

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

Fifty-ninth Legislative Day

Friday, March 9, 2012

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

2

3 Prayer by Pastor Kory Brunson, Crossroads Church, Denver.

4

5 Pledge of Allegiance led by Konner Brunson, Silver Creek Elementary,  
6 Thornton.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) Singer--1.

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

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Ryden, the reading of the journal of  
18 March 8, 2012, was declared dispensed with and approved as corrected  
19 by the Chief Clerk.

20

21

22

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

24

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

28

29 **HB12-1304** by Representative(s) Barker; also Senator(s) Newell--  
30 Concerning measures to prevent organized retail theft.

31

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

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

36

37

	YES	65	NO	0	EXCUSED	0	ABSENT	0
38	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
39	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
40	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
41	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
43	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	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 Co-sponsor(s) added: Representative(s) Brown, Casso, Court, Holbert, Joshi,  
 13 Kerr A., Kerr J., Liston, Nikkel, Pace, Priola, Stephens, Summers, Vigil,  
 14 Young, Speaker.

15  
 16 **HB12-1175** by Representative(s) Stephens; also Senator(s) Cadman--  
 17 Concerning the encouragement of a state agency to pursue  
 18 Colorado-specific solutions in lieu of federal regulation  
 19 whenever possible, and, in connection therewith, requiring  
 20 a state agency to report annually regarding opportunities  
 21 for waiver from newly adopted federal regulations.

22  
 23 The question being "Shall the bill pass?".  
 24 A roll call vote was taken. As shown by the following recorded vote, a  
 25 majority of those elected to the House voted in the affirmative and the bill  
 26 was declared **passed**.

	YES	45	NO	20	EXCUSED	0	ABSENT	0
29	Acree	Y	Fischer	N	Looper	Y	Solano	Y
30	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
31	Barker	Y	Gerou	Y	McCann	N	Soper	N
32	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
33	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
34	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
35	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
36	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
37	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
38	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
39	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
40	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
41	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
42	Duran	N	Lee	N	Schafer S.	Y	Williams A.	Y
43	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
44	Fields	N	Liston	Y	Singer	N	Young	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Barker, Becker, Beezley, Brown, Conti,  
 47 Coram, DelGrosso, Holbert, Kerr J., Liston, Murray, Nikkel, Priola, Ramirez,  
 48 Scott, Summers, Szabo, Waller, Speaker.

49  
 50  
 51  
 52 On motion of Representative Baumgardner, the House resolved itself into  
 53 Committee of the Whole for consideration of General Orders, and he was  
 54 called to the Chair to act as Chairman.

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

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

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

**HB12-1146** by Representative(s) Nikkel, Todd, Massey, Beezley, Murray, Solano, Summers; also Senator(s) Giron-- Concerning programs to allow students to enroll in postsecondary institutions to complete high school graduation requirements.

Amendment No. 1, Education Report, dated February 13, 2012, and placed in member's bill file; Report also printed in House Journal, February 14, page 254.

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

**HB12-1226** by Representative(s) Barker; also Senator(s) Aguilar-- Concerning a surcharge on persons convicted of crimes against at-risk persons.

Amendment No. 1, Judiciary Report, dated February 16, 2012, and placed in member's bill file; Report also printed in House Journal, February 17, page 514.

Amendment No. 2, Appropriations Report, dated March 2, 2012, and placed in member's bill file; Report also printed in House Journal, March 2, page 514.

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

**SB12-020** by Senator(s) Aguilar, Steadman; also Representative(s) Summers--Concerning immunity from certain criminal offenses when a person reports in good faith an emergency drug or alcohol overdose event.

Amendment No. 1, Judiciary Report, dated March 1, 2012, and placed in member's bill file; Report also printed in House Journal, March 2, page 538.

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

Amend reengrossed bill, page 4, line 6, strike "18-18-403.5 (1); EXCEPT THAT THE IMMUNITY" and substitute "18-18-403.5 (1), IF THE OFFENSE IS PENALIZED AS A MISDEMEANOR;"

Page 4, strike lines 7 through 14.

1 Amendment No. 3, by Representative(s) Summers.

2  
3 Amend reengrossed bill, page 3, line 9, strike "AND ONE OR TWO OTHER  
4 PERSONS".

5  
6 Page 3, strike lines 11 through 25 and substitute "OF THIS SECTION IF:  
7

8 (a) THE PERSON REPORTS IN GOOD FAITH AN EMERGENCY DRUG OR  
9 ALCOHOL OVERDOSE EVENT TO A LAW ENFORCEMENT OFFICER, TO THE 911  
10 SYSTEM, OR TO A MEDICAL PROVIDER;

11  
12 (b) THE PERSON REMAINS AT THE SCENE OF THE EVENT UNTIL A  
13 LAW ENFORCEMENT OFFICER OR AN EMERGENCY MEDICAL RESPONDER  
14 ARRIVES, OR THE PERSON REMAINS AT THE FACILITIES OF THE MEDICAL  
15 PROVIDER UNTIL A LAW ENFORCEMENT OFFICER ARRIVES;

16  
17 (c) THE PERSON IDENTIFIES HIMSELF OR HERSELF TO, AND  
18 COOPERATES WITH, THE LAW ENFORCEMENT OFFICER, EMERGENCY  
19 MEDICAL RESPONDER, OR MEDICAL PROVIDER; AND

20  
21 (d) THE OFFENSE ARISES FROM THE SAME COURSE OF EVENTS FROM  
22 WHICH THE EMERGENCY DRUG OR ALCOHOL OVERDOSE EVENT AROSE."  
23

24 Amendment No. 4, by Representative(s) Summers.

25  
26 Amend reengrossed bill, page 7, strike line 11 and substitute "(2) (a),  
27 (4.5) introductory portion, (4.5) (a), (4.5) (b), and (4.5) (d) as follows:"  
28

