

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

Forty-fifth Legislative Day

Friday, February 24, 2012

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

2

3 Prayer by Pastor Tim Bettger, St. Paul's Lutheran Church, Calhan.

4

5 Pledge of Allegiance led by Bryce Calderon, Amy Cera-Herrera, Diego
6 Guzman, Newlon Elementary, Denver.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) Acree, Bradford, McKinley, Scott--4.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Waller, the reading of the journal of
17 February 23, 2012, was declared dispensed with and approved as
18 corrected by the Chief Clerk.

19

20

21 **CONSIDERATION OF RESOLUTION(S)**

22

23 **HJR12-1014** by Representative(s) Fischer and Massey, Kefalas; also
24 Senator(s) Boyd--Concerning neonatal screening for the
25 early detection of congenital heart defects, and, in
26 connection therewith, proclaiming Friday,
27 February 24, 2012, "Congenital Heart Defect Day" and
28 "Children's Heart Day".

29

30 (Printed and placed in members' file)

31

32 On motion of Representative Fischer, 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) Balmer, Barker,
36 Baumgardner, Becker, Beezley, Brown, Casso, Conti, Coram, Court,
37 DelGrosso, Duran, Ferrandino, Fields, Gardner B., Gerou, Hamner, Holbert,
38 Hullinghorst, Jones, Joshi, Kagan, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
39 Looper, McCann, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston, Priola,
40 Ramirez, Ryden, Schafer S., Singer, Solano, Sonnenberg, Soper, Stephens,
41 Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller,
42 Williams A., Wilson, Young, Speaker.

43

1 On motion of Representative Ramirez, 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.

4

5

6

7

8

GENERAL ORDERS--SECOND READING OF BILLS

9

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

14

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

17

18 **HB12-1114** by Representative(s) Hamner; also Senator(s) Schwartz--
19 Concerning the crime of stalking.

20

21 Amendment No. 1, Judiciary Report, dated February 16, 2012, and
22 placed in member's bill file; Report also printed in House Journal,
23 February 17, page 303.

24

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

27

28

29 **HB12-1169** by Representative(s) Gardner B. and Duran; also Senator(s)
30 Brophy and Morse--Concerning a clarification of the
31 circumstances under which voting to elect leadership of a
32 public body may be held by secret ballot in accordance
33 with the state open meetings law.

34

35 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
36 February 15, 2012, and placed in member's bill file; Report also printed
37 in House Journal, February 17, page 304.

38

39 Amendment No. 2, by Representative(s) B. Gardner.

40

41 Amend printed bill, page 2, line 11, after "BALLOT," insert "AND A SECRET
42 BALLOT MAY BE USED IN CONNECTION WITH THE ELECTION BY A STATE OR
43 LOCAL PUBLIC BODY OF MEMBERS OF A SEARCH COMMITTEE, WHICH
44 COMMITTEE IS OTHERWISE SUBJECT TO THE REQUIREMENTS OF THIS
45 SECTION,".

46

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

49

50

51 **HB12-1030** by Representative(s) Loper and Priola, Barker, Brown,
52 Ramirez, Tyler; also Senator(s) Williams S., Hudak--
53 Concerning the repeal of requirements that specified types
54 of information be submitted to legislative committees, and,
55 in connection therewith, repealing certain transportation
56 and energy-related information submission requirements.

- 1 Amendment No. 1, Transportation Report, dated February 16, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 17, page 304.
4
- 5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7
- 8 **HB12-1095** by Representative(s) Waller--Concerning electronic court
9 documents.
10
- 11 Ordered engrossed and placed on the Calendar for Third Reading and
12 Final Passage.
13
14
- 15 **HB12-1163** by Representative(s) Waller; also Senator(s) Morse--
16 Concerning limited peace officer authority designations.
17
- 18 Ordered engrossed and placed on the Calendar for Third Reading and
19 Final Passage.
20
21
- 22 **HB12-1285** by Representative(s) Gerou; also Senator(s) Jahn--
23 Concerning modifications to statutory provisions
24 governing intergovernmental cooperation to address
25 wildland fire mitigation Where a municipality owns land
26 inside a county for utility purposes.
27
- 28 Amendment No. 1, Local Government Report, dated February 20, 2012,
29 and placed in member's bill file; Report also printed in House Journal,
30 February 21, page 334.
31
- 32 As amended, ordered engrossed and placed on the Calendar for Third
33 Reading and Final Passage.
34
35
- 36 **HB12-1288** by Representative(s) Murray; also Senator(s) Bacon--
37 Concerning the administration of information technology
38 projects in state government.
39
- 40 Amendment No. 1, Economic & Business Development Report, dated
41 February 21, 2012, and placed in member's bill file; Report also printed
42 in House Journal, February 22, page 347.
43
- 44 As amended, ordered engrossed and placed on the Calendar for Third
45 Reading and Final Passage.
46
47
- 48 **HB12-1204** by Representative(s) McCann, Kefalas, Young; also
49 Senator(s) Boyd--Concerning the continuation of the
50 regulation of hemodialysis technicians, and, in connection
51 therewith, implementing the sunset review
52 recommendations of the department of regulatory
53 agencies.
54
- 55 Ordered engrossed and placed on the Calendar for Third Reading and
56 Final Passage.

1 On motion of Representative Waller, the remainder of the General Orders
 2 Calendar (**HB12-1105, 1017, 1005, 1026, 1115, 1210, 1172, 1121, 1007,**
 3 **1144, 1269, 1123, 1160, 1237, 1116, 1168, 1206, 1283**) was laid over
 4 until February 27, retaining place on Calendar.

5
6
7
8 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

9
10 Passed Second Reading: **HB12-1114 amended, 1169 amended, 1030**
 11 **amended, 1095, 1163, 1285 amended, 1288 amended, 1204.**

12
13 Laid over until date indicated retaining place on Calendar: **HB12-1105,**
 14 **1017, 1005, 1026, 1115, 1210, 1172, 1121, 1007, 1144, 1269, 1123,**
 15 **1160, 1237, 1116, 1168, 1206, 1283--February 27, 2012.**

16
17 The Chairman moved the adoption of the Committee of the Whole
 18 Report. As shown by the following roll call vote, a majority of those
 19 elected to the House voted in the affirmative, and the Report was
 20 **adopted.**

21

	YES	61	NO	0	EXCUSED	4	ABSENT	0
23	Acree	E	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	E	Stephens	Y
27	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
28	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
29	Bradford	E	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	E	Wilson	Y
38	Fields	Y	Liston	Y	Singer	Y	Young	Y
39							Speaker	Y

40
41
42
43 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

44
45 **APPROPRIATIONS**

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

48
49 **HB12-1006** be referred to the Committee of the Whole with favorable
 50 recommendation.

51
52
53 **HB12-1023** be amended as follows, and as so amended, be referred to
 54 the Committee of the Whole with favorable
 55 recommendation:
 56

1 Amend printed bill, page 4, after line 14 insert:

2
3 **"SECTION 3. Appropriation.** (1) In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 Colorado state titling and registration account of the highway users tax
6 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
7 otherwise appropriated, to the department of revenue, information
8 technology division, for the fiscal year beginning July 1, 2012, the sum
9 of \$2,960, or so much thereof as may be necessary, for the
10 implementation of this act.

11
12 (2) In addition to any other appropriation, there is hereby
13 appropriated to the governor - lieutenant governor - state planning and
14 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
15 or so much thereof as may be necessary, for allocation to the office of
16 information technology for the provision of programming services to the
17 department of revenue related to the implementation of this act. Said sum
18 is from reappropriated funds received from the department of revenue out
19 of the appropriation made in subsection (1) of this section.

20
21 (3) In addition to any other appropriation, there is hereby
22 appropriated, out of any moneys in the license plate cash fund created in
23 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
24 appropriated, to the department of revenue, for the fiscal year beginning
25 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,
26 for allocation to the division of motor vehicles, for the purchase of license
27 plates related to the implementation of this act."

28
29 Renumber succeeding section accordingly.

30
31 Page 1, line 101, strike "PLATE." and substitute "PLATE, AND IN
32 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

33
34
35

36 **HB12-1041** 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, before line 3 insert:

41

42 **"SECTION 2. Appropriation.** (1) In addition to any other
43 appropriation, there is hereby appropriated, out of any moneys in the vital
44 statistics records cash fund created in section 25-2-121 (2) (b), Colorado
45 Revised Statutes, not otherwise appropriated, to the department of public
46 health and environment, center for health and environmental information
47 division, health statistics and vital records subdivision, operating
48 expenses, for the fiscal year beginning July 1, 2012, the sum of \$665,000,
49 or so much thereof as may be necessary, for the implementation of this
50 act.

51

52 (2) In addition to any other appropriation, there is hereby
53 appropriated, out of any moneys in the vital statistics records cash fund
54 created in section 25-2-121 (2) (b), Colorado Revised Statutes, not
55 otherwise appropriated, to the department of public health and
56 environment, center for health and environmental information division,

1 information technology services subdivision, management and
2 administration of oit, for the fiscal year beginning July 1, 2012, the sum
3 of \$78,940, or so much thereof as may be necessary, for the
4 implementation of this act.

