31 INTO A COOPERATIVE AGREEMENT WITH THE ELIGIBLE QUALIFIED
32 STUDENT'S SELECTED INSTITUTION OF HIGHER EDUCATION IF:

33
34 (I) THE LOCAL EDUCATION PROVIDER HAS ATTEMPTED AND BEEN
35 UNABLE TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE SELECTED
36 INSTITUTION OF HIGHER EDUCATION DURING THE SAME ACADEMIC YEAR,
37 IN WHICH CASE THE ELIGIBLE QUALIFIED STUDENT MAY SELECT A
38 DIFFERENT INSTITUTION OF HIGHER EDUCATION THAT HAS AGREED TO
39 CONCURRENTLY ENROLL THE ELIGIBLE QUALIFIED STUDENT, AND THE
40 LOCAL EDUCATION PROVIDER SHALL ATTEMPT TO ENTER INTO A
41 COOPERATIVE AGREEMENT WITH THE SELECTED INSTITUTION UNLESS THE
42 PROVISIONS OF THIS SUBPARAGRAPH (I) APPLY; OR

43
44 (II) THE LOCAL EDUCATION PROVIDER IS A PARTY TO AT LEAST
45 THREE COOPERATIVE AGREEMENTS; OR

46
47 (III) THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT THAT
48 HAS A PUPIL ENROLLMENT OF FEWER THAN ONE THOUSAND STUDENTS AS
49 OF THE PUPIL ENROLLMENT COUNT DATE OF THE SCHOOL YEAR IN WHICH
50 THE ELIGIBLE QUALIFIED STUDENT SUBMITS THE INFORMATION SPECIFIED
51 IN SUBSECTION (2) OF THIS SECTION.

52
53 (c) IF THE LOCAL EDUCATION PROVIDER IS UNABLE OR IS NOT
54 REQUIRED PURSUANT TO THE PROVISIONS OF PARAGRAPH (b) OF THIS
55 SUBSECTION (4) TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE
56 SELECTED INSTITUTION OF HIGHER EDUCATION, THE ELIGIBLE QUALIFIED

1 STUDENT MAY CHOOSE TO CONCURRENTLY ENROLL IN ANY OTHER
2 INSTITUTION OF HIGHER EDUCATION WITH WHICH THE LOCAL EDUCATION
3 PROVIDER HAS A COOPERATIVE AGREEMENT. IF THE LOCAL EDUCATION
4 PROVIDER DOES NOT HAVE A COOPERATIVE AGREEMENT WITH AN
5 INSTITUTION OF HIGHER EDUCATION, IT SHALL ENTER INTO ONE.

6
7 (5) AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY
8 ENROLLS IN AN INSTITUTION OF HIGHER EDUCATION MAY CONTINUE TO
9 CONCURRENTLY ENROLL FULL-TIME UNTIL THE ELIGIBLE QUALIFIED
10 STUDENT COMPLETES HIS OR HER TWELFTH-GRADE YEAR; EXCEPT THAT
11 THE ELIGIBLE QUALIFIED STUDENT'S LOCAL EDUCATION PROVIDER MAY
12 RESTRICT THE NUMBER OF CREDIT HOURS IN WHICH THE ELIGIBLE
13 QUALIFIED STUDENT ENROLLS IF NECESSARY TO ENSURE THAT THE LOCAL
14 EDUCATION PROVIDER DOES NOT INCUR TUITION COSTS FOR THE ELIGIBLE
15 QUALIFIED STUDENT IN AN AMOUNT THAT EXCEEDS FORTY PERCENT OF
16 THE LOCAL EDUCATION PROVIDER'S PER PUPIL REVENUE FOR THE
17 APPLICABLE BUDGET YEAR.

18
19 (6) EACH LOCAL EDUCATION PROVIDER THAT ENROLLS QUALIFIED
20 STUDENTS SHALL ANNUALLY NOTIFY ALL QUALIFIED STUDENTS AND
21 PARENTS OR LEGAL GUARDIANS OF QUALIFIED STUDENTS OF THE
22 OPPORTUNITIES AND REQUIREMENTS FOR CONCURRENT ENROLLMENT
23 SPECIFIED IN THIS SECTION.

24
25 **SECTION 4. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety."

28
29
30
31 **HB12-1072** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34
35 Amend printed bill, page 2, strike lines 21 through 24 and substitute "to
36 develop a policy or program to recognize a student's college-level
37 learning that takes place outside of the classroom."