29 Page 7, after line 20, insert:

30  
31 "(4.5) An underage person ~~and one or two other persons~~ shall be  
32 immune from criminal prosecution under this section if ~~they establish~~ HE  
33 OR SHE ESTABLISHES the following:

34  
35 (a) ~~One of~~ The underage ~~persons~~ PERSON called 911 and reported  
36 IN GOOD FAITH that another underage person was in need of medical  
37 assistance due to alcohol consumption;

38  
39 (b) The underage person who called 911 ~~and, if applicable, one or~~  
40 ~~two other persons acting in concert with the underage person who called~~  
41 ~~911 provided each of their names~~ HIS OR HER NAME to the 911 operator;

42  
43 (d) The underage person ~~and, if applicable, one or two other~~  
44 ~~persons acting in concert with the underage person~~ who made the 911 call  
45 remained on the scene with the underage person in need of medical  
46 assistance until assistance arrived and cooperated with medical assistance  
47 ~~and~~ OR law enforcement personnel on the scene.

48  
49 **SECTION 9.** In Colorado Revised Statutes, 12-47-901, **amend**  
50 (1.5) introductory portion, (1.5) (a), (1.5) (b), and (1.5) (d) as follows:

51  
52 **12-47-901. Unlawful acts - exceptions.** (1.5) An underage  
53 person ~~and one or two other persons~~ shall be immune from criminal  
54 prosecution under paragraph (b) or (c) of subsection (1) of this section if  
55 ~~they establish~~ HE OR SHE ESTABLISHES the following:

56

1 (a) ~~One of The underage persons~~ PERSON called 911 and reported  
2 that another underage person was in need of medical assistance due to  
3 alcohol consumption;

4  
5 (b) The underage person who called 911 ~~and, if applicable, one or~~  
6 ~~two other persons acting in concert with the underage person who called~~  
7 ~~911~~ provided ~~each of their names~~ HIS OR HER NAME to the 911 operator;

8  
9 (d) The underage person ~~and, if applicable, one or two other~~  
10 ~~persons acting in concert with the underage person~~ who made the 911 call  
11 remained on the scene with the underage person in need of medical  
12 assistance until assistance arrived and cooperated with medical assistance  
13 ~~and~~ OR law enforcement personnel on the scene."

14  
15 Renumber succeeding section accordingly.

16  
17 Amendment No. 5, by Representative(s) Summers.

18  
19 Amend reengrossed bill, page 5, after line 10, insert:

20  
21 "(4) IF A PERSON IS CONVICTED OF UNLAWFUL POSSESSION OF A  
22 CONTROLLED SUBSTANCE, AS DESCRIBED IN SECTION 18-18-403.5 (2) (a)  
23 OR (2) (b), AND, DURING THE SAME COURSE OF EVENTS FROM WHICH THE  
24 OFFENSE ARISES, THE PERSON SATISFIED ALL OF THE CONDITIONS  
25 DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE COURT SHALL  
26 CONSIDER SUCH FACT AS A MITIGATING FACTOR IN SENTENCING THE  
27 PERSON FOR SAID OFFENSE."

28  
29 Renumber succeeding subsection accordingly.

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

33  
34 HB12-1116 by Representative(s) Murray, Summers, Barker,  
35 Baumgardner, Brown, Casso, Holbert, McCann, Miklosi,  
36 Williams A.; also Senator(s) Nicholson--Concerning  
37 deceptive trade practices related to time share resale  
38 transactions.

39  
40 Amendment No. 1, Economic & Business Development Report, dated  
41 February 21, 2012, and placed in member's bill file; Report also printed  
42 in House Journal, February 22, pages 345-346.

43  
44 As amended, ordered engrossed and placed on the Calendar for Third  
45 Reading and Final Passage.

46  
47  
48 HB12-1150 by Representative(s) Priola, Holbert, DelGrosso,  
49 Gardner B., Becker, Murray, Nikkel, Sonnenberg; also  
50 Senator(s) Lambert--Concerning an increase in the number  
51 of years used to calculate the highest average salary of a  
52 member of the public employees' retirement association  
53 for the purpose of determining the amount of the member's  
54 retirement benefit.

55

1 Amendment No. 1, Finance Report, dated March 1, 2012, and placed in  
2 member's bill file; Report also printed in House Journal, March 2,  
3 page 519.

4  
5 Amendment No. 2, by Representative(s) Priola.  
6 Amend the Finance Committee Report, dated March 1, 2012, page 1, line  
7 2, strike "WITH LESS THAN FIVE".

8  
9 Page 1, strike lines 3 and 4 and substitute "HIRED ON OR AFTER JANUARY  
10 1, 2013,".

11  
12 Page 1, strike line 6 and substitute "MEMBER".

13  
14 Page 1, line 7, strike "2013, OR" and strike "SUCH DATE" and substitute  
15 "JANUARY 1, 2013,".

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

19  
20 On motion of Representative Waller, the following bills on the General  
21 Orders Calendar were laid over until March 12, retaining place on  
22 Calendar: **HB12-1121, 1103, 1300**.

23  
24  
25 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

26  
27 Passed Second Reading: **HB12-1146 amended, 1226 amended, SB12-**  
28 **020 amended, HB12-1116 amended, 1150 amended.**

29  
30 Laid over until date indicated retaining place on Calendar: **HB12-1121,**  
31 **1103, 1300**--March 12, 2012.

32  
33 The Chairman moved the adoption of the Committee of the Whole  
34 Report. As shown by the following roll call vote, a majority of those  
35 elected to the House voted in the affirmative, and the Report was  
36 **adopted.**

37  
38

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

56

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

2  
3 **HB12-1078** by Representative(s) Vigil, Baumgardner, Sonnenberg,  
4 Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy,  
5 Giron, Hodge, Roberts--Concerning the exemption of  
6 drinking water treatment facilities from the requirement to  
7 obtain a certificate of designation.  
8

9 (Amended as printed in Senate Journal, February 15, page 181.)

