

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

Thirty-fifth Legislative Day

Tuesday, February 14, 2012

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

2

3 Prayer by Father Timothy McMahon, Arrupe Jesuit High School,
4 Denver.

5

6 Pledge of Allegiance led by Kelly Edwards, Colorado State University,
7 Fort Collins.

8

9 The roll was called with the following result:

10

11 Present--63.

12 Excused--Representative(s) Bradford, Miklosi--2.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Singer, the reading of the journal of
18 February 13, 2012, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

20

21

22 House in recess. House reconvened.

23

24

25

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

27

28 The Senate has adopted and transmits herewith: SJR12-007.

29

30

31

32 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

33

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

36

37 **SJR12-007** by Senator(s) Giron; also Representative(s) Stephens--
38 Concerning awareness of heart disease, and, in connection
39 therewith, declaring February 2012 as "American Heart
40 Month" and February 3, 2012, as "National Wear Red
41 Day".

42

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

1 On motion of Representative Stephens, the resolution was read at length
2 and **adopted** by **viva voce** vote.

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

12
13
14
15 **THIRD READING OF BILL(S)--FINAL PASSAGE**

16
17 The following bill(s) was(were) considered on Third Reading. The
18 title(s) was(were) publicly read. Reading of the bill at length was
19 dispensed with by unanimous consent.

20
21 **HB12-1040** by Representative(s) Casso--Concerning recognition of
22 September 11 as a state holiday in certain years, and, in
23 connection therewith, designating September 11 as
24 "Patriot Day".

25
26 Laid over until February 15, retaining place on Calendar.

27
28 **HB12-1068** by Representative(s) McKinley; also Senator(s) Grantham--
29 -Concerning the administration of a nonprofit cemetery
30 corporation by persons who own the right to bury a
31 deceased person within the cemetery.

32
33 Laid over until February 15, retaining place on Calendar.

34
35 **HB12-1070** by Representative(s) Peniston; also Senator(s) Hodge--
36 Concerning the modification of statutory provisions
37 governing the ethical conduct of persons involved in
38 government for the purpose of harmonizing such
39 provisions with section 3 (5) of article XXIX of the state
40 constitution.

41
42 The question being "Shall the bill pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the bill
45 was declared **passed**.

46
47

	YES	58	NO	5	EXCUSED	2	ABSENT	0
48	Acree	N	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	N	Holbert	Y	Miklosi	E	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

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

9 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Hullinghorst,
10 Labuda, Schafer S., Wilson.

11
12 **HB12-1072** by Representative(s) Massey and Fields, Holbert; also
13 Senator(s) Bacon and King K., Hudak--Concerning credit
14 for prior learning in higher education.

15
16 The question being "Shall the bill pass?".

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

21	YES	63	NO	0	EXCUSED	2	ABSENT	0
22	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
23	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
26	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
27	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
33	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
37	Fields	Y	Liston	Y	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Becker, Beezley, Casso, Court, Duran,
40 Fischer, Gerou, Hamner, Jones, Kefalas, Kerr A., Labuda, Looper, Murray,
41 Nikkel, Pabon, Pace, Schafer S., Solano, Stephens, Summers, Todd,
42 Williams A., Wilson, Young.

43
44 **HB12-1079** by Representative(s) Barker; also Senator(s) King S.--
45 Concerning designation of certain positions in the
46 department of public safety.

47
48 The question being "Shall the bill pass?".

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

53	YES	59	NO	4	EXCUSED	2	ABSENT	0
54	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
55	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
56	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

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

15 Co-sponsor(s) added: Representative(s) Fields, Kerr J., Pace, Schafer S., Todd,
16 Vigil.

17

18 **HB12-1086** by Representative(s) Gardner B., Labuda, Levy, Murray,
19 Waller; also Senator(s) Morse, Brophy, Guzman, Roberts,
20 Schwartz--Concerning implementation of
21 recommendations of the committee on legal services in
22 connection with legislative review of rules and regulations
23 of state agencies.

24

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

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

29

30	YES	63	NO	0	EXCUSED	2	ABSENT	0
31	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
32	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
33	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
34	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
35	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
36	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
37	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
38	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
39	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
40	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
41	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
42	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
43	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
44	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
45	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
46	Fields	Y	Liston	Y	Singer	Y	Young	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Barker, Fields, Liston.