38
39 Page 2, strike line 25 and substitute:

40 "SECTION 2. In Colorado Revised Statutes, 23-1-125, amend
41 (5) (e) (III); and add (4.5)".

42
43 Page 3, strike lines 4 through 17 and substitute "**prior learning.**
44 (4.5) **Prior learning.** BEGINNING IN THE 2013-14 ACADEMIC YEAR, EACH
45 PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ADOPT AND MAKE
46 PUBLIC A POLICY OR PROGRAM TO DETERMINE ACADEMIC CREDIT FOR
47 PRIOR LEARNING."

48
49 Page 3, after line 17 insert:

50 "(5) **Nonpublic institutions of higher education.** (e) As used in
51 this subsection (5), "nonpublic institution of higher education" means an
52 educational institution operating in this state that:

53
54 (III) Is accredited by ~~a regional~~ AN accrediting agency or
55 association APPROVED BY THE UNITED STATES DEPARTMENT OF
56 EDUCATION;"

1 **FINANCE**

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

4
5 **HB12-1039** be postponed indefinitely.

6
7
8 **HB12-1041** be referred favorably to the Committee on Appropriations.

9
10
11 **HB12-1042** be referred favorably to the Committee on Appropriations.

12
13
14 **HB12-1045** be referred favorably to the Committee on Appropriations.

15
16
17 **HB12-1052** be referred favorably to the Committee on Appropriations.

18
19
20 **HB12-1069** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation:

23
24 Amend printed bill, page 3, after line 4 insert:

25 "(d) "COMPUTER" MEANS AN ELECTRONIC DEVICE THAT ACCEPTS
26 INFORMATION IN DIGITAL OR SIMILAR FORM AND MANIPULATES IT FOR A
27 RESULT BASED ON A SEQUENCE OF INSTRUCTIONS.".

28
29 Reletter succeeding paragraphs accordingly.

30
31 Page 3, line 25, strike "ONE HUNDRED" and substitute "SEVENTY-FIVE".

32
33 Page 3, line 26, strike "FIVE HUNDRED".

34
35
36
37
38 **LEGAL SERVICES**

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

41
42 **HB12-1086** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 3, line 26, strike "except that the following rule
47 of the".

48 Page 3, strike line 27.

49
50 Page 4, strike lines 1 through 5.

51
52
53
54
55

LOCAL GOVERNMENT

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

HB12-1057 be postponed indefinitely.

STATE, VETERANS, & MILITARY AFFAIRS

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

HB12-1025 be postponed indefinitely.

HB12-1079 be referred to the Committee of the Whole with favorable recommendation.

HB12-1143 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, line 12, strike "ONE DOLLAR" and substitute "NINETY CENTS".

Page 2, line 15, strike "NINETY CENTS" and substitute "EIGHTY CENTS".

TRANSPORTATION

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

HB12-1021 be postponed indefinitely.

HB12-1098 be postponed indefinitely.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB12-1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294.

INTRODUCTION OF BILL
First Reading

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

HB12-1295 by Representative(s) Priola; also Senator(s) Tochtrop--
Concerning the creation of a Colorado Rockies license
plate.
Committee on Transportation

INTRODUCTION OF RESOLUTION

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

HJR12-1011 by Representative(s) Nikkel, Fischer, Kefalas; also
Senator(s) Bacon, Lundberg--Concerning recognition of
and appreciation for 142 years of education, research, and
service by the Colorado state university system.

LAY OVER OF CALENDAR ITEM(S)

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

Consideration of Special Orders--**HB1068 amended.**

Consideration of General Orders--**HB12-1070, 1089, 1147, 1158, 1212.**

On motion of Representative Holbert, the House adjourned until
9:00 a.m., February 10, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirty-first Legislative Day

Friday, February 10, 2012

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

2

3 Prayer by the Reverend Karen Paschal, New Dawn Center for Spiritual
4 Living, Aurora.

5

6 Pledge of Allegiance led by Mike Burns, Andrew Buck, Jarrett Loughrey,
7 Chris Reel-Vining, Dillon Clothier, Travis Loughrey, Boy Scout
8 Troop 24, Pueblo West.

9

10 The roll was called with the following result:

11

12 Present--64.

13 Excused--Representative(s) McKinley--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Swerdfeger, the reading of the journal of
19 February 9, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 **CONSIDERATION OF RESOLUTION(S)**

24

25 **HJR12-1011** by Representative(s) Nikkel, Fischer, Kefalas; also
26 Senator(s) Bacon, Lundberg--Concerning recognition of
27 and appreciation for 142 years of education, research, and
28 service by the Colorado state university system.