10  
11 Representative Vigil moved that the House **concur** in Senate  
12 amendments. The motion was declared **passed** by the following roll call  
13 vote:  
14

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

33  
34  
35  
36 The question being, "Shall the bill, as amended, pass?"

37 A roll call vote was taken. As shown by the following recorded vote, a  
38 majority of those elected to the House voted in the affirmative, and the  
39 bill, as amended, was declared **repassed**.

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









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

11

12 The question being, "Shall the bill, as amended, pass?".

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

16

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

35 Co-sponsor(s) added: Representative(s) Szabo.

36

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

41

42 (Amended as printed in Senate Journal, March 5, page 378.)

43

44 Representative Kerr J., moved that the House **concur** in Senate  
45 amendments. The motion was declared **passed** by the following roll call  
46 vote:

47

48	YES	65	NO	0	EXCUSED	0	ABSENT	0
49	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
50	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
51	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
52	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
54	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
55	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
56	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y

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

10

11 The question being, "Shall the bill, as amended, pass?".

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

15

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

34

35

36

House in recess. House reconvened.

37

38

39

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## REPORT(S) OF COMMITTEE(S) OF REFERENCE

42

### APPROPRIATIONS

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

46

47 **HB12-1019** be amended as follows, and as so amended, be referred to  
 48 the Committee of the Whole with favorable  
 49 recommendation:

50

51 Amend printed bill, page 23, after line 1, insert:

52

53 **"SECTION 26. Appropriation.** (1) In addition to any other  
 54 appropriation, there is hereby appropriated, out of any moneys in the  
 55 highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),  
 56 Colorado Revised Statutes, not otherwise appropriated, to the department

1 of revenue, for the fiscal year beginning July 1, 2011, the sum of  
2 \$156,124, or so much thereof as may be necessary, for allocation to the  
3 information technology division, for the implementation of this act.  
4

5 (2) In addition to any other appropriation, there is hereby  
6 appropriated to the governor - lieutenant governor - state planning and  
7 budgeting, for the fiscal year beginning July 1, 2011, the sum of  
8 \$156,124, or so much thereof as may be necessary, for allocation to the  
9 office of information technology for the provision of programming  
10 services to the department of revenue related to the implementation of  
11 this act. Said sum is from reappropriated funds received from the  
12 department of revenue out of the appropriation made in subsection (1) of  
13 this section.  
14

15 **SECTION 27. Appropriation - adjustments in 2012 long bill.**

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

20 (a) The general fund appropriation for the executive director's  
21 office is decreased by \$283,704.  
22

23 (b) The cash funds appropriation for the executive director's office  
24 is increased by \$1,977,056. Of this amount, \$1,938,360 is from the  
25 highway users tax fund pursuant to section 43-4-201 (3) (a) (I) (B),  
26 Colorado Revised Statutes, and \$38,696 is from the hazardous materials  
27 safety fund pursuant to section 42-20-107 (1), Colorado Revised Statutes.  
28

29 (c) The reappropriated funds appropriation for the executive  
30 director's office is increased by \$601,394 and 4.5 FTE.  
31

32 (d) The cash funds appropriation for the Colorado state patrol,  
33 ports of entry, is increased by \$8,496,667 and 117.8 FTE. Of this amount,  
34 \$8,286,457 is from the highway users tax fund pursuant to section 43-4-  
35 201 (3) (a) (I) (B), Colorado Revised Statutes, and \$210,210 is from the  
36 hazardous materials safety fund pursuant to section 42-20-107 (1),  
37 Colorado Revised Statutes.  
38

39 (2) In addition to any other appropriation, there is hereby  
40 appropriated, to the department of public safety, for the fiscal year  
41 beginning July 1, 2012, the sum of \$2,263,218, or so much thereof as may  
42 be necessary, capital construction, for the Colorado state patrol, for the  
43 Fort Morgan eastbound scale pit replacement, the Fort Collins parking lot  
44 repair, the monument southbound building replacement, and the  
45 monument northbound scale pit replacement related to the  
46 implementation of this act. Said sum is from the highway users tax fund  
47 pursuant to section 43-4-201 (3) (a) (I) (B), Colorado Revised Statutes.  
48

49 (3) For the implementation of this act, appropriations made in the  
50 annual general appropriation act to the department of revenue for the  
51 fiscal year beginning July 1, 2012, are adjusted as follows:  
52

53 (a) The general fund appropriation to the executive director's  
54 office is increased by \$283,349.  
55

56 (b) The cash funds appropriation to the executive director's office

1 is decreased by \$2,289,184 and 2.0 FTE. Of said sum, \$2,250,488 is  
2 from the highway users tax fund pursuant to section 43-4-201 (3) (a) (III)  
3 (C), Colorado Revised Statutes, and \$38,696 is from the hazardous  
4 materials safety fund created in section 42-20-107 (1), Colorado Revised  
5 Statutes.