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

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

HB12-1301 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 4, strike "\$34,369,754," and substitute "\$34,326,736,".

Page 2, line 5, strike "\$33,280,373" and substitute "\$33,237,355".

Page 2, line 10, strike \$ 11,790,902 ^{1/}" and substitute "\$ 11,783,625 ^{1/}".

Page 2, line 12, strike "7,975,308 ^{2/}" and substitute "7,963,562 ^{2/}".

Page 2, line 14, strike "1,483,429" and substitute "1,480,365".

Page 2, line 16, strike "6,617,879" and substitute "6,606,338".

Page 2, line 18, strike "5,244,650 ^{3/}" and substitute "5,235,260 ^{3/}".

Page 2, line 23, strike "\$ 34,369,754" and substitute "\$ 34,326,736".

Page 3, line 5, strike "\$11,697,086" and substitute "\$11,689,809".

Page 3, line 6, strike "\$6,979,743" and substitute "\$6,967,997".

On motion of Representative Waller, **HB12-1009 amended, 1043, 1120, 1221, 1064, 1301, 1074, 1092** were made Special Orders on Tuesday, February 14, 2012, at 9:56 a.m.

The hour of 9:56 a.m., having arrived, on motion of Representative Sonnenberg, the House resolved itself into Committee of the Whole for consideration of Special Orders and he was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

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

1 **HB12-1009** by Representative(s) Gerou; also Senator(s) Lambert--
2 Concerning a report related to the federal moneys received
3 by the executive branch.
4

5 (Previously amended as printed in House Journal, February 8,
6 pages 186-187.)
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB12-1043** by Representative(s) Conti--Concerning concurrent
12 enrollment for students who may complete high school
13 graduation requirements before the end of twelfth grade.
14

15 Laid over until February 15, retaining place on Calendar.
16

17 **HB12-1120** by Representative(s) Swerdfeger, Brown, Duran, Liston,
18 Massey, Pabon, Pace, Williams A.; also Senator(s)
19 Tochtrop--Concerning the creation of the division of
20 unemployment insurance in the department of labor and
21 employment to administer the unemployment insurance
22 program.
23

24 Amendment No. 1, Economic & Business Development Report, dated
25 February 9, 2012, and placed in member's bill file; Report also printed in
26 House Journal, February 10, page 228.
27

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

31 **HB12-1221** by Representative(s) Liston, Kerr J., Balmer, Miklosi,
32 Summers, Swalm, Williams A.; also Senator(s) Tochtrop,
33 Boyd, Morse--Concerning billing for anatomic pathology
34 services.
35

36 Amendment No. 1, Economic & Business Development Report, dated
37 February 9, 2012, and placed in member's bill file; Report also printed in
38 House Journal, February 10, pages 228-229.
39

40 Amendment No. 2, by Representative(s) Liston.
41

42 Amend printed bill, page 3, strike lines 14 and 15 and substitute:
43

44 "(4) NOTHING IN THIS SECTION:
45

46 (a) MANDATES THE ASSIGNMENT OF BENEFITS FOR ANATOMIC
47 PATHOLOGY SERVICES; OR
48

49 (b) PROHIBITS A GROUP PRACTICE, AS DEFINED IN 42 U.S.C. SEC.
50 1395, FROM BILLING FOR ANATOMIC PATHOLOGY SERVICES WHEN A
51 PHYSICIAN MEMBER OF THE GROUP PRACTICE PERFORMS OR SUPERVISES
52 ANATOMIC PATHOLOGY SERVICES IN A LABORATORY THAT IS OWNED AND
53 OPERATED BY THE GROUP PRACTICE."
54

55 Page 4, after line 21, insert:
56

1 "(7) A PERSON WHO RECEIVES A BILL FOR AN ANATOMIC
2 PATHOLOGY SERVICE MADE IN KNOWING AND WILLFUL VIOLATION OF THIS
3 SECTION MAY MAINTAIN AN ACTION TO RECOVER THE ACTUAL AMOUNT
4 PAID FOR THE BILL."

5

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

8

9 **HB12-1064** by Representative(s) Stephens; also Senator(s) S. King--
10 Concerning the prohibition of limitations concerning
11 firearms during an official state of emergency.