29

30 (Printed and placed in members' file)

31

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

34

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

43

THIRD READING OF BILL(S)--FINAL PASSAGE

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

HB12-1061 by Representative(s) Kagan; also Senator(s) Newell-- Concerning requiring a report of the correlation between the educational credentials issued and the state's workforce needs.

The question being "Shall the bill pass?".

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

YES	33	NO	30	EXCUSED	1	ABSENT	1
Acree	N	Fischer	-	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	N	Gerou	N	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	N
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
Brown	N	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	N	Vaad	N
Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	N

Co-sponsor(s) added: Representative(s) Casso, Court, Duran, Ferrandino, Fields, Hamner, Hullinghorst, Jones, Kefalas, Kerr A., Labuda, Lee, Levy, Miklosi, Pabon, Pace, Peniston, Ryden, Schafer S., Singer, Solano, Todd, Tyler, Vigil, Williams A., Wilson, Young.

HB12-1034 by Representative(s) Looper, Fischer, Hamner, Jones, Ramirez, Tyler, Vaad, Young; also Senator(s) Spence, Hudak, King S., Williams S.--Concerning continuing the processors and end users fund that encourages recycling of waste tires.

The question being "Shall the bill pass?".

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

YES	45	NO	19	EXCUSED	1	ABSENT	0
Acree	N	Fischer	Y	Looper	Y	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	N

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

13 Co-sponsor(s) added: Representative(s) Casso, Labuda, Ryden, Solano, Wilson.

14
15 **HB12-1071** by Representative(s) Liston; also Senator(s) Jahn--
16 Concerning portable electronics insurance.

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**.

23	YES	48	NO	16	EXCUSED	1	ABSENT	0
24	Acree	N	Fischer	Y	Looper	N	Solano	Y
25	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
26	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
27	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
28	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
29	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
30	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
31	Brown	N	Joshi	Y	Pabon	Y	Szabo	Y
32	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
33	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
34	Coram	N	Kerr A.	Y	Priola	Y	Vaad	N
35	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
36	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
37	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
38	Ferrandino	N	Levy	Y	Scott	N	Wilson	Y
39	Fields	Y	Liston	Y	Singer	Y	Young	Y
40							Speaker	N

41 Co-sponsor(s) added: Representative(s) Schafer S., Wilson.

42
43 **HB12-1047** by Representative(s) Kefalas, Gardner B.; also Senator(s)
44 Newell--Concerning the waiver of non-safety licensing
45 standards for kinship foster care.

46
47 The question being "Shall the bill pass?".

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

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

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

14 Co-sponsor(s) added: Representative(s) Brown, Casso, Court, Fields, Fischer,
 15 Hamner, Hullinghorst, Kerr A., Labuda, Massey, Peniston, Ryden, Schafer S.,
 16 Singer, Summers, Todd, Vigil, Wilson, Young.

17
 18 **HB12-1024** by Representative(s) Szabo; also Senator(s) Spence--
 19 Concerning a requirement that the ballot title of a
 20 statewide measure be written in plain language.

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

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

45 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Beezley, Brown,
 46 Conti, Coram, Court, Gardner B., Holbert, Joshi, Kerr J., Liston, Looper,
 47 Massey, Murray, Nikkel, Priola, Ramirez, Scott, Stephens, Summers,
 48 Swerdfeger, Vaad, Waller, Speaker.

49
 50
 51
 52
 53 On motion of Representative Barker, the House resolved itself into
 54 Committee of the Whole for consideration of General Orders, and he was
 55 called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

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

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

HB12-1089 by Representative(s) Court; also Senator(s) Steadman--Concerning the specific wording related to a statewide ballot title.

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

HB12-1147 by Representative(s) Williams A., Court, Fields, Hullinghorst, Kerr A., McCann, Schafer S., Solano, Todd, Wilson, Brown, Casso, Fischer, Hamner, Holbert, Kagan, Labuda, Miklosi, Pabon, Ryden, Swalm, Szabo, Tyler, Vigil, Young; also Senator(s) Foster, Guzman, Johnston, Spence, Tochtrop--Concerning the designation of the western tiger salamander as the state amphibian.

Amendment No. 1, Agriculture, Livestock, & Natural Resources Report, dated February 6, 2012, and placed in member's bill file; Report also printed in House Journal, February 7, page 172.