6  
7 (c) The cash funds appropriation to the executive director's office  
8 is increased by \$99,983. Of said sum, \$5,420 is from the AIR account of  
9 the highway users tax fund created in section 42-3-304 (18) (c), Colorado  
10 Revised Statutes, \$8,364 is from the auto dealers license fund created in  
11 section 12-6-123 (1), Colorado Revised Statutes, \$12,883 is from the  
12 Colorado state titling and registration account of the highway users tax  
13 fund, created in section 42-1-211 (2), Colorado Revised Statutes, \$9,732  
14 is from the driver's license administrative revocation account of the  
15 highway users tax fund created in section 42-2-132 (4) (b) (I) (A),  
16 Colorado Revised Statutes, \$1,594 is from the first time drunk driving  
17 offender account of the highway users tax fund created in section 42-2-  
18 132 (4) (b) (II) (A), Colorado Revised Statutes, \$430 is from the highway  
19 users tax fund exempt from the statutory limit pursuant to section 42-4-  
20 201 (3) (a) (V), Colorado Revised Statutes, \$22,853 is from the licensing  
21 services cash fund created in section 42-2-114.5 (1), Colorado Revised  
22 Statutes, \$6,095 is from the liquor enforcement division and state  
23 licensing authority cash fund created in section 24-35-401, Colorado  
24 Revised Statutes, \$5,658 is from the limited gaming fund created in  
25 section 12-47.1-701 (1), Colorado Revised Statutes, \$16,207 is from the  
26 medical marijuana license cash fund created in section 12-43.3-501 (1),  
27 Colorado Revised Statutes, \$319 is from the motorist insurance  
28 identification account of the highway users tax fund created in section 42-  
29 3-304 (18) (d) (I), Colorado Revised Statutes, \$2,788 is from the racing  
30 cash fund created in section 12-60-205 (1), Colorado Revised Statutes,  
31 and \$7,640 is from the state lottery fund created in section 24-35-210 (1),  
32 Colorado Revised Statutes.

33  
34 (d) The reappropriated funds appropriation to the executive  
35 director's office is increased by \$24,700. Of said sum, \$16,563 is from  
36 moneys appropriated from the state lottery division in subsection (p) of  
37 this section and \$8,137 is from moneys appropriated from the  
38 enforcement business group, limited gaming division in subsection (o) of  
39 this section.

40  
41 (e) The general fund appropriation to the central department  
42 operations division is increased by \$75,927.

43  
44 (f) The cash funds appropriation to the central department  
45 operations division is decreased by \$14,437. Said sum is from the  
46 highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),  
47 Colorado Revised Statutes.

48  
49 (g) The cash funds appropriation to the central department  
50 operations division is increased by \$34,921. Of said sum, \$1,972 is from  
51 the AIR account of the highway users tax fund created in section 42-3-  
52 304 (18) (c), Colorado Revised Statutes, \$3,039 is from the auto dealers  
53 license fund created in section 12-6-123 (1), Colorado Revised Statutes,  
54 \$4,582 is from the Colorado state titling and registration account of the  
55 highway users tax fund, created in section 42-1-211 (2), Colorado  
56 Revised Statutes, \$3,733 is from the driver's license administrative

1 revocation account of the highway users tax fund created in section 42-2-  
2 132 (4) (b) (I) (A), Colorado Revised Statutes, \$580 is from the first time  
3 drunk driving offender account of the highway users tax fund created in  
4 section 42-2-132 (4) (b) (II) (A), Colorado Revised Statutes, \$174 is from  
5 the highway users tax fund exempt from the statutory limit pursuant to  
6 section 42-4-201 (3) (a) (V), Colorado Revised Statutes, \$11,646 is from  
7 the licensing services cash fund created in section 42-2-114.5 (1),  
8 Colorado Revised Statutes, \$2,262 is from the liquor enforcement  
9 division and state licensing authority cash fund created in section 24-35-  
10 401, Colorado Revised Statutes, \$5,808 is from the medical marijuana  
11 license cash fund created in section 12-43.3-501 (1), Colorado Revised  
12 Statutes, \$116 is from the motorist insurance identification account of the  
13 highway users tax fund created in section 42-3-304 (18) (d) (I), Colorado  
14 Revised Statutes, and \$1,009 is from the racing cash fund created in  
15 section 12-60-205 (1), Colorado Revised Statutes.

16  
17 (h) The reappropriated funds appropriation to the central  
18 department operations division is increased by \$11,373. Said sum is from  
19 moneys appropriated to the enforcement business group, limited gaming  
20 division in subsection (o) of this section.

21  
22 (i) The general fund appropriation to the division of motor  
23 vehicles, administration, is increased by \$20,124.

24  
25 (j) The cash funds appropriation to the division of motor vehicles,  
26 administration, is decreased by \$151,101 and 2.5 TE. Said sum is from  
27 the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),  
28 Colorado Revised Statutes.

29  
30 (k) The cash funds appropriation to the division of motor vehicles,  
31 administration, is increased by \$35,461. Of said sum, \$3,177 is from the  
32 AIR account of the highway users tax fund created in section 42-3-304  
33 (18) (c), Colorado Revised Statutes, \$8,764 is from the Colorado state  
34 titling and registration account of the highway users tax fund, created in  
35 section 42-1-211 (2), Colorado Revised Statutes, \$1,336 is from the  
36 driver's license administrative revocation account of the highway users  
37 tax fund created in section 42-2-132 (4) (b) (I) (A), Colorado Revised  
38 Statutes, \$1,215 is from the first time drunk driving offender account of  
39 the highway users tax fund created in section 42-2-132 (4) (b) (II) (A),  
40 Colorado Revised Statutes, \$20,726 is from the licensing services cash  
41 fund created in section 42-2-114.5 (1), Colorado Revised Statutes, and  
42 \$243 is from the motorist insurance identification account of the highway  
43 users tax fund created in section 42-3-304 (18) (d) (I), Colorado Revised  
44 Statutes.

45  
46 (l) The general fund appropriation to the division of motor  
47 vehicles, driver and vehicle services, is increased by \$597,101 and 10.0  
48 FTE, for the commercial driver's license and international registry  
49 programs.

50  
51 (m) The cash funds appropriation to the motor carrier services  
52 division is decreased by \$7,470,440 and 117.8. Of said sum, \$7,260,230  
53 is from the highway users tax fund pursuant to section 43-4-201 (3) (a)  
54 (III) (C), Colorado Revised Statutes, and \$210,210 is from the hazardous  
55 materials safety fund created in section 42-20-107 (1), Colorado Revised  
56 Statutes.