12

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

15

16 **HB12-1301** by Representative(s) McNulty, Ferrandino; also Senator(s)
17 Morse, Shaffer B., Cadman--Concerning payment of
18 expenses of the legislative department.

19

20 Amendment No. 1, Appropriations Report, dated February 14, 2012, and
21 placed in member's bill file; Report also printed in House Journal,
22 February 14, page 249.

23

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

26

27 **HB12-1074** by Representative(s) Kerr J., Miklosi; also Senator(s)
28 King S., Tochtrop--Concerning access to data to assist the
29 courts in overseeing persons appointed to manage the
30 affairs of persons under disability.

31

32 Amendment No. 1, Judiciary Report, dated February 9, 2012, and placed
33 in member's bill file; Report also printed in House Journal, February 10,
34 page 232.

35

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

38

39 **HB12-1092** by Representative(s) Priola, McKinley, Holbert, Balmer,
40 Barker, Baumgardner, DelGrosso, Kerr J., Liston,
41 McNulty, Murray, Sonnenberg, Stephens, Swalm; also
42 Senator(s) Brophy--Concerning the authority of a law-
43 abiding person to carry a concealed handgun without a
44 permit.

45

46 Ordered engrossed and placed on the Calendar for Third Reading and
47 Final Passage.

48 (For change in action, see Amendments to Report, page 252.)

49

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1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2
3 Representative Hamner moved to amend the Report of the Committee of
4 the Whole to reverse the action taken by the Committee in not adopting
5 the following Hamner amendment, to HB12-1092, to show that said
6 amendment passed, and that **HB12-1092**, as amended, passed.

7
8 Amend printed bill, page 3, line 27, after "SCHOOL." add "A PERSON WHO
9 CARRIES A CONCEALED HANDGUN PURSUANT TO THE PROVISIONS OF THIS
10 SUBPARAGRAPH (i) IS NOT ENTITLED TO CARRY A CONCEALED HANDGUN
11 ON THE REAL PROPERTY OF ANY PUBLIC SCHOOL DISTRICT.".

12
13 The amendment was declared **passed** by the following roll call vote:

	YES	33	NO	30	EXCUSED	2	ABSENT	0
16	Acree	Y	Fischer	Y	Looper	N	Solano	Y
17	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
18	Barker	N	Gerou	N	McCann	Y	Soper	Y
19	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
20	Becker	N	Holbert	N	Miklosi	E	Summers	Y
21	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
22	Bradford	E	Jones	Y	Nikkel	N	Swerdfeger	N
23	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
24	Casso	Y	Kagan	Y	Pace	N	Todd	Y
25	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
26	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
27	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	N
28	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
29	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
30	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
31	Fields	Y	Liston	N	Singer	Y	Young	Y
32							Speaker	N

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36
37 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

38
39 Passed Second Reading: **HB12-1009 amended, 1120 amended, 1221**
40 **amended, 1064, 1301 amended, 1074 amended, 1092amended.**

41
42 Laid over until date indicated retaining place on Calendar: **HB12-1043--**
43 **February 15, 2012.**

44
45 The Chairman moved the adoption of the Committee of the Whole
46 Report. As shown by the following roll call vote, a majority of those
47 elected to the House voted in the affirmative, and the Report was
48 **adopted.**

	YES	63	NO	0	EXCUSED	2	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

12
13
14
15 House in recess. House reconvened.
16
17

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

20
21 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

24
25 **HB12-1122** be postponed indefinitely.

26
27
28 **HB12-1160** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31
32 Amend printed bill, page 2, line 3, strike "(C)" and substitute "(C); and
33 **add** (1) (a) (I.5)".

34
35 Page 2, line 26, strike "METHANE CAPTURED FROM ACTIVE AND INACTIVE
36 COAL MINES," and substitute "COAL MINE METHANE GAS,".

37
38 Page 3, before line 5, insert:

39
40 "(I.5) "COAL MINE METHANE GAS" MEANS THE GREENHOUSE GAS
41 METHANE CAPTURED FROM ACTIVE AND INACTIVE COAL MINES, WHERE IT
42 IS DETERMINED THAT THE METHANE IS ESCAPING TO THE ATMOSPHERE
43 AND UNDER THESE CIRCUMSTANCES FOR THE PURPOSES OF THIS
44 PARAGRAPH (a) IS AN ELIGIBLE ENERGY RESOURCE.".