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

HB12-1158 by Representative(s) Baumgardner, Scott, Brown, Joshi; also Senator(s) Giron and Grantham--Concerning the regulation of producers of materials that may be used in commercial livestock feed, and, in connection therewith, repealing the "Colorado Inedible Meat Rendering and Processing Act of 1967" and relocating some of its provisions to the "Colorado Feed Law".

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

HB12-1212 by Representative(s) Becker, Gerou, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the designation of an on-line education program as a multi-district program if the program is authorized by a board of cooperative services.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1089, 1147 amended, 1158, 1212.**

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

YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

ECONOMIC & BUSINESS DEVELOPMENT

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

HB12-1120 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 50, line 27, strike "training," and substitute "training OR THE DIRECTOR OF THE DIVISION OF UNEMPLOYMENT INSURANCE, AS APPROPRIATE,".

Page 53, line 1, strike "COMPENSATION" and substitute "INSURANCE".

HB12-1221 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, strike lines 22 through 27.

Strike page 5 and substitute:

1 **"SECTION 2. Act subject to petition - effective date.** This act
2 takes effect January 1, 2013; except that, if a referendum petition is filed
3 pursuant to section 1 (3) of article V of the state constitution against this
4 act or an item, section, or part of this act within the ninety-day period
5 after final adjournment of the general assembly, then the act, item,
6 section, or part will not take effect unless approved by the people at the
7 general election to be held in November 2012 and, in such case, will take
8 effect on January 1, 2013, or on the date of the official declaration of the
9 vote thereon by the governor, whichever is later."

10

11

12

13

14 **FINANCE**

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

17

18 **HB12-1006** be referred favorably to the Committee on Appropriations.

19

20

21 **HB12-1066** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24

25 Amend printed bill, page 15, strike lines 22 through 26 and substitute
26 "TRANSFERRED BEFORE APRIL 1, 2014, AND IS BEING ISSUED ITS FIRST
27 CERTIFICATE OF TITLE OR REGISTERED FOR THE FIRST TIME AFTER SAID
28 DATE, THE DEPARTMENT SHALL NOT VERIFY THAT THE PERSON PAID ANY
29 TAX DUE ON THE VEHICLE."

30

31 Page 22, after line 27 insert:

32 "(b) REGISTERING AN OFF-HIGHWAY VEHICLE UNDER THIS ARTICLE
33 DOES NOT SUPERCEDE OR CHANGE THE REQUIREMENT TO REGISTER AN
34 OFF-HIGHWAY VEHICLE UNDER ARTICLE 14.5 OF TITLE 33, C.R.S."

35

36 Reletter succeeding paragraphs accordingly.

37

38 Page 26, after line 17 insert:

39

40 **"SECTION 29.** In Colorado Revised Statutes, 42-3-203, **amend**
41 (3) (a) (I) and (3) (b) as follows:

42

43 **42-3-203. Standardized plates - rules.** (3) (a) (I) The department
44 may issue individual temporary registration number plates, tags, or
45 certificates good for a period not to exceed sixty days upon application by
46 an owner of a motor OR OFF-HIGHWAY vehicle or the owner's agent and
47 the payment of a registration fee of two dollars, one dollar and sixty cents
48 to be retained by the authorized agent or department issuing the plates,
49 tags, or certificates and the remainder to be remitted monthly to the
50 department to be transmitted to the state treasurer for credit to the
51 highway users tax fund.

52

53 (b) The department may issue to licensed motor vehicle dealers
54 AND POWERSPORTS VEHICLE DEALERS temporary registration number
55 plates, tags, or certificates in blocks of twenty-five upon payment of a fee
56 of twelve dollars and fifty cents for each block of twenty-five, fifty

1 percent thereof to be retained by the county clerk and recorder and the
 2 remainder to be remitted monthly to the department to be transmitted to
 3 the state treasurer for credit to the highway users tax fund and allocation
 4 and expenditure as specified in section 43-4-205 (5.5) (b), C.R.S.".

5
 6 Renumber succeeding sections accordingly.

7
 8 Page 38, strike lines 8 through 13 and substitute "motor OR OFF-HIGHWAY
 9 vehicle upon the streets and highways and elsewhere throughout this state
 10 ~~shall be~~ IS deemed to have expressed ~~such~~ THE person's consent to the
 11 provisions of this section.

12
 13 (2) (a) (I) A person who drives a motor OR OFF-HIGHWAY vehicle
 14 upon the streets and highways and elsewhere throughout this state ~~shall~~
 15 ~~be~~ IS required to take and complete,".