1 (n) The general fund appropriation to the motor carrier services  
2 division is decreased by \$597,101 and 10.0 FTE, for the commercial  
3 driver's license and international registry programs.  
4

5 (o) The cash funds appropriation to the enforcement business  
6 group, limited gaming division, is increased by \$19,510. Said sum is  
7 from the limited gaming fund created in section 12-47.1-701 (1),  
8 Colorado Revised Statutes.  
9

10 (p) The cash funds appropriation to the state lottery division is  
11 increased by \$16,563. Said sum is from the state lottery fund created in  
12 section 24-35-210 (1), Colorado Revised Statutes.  
13

14 (4) For the implementation of this act, capital construction  
15 appropriations made in the annual general appropriation act to the  
16 department of revenue for the fiscal year beginning July 1, 2012, are  
17 decreased by \$2,263,218 for the fort morgan eastbound scale pit  
18 replacement, the fort collins parking lot repair, the monument southbound  
19 building replacement, and the monument northbound scale pit  
20 replacement related to the implementation of this act. Said sum is from  
21 the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),  
22 Colorado Revised Statutes."  
23

24 Renumber succeeding sections accordingly.  
25

26 Page 23, line 2, strike "2012." and substitute "2012; except that section  
27 26 of this act takes effect upon passage."  
28

29 Page 1, line 111, strike "REVENUE." and substitute "REVENUE, AND IN  
30 CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."  
31  
32  
33

34 **HB12-1059** be referred to the Committee of the Whole with favorable  
35 recommendation.  
36  
37

38 **HB12-1068** be amended as follows, and as so amended, be referred to  
39 the Committee of the Whole with favorable  
40 recommendation:  
41

42 Amend engrossed bill, page 3, line 6, strike "THIS ARTICLE," and  
43 substitute "SECTIONS 7-47-101 (1.5) AND 7-47-105,".  
44

45 Page 3, line 8, strike "IF THE".  
46

47 Page 3, strike lines 9 through 15 and substitute "THE".  
48

49 Page 3, line 16, strike "OF THE CORRECTIVE ACTION".  
50  
51  
52

53 **HB12-1130** be referred to the Committee of the Whole with favorable  
54 recommendation.  
55  
56



1 **HB12-1131** be amended as follows, and as so amended, be referred to  
2 the Committee of the Whole with favorable  
3 recommendation:  
4

5 Amend printed bill, page 4, after line 7 insert:  
6

7 **"SECTION 3. Appropriation.** (1) In addition to any other  
8 appropriation, there is hereby appropriated, out of any moneys in the  
9 Colorado state titling and registration account of the highway users tax  
10 fund created in section 42-1-211 (2), Colorado Revised Statutes, not  
11 otherwise appropriated, to the department of revenue, for the fiscal year  
12 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be  
13 necessary, to be allocated to the information technology division for the  
14 purchase of computer center services.  
15

16 (2) In addition to any other appropriation, there is hereby  
17 appropriated to the governor - lieutenant governor - state planning and  
18 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,  
19 or so much thereof as may be necessary, for allocation to the office of  
20 information technology, for the provision of computer center services for  
21 the department of revenue related to the implementation of this act. Said  
22 sum is from reappropriated funds received from the department of  
23 revenue out of the appropriation made in subsection (1) of this section.  
24

25 (3) In addition to any other appropriation, there is hereby  
26 appropriated, out of any moneys in the license plate cash fund created in  
27 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise  
28 appropriated, to the department of revenue, for the fiscal year beginning  
29 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,  
30 for allocation to the division of motor vehicles, driver and vehicle  
31 services, for the purchase of special license plates related to the  
32 implementation of this act."  
33

34 Renumber succeeding section accordingly.  
35

36 Page 1, line 102 strike "PLATE." and substitute "PLATE, AND, IN  
37 CONNECTION THEREWITH, MAKING AN APPROPRIATION."  
38  
39  
40

41 **HB12-1141** be postponed indefinitely.  
42  
43

44 **HB12-1153** be amended as follows, and as so amended, be referred to  
45 the Committee of the Whole with favorable  
46 recommendation:  
47

48 Amend printed bill, page 2, after line 19 insert:  
49

50 **"SECTION 2. Appropriation.** (1) In addition to any other  
51 appropriation, there is hereby appropriated, out of any moneys in the  
52 Colorado state titling and registration account of the highway users tax  
53 fund created in section 42-1-211 (2), Colorado Revised Statutes, not  
54 otherwise appropriated, to the department of revenue, for the fiscal year  
55 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be  
56 necessary, to be allocated to the information technology division for the

1 purchase of computer center services.

2  
3 (2) In addition to any other appropriation, there is hereby  
4 appropriated to the governor - lieutenant governor - state planning and  
5 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,  
6 or so much thereof as may be necessary, for allocation to the office of  
7 information technology, for the provision of computer center services for  
8 the department of revenue related to the implementation of this act. Said  
9 sum is from reappropriated funds received from the department of  
10 revenue out of the appropriation made in subsection (1) of this section.

11  
12 (3) In addition to any other appropriation, there is hereby  
13 appropriated, out of any moneys in the license plate cash fund created in  
14 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise  
15 appropriated, to the department of revenue, for the fiscal year beginning  
16 July 1, 2012, the sum of \$436, or so much thereof as may be necessary,  
17 for allocation to the division of motor vehicles, driver and vehicle  
18 services, for the purchase of special license plates related to the  
19 implementation of this act."

20  
21 Renumber succeeding section accordingly.