45
46
47
48 **SB12-008** be referred to the Committee of the Whole with favorable
49 recommendation.

50
51
52 **SJR12-003** be referred out for final action.
53
54
55
56

1 **EDUCATION**

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

4
5 **HB12-1124** 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 5, line 9, strike "(FUNDING)" and substitute
10 "THE FINANCIAL BENEFITS AND IMPACTS TO SCHOOL DISTRICTS,
11 INCLUDING FUNDING".

12
13 Page 5, strike line 20.

14
15 Page 5, line 26, strike "SCHOOLS." and substitute "SCHOOLS; AND".

16
17 Page 5, after line 26, insert:

18
19 "(XIII) PROTOCOLS FOR TRANSFERRING THE CREDITS THAT A
20 STUDENT EARNS BY COMPLETING A SUPPLEMENTAL ON-LINE COURSE OR
21 WHILE ENROLLED IN A FULL-TIME ON-LINE SCHOOL TO A SCHOOL DISTRICT
22 OR PUBLIC SCHOOL IN WHICH THE STUDENT SUBSEQUENTLY ENROLLS.".

23
24
25
26 **HB12-1146** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:

29
30 Amend printed bill, page 2, line 9, strike "C.R.S." and substitute "C.R.S.,
31 OR A JUNIOR COLLEGE, AS DEFINED IN SECTION 23-71-102, C.R.S., THAT
32 OPERATES PURSUANT TO ARTICLE 71 OF TITLE 23, C.R.S.".

33
34 Page 4, line 27, strike "PROGRAM, AND THE" and substitute "PROGRAM;".

35
36 Page 5, strike lines 1 and 2.

37
38 Page 5, line 14, after the semi-colon, add "AND".

39
40 Page 5, strike lines 15 through 18.

41
42 Reletter succeeding paragraph.

43
44 Page 5, line 22, strike "COLLEGE," and substitute "COLLEGE. THE LOCAL
45 EDUCATION PROVIDER AND THE COMMUNITY COLLEGE MAY AGREE TO
46 ADDITIONAL FINANCIAL PROVISIONS THAT ARE NOT INCONSISTENT WITH
47 THE PROVISIONS OF SECTION 22-35-105.".

48
49 Page 5, strike lines 23 through 27.

50
51 Strike page 6.

52
53 Page 7, strike lines 1 through 4.

54
55 Renumber succeeding section accordingly.

56

1 **LOCAL GOVERNMENT**

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

4
5 **HB12-1099** be referred favorably to the Committee on Appropriations.
6

7
8 **HB12-1117** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 3, line 25, strike "YEAR." and substitute "YEAR
13 PER CHARITABLE ORGANIZATION."
14

15
16
17 **HB12-1157** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20

21 Amend printed bill, page 2, after line 1 insert:
22

23 "SECTION 1. In Colorado Revised Statutes, 32-1-203, **amend**
24 (3.5) (a) as follows:
25

26 **32-1-203. Action on service plan - criteria.** (3.5) (a) The board
27 of county commissioners may exclude territory from a proposed special
28 district prior to approval of the service plan submitted by the petitioners
29 of a proposed special district. The petitioners shall have the burden of
30 proving that the exclusion of the property is not in the best interests of the
31 proposed special district. Any person owning property in the proposed
32 special district who requests that his or her property be excluded from the
33 special district prior to approval of the service plan shall submit the
34 request to the board of county commissioners no later than ten days prior
35 to the hearing held under section 32-1-204, but the board of county
36 commissioners shall not be limited in its action with respect to exclusion
37 of territory based upon the request. Any request for exclusion SHALL
38 INCLUDE A LEGAL DESCRIPTION OF THE PROPERTY SOUGHT TO BE
39 EXCLUDED AND shall be acted upon before final action of the county
40 commissioners under section 32-1-205."
41

42 Renumber succeeding sections accordingly.
43

44 Page 2, strike lines 6 through 9 and substitute "section 32-1-204 (1), if
45 ~~such party had appeared and presented its objections before the board of~~
46 ~~county commissioners~~ WHO IS EITHER A TAXPAYER OF THE PROPOSED
47 SPECIAL DISTRICT OR AN ELIGIBLE ELECTOR OF THE PROPOSED SPECIAL
48 DISTRICT shall be given".
49

