

**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

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**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

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**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 )** **SS. Certificate**  
22 **STATE OF COLORADO )**

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.

55 \_\_\_\_\_

56

1 House reconvened.  
2 \_\_\_\_\_  
3  
4

5 Representative Summers, Chairman of the Committee to Notify the  
6 Senate, reported that the Senate had been notified that the House was  
7 organized and ready for business.  
8 \_\_\_\_\_  
9

10 Representative Nikkel, Chairman of the Committee to Notify the  
11 Governor, reported that the Governor had been notified that the House  
12 was organized and ready for business.  
13 \_\_\_\_\_  
14  
15

### 16 INTRODUCTION AND CONSIDERATION OF RESOLUTION

17  
18 On motion of Representative Stephens, the rules were suspended and the  
19 following resolution was given immediate consideration.  
20

21 **HJR12-1001** by Representative(s) Stephens, McNulty, Ferrandino; also  
22 Senator(s) Morse, Shaffer B., Cadman--Concerning a Joint  
23 Session of the House of Representatives and the Senate for  
24 the purpose of hearing a message from His Excellency,  
25 Governor John Hickenlooper, and appointing a committee  
26 to escort the Governor.  
27

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

30 On motion of Representative Stephens, the resolution was **adopted** by  
31 **viva voce** vote.  
32

33 The Speaker appointed Representatives J. Kerr, Chairman, Scott, and  
34 Fields pursuant to the resolution.  
35  
36 \_\_\_\_\_  
37  
38

### 39 APPOINTMENTS

#### 40 AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

41 13 members: Representatives Sonnenberg, Chairman; Baumgardner,  
42 Vice-Chairman; Brown, Coram, Fischer, Jones, Looper, McKinley, Ryden,  
43 Scott, Vaad, Vigil, Wilson  
44  
45

#### 46 APPROPRIATIONS

47 13 members: Representatives Becker, Chairman; Gerou, Vice-Chairman;  
48 DelGrosso, Ferrandino, B. Gardner, Hullinghorst, A. Kerr, Levy, Looper,  
49 Pabon, Solano, Sonnenberg, Vaad  
50

#### 51 ECONOMIC & BUSINESS DEVELOPMENT

52 13 members: Representatives Liston, Chairman; Swalm, Vice-Chairman;  
53 Balmer, Holbert, Miklosi, Priola, Soper, Swerdfeger, Szabo, Tyler, Williams,  
54 Wilson, Vacancy  
55  
56

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  
 5  
 6 **FINANCE**  
 7 13 members: Representatives DelGrosso, Chairman; Swerdfeger,  
 8 Vice-Chairman; Acree, Beezley, Conti, Hullinghorst, 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
Acree	Y		Fischer	Y		Liston	Y		Solano	Y
Balmer	Y		Gardner B.	Y		Looper	Y		Sonnenberg	Y
Barker	Y			V		Massey	Y		Soper	Y
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	Y
24	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	Y
25	Barker		Y		V	Massey	Y	Soper	Y	Y
26	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y	Y	Y
27	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y	Y	Y
28	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y	Y	Y
29	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y	Y	Y
30	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y	Y	Y
31	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y	Y	Y
32	Conti	Y	Kagan	Y	Pace	Y	Tyler	Y	Y	Y
33	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	E		
34	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y	Y	Y
35	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y	Y	Y
36	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y	Y	Y
37	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y	Y	Y
38	Fields	Y	Levy	Y	Scott	Y	Young	Y	Y	Y
39							Speaker	Y	Y	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	Y
50	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	Y
51	Barker		Y		V	Massey	Y	Soper	Y	Y
52	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y	Y	Y
53	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y	Y	Y
54	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y	Y	Y
55	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y	Y	Y
56	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y	Y	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

10  
11  
12  
13  
14  
15  
16

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

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

19  
20 **Early introduction deadline for House bills:**

21 The Monday, January 16 deadline (the 6th legislative day) for the  
22 introduction of the two remaining House bills requested prior to the  
23 December 1 bill request deadline is extended until Tuesday, January 17,  
24 2012 (the 7th legislative day).

25  
26 **Last bill request deadline for the House and Senate:**

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

30  
31 This memorandum shall be printed in the journal of each house as is  
32 required by said Joint Rule 23 (c).

33  
34 (signed) (signed)  
35 Representative McNulty Senator Shaffer  
36 Speaker of the House of Representatives President of the Senate

37  
38 (signed) (signed)  
39 Representative Stephens Senator Morse  
40 House Majority Leader Senate Majority Leader

41  
42 (signed) (signed)  
43 Representative Ferrandino Senator Cadman  
44 House Minority Leader Senate Minority Leader

45  
46  
47  
48  
49

**PRINTING REPORT**

50 The Chief Clerk reports the following bills have been correctly preprinted:  
51 **HB12-1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011,**  
52 **1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023,**  
53 **1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035,**  
54 **1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047,**  
55 **1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059.**  
56



**INTRODUCTION OF BILLS**  
**First Reading**

- 1  
2  
3  
4 The following bills were read by title and referred to the committees  
5 indicated:  
6  
7 **HB12-1001** by Representative(s) Murray and Gardner B., Labuda,  
8 Levy, Waller; also Senator(s) Johnston and Spence,  
9 Brophy, Carroll, Morse, Roberts, Schwartz--Concerning  
10 legislative review of rules of the state board of education to  
11 implement the statewide system to evaluate the  
12 effectiveness of licensed educators.  
13 Committee on Legal Services  
14  
15 **HB12-1002** by Representative(s) Sonnenberg; also Senator(s) Jahn--  
16 Concerning the rules of state agencies applicable to  
17 applications for permits.  
18 Committee on Economic and Business Development  
19  
20 **HB12-1003** by Representative(s) Fischer; also Senator(s) Nicholson--  
21 Concerning the authorization of the use of graywater.  
22 Committee on State, Veterans, & Military Affairs  
23  
24 **HB12-1004** by Representative(s) Bradford; also Senator(s) King S.--  
25 Concerning requiring local building codes to allow the use  
26 of lumber milled from certain trees as building framing  
27 material.  
28 Committee on Economic and Business Development  
29  
30  
31 **HB12-1005** by Representative(s) Pabon; also Senator(s) Harvey--  
32 Concerning investment of public funds.  
33 Committee on Finance  
34  
35 **HB12-1006** by Representative(s) Todd, Barker, Murray, Ramirez,  
36 Soper, Summers, Waller; also Senator(s) Spence, Aguilar,  
37 Bacon, Brophy, Giron, Roberts--Concerning the voluntary  
38 contribution designation benefiting the American Red  
39 Cross Colorado disaster response, readiness, and  
40 preparedness fund that appears on the state individual  
41 income tax return forms.  
42 Committee on Finance  
43  
44 **HB12-1007** by Representative(s) Szabo; also Senator(s) Grantham--  
45 Concerning the requirement that a regulatory analysis be  
46 issued prior to the promulgation of rules by a state  
47 administrative agency.  
48 Committee on Economic and Business Development  
49  
50  
51 **HB12-1008** by Representative(s) Acree; also Senator(s) Jahn--  
52 Concerning additional methods for providing input to  
53 executive branch agencies about proposed rules, and, in  
54 connection therewith, directing agencies to establish  
55 representative groups to evaluate and comment on proposed  
56 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  
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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  
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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

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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.

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

26  
27  
28 Approved:  
 29 FRANK McNULTY,  
 Speaker

30 Attest:  
 31 MARILYN EDDINS,  
 32 Chief Clerk