22  
23 Page 1, line 103 strike "CROSS." and substitute "CROSS, AND, IN  
24 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

25  
26  
27  
28 **HB12-1205** 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 38, after line 18 insert:

33  
34 **"SECTION 10. Appropriation.** (1) In addition to any other  
35 appropriation, there is hereby appropriated, out of any moneys in the  
36 division of registrations cash fund created in section 24-34-105 (2) (b) (I),  
37 Colorado Revised Statutes, not otherwise appropriated, to the department  
38 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum  
39 of \$15,571, or so much thereof as may be necessary, to be allocated for  
40 the implementation of this act as follows:

41  
42 (a) \$2,000 for temporary paralegal services for the division of  
43 registrations;

44  
45 (b) \$6,000 for licensing examination evaluation and proctors for  
46 the division of registrations; and

47  
48 (c) \$7,571 for the purchase of legal services.

49  
50 (2) In addition to any other appropriation, there is hereby  
51 appropriated to the department of law, for the fiscal year beginning July  
52 1, 2012, the sum of \$7,571, or so much thereof as may be necessary, for  
53 the provision of legal services for the department of regulatory agencies  
54 related to the implementation of this act. Said sum is from reappropriated  
55 funds received from the department of regulatory agencies out of the  
56 appropriation made in subsection (1) of this section."

1 Renumber succeeding sections accordingly.

2

3 Page 1, line 105 strike "**PROVIDERS.**" and substitute "**PROVIDERS, AND,**  
4 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

5

6

7

8 **SB12-064** be referred to the Committee of the Whole with favorable  
9 recommendation.

10

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13

14 **ECONOMIC & BUSINESS DEVELOPMENT**

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

17

18 **HB12-1119** be amended as follows, and as so amended, be referred to  
19 the Committee on Finance with favorable  
20 recommendation:

21

22 Amend printed bill, strike everything below the enacting clause and  
23 substitute:

24

25 **"SECTION 1.** In Colorado Revised Statutes, **add** article 1.7 to  
26 title 25 as follows:

27

28

**ARTICLE 1.7**

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**Fines Imposed by the Department of  
Public Health and Environment - Limitations**

**25-1.7-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY  
BE CITED AS THE "STOPPING UNNECESSARY COSTS AND CREATING AND  
ENSURING STABILITY FOR SMALL BUSINESS ACT" OR THE "SUCCESS ACT".

**25-1.7-102. Fines levied by department of public health and  
environment - limitations.** (1) AS USED IN THIS ARTICLE, UNLESS THE  
CONTEXT OTHERWISE REQUIRES:

(a) "BUSINESS DAY" MEANS ANY CALENDAR DAY EXCLUDING  
SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH  
AND ENVIRONMENT AND ANY BOARD, BUREAU, COMMISSION, INSTITUTION,  
DIVISION, SECTION, OR OFFICER LOCATED WITHIN OR EMPLOYED BY THE  
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(c) "FINE" MEANS A PENALTY LEVIED BY THE DEPARTMENT AS  
AUTHORIZED BY LAW AGAINST ANY NATURAL PERSON OR BUSINESS ENTITY  
REGULATED BY THE DEPARTMENT FOR A VIOLATION OF A STATE LAW OR  
A DEPARTMENT RULE. "FINE" DOES NOT INCLUDE:

(I) A LATE FEE IMPOSED FOR FAILURE TO PERFORM AN ACTION,  
SUBMIT A PAYMENT, OR FILE A DOCUMENT AS REQUIRED BY STATE LAW OR  
A DEPARTMENT RULE; OR

1 (II) THE RECOVERY OF ALL OR A PORTION OF A PAYMENT MADE BY  
2 THE DEPARTMENT IN ERROR OR IN EXCESS OF THE AMOUNT TO WHICH THE  
3 RECIPIENT IS ENTITLED.

4  
5 (d) "INSPECTION-RELATED VIOLATION" MEANS A VIOLATION OF  
6 STATE LAW OR A DEPARTMENT RULE, EXCLUDING WATER RIGHTS  
7 ADMINISTRATION AND EXCLUDING A VIOLATION RELATED TO THE MINING,  
8 EXTRACTION, OR PROCESSING OF MINERAL RESOURCES, THAT THE  
9 DEPARTMENT OR ITS AGENT DISCOVERS THROUGH AN INSPECTION OF THE  
10 FACILITIES OF OR WORK PERFORMED BY THE VIOLATOR.

11  
12 (e) "MINOR VIOLATION" MEANS A VIOLATION THAT HAS NOT  
13 HARMED OR THREATENED PUBLIC HEALTH OR SAFETY OR THE  
14 ENVIRONMENT AND THAT IS EITHER AN INSPECTION-RELATED VIOLATION  
15 OR A PAPERWORK VIOLATION.

16  
17 (f) "PAPERWORK VIOLATION" MEANS A VIOLATION OF STATE LAW  
18 OR A DEPARTMENT RULE THAT IS A NONSUBSTANTIVE TECHNICAL ERROR  
19 OR, AS DETERMINED BY THE DEPARTMENT, A SUBSTANTIVE ERROR  
20 REASONABLY MADE BY THE VIOLATOR IN GOOD FAITH, ON A REQUIRED  
21 FORM OR FILING.

22  
23 (2) THE DEPARTMENT SHALL NOT IMPOSE A FINE FOR A MINOR  
24 VIOLATION THAT IS AN INSPECTION-RELATED VIOLATION IF, AS  
25 DETERMINED BY THE DEPARTMENT, THE VIOLATOR MADE A REASONABLE  
26 GOOD FAITH EFFORT TO COMPLY WITH THE STATE LAW OR DEPARTMENT  
27 RULE THAT IT VIOLATED UNLESS:

28  
29 (a) THE DEPARTMENT PROVIDES WRITTEN NOTICE OF THE  
30 VIOLATION TO THE VIOLATOR WITHIN TWENTY BUSINESS DAYS OF THE  
31 DATE OF THE INSPECTION; AND

32  
33 (b) THE VIOLATOR FAILS TO CURE THE VIOLATION WITHIN TWENTY  
34 BUSINESS DAYS OF RECEIVING THE NOTICE OF THE VIOLATION.

35  
36 (3) THE DEPARTMENT SHALL NOT IMPOSE A FINE FOR A MINOR  
37 VIOLATION THAT IS A PAPERWORK VIOLATION UNLESS:

38  
39 (a) THE DEPARTMENT PROVIDES WRITTEN NOTICE OF THE  
40 VIOLATION TO THE VIOLATOR WITHIN NINETY BUSINESS DAYS AFTER THE  
41 VIOLATOR COMMITTED THE VIOLATION BY FILING AN ERRONEOUS FORM OR  
42 OTHER FILING; AND

43  
44 (b) THE VIOLATOR FAILS TO CURE THE VIOLATION WITHIN NINETY  
45 BUSINESS DAYS OF RECEIVING THE NOTICE OF THE VIOLATION.

46  
47 **SECTION 2. Safety clause.** The general assembly hereby finds,  
48 determines, and declares that this act is necessary for the immediate  
49 preservation of the public peace, health, and safety."

50  
51 Page 1, line 101, strike "STATE".

52  
53 Page 1, line 102, strike "AGENCIES" and substitute "THE DEPARTMENT OF  
54 PUBLIC HEALTH AND ENVIRONMENT".

55  
56

1 **SB12-096** be referred to the Committee of the Whole with favorable  
2 recommendation.  
3

4

5

6

7

8 **FINANCE**

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

11

12 **HB12-1307** be referred to the Committee of the Whole with favorable  
13 recommendation.  
14

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19 **HEALTH & ENVIRONMENT**

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

22

23 **SB12-011** be referred to the Committee of the Whole with favorable  
24 recommendation.  
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Amend printed bill, page 5, line 21, strike "AFTER A JUVENILE CASE HAS BEEN CHARGED BY DIRECT".

Page 5, strike lines 22 through line 27 and substitute "AFTER A JUVENILE CASE HAS BEEN CHARGED BY DIRECT FILING OF INFORMATION OR BY AN INDICTMENT IN DISTRICT COURT, THE JUVENILE MAY FILE IN DISTRICT COURT A MOTION TO TRANSFER THE CASE TO JUVENILE COURT. THE JUVENILE MUST FILE THE MOTION NO LATER THAN THE TIME TO REQUEST A PRELIMINARY HEARING. UPON RECEIPT OF THE MOTION, THE COURT SHALL SET THE REVERSE-TRANSFER HEARING WITH THE PRELIMINARY HEARING."

Page 6, line 1, strike "THE PETITION."

Page 10, strike line 8 and substitute "C.R.S., UNLESS THE JUVENILE IS CONVICTED OF A CLASS 1 FELONY OR A SEX OFFENSE THAT IS SUBJECT TO PART 9 OF ARTICLE 1.3 OF TITLE 18, C.R.S.; or".

Page 10, line 27, after "nonenumerated" insert "FELONY".

1 Page 11, line 2, after the period add "IF THE JUVENILE IS CONVICTED OF  
2 ONLY A MISDEMEANOR OFFENSE OR MISDEMEANOR OFFENSES, THE COURT  
3 SHALL ADJUDICATE THE JUVENILE A DELINQUENT AND SENTENCE THE  
4 JUVENILE PURSUANT TO ARTICLE 2 OF THIS TITLE."

5

6

7

8 **HB12-1305** 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 2, strike lines 2 through 22.

13

14 Page 3, strike lines 1 through 8.

15

16 Renumber succeeding sections accordingly.

17

18

19

20 **HB12-1310** be amended as follows, and as so amended, be referred to  
21 the Committee on Finance with favorable  
22 recommendation:

23

24 Amend printed bill, page 5, strike lines 10 through 27.

25

26 Strike page 6.

27

28 Page 7, strike lines 1 through 11.

29

30 Renumber succeeding sections accordingly.

31

32 Page 7, line 22, strike "SHALL" and substitute "MAY".

33

34

35

36 **SB12-035** be referred to the Committee of the Whole with favorable  
37 recommendation.

38

39

40

41

42 **STATE, VETERANS, & MILITARY AFFAIRS**

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

45

46 **HB12-1076** be postponed indefinitely.

47

48

49 **HB12-1118** be amended as follows, and as so amended, be referred to  
50 the Committee of the Whole with favorable  
51 recommendation:

52

53 Amend printed bill, page 3, line 12, strike "PERSONNEL" and substitute  
54 "PERSONNEL, OR OF ONE OR MORE REPRESENTATIVES OF MEMBERS OF A  
55 BOARD OF EDUCATION OR SCHOOL ADMINISTRATION PERSONNEL,".

56

1 Page 4, line 7, strike "PERSONNEL" and substitute "PERSONNEL, OR ANY  
2 REPRESENTATIVE OF THE BOARD OF EDUCATION OR SCHOOL  
3 ADMINISTRATION PERSONNEL,".

4  
5 Page 4, line 23, after "THEREOF," insert "AND ANY REPRESENTATIVES OF  
6 MEMBERS OF A LOCAL BOARD OF EDUCATION OR SCHOOL ADMINISTRATION  
7 PERSONNEL,".

8  
9

10

11 **HB12-1219** be postponed indefinitely.

12

13

14 **HB12-1263** be amended as follows, and as so amended, be referred to  
15 the Committee of the Whole with favorable  
16 recommendation:

17

18 Amend printed bill, page 2, line 2, strike "(3)" and substitute "(3),"

19

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

21

22 Page 3, line 17, strike "RESPONSIBILITIES;" and substitute  
23 "RESPONSIBILITIES, INCLUDING, BUT NOT LIMITED TO, WHETHER THE  
24 CONVICTION WAS FOR UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION  
25 16-22-102 (9), C.R.S., AND WHETHER THE EMPLOYMENT WOULD PLACE  
26 THE APPLICANT IN CONTACT WITH VULNERABLE PERSONS;".