5
6 (3) In addition to any other appropriation, there is hereby
7 appropriated to the governor - lieutenant governor - state planning and
8 budgeting, office of information technology division, management and
9 administration of oit subdivision, statewide it management, for the fiscal
10 year beginning July 1, 2012, the sum of \$78,940, or so much thereof as
11 may be necessary, for allocation to the office of information technology
12 for the provision of programming services to the department of public
13 health and environment related to the implementation of this act. Said
14 sum is from reappropriated funds received from the department of public
15 health and environment out of the appropriation made in subsection (2)
16 of this section."

17
18 Renumber succeeding section accordingly.

19
20 Page 1, line 103, strike "ENVIRONMENT." and substitute "ENVIRONMENT,
21 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

22
23
24
25 **HB12-1052** 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 5, after line 11 insert:

30
31 **"SECTION 3. Appropriation.** (1) In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
34 Colorado Revised Statutes, not otherwise appropriated, to the department
35 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum
36 of \$36,745, or so much thereof as may be necessary, for the
37 implementation of this act.

38
39 (2) In addition to any other appropriation, there is hereby
40 appropriated to the governor - lieutenant governor - state planning and
41 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$35,520
42 or so much thereof as may be necessary, for allocation to the office of
43 information technology for the provision of programming services to the
44 department of regulatory agencies related to the implementation of this
45 act. Said sum is from reappropriated funds received from the department
46 of regulatory agencies out of the appropriation made in subsection (1) of
47 this section."

48
49 Renumber succeeding sections accordingly.

50
51 Page 1, line 102 strike "PROFESSIONALS." and substitute
52 "PROFESSIONALS, AND, IN CONNECTION THEREWITH, MAKING AN
53 APPROPRIATION."

54
55
56

1 **HB12-1125** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB12-1140** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB12-1149** 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 3, after line 16, insert:
14

15 "SECTION 2. No appropriation. The general assembly has
16 determined that this act can be implemented within existing
17 appropriations, and therefore no separate appropriation of state moneys
18 is necessary to carry out the purposes of this act."
19

20 Renumber succeeding section accordingly.
21

22
23
24 **HB12-1216** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend printed bill, page 2, strike lines 12 through 15 and substitute
29 "~~transferred~~ TRANSFER THE FEE to the state treasurer, who shall credit ten
30 dollars to the highway users tax fund and three dollars and forty cents to
31 the licensing services cash fund created in section 42-2-114.5; except
32 that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015,
33 the state treasurer shall credit".
34

35 Page 3, strike lines 3 and 4 and substitute "same ~~in the state treasury~~ to
36 the credit of the highway users tax fund; except that, for fiscal years
37 ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015, TO the state
38 treasurer,".
39

40 Page 3, strike lines 16 through 19 and substitute "to the state treasurer,
41 who shall credit fifteen dollars to the highway users tax fund and five
42 dollars and forty cents to the licensing services cash fund created in
43 section 42-2-114.5; except that, for fiscal years ~~2010-11 and 2011-12~~
44 2012-13 THROUGH 2014-2015, the state treasurer shall credit the ~~fees~~ FEE
45 to the".
46

47 Page 3, strike lines 25 through 27 and substitute "transmission to the state
48 treasurer, who shall credit three dollars and forty cents to the licensing
49 services cash fund and nine dollars to the highway users tax fund; except
50 that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015,
51 the state treasurer shall credit ~~such~~ THE amount to the licensing services
52 cash fund."
53

54 Page 4, strike line 1.
55

56 Page 4, strike lines 4 through 6 and substitute "this part 1 and part 2 of

1 this article; except that eight dollars and fifty cents of each fee ~~shall be~~ IS
2 allocated ~~pursuant to~~ IN ACCORDANCE WITH section 43-4-205 (6) (b),
3 C.R.S., other than during fiscal years ~~2010-11 and 2011-12~~ 2012-13
4 THROUGH 2014-2015."

5
6 Page 4, strike lines 11 through 14 and substitute "THE fee ~~shall be~~
7 ~~transferred~~ to the state treasurer, who shall credit fifteen dollars to the
8 highway users tax fund and five dollars and forty cents to the licensing
9 services cash fund created in section 42-2-114.5; except that, for fiscal
10 years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015, the state
11 treasurer shall credit".

12
13 Page 4, strike lines 20 through 23 and substitute "department for
14 transmission to the state treasurer, who shall credit three dollars and forty
15 cents to the licensing services cash fund and nine dollars to the highway
16 users tax fund; except that, for the fiscal years ~~2010-11 and 2011-12~~
17 2012-13 THROUGH 2014-2015, the state treasurer shall credit ~~such~~ THE
18 amount to the".

19
20 Page 4, strike lines 26 and 27 and substitute "the expenses of the
21 administration of this part 1 and part 2 of this article; except that eight
22 dollars and fifty cents of each fee ~~shall be~~ IS allocated ~~pursuant to~~ IN
23 ACCORDANCE WITH section 43-4-205 (6) (b), C.R.S., other than during
24 fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015".

25
26 Page 5, strike lines 1 and 2.

27
28 Page 5, strike lines 7 through 10 and substitute "shall credit fifteen dollars
29 to the highway users tax fund and five dollars and forty cents to the
30 licensing services cash fund created in section 42-2-114.5; except that, for
31 fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015, the state
32 treasurer shall credit the ~~fees~~ FEE to the licensing services cash fund".

33
34 Page 6, strike lines 1 through 10 and substitute "~~shall be transferred~~ to the
35 state treasurer, who shall credit five dollars to the highway users tax fund
36 and one dollar and ninety cents to the licensing services cash fund created
37 in section 42-2-114.5; except that, for fiscal years ~~2010-11 and 2011-12~~
38 2012-13 THROUGH 2014-2015, the state treasurer shall credit the ~~fees~~ FEE
39 to the licensing services cash fund created in section 42-2-114.5. The fee
40 for a subsequent duplicate license ~~shall be~~ IS transferred to the state
41 treasurer, who shall credit ten dollars to the highway users tax fund and
42 three dollars and forty cents to the licensing services cash fund; except
43 that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015,
44 the state treasurer shall credit the ~~fees~~ FEE to the licensing services cash
45 fund."

46
47 Page 6, strike lines 16 through 19 and substitute "treasurer, who shall
48 credit twenty-five dollars to the highway users tax fund and nine dollars
49 and forty cents to the licensing services cash fund created in section
50 42-2-114.5; except that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13
51 THROUGH 2014-2015, the state treasurer shall credit the ~~fees~~ FEE to the
52 licensing".

53
54 Page 6, strike lines 26 and 27 and substitute "nineteen dollars to the
55 highway users tax fund and seven dollars and forty cents to the licensing
56 services cash fund; except that, for fiscal years ~~2010-11 and 2011-12~~

- 1 2012-13 THROUGH 2014-2015, the state treasurer shall credit the fees
2 AMOUNT".
3
4 Page 7, strike line 1.
5
6 Page 7, strike lines 5 through 8 and substitute "and this part 4; except that
7 eight dollars and fifty cents of each commercial driver's license fee shall
8 be allocated pursuant to IN ACCORDANCE WITH section 43-4-205 (6) (b),
9 C.R.S., other than during fiscal years ~~2010-11 and 2011-12~~ 2012-13
10 THROUGH 2014-2015."
11
12 Page 7, strike lines 14 through 17 and substitute "who shall credit
13 twenty-five dollars to the highway users tax fund and nine dollars and
14 forty cents to the licensing services cash fund created in section
15 42-2-114.5; except that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13
16 THROUGH 2014-2015, the state treasurer shall credit the fees FEE to the
17 licensing services cash".
18
19 Page 7, strike lines 22 through 24 and substitute "who shall credit
20 nineteen dollars to the highway users tax fund and seven dollars and forty
21 cents to the licensing services cash fund; except that, for fiscal years
22 ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015, the state treasurer
23 shall credit such THE".
24
25 Page 8, strike lines 1 through 4 and substitute "administration of parts 1
26 and 2 of this article and this part 4; except that eight dollars and fifty
27 cents of each such minor driver's license fee shall be IS allocated pursuant
28 to IN ACCORDANCE WITH section 43-4-205 (6) (b), C.R.S., other than
29 during fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015."
30
31 Page 8, strike lines 10 through 14 and substitute "the administration of
32 parts 1 and 2 of this article and this part 4 and any fees credited to the
33 fund pursuant to UNDER this subsection (3) in excess of the amount of the
34 appropriations shall be ARE allocated and expended as specified in section
35 43-4-205 (5.5) (f), C.R.S., other than during fiscal years ~~2010-11 and~~
36 ~~2011-12~~ 2012-13 THROUGH 2014-2015."
37
38 Page 8, strike lines 18 through 27 and substitute "forwarded to the state
39 treasurer, who shall credit the same to the highway users tax fund; except
40 that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015,
41 the state treasurer shall credit the fees to the licensing services cash fund.
42 The general assembly shall make annual appropriations therefrom FROM
43 THE LICENSING SERVICES CASH FUND for the expenses of the
44 administration of parts 1 and 2 of this article and this part 4 and any fees
45 credited to the fund pursuant to this subsection (6) in excess of the
46 amount of the appropriations shall be ARE allocated and expended as
47 specified in section 43-4-205 (5.5) (f), C.R.S., other than during fiscal
48 years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015."
49
50 Page 9, strike lines 19 through 27 and substitute "database program
51 created in section 42-7-604 and for state fiscal years 2010-11 and
52 2011-12, for expenses incurred in connection with the administration of
53 article 2 of this title; by the division of motor vehicles within the
54 department; except that:".
55
56 Page 10, strike lines 1 through 11 and substitute:

1 "~~(A) For the 2010-11 and 2011-12 fiscal years~~ 2012-13 THROUGH
2 2014-2015, the state treasurer shall transfer moneys in the account in
3 excess of the amount of moneys appropriated from the account to the
4 Colorado state titling and registration account in the highway users tax
5 fund for allocation and expenditure as required by section 42-1-211 (2).
6 This sub-subparagraph (A) is repealed, effective July 1, ~~2012~~ 2015.
7

8 (B) For the fiscal year commencing July 1, ~~2012~~ 2015, the state
9 treasurer shall transfer moneys in the account in excess of the amount of
10 moneys appropriated from the account to the highway users tax fund for
11 allocation and expenditure as specified in section 43-4-205 (5.5) (c),
12 C.R.S."
13

14 Page 10, before line 12 insert:
15

16 **"SECTION 7. Appropriation - adjustments in 2012 long bill.**

17 (1) For the implementation of this act, appropriations made in the annual
18 general appropriation act to the department of revenue for the fiscal year
19 beginning July 1, 2012, are adjusted as follows:
20

21 (a) The general fund appropriation to the executive director's
22 office, is decreased by \$7,954,625.
23

24 (b) The cash funds appropriation to the executive director's office,
25 is increased by \$8,051,285. Said sum is from the licensing services cash
26 fund created in section 42-2-114.5 (1), Colorado Revised Statutes.
27

28 (c) The cash funds appropriation to the executive director's office,
29 is decreased by \$31,708. Said sum is from the highway users tax fund
30 pursuant to section 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes.
31

32 (d) The reappropriated funds appropriation to the executive
33 director's office, for personal services, is decreased by \$64,953. Of said
34 sum, \$21,918 is from moneys transferred from the enforcement business
35 group, limited gaming division and \$43,035 is from moneys transferred
36 from the state lottery division.
37

38 (e) The general fund appropriation to the central department
39 operations division, is decreased by \$108,245.
40

41 (f) The cash funds appropriation to the central department
42 operations division, is increased by \$126,582. Said sum is from the
43 licensing services cash fund created in section 42-2-114.5 (1), Colorado
44 Revised Statutes.
45

46 (g) The cash funds appropriation to the central department
47 operations division, is decreased by \$8,870. Said sum is from the
48 highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),
49 Colorado Revised Statutes.
50

51 (h) The reappropriated funds appropriation to the central
52 department operations division, is decreased by \$9,467. Said sum is from
53 moneys transferred from the enforcement business group, limited gaming
54 division.
55

56 (i) The general fund appropriation to the division of motor

1 vehicles, administration, is decreased by \$408,535.

2
3 (j) The cash funds appropriation to the division of motor vehicles,
4 administration, is increased by \$423,014. Said sum is from the licensing
5 services cash fund created in section 42-2-114.5 (1), Colorado Revised
6 Statutes.

7
8 (k) The cash funds appropriation to the division of motor vehicles,
9 administration, is decreased by \$14,479. Said sum is from the highway
10 users tax fund pursuant to section 43-4-201 (3) (a) (III) (C), Colorado
11 Revised Statutes.

12
13 (l) The general fund appropriation to the division of motor
14 vehicles, driver and vehicle services, is decreased by \$14,192,839.

15
16 (m) The cash funds appropriation to the division of motor
17 vehicles, driver and vehicle services, is increased by \$14,192,839. Said
18 sum is from the licensing services cash fund created in section 42-2-114.5
19 (1), Colorado Revised Statutes.

20
21 (n) The cash funds appropriation to the enforcement business
22 group, limited gaming division, for indirect cost assessment, is decreased
23 by \$31,385. Said sum is from the limited gaming fund created in section
24 12-47.1-701 (1), Colorado Revised Statutes.

25
26 (o) The cash funds appropriation to the state lottery division, for
27 indirect cost assessment, is decreased by \$43,035. Said sum shall be from
28 the state lottery fund created in section 24-35-210 (1), Colorado Revised
29 Statutes."

30
31 Renumber succeeding sections accordingly.

32
33 Page 1, line 102 strike "REVENUE." and substitute "REVENUE, AND, IN
34 CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."

35
36
37
38
39 **ECONOMIC & BUSINESS DEVELOPMENT**

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

42
43 **HB12-1110** be amended as follows, and as so amended, be referred
44 to the Committee on Finance with favorable
45 recommendation:

46
47 Amend printed bill, page 12, strike line 27 and substitute "OR BE
48 LICENSED BY THE BOARD. THIS EXEMPTION INCLUDES A PANEL OF
49 APPRAISERS WHO ARE ENGAGED TO PROVIDE APPRAISAL SERVICES AND
50 ARE ADMINISTERED BY A FINANCIAL INSTITUTION REGULATED BY A
51 FEDERAL FINANCIAL REGULATORY AGENCY."

52
53 Page 13, strike line 1.

54
55 Page 13, line 4, after "EXCEPT" insert "AN APPRAISER WHO IS EMPLOYED
56 BY A STATE OR LOCAL GOVERNMENTAL ENTITY OR".

1 Page 16, line 12, strike "(9)" and substitute "(9); and **add** (1) (j)".

2

3 Page 16, line 14, after "**procedures.**" insert "(1) A real estate appraiser
4 is in violation of this part 7 if the appraiser:

5

6 (j) HAS FAILED TO DISCLOSE IN THE APPRAISAL REPORT THE FEE
7 PAID TO THE APPRAISER FOR A RESIDENTIAL REAL PROPERTY APPRAISAL IF
8 THE APPRAISER WAS ENGAGED BY AN APPRAISAL MANAGEMENT COMPANY
9 TO COMPLETE THE ASSIGNMENT."

10

11 Page 18, line 16, strike "ASSIGNMENT;" and substitute "ASSIGNMENT.
12 COMMUNICATION BY AN APPRAISER TO THE CLIENT MUST BE MADE IN
13 WRITING AND SUBMITTED TO THE APPRAISAL MANAGEMENT COMPANY."

14

15 Page 19, line 3, strike " OF AT LEAST TEN PERCENT OF ALL".

16

17 Page 19, line 4, strike "COMPANY;" and substitute "COMPANY. THE BOARD
18 SHALL ESTABLISH ANNUAL APPRAISAL REVIEW REQUIREMENTS BY RULE
19 AND SHALL SOLICIT AND CONSIDER INFORMATION AND COMMENTS FROM
20 INTERESTED PERSONS."

21

22 Page 19, strike lines 5 through 7.

23

24 Reletter succeeding paragraphs accordingly.

25

26 Page 19, line 14, strike "WITH THE CLIENT OR".

27

28 Page 20, line 21, strike "(o)" and substitute "(n)".

29

30 Page 21, line 10, after "ASSIGNMENT;" insert "OR".

31

32 Page 21, strike lines 11 through 13.

33

34 Reletter succeeding paragraph accordingly.

35

36 Page 23, line 4, strike "IT" and substitute "EXCEPT AS PROVIDED IN
37 SECTION 12-61-706.3 (9), IT".

38

39

40

41 **HB12-1133** be postponed indefinitely.

42

43

44 **HB12-1228** 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 2, line 9, strike "employment:" and substitute
49 "employment,".

50

51 Page 2, line 18, after "~~history.~~" insert "AND EVERY TWO YEARS
52 THEREAFTER, ONE OF THE FOLLOWING:".

53

54

55

56 **HB12-1272** be referred favorably to the Committee on Finance.