16
 17 Page 39, strike lines 2 through 4 and substitute:

18
 19 "(b) (I) ~~Any~~ A person who drives ~~any~~ A motor OR OFF-HIGHWAY
 20 vehicle upon the streets and highways and elsewhere throughout this state
 21 ~~shall be~~ IS required to submit to and to".

22
 23 Page 39, line 22, strike "bicycle" and substitute "bicycle, EPAMD,".

24
 25 Page 40, line 5, strike "bicycle" and substitute "bicycle, EPAMD,".

26
 27 Page 71, line 7, strike "VEHICLE." and substitute "VEHICLE; EXCEPT IF THE
 28 VEHICLE DOES NOT HAVE A CONFORMING IDENTIFICATION NUMBER OR IS
 29 A DUPLICATE, THE DEPARTMENT SHALL ASSIGN A SPECIAL IDENTIFICATION
 30 NUMBER FOR THE CERTIFICATE OF TITLE OR REGISTRATION AND REQUIRE
 31 THE OWNER TO PLACE THE NUMBER ON THE VEHICLE.".

32
 33 Page 73, line 1, strike "and (4) (a) (I) (B)" and substitute "(4) (a) (I) (B),
 34 and (4) (a) (I) (L)".

35
 36 Page 74, after line 23 insert:

37
 38 "(L) **Speeding violations:**

39
 40 42-4-1101 (1) or (8) (b) (1 to 4 miles
 41 per hour over the reasonable and
 42 prudent speed or over the maximum
 43 lawful speed limit of 75 miles
 44 per hour) \$30.00 \$6.00
 45
 46 42-4-1101 (1) or (8) (b) (5 to 9 miles
 47 per hour over the reasonable and
 48 prudent speed or over the maximum
 49 lawful speed limit of 75 miles
 50 per hour) 70.00 10.00
 51
 52 42-4-1101 (1) or (8) (b) (10 to 19 miles
 53 per hour over the reasonable and
 54 prudent speed or over the maximum
 55 lawful speed limit of 75 miles
 56 per hour) 135.00 16.00

1	42-4-1101 (1) or (8) (b) (20 to 24 miles		
2	per hour over the reasonable and		
3	prudent speed or over the maximum		
4	lawful speed limit of 75 miles		
5	per hour)	200.00	32.00
6			
7	42-4-1101 (8) (g) (1 to 4 miles per		
8	hour over the maximum lawful		
9	speed limit of 40 miles per hour		
10	driving a low-power scooter)	50.00	6.00
11			
12	42-4-1101 (8) (g) (5 to 9 miles per		
13	hour over the maximum lawful		
14	speed limit of 40 miles per hour		
15	driving a low-power scooter)	75.00	10.00
16			
17	42-4-1101 (8) (g) (greater than 9		
18	miles per hour over the maximum		
19	lawful speed limit of 40 miles per		
20	hour driving a low-power scooter)	100.00	16.00
21			
22	42-4-1101 (3)	100.00	10.00
23			
24	42-4-1101 (8) (h)	25.00	3.00
25			
26	42-4-1103	50.00	6.00
27			
28	42-4-1104	30.00	6.00".
29			
30			
31			
32			

HEALTH & ENVIRONMENT

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

HB12-1046 be referred favorably to the Committee on Appropriations.

HB12-1103 be referred favorably to the Committee on Appropriations.

JUDICIARY

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

HB12-1048 be referred favorably to the Committee on Finance.

HB12-1064 be referred to the Committee of the Whole with favorable recommendation.

1 **HB12-1074** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend page 2, line 5, strike "**records for investigation.**" and substitute
6 "**records.**".
7

8 Page 3, strike lines 20 through 22 and substitute:
9

10 "GUARDIAN SHOULD NOT BE HELD IN CONTEMPT OF COURT, THE CLERK OF
11 THE COURT OR HIS OR HER DESIGNEE MAY RESEARCH THE WHEREABOUTS
12 AND CONTACT INFORMATION OF THE GUARDIAN AND THE WARD. TO
13 FACILITATE THIS RESEARCH, THE CLERK OF THE COURT OR HIS OR HER
14 DESIGNEE SHALL HAVE ACCESS TO DATA MAINTAINED".
15