27

28 Page 3, after line 21 insert:

29 "(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE  
30 CONTRARY, THE PROVISIONS OF THIS SECTION APPLY TO THE OFFICE OF THE  
31 GOVERNOR."

32

33 Page 4, line 5, strike "OR".

34

35 Page 4, after line 5 insert:

36

37 "(b) THE OFFENSE WAS FOR UNLAWFUL SEXUAL BEHAVIOR AS  
38 LISTED IN SECTION 16-22-102 (9), C.R.S., AND THE POSSIBLE EMPLOYMENT  
39 THAT MAY BE ATTAINED THROUGH LICENSURE WOULD PLACE THE  
40 APPLICANT IN CONTACT WITH VULNERABLE PERSONS; OR".

41

42 Page 4, line 6, strike "(b)" and substitute "(c)".

43

44 Page 1, line 101, after "EMPLOYMENT" insert "BY STATE OF COLORADO  
45 AGENCIES"

46

47

48

49

## 50 **TRANSPORTATION**

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

53

54 **SB12-007** be amended as follows, and as so amended, be referred to  
55 the Committee of the Whole with favorable  
56 recommendation:

1 Amend reengrossed bill, page 2, line 3, strike "**repeal** (2);".

2

3 Page 2, strike lines 5 through 13.

4

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8

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

9

10 The Speaker has signed: **SB12-029, 042, 048.**

11

12

13

14

**MESSAGE(S) FROM THE SENATE**

15

16 The Senate has passed on Third Reading and transmits to the Revisor of  
17 Statutes:

18

19 SB12-152 amended as printed in Senate Journal, March 8, 2012,  
20 page 405.

21 SB12-116 amended as printed in Senate Journal, March 8, 2012,  
22 page 407.

23 SB12-059 amended as printed in Senate Journal, March 8, 2012,  
24 page 407.

25 HB12-1031 amended as printed in Senate Journal, March 8, 2012,  
26 page 406.

27 HB12-1089 amended as printed in Senate Journal, March 8, 2012,  
28 page 406.

29 HB12-1032 amended as printed in Senate Journal, March 8, 2012,  
30 page 407.

31

32 The Senate has passed on Third Reading and returns herewith HB12-  
33 1163, HB12-1233, HB12-1217, HB12-1090.

34

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**MESSAGE(S) FROM THE REVISOR**

42

43 We herewith transmit:

44 Without comment, as amended, HB12-1031, 1032, and 1089.

45 Without comment, as amended, SB12-059, 116, and 152.

46

47

48

49

**MESSAGE(S) FROM THE GOVERNOR**

50

51 I certify I received the following on the 8th day of March , 2012, at  
52 2:05 p.m. The original is on file in the records of the House of  
53 Representatives of the General Assembly.

54

55

56

Marilyn Eddins,  
Chief Clerk of the House



1 March 8, 2012

2

3 To the Honorable House of Representatives

4 Sixty-Eighth General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9

10 Ladies and Gentlemen:

11

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

14

15 **HB 12-1198** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE  
16 DEPARTMENT OF STATE

17

18 Approved March 8, 2012 at 12:49 pm

19

20 **HB 12-1301** CONCERNING PAYMENT OF EXPENSES OF THE  
21 LEGISLATIVE DEPARTMENT

22

23 Approved March 8, 2012 at 12:42 pm

24

25 Sincerely,

26 (signed)

27 John W. Hickenlooper

28 Governor

29

30

31

32 **INTRODUCTION OF BILLS**  
33 **First Reading**

34

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

37

38 **HB12-1322** by Representative(s) Sonnenberg; also Senator(s) Renfroe  
39 and Scheffel--Concerning the disposition of federal  
40 agricultural public lands.

41 Committee on Education

42

43 **HB12-1323** by Representative(s) Coram; also Senator(s) Roberts--  
44 Concerning the associate county judge for Montrose  
45 county.

46 Committee on Agriculture, Livestock, & Natural Resources

47

48 **HB12-1324** by Representative(s) Massey and Scott; also Senator(s)  
49 Johnston and King S., Bacon, Heath--Concerning  
50 Colorado Mesa university.

51 Committee on Education

52

53 **HB12-1325** by Representative(s) Summers; also Senator(s) Nicholson--  
54 Concerning tracking transactions related to  
55 methamphetamine precursor drugs.

56 Committee on Judiciary

1 **SB12-023** by Senator(s) Boyd; also Representative(s) Summers and  
 2 Kerr A.--Concerning the program of all-inclusive care for  
 3 the elderly, and, in connection therewith, addressing  
 4 enrollment of persons who are eligible for the PACE  
 5 program and addressing how the PACE program works  
 6 with integrative initiatives involving the medicaid  
 7 population in Colorado.

8 Committee on Health and Environment  
 9

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10

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**PRINTING REPORT**

12

13

14 The Chief Clerk reports the following bills have been correctly printed:  
 15 **HB12-1322, 1323, 1324, 1325.**

16

17

18

**LAY OVER OF CALENDAR ITEM(S)**

19

20

21 On motion of Representative Waller, the following item(s) on the  
 22 Calendar was (were) laid over until March 12, retaining place on  
 23 Calendar:

24

25 Consideration of General Orders--**HB12-1241, SB12-030, 072, 079, 146.**  
 26 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1058,**  
 27 **1249.**

28

29

30

31 On motion of Representative Waller, the House adjourned until  
 32 10:00 a.m., March 12, 2012.

33

34

Approved:  
 FRANK McNULTY,  
 Speaker

35

36

37

38

39

Attest:  
 MARILYN EDDINS,  
 Chief Clerk