1 **HB12-1304** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **FINANCE**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **HB12-1250** be postponed indefinitely.
12
13
14
15

16 **HEALTH & ENVIRONMENT**

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

20 **HB12-1268** 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, strike everything below the enacting clause and
25 substitute:
26

27 "SECTION 1. In Colorado Revised Statutes, 25-1.5-103, **add** (5)
28 as follows:
29

30 **25-1.5-103. Health facilities - powers and duties of department**
31 **- limitations on rules promulgated by department.** (5) (a) THIS
32 SUBSECTION (5) APPLIES TO CONSTRUCTION, INCLUDING SUBSTANTIAL
33 RENOVATION, OF A HEALTH CARE FACILITY BUILDING OR STRUCTURE ON
34 OR AFTER JULY 1, 2012. ALL HEALTH FACILITY BUILDINGS AND
35 STRUCTURES SHALL BE CONSTRUCTED IN CONFORMITY WITH THE
36 STANDARDS ADOPTED BY THE DIRECTOR OF THE DIVISION OF FIRE SAFETY
37 IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE
38 DEPARTMENT OF PUBLIC SAFETY.
39

40 (b) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION
41 (5) BUT NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
42 CONTRARY, THE DEPARTMENT SHALL NOT ISSUE OR RENEW ANY LICENSE
43 UNDER THIS ARTICLE UNLESS THE DEPARTMENT HAS RECEIVED A
44 CERTIFICATE OF COMPLIANCE FROM THE DIVISION OF FIRE SAFETY
45 CERTIFYING THAT THE BUILDING OR STRUCTURE OF THE HEALTH FACILITY
46 ARE IN CONFORMITY WITH THE STANDARDS ADOPTED BY THE DIRECTOR OF
47 THE DIVISION OF FIRE SAFETY.
48

49 (c) HOME CARE AGENCIES, ASSISTED LIVING RESIDENCES, AND
50 OTHER FACILITIES OF A LIKE NATURE THAT DO NOT MAINTAIN BUILDINGS
51 OR STRUCTURES AT WHICH HEALTH CARE SERVICES ARE PROVIDED ARE
52 NOT REQUIRED TO OBTAIN A CERTIFICATE OF COMPLIANCE IN ACCORDANCE
53 WITH PARAGRAPH (b) OF THIS SUBSECTION (5) AS A CONDITION OF
54 LICENSURE BY THE DEPARTMENT.
55

56 (d) THE DEPARTMENT HAS NO AUTHORITY TO ESTABLISH OR

1 ENFORCE STANDARDS RELATING TO BUILDING OR FIRE CODES. ALL
2 FUNCTIONS, PERSONNEL, AND PROPERTY OF THE DEPARTMENT AS OF JUNE
3 30, 2012, THAT ARE PRINCIPALLY DIRECTED TO THE ADMINISTRATION,
4 INSPECTION, AND ENFORCEMENT OF ANY BUILDING OR FIRE CODES OR
5 STANDARDS SHALL BE TRANSFERRED TO THE HEALTH FACILITY
6 CONSTRUCTION AND INSPECTION SECTION OF THE DIVISION OF FIRE SAFETY
7 PURSUANT TO SECTION 24-33.5-1201 (4), C.R.S.

8
9 **SECTION 2.** In Colorado Revised Statutes, 25-3-102, **amend** (1);
10 and **add** (3) as follows:

11
12 **25-3-102. License - application - issuance - certificate of**
13 **compliance required.** (1) An application for a license described in
14 section 25-3-101 shall be made to the department of public health and
15 environment annually upon such form and in such manner as prescribed
16 by the department; except that a community residential home shall make
17 application for a license pursuant to section 27-10.5-109, C.R.S. The
18 department has authority to administer oaths, subpoena witnesses or
19 documents, and take testimony in all matters relating to issuing, denying,
20 limiting, suspending, or revoking such license. The department shall issue
21 licenses to applicants furnishing satisfactory evidence of fitness to
22 conduct and maintain a facility described in section 25-3-101 in
23 accordance with ~~the provisions of this part 1 and the rules and regulations~~
24 ~~adopted by such~~ THE department. The license shall be signed by the
25 president and attested by the secretary of the state board of health and
26 have the seal thereof affixed thereto. ~~Such~~ THE license expires one year
27 from the date of issuance.

28
29 (3) (a) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
30 CONTRARY, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
31 SHALL NOT ISSUE OR RENEW ANY LICENSE DESCRIBED IN SECTION 25-3-101
32 FOR A FACILITY COVERED BY SECTION 25-1.5-103 (5) UNLESS THE
33 DEPARTMENT RECEIVES A CERTIFICATE OF COMPLIANCE FOR THE
34 APPLICANT'S BUILDING OR STRUCTURE FROM THE DIVISION OF FIRE SAFETY
35 IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE
36 DEPARTMENT OF PUBLIC SAFETY IN ACCORDANCE WITH PART 12 OF
37 ARTICLE 33.5 OF TITLE 24, C.R.S.

38
39 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
40 SHALL TAKE ACTION ON AN APPLICATION FOR LICENSURE WITHIN THIRTY
41 DAYS AFTER THE DATE IT RECEIVES THE CERTIFICATE OF COMPLIANCE
42 FROM THE DIVISION OF FIRE SAFETY.

43
44 **SECTION 3.** In Colorado Revised Statutes, 25-3-105, **add** (4) as
45 follows:

46
47 **25-3-105. License - fee - rules - penalty.** (4) ON JUNE 30, 2012,
48 ANY MONEYS REMAINING IN THE HEALTH FACILITIES GENERAL LICENSURE
49 CASH FUND CREATED IN SECTION 25-3-103.1 (1) FROM FEES COLLECTED BY
50 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR HEALTH
51 FACILITY BUILDING AND STRUCTURE CODE PLAN REVIEWS AND
52 INSPECTIONS ARE TRANSFERRED TO THE HEALTH FACILITY CONSTRUCTION
53 AND INSPECTION CASH FUND CREATED IN SECTION 24-33.5-1207.8, C.R.S.

54
55 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1201, **add**
56 (4) as follows:

1 **24-33.5-1201. Division of fire safety - creation - public school**
2 **construction and inspection section - health facility construction and**
3 **inspection section.** (4) (a) THERE IS HEREBY CREATED WITHIN THE
4 DIVISION THE HEALTH FACILITY CONSTRUCTION AND INSPECTION SECTION
5 TO IMPLEMENT SECTION 24-33.5-1212.5 AND TO ADMINISTER AND
6 ENFORCE THE CODES IN ACCORDANCE WITH SECTIONS 24-33.5-1212.5 AND
7 24-33.5-1213. THE HEALTH FACILITY CONSTRUCTION AND INSPECTION
8 SECTION SHALL PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION
9 AND THE EXECUTIVE DIRECTOR AS IF THE SAME WERE TRANSFERRED TO
10 THE DEPARTMENT BY A **TYPE 2** TRANSFER, AS SUCH TRANSFER IS DEFINED
11 IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF
12 THIS TITLE.

13
14 (b) ON AND AFTER JULY 1, 2012, ALL POSITIONS OF EMPLOYMENT
15 IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR WHICH
16 PRINCIPAL DUTIES ARE CONCERNED WITH LIFE SAFETY INSPECTION AND
17 THAT ARE DETERMINED BY THE DIRECTOR TO BE NECESSARY TO CARRY
18 OUT THE PURPOSES OF THE HEALTH FACILITY CONSTRUCTION AND
19 INSPECTION SECTION ARE TRANSFERRED TO THE DIVISION AND ARE
20 EMPLOYMENT POSITIONS THEREIN. THE EXECUTIVE DIRECTOR SHALL
21 APPOINT SUCH EMPLOYEES AS ARE NECESSARY TO CARRY OUT THE DUTIES
22 AND EXERCISE THE POWERS SPECIFIED IN THIS PART 12. THE EXECUTIVE
23 DIRECTOR MAY DELEGATE APPOINTING AUTHORITY AS APPROPRIATE.

24
25 (c) ON AND AFTER JULY 1, 2012, ALL EMPLOYEES OF THE
26 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CARRYING OUT THE
27 DUTIES PRINCIPALLY RELATING TO LIFE SAFETY CODE COMPLIANCE ARE
28 EMPLOYEES OF THE HEALTH FACILITY CONSTRUCTION AND INSPECTION
29 SECTION IN THE DIVISION. THE EMPLOYEES RETAIN ALL RIGHTS UNDER THE
30 STATE PERSONNEL SYSTEM AND TO RETIREMENT BENEFITS PURSUANT TO
31 THE LAWS OF THIS STATE, AND THEIR SERVICES ARE DEEMED TO HAVE
32 BEEN CONTINUOUS.

33
34 (d) ON JULY 1, 2012, ALL ITEMS OF PROPERTY, REAL AND
35 PERSONAL, INCLUDING OFFICE FURNITURE AND FIXTURES, BOOKS,
36 DOCUMENTS, AND RECORDS OF THE DEPARTMENT OF PUBLIC HEALTH AND
37 ENVIRONMENT USED IN CARRYING OUT THE DUTIES PRINCIPALLY RELATING
38 TO LIFE SAFETY CODE COMPLIANCE ARE TRANSFERRED TO THE HEALTH
39 FACILITY CONSTRUCTION AND INSPECTION SECTION IN THE DIVISION AND
40 BECOME THE PROPERTY OF THAT SECTION.

41
42 (e) WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS
43 PARAGRAPH (e), THE DIVISION SHALL WORK WITH THE GOVERNOR TO SEEK
44 FROM THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH
45 AND HUMAN SERVICES A MODIFICATION TO THE AGREEMENT ENTERED
46 INTO BETWEEN THE SECRETARY AND THE STATE OF COLORADO PURSUANT
47 TO SECTION 1864 OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C.
48 SEC. 1395aa, THAT ALLOWS THE DIVISION TO FULFILL THE DUTIES UNDER
49 THAT LAW ASSOCIATED WITH THE ASSESSMENT OF COMPLIANCE WITH THE
50 FEDERAL FIRE SAFETY CODE REQUIREMENTS FOR HEALTH FACILITIES.

51
52 **SECTION 5.** In Colorado Revised Statutes, 24-33.5-1202,
53 **amend** (7.7); and **add** (7.9) as follows:

54
55 **24-33.5-1202. Definitions.** As used in this part 12, unless the
56 context otherwise requires:

1 (7.7) ~~"Manufacturer" means any one or more of the following:~~
 2
 3 ~~(a) An entity that manufactures or otherwise produces cigarettes~~
 4 ~~or causes cigarettes to be manufactured with the intent that such cigarettes~~
 5 ~~be sold in Colorado, regardless of Where the cigarettes are manufactured~~
 6 ~~or produced and regardless of whether they are imported from outside the~~
 7 ~~United States;~~
 8
 9 ~~(b) The first purchaser anywhere that intends to resell, in the~~
 10 ~~United States, cigarettes manufactured anywhere that the original~~
 11 ~~manufacturer or producer does not intend to be sold in the United States;~~
 12 ~~or~~
 13
 14 ~~(c) An entity that becomes a successor to an entity described in~~
 15 ~~paragraph (a) or (b) of this subsection (7.7) "HEALTH FACILITY" MEANS~~
 16 ~~A GENERAL HOSPITAL, HOSPITAL UNIT AS DEFINED IN SECTION 25-3-101~~
 17 ~~(2), C.R.S., PSYCHIATRIC HOSPITAL, COMMUNITY CLINIC, REHABILITATION~~
 18 ~~CENTER, CONVALESCENT CENTER, COMMUNITY MENTAL HEALTH CENTER,~~
 19 ~~ACUTE TREATMENT UNIT, FACILITY FOR PERSONS WITH DEVELOPMENTAL~~
 20 ~~DISABILITIES, HABILITATION CENTER FOR CHILDREN WITH BRAIN DAMAGE,~~
 21 ~~CHIROPRACTIC CENTER AND HOSPITAL, MATERNITY HOSPITAL, NURSING~~
 22 ~~CARE FACILITY, REHABILITATIVE NURSING FACILITY, HOSPICE CARE~~
 23 ~~FACILITY, DIALYSIS TREATMENT CLINIC, AMBULATORY SURGICAL CENTER,~~
 24 ~~BIRTHING CENTER, OR OTHER FACILITY OF A LIKE NATURE; EXCEPT THAT~~
 25 ~~"HEALTH FACILITY" DOES NOT INCLUDE A FACILITY AT WHICH HEALTH~~
 26 ~~SERVICES ARE NOT PROVIDED TO INDIVIDUALS.~~

27
 28 (7.9) "MANUFACTURER" MEANS ANY ONE OR MORE OF THE
 29 FOLLOWING:

30
 31 (a) AN ENTITY THAT MANUFACTURES OR OTHERWISE PRODUCES
 32 CIGARETTES OR CAUSES CIGARETTES TO BE MANUFACTURED WITH THE
 33 INTENT THAT SUCH CIGARETTES BE SOLD IN COLORADO, REGARDLESS OF
 34 WHERE THE CIGARETTES ARE MANUFACTURED OR PRODUCED AND
 35 REGARDLESS OF WHETHER THEY ARE IMPORTED FROM OUTSIDE THE
 36 UNITED STATES;

37
 38 (b) THE FIRST PURCHASER ANYWHERE THAT INTENDS TO RESELL,
 39 IN THE UNITED STATES, CIGARETTES MANUFACTURED ANYWHERE THAT
 40 THE ORIGINAL MANUFACTURER OR PRODUCER DOES NOT INTEND TO BE
 41 SOLD IN THE UNITED STATES; OR

42
 43 (c) AN ENTITY THAT BECOMES A SUCCESSOR TO AN ENTITY
 44 DESCRIBED IN PARAGRAPH (a) OR (b) OF THIS SUBSECTION (7.9).

45
 46 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-1203,
 47 **amend** (1) (b.5); and **add** (1) (p.5) as follows:

48
 49 **24-33.5-1203. Duties of division.** (1) The division shall perform
 50 the following duties:

51
 52 (b.5) Advise the governor and the general assembly regarding
 53 implementation of the public school construction and inspection program
 54 AND THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM;

55
 56 (p.5) CONDUCT, WHEN THERE IS NO LOCAL BUILDING DEPARTMENT

1 OR FIRE DEPARTMENT, CONSTRUCTION PLAN REVIEWS AND INSPECTIONS OF
2 HEALTH FACILITY BUILDINGS AND STRUCTURES AND ENFORCE THE CODES
3 IN ACCORDANCE WITH SECTIONS 24-33.5-1212.5 AND 24-33.5-1213;
4

5 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-1204.5,
6 **amend** (1) (g); and **add** (1) (f.5) as follows:
7

8 **24-33.5-1204.5. Powers and duties of administrator - rules.**
9 (1) In addition to any other duties and powers granted by this section or
10 sections 24-33.5-1206.2 and 24-33.5-1206.4, the administrator has the
11 following duties and powers:
12

13 (f.5) TO ESTABLISH AND ADOPT RULES NECESSARY TO ADMINISTER
14 THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM FOR:
15

16 (I) WHERE THERE IS NO LOCAL BUILDING DEPARTMENT OR FIRE
17 DEPARTMENT, THE INSPECTION OF HEALTH FACILITY BUILDINGS AND
18 STRUCTURES AND PERFORMANCE OF PLAN REVIEWS; AND
19

20 (II) THE DEVELOPMENT OF A PROGRAM FOR CERTIFICATION OF
21 HEALTH FACILITY LIFE SAFETY INSPECTORS;
22

23 (g) To conduct hearings upon charges for discipline of a school
24 building inspector, HEALTH FACILITY LIFE SAFETY CODE INSPECTOR, OR
25 THIRD-PARTY INSPECTOR; issue subpoenas; compel attendance of
26 witnesses; compel the production of books, records, papers, and
27 documents; administer oaths to persons giving testimony at hearings; and
28 recommend prosecution of persons violating this part 12.
29

30 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-1206,
31 **amend** (2) as follows:
32

33 **24-33.5-1206. Education and training programs - certification**
34 **programs - supervision and control.** (2) The public school construction
35 and inspection program, THE HEALTH FACILITY CONSTRUCTION AND
36 INSPECTION PROGRAM, and the certification ~~program~~ PROGRAMS for public
37 school and junior college building inspectors AND LIFE SAFETY CODE
38 INSPECTORS established pursuant to this part 12 ~~shall be~~ ARE under the
39 supervision and control of the director with the advice of the board of
40 appeals created in section 24-33.5-1213.7.
41

42 **SECTION 9.** In Colorado Revised Statutes, **add** 24-33.5-1207.8
43 as follows:
44

45 **24-33.5-1207.8. Health facility construction and inspection**
46 **cash fund - created.** ALL MONEYS COLLECTED BY THE DIVISION
47 PURSUANT TO SECTION 24-33.5-1212.5 SHALL BE TRANSMITTED TO THE
48 STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEALTH
49 FACILITY CONSTRUCTION AND INSPECTION CASH FUND, WHICH IS HEREBY
50 CREATED. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST
51 EARNED THEREON ARE SUBJECT TO ANNUAL APPROPRIATION BY THE
52 GENERAL ASSEMBLY FOR PAYING THE EXPENSES OF THE HEALTH FACILITY
53 CONSTRUCTION AND INSPECTION PROGRAM. ANY UNEXPENDED AND
54 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
55 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
56 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

1 **SECTION 10.** In Colorado Revised Statutes, **add** 24-33.5-1212.5
2 as follows:

3
4 **24-33.5-1212.5. Health facility fire and building codes -**
5 **third-party inspections authorized - temporary certificate of**
6 **occupancy - fees - rules - board of appeals.** (1) (a) THIS SECTION
7 APPLIES TO HEALTH FACILITY BUILDINGS OR STRUCTURES, INCLUDING THE
8 CONSTRUCTION OR SUBSTANTIAL REMODELING THEREOF, WHEN THERE IS
9 NO LOCAL BUILDING DEPARTMENT OR FIRE DEPARTMENT TO PERFORM
10 SUCH FUNCTIONS.

11
12 (b) ON AND AFTER JULY 1, 2012, HEALTH FACILITY BUILDINGS AND
13 STRUCTURES SHALL BE MAINTAINED IN ACCORDANCE WITH THEIR LOCAL
14 BUILDING AND FIRE CODES OR, IF NO SUCH LOCAL BUILDING AND FIRE
15 CODES EXIST, WITH THE BUILDING AND FIRE CODES ADOPTED BY THE
16 DIRECTOR PURSUANT TO SECTION 24-33.5-1203.5.

17
18 (c) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1),
19 UPON REQUEST OF THE LOCAL FIRE AUTHORITY, THE DIRECTOR OF THE
20 DIVISION SHALL PROVIDE TECHNICAL ASSISTANCE IN THE REVIEW OF
21 HEALTH FACILITY PLANS AND, IF APPROPRIATE, CONDUCT INSPECTIONS ON
22 BEHALF OF THE LOCAL FIRE AUTHORITY.

23
24 (2) EXCEPT AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION, IN
25 THE ABSENCE OF A LOCAL BUILDING DEPARTMENT OR FIRE DEPARTMENT,
26 THE DIVISION SHALL CONDUCT THE NECESSARY PLAN REVIEWS, ISSUE
27 BUILDING PERMITS, CAUSE THE NECESSARY INSPECTIONS TO BE
28 PERFORMED, PERFORM FINAL INSPECTIONS, AND ISSUE CERTIFICATES OF
29 OCCUPANCY TO ASSURE THAT A HEALTH FACILITY BUILDING OR
30 STRUCTURE HAS BEEN CONSTRUCTED IN CONFORMITY WITH THE BUILDING
31 AND FIRE CODES ADOPTED BY THE DIRECTOR AND THAT THE HEALTH
32 FACILITY HAS COMPLIED WITH THIS SECTION.

33
34 (3) **Third-party inspectors.** (a) THE DIVISION MAY CONTRACT
35 WITH THIRD-PARTY INSPECTORS WHO ARE CERTIFIED IN ACCORDANCE
36 WITH SECTION 24-33.5-1213.5 TO PERFORM INSPECTIONS.

37
38 (b) (I) A HEALTH FACILITY MAY HIRE AND COMPENSATE
39 THIRD-PARTY INSPECTORS UNDER CONTRACT WITH THE DIVISION OR HIRE
40 AND COMPENSATE OTHER THIRD-PARTY INSPECTORS WHO ARE CERTIFIED
41 IN ACCORDANCE WITH SECTION 24-33.5-1213.5 TO PERFORM INSPECTIONS.

42
43 (II) IF A THIRD-PARTY INSPECTOR IS USED, THE DIVISION SHALL
44 REQUIRE A SUFFICIENT NUMBER OF THIRD-PARTY INSPECTION REPORTS TO
45 BE SUBMITTED BY THE INSPECTOR TO THE DIVISION BASED UPON THE
46 SCOPE OF THE PROJECT TO ENSURE QUALITY INSPECTIONS ARE PERFORMED.
47 EXCEPT AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION, THE
48 THIRD-PARTY INSPECTOR SHALL ATTEST THAT INSPECTIONS ARE COMPLETE
49 AND ALL VIOLATIONS ARE CORRECTED BEFORE THE HEALTH FACILITY IS
50 ISSUED A CERTIFICATE OF OCCUPANCY. INSPECTION RECORDS SHALL BE
51 RETAINED BY THE THIRD-PARTY INSPECTOR FOR TWO YEARS AFTER THE
52 CERTIFICATE OF OCCUPANCY IS ISSUED. IF THE DIVISION FINDS THAT
53 INSPECTIONS ARE NOT COMPLETED SATISFACTORILY, AS DETERMINED BY
54 RULE OF THE DIVISION, OR THAT ALL VIOLATIONS ARE NOT CORRECTED,
55 THE DIVISION SHALL TAKE ENFORCEMENT ACTION AGAINST THE
56 APPROPRIATE HEALTH FACILITY PURSUANT TO SECTION 24-33.5-1213.

1 (4) **Temporary certificate of occupancy.** IF INSPECTIONS ARE
2 NOT COMPLETED AND A BUILDING OR STRUCTURE REQUIRES IMMEDIATE
3 OCCUPANCY, AND IF THE HEALTH FACILITY HAS PASSED THE APPROPRIATE
4 INSPECTIONS THAT INDICATE THERE ARE NO LIFE SAFETY ISSUES, THE
5 DIVISION MAY ISSUE A TEMPORARY CERTIFICATE OF OCCUPANCY. THE
6 TEMPORARY CERTIFICATE OF OCCUPANCY EXPIRES NINETY DAYS AFTER
7 THE DATE OF OCCUPANCY. IF NO RENEWAL OF THE TEMPORARY
8 CERTIFICATE OF OCCUPANCY IS ISSUED OR A PERMANENT CERTIFICATE OF
9 OCCUPANCY IS NOT ISSUED, THE BUILDING OR STRUCTURE SHALL BE
10 VACATED UPON EXPIRATION OF THE TEMPORARY CERTIFICATE. THE
11 DIVISION SHALL ENFORCE THIS SUBSECTION (4) PURSUANT TO SECTION
12 24-33.5-1213.

13
14 (5) **Division fees.** IF THE DIVISION CONDUCTS THE NECESSARY
15 PLAN REVIEWS AND PERFORMS THE NECESSARY INSPECTIONS TO
16 DETERMINE THAT A BUILDING OR STRUCTURE HAS BEEN CONSTRUCTED IN
17 CONFORMITY WITH THE BUILDING AND FIRE CODES ADOPTED BY THE
18 DIRECTOR, THE DIVISION SHALL CHARGE FEES AS ESTABLISHED BY THE
19 DIRECTOR BY RULE, BASED ON THE DIRECT COST OF PROVIDING THE
20 SERVICE. THE FEES SHALL COVER THE ACTUAL, REASONABLE, AND
21 NECESSARY EXPENSES OF THE DIVISION. THE DIRECTOR, BY RULE OR AS
22 OTHERWISE PROVIDED BY LAW, MAY INCREASE OR REDUCE THE AMOUNT
23 OF THE FEES AS NECESSARY TO COVER THE ACTUAL, REASONABLE, AND
24 NECESSARY COSTS OF THE DIVISION. ANY FEES COLLECTED BY THE
25 DIVISION PURSUANT TO THIS SUBSECTION (5) SHALL BE TRANSMITTED TO
26 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEALTH
27 FACILITY CONSTRUCTION AND INSPECTION CASH FUND CREATED IN
28 SECTION 24-33.5-1207.8.

29
30 (6) **Rules.** RULES PROMULGATED PURSUANT TO THIS SECTION
31 SHALL BE ADOPTED IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE.

32
33 (7) **Board of appeals.** (a) (I) THERE IS HEREBY CREATED IN THE
34 DIVISION THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM
35 BOARD OF APPEALS, REFERRED TO IN THIS SECTION AS THE "BOARD OF
36 APPEALS". THE BOARD OF APPEALS CONSISTS OF SEVEN MEMBERS
37 APPOINTED BY THE EXECUTIVE DIRECTOR.

38
39 (II) THE MEMBERS OF THE BOARD OF APPEALS SHALL BE PERSONS
40 WHO ARE QUALIFIED BY EXPERIENCE AND TRAINING TO PASS UPON
41 MATTERS PERTAINING TO HEALTH FACILITY BUILDING CONSTRUCTION AND
42 SHALL INCLUDE:

43
44 (A) THE FOUR MEMBERS OF THE BOARD OF APPEALS CREATED IN
45 SECTION 24-33.5-1213.7 WHO REPRESENT THE COLORADO CHAPTER OF
46 THE INTERNATIONAL CODE COUNCIL, THE FIRE MARSHAL'S ASSOCIATION OF
47 COLORADO, THE COLORADO STATE FIRE CHIEFS' ASSOCIATION, AND
48 COLORADO COUNTIES, INCORPORATED, OR ANY MEMBER APPOINTED FROM
49 A SUCCESSOR TO ANY OF THESE ORGANIZATIONS REPRESENTING
50 COMPARABLE INTERESTS; AND

51
52 (B) ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING
53 ORGANIZATIONS OR A SUCCESSOR TO ANY OF SUCH ORGANIZATIONS
54 REPRESENTING COMPARABLE INTERESTS: THE COLORADO ASSOCIATION OF
55 HEALTHCARE ENGINEERS AND DIRECTORS; THE AMERICAN SOCIETY FOR
56 HEALTHCARE ENGINEERING; AND THE COLORADO CHAPTER OF THE

1 AMERICAN INSTITUTE OF ARCHITECTS.

2

3 (III) THE MEMBERS OF THE BOARD OF APPEALS SERVE AT THE
4 PLEASURE OF THE EXECUTIVE DIRECTOR.

5

6 (IV) FOR THE INITIAL APPOINTMENTS TO THE BOARD OF APPEALS:

7

8 (A) THE MEMBERS SERVING PURSUANT TO SUB-SUBPARAGRAPH
9 (A) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) SERVE TERMS
10 COEXTENSIVE WITH THE TERMS TO WHICH THEY WERE APPOINTED UNDER
11 SECTION 24-33.5-1213.7; AND

12

13 (B) FOR THE MEMBERS APPOINTED PURSUANT TO
14 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a),
15 THE EXECUTIVE DIRECTOR SHALL APPOINT ONE MEMBER FOR A ONE-YEAR
16 TERM, ONE MEMBER FOR A TWO-YEAR TERM, AND ONE MEMBER FOR A
17 THREE-YEAR TERM. ALL SUBSEQUENT APPOINTMENTS ARE FOR
18 THREE-YEAR TERMS; EXCEPT THAT AN APPOINTMENT TO FILL A VACANCY
19 ON THE BOARD SHALL BE FOR THE REMAINDER OF THE PREDECESSOR'S
20 TERM.

21

22 (V) THE MEMBERS OF THE BOARD OF APPEALS SHALL NOT BE
23 COMPENSATED FOR THEIR SERVICE ON THE BOARD AND SHALL NOT BE
24 REIMBURSED FOR EXPENSES.

25

26 (b) THE BOARD OF APPEALS SHALL SELECT A CHAIR FROM AMONG
27 ITS MEMBERS AND SHALL ADOPT REASONABLE PROCEDURES FOR
28 CONDUCTING ITS DELIBERATIONS.

29

30 (c) (I) A HEALTH FACILITY REPRESENTATIVE MAY APPEAL TO THE
31 BOARD OF APPEALS A FINAL WRITTEN DECISION OF A DIVISION INSPECTOR
32 OR THIRD-PARTY INSPECTOR THAT CONDUCTS A PLAN REVIEW OR
33 INSPECTION PURSUANT TO THIS SECTION. THE APPEAL SHALL BE FILED
34 WITH THE DIVISION WITHIN THIRTY DAYS AFTER THE DATE OF THE
35 DECISION. THE DIVISION SHALL SPECIFY THE FORM ON WHICH AN APPEAL
36 SHALL BE MADE AND SHALL PROVIDE THE FORM TO A HEALTH FACILITY
37 REPRESENTATIVE UPON REQUEST.

38

39 (II) UPON RECEIPT OF AN APPEAL, THE DIVISION SHALL NOTIFY THE
40 CHAIR OF THE BOARD OF APPEALS AND SCHEDULE A HEARING NO MORE
41 THAN FIFTEEN DAYS AFTER THE DATE ON WHICH THE APPEAL WAS FILED.

42

43 (III) THE BOARD OF APPEALS MAY REVIEW A FINAL WRITTEN
44 DECISION BY AN INSPECTING ENTITY THAT IS BASED ON THE CODES OR
45 STANDARDS ADOPTED BY THE DIRECTOR. THE BOARD OF APPEALS SHALL
46 NOT WAIVE ANY REQUIREMENT OF THE CODES OR STANDARDS. THE BOARD
47 OF APPEALS MAY RECOMMEND ALTERNATIVE MATERIALS AS PROVIDED IN
48 THE CODES OR STANDARDS. THE FINAL WRITTEN DECISION OF THE BOARD
49 IS FINAL AGENCY ACTION FOR PURPOSES OF SECTION 24-4-106.

50

51 (d) IN ADDITION TO HEARING APPEALS AS PROVIDED IN THIS
52 SECTION, THE BOARD OF APPEALS SHALL ADVISE THE DIRECTOR IN
53 PROMULGATING RULES AND ENACTING STANDARDS FOR THE HEALTH
54 FACILITY CONSTRUCTION AND INSPECTION PROGRAM.

55

56 **SECTION 11.** In Colorado Revised Statutes, 24-33.5-1213,

1 **amend** (1), (2) (a), and (4) (b) as follows:
2

3 **24-33.5-1213. Fire and building code - violations - enforcement**
4 **- inspections.** (1) The director shall enforce ~~the provisions of sections~~
5 22-32-124 (2), ~~and 23-71-122 (1) (v), C.R.S., and sections~~
6 24-33.5-1212.5, 24-33.5-1213.3, and 24-33.5-1213.5, C.R.S., by
7 appropriate actions in courts of competent jurisdiction.
8

9 (2) (a) The director may issue a notice of violation to a person
10 who is believed to have violated the codes as determined by an inspection
11 pursuant to section 22-32-124 (2), ~~or 23-71-122 (1) (v), C.R.S., or section~~
12 24-33.5-1212.5, ~~OR~~ 24-33.5-1213.3, C.R.S. The notice shall be delivered
13 to the alleged violator by certified mail, return receipt requested, or by
14 any means that verifies receipt as reliably as certified mail, return receipt
15 requested.
16

17 (4) (b) A civil penalty collected pursuant to this subsection (4)
18 shall be deposited in the public school construction and inspection cash
19 fund created in section 24-33.5-1207.7 ~~OR THE HEALTH FACILITY~~
20 ~~CONSTRUCTION AND INSPECTION CASH FUND CREATED IN SECTION~~
21 24-33.5-1207.8, AS APPROPRIATE.
22

23 **SECTION 12.** In Colorado Revised Statutes, 24-33.5-1213.7,
24 **add** (6) as follows:
25

26 **24-33.5-1213.7. Board of appeals.** (6) THIS SECTION ONLY
27 APPLIES TO MATTERS RELATED TO SCHOOL REVIEWS AND INSPECTIONS.
28

29 **SECTION 13.** In Colorado Revised Statutes, 24-75-402, **amend**
30 (5) (y) as follows:
31

32 **24-75-402. Cash funds - limit on uncommitted reserves -**
33 **reduction in amount of fees - exclusions.** (5) Notwithstanding any
34 provision of this section to the contrary, the following cash funds are
35 excluded from the limitations specified in this section:
36

37 (y) The public school construction and inspection cash fund
38 created in section 24-33.5-1207.7 ~~AND THE HEALTH FACILITY~~
39 ~~CONSTRUCTION AND INSPECTION CASH FUND CREATED IN SECTION~~
40 24-33.5-1207.8;
41

42 **SECTION 14. Safety clause.** The general assembly hereby finds,
43 determines, and declares that this act is necessary for the immediate
44 preservation of the public peace, health, and safety."
45

46 Page 1, line 107, strike "RENAMING THE PUBLIC SCHOOL" and substitute
47 "CREATING THE HEALTH FACILITY".
48

49
50
51 **SB12-064** be referred favorably to the Committee on Appropriations.
52
53
54
55

1 **JUDICIARY**

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

4
5 **HB12-1036** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend printed bill, page 2, strike line 13 and substitute "law enforcement
10 purpose, INCLUDING RECORDS OF ONGOING CIVIL OR ADMINISTRATIVE
11 INVESTIGATIONS THAT FOCUS ON A PERSON OR PERSONS OUTSIDE OF THE
12 INVESTIGATING AGENCY AND ARE CONDUCTED BY THE STATE OR ITS
13 EXECUTIVE DEPARTMENTS IN FURTHERANCE OF THEIR STATUTORY
14 AUTHORITY TO PROTECT THE PUBLIC HEALTH, WELFARE, OR SAFETY;
15 EXCEPT THAT, WITH RESPECT TO CIVIL OR ADMINISTRATIVE
16 INVESTIGATIONS THAT HAVE CONCLUDED BECAUSE NO FURTHER
17 INVESTIGATION, DISCIPLINE, OR OTHER AGENCY RESPONSE IS WARRANTED,
18 NOTHING IN THIS SUBSECTION (2) REQUIRES THE CUSTODIAN TO DISCLOSE
19 THE NAME OR OTHER PERSONAL IDENTIFYING OR FINANCIAL INFORMATION
20 OF WITNESSES, TARGETS OF SUCH CLOSED INVESTIGATIONS, OR ANY
21 RECORDS EXEMPT PURSUANT TO ANY OTHER LAW."

22
23 Page 2, strike lines 14 through 23 and substitute:

24
25 "SECTION 2. **Applicability.** The provisions of this act apply to
26 cases arising on or after August 19, 2011, and nothing in this act shall be
27 interpreted in any way as evidence of legislative intent in cases arising
28 prior to said date.

29
30 SECTION 3. **Safety clause.** The general assembly hereby finds,
31 determines, and declares that this act is necessary for the immediate
32 preservation of the public peace, health, and safety."

33
34
35
36 **HB12-1209** be referred favorably to the Committee on Appropriations.

37
38
39 **HB12-1213** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:

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

45
46 "SECTION 1. In Colorado Revised Statutes, 18-1.3-801, **amend**
47 (1.5) and (2) (a); and **add** (5) as follows:

48
49 **18-1.3-801. Punishment for habitual criminals.** (1.5) EXCEPT
50 AS OTHERWISE PROVIDED IN SUBSECTION (5) OF THIS SECTION, every
51 person convicted in this state of any class 1, 2, 3, 4, or 5 felony who,
52 within ten years of the date of the commission of the said offense, has
53 been twice previously convicted upon charges separately brought and
54 tried, and arising out of separate and distinct criminal episodes, either in
55 this state or elsewhere, of a felony or, under the laws of any other state,
56 the United States, or any territory subject to the jurisdiction of the United

1 States, of a crime which, if committed within this state, would be a felony
2 shall be adjudged an habitual criminal and shall be punished for the
3 felony offense of which such person is convicted by imprisonment in the
4 department of corrections for a term of three times the maximum of the
5 presumptive range pursuant to section 18-1.3-401 for the class of felony
6 of which such person is convicted.

7
8 (2) (a) Except as otherwise provided for in paragraph (b) of this
9 subsection (2) AND IN SUBSECTION (5) OF THIS SECTION, every person
10 convicted in this state of any felony, who has been three times previously
11 convicted, upon charges separately brought and tried, and arising out of
12 separate and distinct criminal episodes, either in this state or elsewhere,
13 of a felony or, under the laws of any other state, the United States, or any
14 territory subject to the jurisdiction of the United States, of a crime which,
15 if committed within this state, would be a felony, shall be adjudged an
16 habitual criminal and shall be punished for the felony offense of which
17 such person is convicted by imprisonment in the department of
18 corrections for a term of four times the maximum of the presumptive
19 range pursuant to section 18-1.3-401 for the class of felony of which such
20 person is convicted. Such former conviction or convictions and judgment
21 or judgments shall be set forth in apt words in the indictment or
22 information. Nothing in this part 8 shall abrogate or affect the punishment
23 by death in any and all crimes punishable by death on or after July 1,
24 1972.

25
26 (5) A CONVICTION FOR ESCAPE, AS DESCRIBED IN SECTION
27 18-8-208 (1), (2), OR (3), OR ATTEMPT TO ESCAPE, AS DESCRIBED IN
28 SECTION 18-8-208.1 (1), (1.5), OR (2), SHALL NOT BE USED FOR THE
29 PURPOSE OF ADJUDICATING A PERSON AN HABITUAL CRIMINAL AS
30 DESCRIBED IN SUBSECTION (1.5) OR SUBSECTION (2) OF THIS SECTION
31 UNLESS THE CONVICTION IS BASED ON THE OFFENDER'S ESCAPE OR
32 ATTEMPT TO ESCAPE FROM A CORRECTIONAL FACILITY, AS DEFINED IN
33 SECTION 17-1-102, C.R.S., OR FROM PHYSICAL CUSTODY WITHIN A
34 COUNTY JAIL.

35
36 **SECTION 2. Applicability.** The provisions of this act apply to
37 offenses committed on or after the effective date of this act.

38
39 **SECTION 3. Safety clause.** The general assembly hereby finds,
40 determines, and declares that this act is necessary for the immediate
41 preservation of the public peace, health, and safety."

42
43
44
45 **HB12-1262** be referred to the Committee of the Whole with favorable
46 recommendation.

47
48
49
50
51 **STATE, VETERANS, & MILITARY AFFAIRS**

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

54
55 **HB12-1111** be referred favorably to the Committee on Appropriations.

56

1 **HB12-1112** be postponed indefinitely.

2

3

4 **HB12-1113** be postponed indefinitely.

5

6

7 **HB12-1137** be postponed indefinitely.

8

9

10 **HB12-1165** be postponed indefinitely.

11

12

13 **HB12-1227** be postponed indefinitely.

14

15

16 **HB12-1230** be postponed indefinitely.

17

18

19

20

21 **TRANSPORTATION**

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

24

25 **HB12-1153** be referred favorably to the Committee on Appropriations.

26

27

28 **HB12-1162** be amended as follows, and as so amended, be referred to
29 the Committee on Finance with favorable
30 recommendation:

31

32 Amend page 2, line 11, after "OPERATION" insert "DESERT SHIELD OR".

33

34 Page 2, line 12, after "**operation**" insert "**desert shield or**".

35

36 Page 2, line 13, after "OPERATION" insert "DESERT SHIELD OR".

37

38 Page 2, line 15, after "OPERATION" insert "DESERT SHIELD OR".

39

40 Page 2, line 17, after "OPERATION" insert "DESERT SHIELD OR".

41

42 Page 2, line 21, after "OPERATION" insert "DESERT SHIELD OR".

43

44

45

46 **HB12-1166** be postponed indefinitely.

47

48

49 **HB12-1275** be amended as follows, and as so amended, be referred to
50 the Committee on Finance with favorable
51 recommendation:

52

53 Amend printed bill, page 2, line 10, strike "WEIGHT." and substitute
54 "WEIGHT; EXCEPT THAT THE DEPARTMENT SHALL NOT ISSUE THE LICENSE
55 PLATE UNTIL THE PROPONENTS COMPLY WITH SECTION 42-3-207 (2).".

56

1 **HB12-1291** be postponed indefinitely.
2
3

4
5 **PRINTING REPORT**
6

7 The Chief Clerk reports the following bill has been correctly printed:
8 **HB12-1317.**
9

10
11
12 **MESSAGE(S) FROM THE GOVERNOR**
13

14 I certify I received the following on the 23rd day of February, 2012, at
15 2:34 p.m. The original is on file in the records of the House of
16 Representatives of the General Assembly.
17

18 Marilyn Eddins,
19 Chief Clerk of the House
20

21 February 23, 2012
22

23 To the Honorable House of Representatives
24 Sixty-Eighth General Assembly
25 Second Regular Session
26 State Capitol
27 Denver, CO 80203
28

29 Ladies and Gentlemen:
30

31 I have the honor to inform you that I have approved and filed with the
32 Secretary of State the following Acts:
33

34 **HB 12-1180** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
35 DEPARTMENT OF AGRICULTURE
36

37 Approved February 23, 2012, at 12:49 pm
38

39 **HB 12-1182** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
40 DEPARTMENT OF EDUCATION
41

42 Approved February 23, 2012 at 12:49 pm
43

44 **HB 12-1183** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
45 OFFICES OF THE GOVERNOR, LIEUTENANT GOVERNOR,
46 AND STATE PLANNING AND BUDGETING
47

48 Approved February 23, 2012 at 12:50 pm
49

50 **HB 12-1184** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
51 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
52

53 Approved February 23, 2012 at 12:51 pm
54
55

- 1 **HB 12-1185** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
2 DEPARTMENT OF HIGHER EDUCATION
3
4 Approved February 23, 2012 at 12:52 pm
5
- 6 **HB 12-1186** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
7 DEPARTMENT OF HUMAN SERVICES
8
9 Approved February 23, 2012 at 12:53 pm
10
- 11 **HB 12-1187** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
12 JUDICIAL DEPARTMENT
13
14 Approved February 23, 2012 at 12:54 pm
15
- 16 **HB 12-1188** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
17 DEPARTMENT OF LABOR AND EMPLOYMENT
18
19 Approved February 23, 2012 at 12:54 pm
20
- 21 **HB 12-1189** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
22 DEPARTMENT OF LAW
23
24 Approved February 23, 2012 at 12:55 pm
25
- 26 **HB 12-1190** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
27 DEPARTMENT OF LOCAL AFFAIRS
28
29 Approved February 23, 2012 at 12:56 pm
30
- 31 **HB 12-1191** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
32 DEPARTMENT OF MILITARY AND VETERAN AFFAIRS
33
34 Approved February 23, 2012 at 12:56 pm
35
- 36 **HB 12-1192** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
37 DEPARTMENT OF NATURAL RESOURCES
38
39 Approved February 23, 2012 at 12:57 pm
40
- 41 **HB 12-1193** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
42 DEPARTMENT OF PERSONNEL AND ADMINISTRATION
43
44 Approved February 23, 2012 at 12:57 pm
45
- 46 **HB 12-1194** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
47 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
48
49 Approved February 23, 2012 at 12:58 pm
50
- 51 **HB 12-1195** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
52 DEPARTMENT OF PUBLIC SAFETY
53
54 Approved February 23, 2012 at 12:58 pm
55

1 **HB 12-1196** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
2 DEPARTMENT OF REGULATORY AGENCIES

3
4 Approved February 23, 2012 at 12:59 pm

5
6 **HB 12-1197** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
7 DEPARTMENT OF REVENUE

8
9 Approved February 23, 2012 at 12:59 pm

10
11 **HB 12-1199** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
12 DEPARTMENT OF THE TREASURY

13
14 Approved February 23, 2012 at 1:00 pm

15 Sincerely,
16 (signed)
17 John W. Hickenlooper
18 Governor

19 _____

20
21
22 **LAY OVER OF CALENDAR ITEM(S)**

23
24 On motion of Representative Stephens, the following item(s) on the
25 Calendar was (were) laid over until February 27, retaining place on
26 Calendar:

- 27
28 Consideration of Special Orders--**HB12-1043**.
29 Consideration of Third Reading--**HB12-1040, 1068**.
30 Consideration of Senate Amendment(s)--**HB12-1078**.

31 _____

32
33
34 On motion of Representative Stephens, the House adjourned until
35 10:00 a.m., February 27, 2012.

36
37 Approved:
38 FRANK McNULTY,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