50 Page 3, after line 10 insert:
51

52 "SECTION 4. In Colorado Revised Statutes, 32-1-305, **amend** (3)
53 as follows:
54

55 **32-1-305. Court hearing - election - declaration of**
56 **organization.** (3) Except as otherwise provided in section 32-1-304.5,

1 anytime after the filing of the petition for the organization of a special
2 district but no later than ten days before the day fixed for the hearing
3 thereon, the owner of any real property within the proposed special
4 district may file a petition with the court stating reasons why said property
5 should not be included therein and requesting that said real property be
6 excluded therefrom. The petition shall be duly verified and shall describe
7 INCLUDE A LEGAL DESCRIPTION OF the property sought to be excluded.
8 The court shall hear the petition and all objections thereto at the time of
9 the hearing on the petition for organization and shall determine whether,
10 in the best public interest, the property should be excluded or included in
11 the proposed special district. The court shall exclude property located in
12 any home rule municipality in respect to which a petition for exclusion
13 has been filed by the municipality."

14
15 Renumber succeeding sections accordingly.

16
17
18
19 **HB12-1207** be referred to the Committee of the Whole with favorable
20 recommendation.

21 _____
22
23
24 **PRINTING REPORT**

25
26 The Chief Clerk reports the following bills have been correctly printed:
27 **HB12-1296, 1297, 1298, 1299, 1300, 1301.**

28 _____
29
30
31 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

32
33 The Speaker has signed: **HB12-1001.**

34 _____
35
36
37 **DELIVERY OF BILL TO GOVERNOR**

38
39 The Chief Clerk of the House of Representatives reports the following
40 bill has been delivered to the Office of the Governor: **HB12-1001** at
41 2:34 p.m. on February 14, 2012.

42 _____
43
44
45 **MESSAGE(S) FROM THE SENATE**

46
47 The Senate has passed on Third Reading and returns herewith:
48 **HB12-1001.**

49 _____
50
51 The Senate has passed on Third Reading and transmits to the Revisor of
52 Statutes: **SB12-042.**

53
54 The Senate has passed on Third Reading and transmits to the Revisor of
55 Statutes:

56

- 1 **SB12-145** As amended in General Orders as printed in Senate Journal,
2 February 13, 2012, pages 139-140.
3 **SB12-079** As amended in General Orders as printed in Senate Journal,
4 February 13, 2012, page 140.
5 **SB12-020** As amended in General Orders as printed in Senate Journal,
6 February 13, 2012, pages 140-141.
7 **SB12-097** As amended in General Orders as printed in Senate Journal,
8 February 13, 2012, page 141.
9 **SB12-035** As amended in General Orders as printed in Senate Journal,
10 February 13, 2012, page 141.
11 **SB12-110** As amended in General Orders as printed in Senate Journal,
12 February 13, 2012, page 142.
13 **SB12-115** As amended in General Orders as printed in Senate Journal,
14 February 13, 2012, page 142.
15

16
17
18 **MESSAGE(S) FROM THE REVISOR**
19

20 We herewith transmit:
21 Without comment, SB12-042.
22 With comment, as amended, SB12-020, 035, 079, 097, 110, 115 and 145.
23

24
25
26 **INTRODUCTION OF RESOLUTION**
27

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

30
31 **HJR12-1013** by Representative(s) Gardner B.; also Senator(s) Newell--
32 Concerning Awareness Day for Individuals with
33 Developmental Disabilities.
34

35
36
37 **LAY OVER OF CALENDAR ITEM(S)**
38

39 On motion of Representative Szabo, the following item(s) on the
40 Calendar was (were) laid over until February 15, retaining place on
41 Calendar:
42

43 Consideration of General Orders--**HB12-1105, 1017, 1005, 1026.**
44

45
46
47 On motion of Representative Szabo, the House adjourned until 9:00 a.m.,
48 February 15, 2012.
49

50 Approved:
51 FRANK McNULTY,
52 Speaker

53 Attest:
54 MARILYN EDDINS,
55 Chief Clerk