16 Page 4, line 7, after "DATA." insert "THE JUDICIAL DEPARTMENT AND THE
17 COURTS SHALL NOT ACCESS DATA MAINTAINED PURSUANT TO THE
18 "ADDRESS CONFIDENTIALITY PROGRAM ACT", PART 21 OF ARTICLE 30 OF
19 TITLE 24, C.R.S.".
20

21 Page 4, line 10, strike "OF CONDUCTING AN INVESTIGATION PURSUANT TO"
22 and substitute "SET FORTH IN".
23

24 Page 4, line 15, strike "CAUSE." and substitute "CAUSE, EXCEPT TO THE
25 EXTENT THEY WOULD OTHERWISE BE OPEN TO INSPECTION FROM THE
26 PROVIDING STATE AGENCY.".
27

28 Page 4, line 23, strike "**records for investigation.**" and substitute
29 "**records.**".
30

31 Page 6, strike lines 3 through 5 and substitute:
32

33 "CONSERVATOR SHOULD NOT BE HELD IN CONTEMPT OF COURT, THE CLERK
34 OF THE COURT OR HIS OR HER DESIGNEE MAY RESEARCH THE
35 WHEREABOUTS AND CONTACT INFORMATION OF THE CONSERVATOR AND
36 THE PROTECTED PERSON. TO FACILITATE THIS RESEARCH, THE CLERK OF
37 THE COURT OR HIS OR HER DESIGNEE SHALL HAVE ACCESS TO".
38

39 Page 6, line 18, after "DATA." insert "THE JUDICIAL DEPARTMENT AND THE
40 COURTS SHALL NOT ACCESS DATA MAINTAINED PURSUANT TO THE
41 "ADDRESS CONFIDENTIALITY PROGRAM ACT", PART 21 OF ARTICLE 30 OF
42 TITLE 24, C.R.S.".
43

44 Page 6, line 21, strike "OF CONDUCTING AN INVESTIGATION PURSUANT".
45

46 Page 6, line 22, strike "TO" and substitute "SET FORTH IN".
47

48 Page 6, line 26, strike "CAUSE." and substitute "CAUSE, EXCEPT TO THE
49 EXTENT THEY WOULD OTHERWISE BE OPEN TO INSPECTION FROM THE
50 PROVIDING STATE AGENCY.".
51

52
53 **HB12-1092** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HB12-1049** be postponed indefinitely.

6
7
8 **HB12-1063** be amended as follows, and as so amended, be referred to
9 the Committee on Finance with favorable
10 recommendation:

11
12 Amend printed bill, page 2, strike lines 17 and 18 and substitute "THE
13 STATE DEPARTMENT SHALL MAINTAIN THE CEMETERY."

14
15 Page 2, line 23, strike "DURING ANY WAR OF THE".

16
17 Page 3, strike lines 1 and 2 and substitute "AND WHO, AT THE TIME OF HIS
18 OR HER DEATH, WAS".

19
20 Page 3, strike lines 8 through 10 and substitute "FORCES OF THE UNITED
21 STATES WHEN SUCH SPOUSE, SURVIVING SPOUSE, OR DEPENDENT PARENT".

22
23 Page 4, line 2, strike "(4)" and substitute "(4), ANY REVENUE GENERATED
24 FROM ACTIVITIES ASSOCIATED WITH THE CEMETERY AND ITS
25 OPERATIONS,".

26
27 Page 5, after line 11, insert the following:

28
29 "(7) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE STATE
30 DEPARTMENT WILL IMPLEMENT THE PROVISIONS OF THIS SECTION BY
31 ASSIGNING TO THE CEMETERY ONE-HALF OF A FULL-TIME EMPLOYEE FROM
32 WITHIN THE EXISTING PERSONNEL RESOURCES OF THE STATE
33 DEPARTMENT.".

34
35
36
37 **PRINTING REPORT**

38
39 The Chief Clerk reports the following bill has been correctly printed:
40 **HB12-1295.**

41
42
43
44 **LAY OVER OF CALENDAR ITEM(S)**

45
46 On motion of Representative Stephens, the following item(s) on the
47 Calendar was (were) laid over until February 13, retaining place on
48 Calendar:

49
50 Consideration of Special Orders--**HB12-1068 amended.**

51 Consideration of Third Reading--**HB12-1040, 1088.**

52 Consideration of General Orders--**HB12-1105, 1017, 1009 amended,**
53 **1005, 1026, 1070.**

1 On motion of Representative Stephens, the House adjourned until
2 10:00 a.m., February 13, 2012.

3

4

Approved:
FRANK McNULTY,
Speaker

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk