

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

Sixty-sixth Legislative Day

Friday, March 16, 2012

1 The Speaker *Pro tempore* called the House to order at 9:00 a.m.
2
3 Prayer by the Reverend Eugene Downing, Jr., New Hope Baptist Church,
4 Denver.
5
6 Pledge of Allegiance led by Jalan Thomas, Ananda Zaragoza, McKenna
7 Wingate, Geneva Schafer, R. J. Wooten, Kori Robideau,
8 Cherrelyn and Clayton Elementary Schools, Englewood.
9

10 The roll was called with the following result:
11
12 Present--63.
13 Excused--Representative(s) McNulty--1.
14 Absent--Representative(s) Casso--1.
15 Present after roll call--Representative(s) McNulty.
16

17 The Speaker declared a quorum present.
18
19

20 On motion of Representative Ramirez, the reading of the journal of
21 March 15, 2012, was declared dispensed with and approved as corrected
22 by the Chief Clerk.
23

MESSAGE(S) FROM THE SENATE

24
25
26
27 The Senate has adopted and transmits herewith: SJR12- 020.
28
29

INTRODUCTION AND CONSIDERATION OF RESOLUTION

30
31
32
33 On motion of Representative Waller, the rules were suspended and the
34 following resolution was given immediate consideration.
35

36 **SJR12-020** by Senator(s) Heath; also Representative(s) Waller--
37 Concerning the recognition of achievements by the
38 university of Colorado.
39

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

42 On motion of Representative Waller, the resolution was read at length
43 and **adopted** by **viva voce** vote.

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

9

10

11

House in recess. House reconvened.

12

13

14

15 On motion of Representative DelGrosso, the House resolved itself into
16 Committee of the Whole for consideration of General Orders, and he was
17 called to the Chair to act as Chairman.

18

19

20

GENERAL ORDERS--SECOND READING OF BILLS

21

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

26

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

29

30 **HB12-1121** by Representative(s) Scott--Concerning enactment of the
31 utility ratepayers' bill of rights for customers of investor-
32 owned utilities in Colorado.

33

34 Laid over until May 10, 2012. Bill deemed lost.

35

36 **HB12-1300** by Representative(s) Gardner B., Barker, Ryden, Waller;
37 also Senator(s) Aguilar--Concerning professional review
38 committees, and, in connection therewith, implementing
39 the sunset review recommendations of the department of
40 regulatory agencies.

41

42 Amendment No. 1, Judiciary Report, dated March 1, 2012, and placed in
43 member's bill file; Report also printed in House Journal, March 2,
44 pages 519-538.

45

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

47

48 Amend the Judiciary Committee Report, dated March 1, 2012, page 3,
49 after line 12 insert:

50

51 "(2.5) "DIVISION" MEANS THE DIVISION OF REGISTRATIONS IN THE
52 DEPARTMENT OF REGULATORY AGENCIES."

53

54 Page 6, after line 9 insert:

55

56 "(2.5) A PROFESSIONAL REVIEW COMMITTEE THAT IS REVIEWING

1 THE QUALIFICATIONS AND COMPETENCE OF, THE QUALITY AND
2 APPROPRIATENESS OF PATIENT CARE PROVIDED BY, OR THE PROFESSIONAL
3 CONDUCT OF, A PERSON LICENSED UNDER ARTICLE 38 OF THIS TITLE AND
4 GRANTED AUTHORITY AS AN ADVANCED PRACTICE NURSE MUST EITHER:
5

6 (a) HAVE, AS A VOTING MEMBER, AT LEAST ONE PERSON LICENSED
7 UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN
8 ADVANCED PRACTICE NURSE WITH A SCOPE OF PRACTICE SIMILAR TO THAT
9 OF THE PERSON WHO IS THE SUBJECT OF THE REVIEW; OR
10

11 (b) ENGAGE, TO PERFORM AN INDEPENDENT REVIEW AS
12 APPROPRIATE, AN INDEPENDENT PERSON LICENSED UNDER ARTICLE 38 OF
13 THIS TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE NURSE
14 WITH A SCOPE OF PRACTICE SIMILAR TO THAT OF THE PERSON WHO IS THE
15 SUBJECT OF THE REVIEW.".
16

17 Page 6, strike line 20 and substitute "governing board AND IF, AT ALL
18 TIMES AFTER JULY 1, 2013, IT IS REGISTERED WITH THE DIVISION IN
19 ACCORDANCE WITH SECTION 12-36.5-104.6:".
20

21 Page 6, line 21, strike "OR NURSING".
22

23 Page 6, line 24, strike "OR NURSING".
24

25 Page 6, after line 33 insert:
26

27 "(c.5) A SOCIETY OR ASSOCIATION OF ADVANCED PRACTICE
28 NURSES LICENSED AND REGISTERED PURSUANT TO ARTICLE 38 OF THIS
29 TITLE AND RESIDING IN THIS STATE, IF THE ADVANCED PRACTICE NURSE
30 WHOSE SERVICES ARE THE SUBJECT OF THE REVIEW IS A MEMBER OF THE
31 SOCIETY OR ASSOCIATION;".
32

33 Page 6, after line 40 insert:
34

35 "(d.5) A SOCIETY OR ASSOCIATION OF ADVANCED PRACTICE
36 NURSES LICENSED AND REGISTERED PURSUANT TO ARTICLE 38 OF THIS
37 TITLE AND PRACTICING IN A SPECIFIED NURSING ROLE AND POPULATION
38 FOCUS, AS DEFINED BY THE NURSING BOARD, WHICH SOCIETY OR
39 ASSOCIATION HAS BEEN DESIGNATED BY THE NURSING BOARD AS THE
40 SPECIFIC NURSING SOCIETY OR ASSOCIATION REPRESENTATIVE OF THOSE
41 ADVANCED PRACTICE NURSES PRACTICING IN THAT NURSING ROLE AND
42 POPULATION FOCUS, IF THE ADVANCED PRACTICE NURSE WHOSE SERVICES
43 ARE THE SUBJECT OF THE REVIEW IS A MEMBER OF THE DESIGNATED
44 NURSING SOCIETY OR ASSOCIATION.".
45

46 Page 7, line 1, strike "physicians" and substitute "~~physicians~~ PERSONS
47 LICENSED UNDER ARTICLE 36 OF THIS TITLE, OR LICENSED UNDER ARTICLE
48 38 OF THIS TITLE AND GRANTED AUTHORITY AS ADVANCED PRACTICE
49 NURSES,".
50

51 Page 8, line 24, strike "AND".
52

53 Page 8, line 27, strike "FUNCTION." and substitute "FUNCTION; AND".
54

55 Page 8, after line 27, insert:
56

- 1 "(q) A HOSPITAL LICENSED PURSUANT TO PART 1 OF ARTICLE 3 OF
2 TITLE 25, C.R.S., OR CERTIFIED PURSUANT TO SECTION 25-1.5-103 (1) (a)
3 (II), C.R.S."
4
- 5 Page 9, strike lines 15 and 16 and substitute "review committee ~~shall~~ FOR
6 PERSONS LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER
7 ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS ADVANCED
8 PRACTICE NURSES MUST provide for at least the following:"
9
- 10 Page 9, strike lines 18 and 19 and substitute "PARAGRAPH (a), if the
11 findings of any investigation indicate that ~~the physician~~ A PERSON
12 LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE
13 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE
14 NURSE, AND who is the subject of the".
15
- 16 Page 9, line 20, insert a comma after "investigation".
17
- 18 Page 9, line 23, strike "PHYSICIAN'S OR".
19
- 20 Page 9, line 24, strike "PHYSICIAN ASSISTANT'S" and substitute
21 "PERSON'S".
22
- 23 Page 9, line 27, strike "PHYSICIAN".
24
- 25 Page 9, line 28, strike "OR PHYSICIAN ASSISTANT" and substitute
26 "PERSON".
27
- 28 Page 9, line 38, after "physician" insert "~~who is the subject of any~~
29 ~~investigation, shall be given reasonable notice of such hearing~~" and after
30 "GIVE" insert "TO THE SUBJECT OF ANY INVESTIGATION UNDER THIS
31 SUBSECTION (7)".
32
- 33 Page 9, line 40, strike "PHYSICIAN'S OR PHYSICIAN".
34
- 35 Page 9, line 41, strike "ASSISTANT'S" and substitute "PERSON'S".
36
- 37 Page 10, strike lines 1 through 3 and substitute "AUTHORIZED ENTITY, and
38 ~~shall have~~ THE SUBJECT OF THE INVESTIGATION HAS".
39
- 40 Page 10, line 11, strike "physician OR".
41
- 42 Page 10, line 12, strike "PHYSICIAN ASSISTANT," and substitute "physician
43 OF THE INVESTIGATION,".
44
- 45 Page 10, strike line 16 and substitute "AFFECT HIS OR HER MEMBERSHIP,".
46
- 47 Page 10, line 20, strike the period and add "IF THE SUBJECT OF THE
48 INVESTIGATION IS LICENSED UNDER ARTICLE 36 OF THIS TITLE, OR TO THE
49 NURSING BOARD IF THE SUBJECT OF THE INVESTIGATION IS LICENSED
50 UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN
51 ADVANCED PRACTICE NURSE."
52
- 53 Page 10, line 22, strike "physician OR PHYSICIAN".
54
- 55 Page 10, line 23, strike "ASSISTANT" and substitute "~~physician~~ PERSON
56 LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE

- 1 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE
2 NURSE".
3
4 Page 10, line 27, strike "physician OR PHYSICIAN ASSISTANT ~~staff~~" and
5 substitute "~~physician-staff~~ PERSON".
6
7 Page 10, strike lines 37 through 41.
8
9 Page 11, strike lines 1 through 25.
10
11 Page 11, line 26, strike "~~(9)~~ (10)" and substitute "(9)".
12
13 Page 11, line 30, strike "~~(10)~~ (11)" and substitute "(10)".
14
15 Page 11, line 31, strike "(11)," and substitute "(10),".
16
17 Page 11, line 37, strike "(14)" and substitute "(13)".
18
19 Page 12, line 17, strike "(12)" and substitute "(11)".
20
21 Page 12, line 18, strike "(12)," and substitute "(11),".
22
23 Page 12, line 39, strike "(13)" and substitute "(12)".
24
25 Page 13, line 7, strike "(14)" and substitute "(13)".
26
27 Page 13, line 9, strike "(11), (12), OR (13)" and substitute "(10), (11), OR
28 (12)".
29
30 Page 13, line 11, strike "(11)" and substitute "(10)".
31
32 Page 13, line 12, strike "(15)" and substitute "(14)".
33
34 Page 13, line 15, strike "(11) OR (12)" and substitute "(10) OR (11)".
35
36 Page 13, line 29, strike "(15)" and substitute "(14)".
37
38 Page 13, line 35, strike "(16)" and substitute "(15)" and strike "(11)," and
39 substitute "(10),".
40
41 Page 13, line 36, strike "(12), OR (13)" and substitute "(11), OR (12)".
42
43 Page 13, line 39, strike "(17)" and substitute "(16)".
44
45 Page 14, line 17, strike "**medical**".
46
47 Page 14, line 18, strike "**board**" and substitute "**division**".
48
49 Page 14, line 21, strike "PHYSICIANS OR PHYSICIAN ASSISTANTS" and
50 substitute "PERSONS LICENSED UNDER ARTICLE 36 OF THIS TITLE OR
51 LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS
52 ADVANCED PRACTICE NURSES".
53
54 Page 14, line 22, strike "MEDICAL BOARD" and substitute "DIVISION".
55
56 Page 14, strike lines 29 through 35 and substitute:

1 "(b) (I) REPORT ON ITS PROFESSIONAL REVIEW ACTIVITIES DURING
2 THE IMMEDIATELY PRECEDING CALENDAR YEAR IN A FORM SATISFACTORY
3 TO THE DIVISION. THESE REPORTS MUST INCLUDE AGGREGATE DATA ON
4 THE NUMBER AND TYPE OF CASES REVIEWED AND THE RESULTS OF SUCH
5 REVIEWS. AS USED IN THIS PARAGRAPH (b), "AGGREGATE DATA"
6 INCLUDES, WITHOUT LIMITATION, NONIDENTIFIABLE INFORMATION ABOUT
7 PROFESSIONAL REVIEW ACTIVITIES CONDUCTED BY THE AUTHORIZED
8 PROFESSIONAL REVIEW ENTITY THAT IS NOT OTHERWISE REPORTABLE
9 PURSUANT TO FEDERAL OR STATE LAW.

10
11 (II) THE DIVISION SHALL NOT PUBLISH ANY INFORMATION
12 IDENTIFYING THE PROFESSIONAL REVIEW COMMITTEE OR AUTHORIZED
13 ENTITY MAKING A REPORT UNDER THIS PARAGRAPH (b), AND THE IDENTITY
14 INFORMATION IS NOT A PUBLIC RECORD UNDER THE "COLORADO OPEN
15 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S.

16
17 (III) REPORTS SUBMITTED PURSUANT TO THIS PARAGRAPH (b)
18 MUST INCLUDE ONLY INVESTIGATIONS IN WHICH NO FINAL ACTION
19 ADVERSELY AFFECTING THE SUBJECT OF THE INVESTIGATION, AS
20 "ADVERSELY AFFECTING" IS DEFINED IN 45 CFR 60.3, WAS TAKEN OR
21 RECOMMENDED."

22
23 Page 14, line 36, after "(2)" insert "(a)" and strike "MEDICAL BOARD" and
24 substitute "DIVISION".

25
26 Page 14, line 39, strike "SUBJECT PHYSICIANS OR PHYSICIAN".

27
28 Page 14, strike line 40 and substitute:

29
30 "LICENSED PROFESSIONALS SUBJECT TO REVIEW.

31
32 (b) THE DIVISION SHALL MAINTAIN AND SHALL PUBLISH ON LINE,
33 THROUGH ITS WEB SITE, A CURRENT LIST OF ALL PROFESSIONAL REVIEW
34 COMMITTEES THAT ARE REGISTERED IN ACCORDANCE WITH THIS SECTION
35 AND THAT OTHERWISE ARE IN COMPLIANCE WITH THIS ARTICLE."

36
37 Page 14, line 41, strike "MEDICAL BOARD" and substitute "DIVISION".

38
39 Page 15, strike lines 4 through 32.

40
41 Renumber succeeding sections accordingly.

42
43 Page 17, strike lines 10 and 11 and substitute "committee, ~~shall~~ WHO
44 MUST be licensed to practice medicine UNDER ARTICLE 36 OF THIS TITLE,
45 OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY
46 AS ADVANCED PRACTICE NURSES, and actively engaged in the practice of
47 ~~medicine~~ PRACTICING in this".

48
49 Page 17, line 31, strike "HEALTH CARE PROVIDER" and substitute "PERSON
50 LICENSED UNDER ARTICLE 36 OF THIS TITLE, OR LICENSED UNDER ARTICLE
51 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE
52 NURSE, AND".

53
54 Page 17, line 37, strike "HEALTH CARE".

55
56 Page 17, line 38, strike "PROVIDER'S" and substitute "PERSON'S".

- 1 Page 18, line 3, strike "health care provider" and substitute "~~health care~~
2 ~~provider~~ PERSON".
3
- 4 Page 18, line 9, strike "HEALTH CARE".
5
- 6 Page 18, line 10, strike "PROVIDER" and substitute "PERSON".
7
- 8 Page 19, line 2, strike "HEALTH CARE".
9
- 10 Page 19, line 31, after "(13)" insert "(a)".
11
- 12 Page 19, strike lines 35 through 41.
13
- 14 Page 20, strike lines 1 through 4 and substitute:
15
- 16 ~~"shall be immune from liability in any civil action brought against him or~~
17 ~~her for acts occurring while acting in his or her capacity as committee~~
18 ~~member, staff, consultant, or witness, respectively, if such individual was~~
19 ~~acting in good faith within the scope of his or her respective capacity,~~
20 ~~made a reasonable effort to obtain the facts of the matter as to which he~~
21 ~~or she acted, and acted in the reasonable belief that the action taken by~~
22 ~~him or her was warranted by the facts. Any person participating in good~~
23 ~~faith in lodging a complaint or participating in any investigative or~~
24 ~~administrative proceeding pursuant to this article shall be immune from~~
25 ~~any civil or criminal liability that may result from such participation IS~~
26 IMMUNE FROM SUIT IN ANY CIVIL OR CRIMINAL ACTION, INCLUDING
27 ANTITRUST ACTIONS, AND IS IMMUNE FROM LIABILITY FOR DAMAGES
28 UNLESS, IN CONNECTION WITH THE PROFESSIONAL REVIEW PROCESS, THE
29 PERSON PROVIDED FALSE INFORMATION AND KNEW THAT THE
30 INFORMATION WAS FALSE.
31
- 32 (b) THE COMMITTEE IS IMMUNE FROM SUIT IN ANY CIVIL OR
33 CRIMINAL ACTION, INCLUDING ANTITRUST ACTIONS, AND IS IMMUNE FROM
34 LIABILITY FOR DAMAGES IF THE PROFESSIONAL REVIEW ACTION WAS
35 TAKEN WITHIN THE SCOPE OF THE PROFESSIONAL REVIEW PROCESS AND
36 WAS TAKEN:
37
- 38 (I) IN THE OBJECTIVELY REASONABLE BELIEF THAT THE ACTION
39 WAS IN THE FURTHERANCE OF QUALITY HEALTH CARE;
40
- 41 (II) AFTER AN OBJECTIVELY REASONABLE EFFORT TO OBTAIN THE
42 FACTS OF THE MATTER;
43
- 44 (III) IN THE OBJECTIVELY REASONABLE BELIEF THAT THE ACTION
45 TAKEN WAS WARRANTED BY THE FACTS; AND
46
- 47 (IV) IN ACCORDANCE WITH PROCEDURES THAT, UNDER THE
48 CIRCUMSTANCES, WERE FAIR TO THE PERSON LICENSED UNDER ARTICLE 36
49 OF THIS TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND
50 GRANTED AUTHORITY AS AN ADVANCED PRACTICE NURSE."
51
- 52 Page 20, line 8, after "BOARD" insert "AND NURSING BOARD".
53
- 54 Page 20, line 11, strike "TO" and substitute "MAY".
55
- 56 Page 20, line 19, after "civil" insert "OR CRIMINAL".

1 Page 21, line 9, strike the comma.

2

3 Page 21, line 10, strike "INCLUDING A GOVERNING BOARD,".

4

5 Page 21, line 20, strike "COMMITTEE, INCLUDING A GOVERNING BOARD,"
6 and substitute "COMMITTEE".

7

8 Page 21, line 25, strike "HEALTH CARE PROVIDER" and substitute
9 "PERSON".

10

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

13

14 **SB12-030** by Senator(s) Jahn; also Representative(s) Liston--
15 Concerning administrative matters related to a foreclosure
16 sale.

17

18 Amendment No. 1, Local Government Report, dated March 5, 2012, and
19 placed in member's bill file; Report also printed in House Journal,
20 March 6, pages 566-569.

21

22 Amendment No. 2, by Representative(s) Liston.

23

24 Amend the Local Government Committee Report, dated March 5, 2012,
25 page 2, line 18, strike "~~officer~~ PUBLIC TRUSTEE" and substitute "officer".

26

27 Page 3 of the report, strike lines 5 through 11 and substitute "Page 16 of
28 the bill, strike lines 5 through 9 and substitute "COURT, any unclaimed
29 ~~excess proceeds~~ REMAINING OVERBID FROM A FORECLOSURE SALE HELD
30 PRIOR TO SEPTEMBER 1, 2012, shall be transferred by the officer to the
31 county treasurer within ninety calendar days after the expiration of all
32 redemption periods as provided in section 38-38-302 and held in escrow,
33 ~~for five years from the date of sale~~ AND ANY UNCLAIMED REMAINING
34 OVERBID FROM A FORECLOSURE SALE HELD ON OR AFTER SEPTEMBER 1,
35 2012, SHALL BE HELD BY THE OFFICER IN ESCROW. IN EITHER CASE, THE
36 REMAINING OVERBID SHALL BE HELD FOR FIVE YEARS FROM THE DATE OF
37 THE SALE. The county TREASURER OR OFFICER, WHOMEVER HOLDS THE
38 REMAINING OVERBID IN ESCROW, shall be answerable for the funds
39 without interest at any time".

40

41 Page 3 of the report, strike lines 20 and 21 and substitute "Page 16 of the
42 bill, line 18, strike "EXCESS".

43

44 Page 3 of the report, line 24, strike "26" and substitute "24".

45

46 Page 3 of the report, strike lines 28 through 30 and substitute "THE
47 GENERAL FUND OF THE COUNTY, the county".

48

49 Page 4 of the report, strike line 4 and substitute "38-38-302, the county
50 treasurer OR OFFICER SHALL, within ninety".

51

52 Page 4 of the report, after line 5 insert:

53

54 "Page 17 of the bill, line 14, after "located." insert "THE COUNTY
55 TREASURER IS RESPONSIBLE FOR THE NOTICE OF AN OVERBID FROM A
56 FORECLOSURE SALE HELD PRIOR TO SEPTEMBER 1, 2012, AND THE OFFICER

1 IS RESPONSIBLE FOR THE NOTICE OF AN OVERBID FROM A FORECLOSURE
2 SALE HELD ON OR AFTER SEPTEMBER 1, 2012."."

3

4 Page 4 of the report, strike lines 9 and 10 and substitute "Page 17 of the
5 bill, line 25, after "treasurer" insert "OR OFFICER, WHOMEVER HOLDS THE
6 REMAINING OVERBID IN ESCROW,"."

7

8 Page 4 of the report, strike lines 11 and 12 and substitute:

9

10 "Page 18 of the bill, line 4, strike "treasurer." and substitute "treasurer OR
11 OFFICER, WHOMEVER HOLDS THE REMAINING OVERBID IN ESCROW."."

12

13 Page 20 of the bill, line 26, strike "The" and substitute "Excluding the
14 provisions of sections 1, 3, and 10 of this act and section 38-38-101 (10),
15 Colorado Revised Statutes, as amended in section 4 of this act, the"."

16

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

19

20 **HB12-1019** by Representative(s) Vaad, Barker, Looper, Ramirez,
21 Scott, Tyler; also Senator(s) King S., Spence, Williams S.-
22 -Concerning the abolition of the motor carrier services
23 division of the division of motor vehicles of the
24 department of revenue, and, in connection therewith,
25 transferring the powers, duties, and functions of the motor
26 carrier services division relating to ports of entry to the
27 Colorado state patrol of the department of public safety
28 and transferring the powers, duties, and functions of the
29 motor carrier services division relating to commercial
30 driver's licenses and the international registration plan to
31 the department of revenue.

32

33 Amendment No. 1, Transportation Report, dated January 25, 2012, and
34 placed in member's bill file; Report also printed in House Journal,
35 January 26, page 92.

36

37 Amendment No. 2, Appropriations Report, dated March 9, 2012, and
38 placed in member's bill file; Report also printed in House Journal,
39 March 9, pages 598-602.

40

41 Amendment No. 3, by Representative(s) Vaad.

42

43 Amend the Appropriations Committee Report, dated March 9, 2012, page
44 3, line 29, strike "\$14,437." and substitute "\$136,659."

45

46 Page 4 of the report, line 21, strike "\$151,101 and 2.5 TE." and substitute
47 "\$207,087 and 2.5 FTE."

48

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

51

52

53 **HB12-1205** by Representative(s) Fields, Labuda, Soper; also
54 Senator(s) Tochtrop--Concerning the regulation of persons
55 who engage in business related to persons with hearing
56 impairments, and, in connection therewith, implementing

- 1 the department of regulatory agencies' sunset review
2 recommendations for audiologists and hearing aid
3 providers.
4
- 5 Amendment No. 1, Local Government Report, dated February 22, 2012,
6 and placed in member's bill file; Report also printed in House Journal,
7 February 23, page 354.
8
- 9 Amendment No. 2, Appropriations Report, dated March 9, 2012, and
10 placed in member's bill file; Report also printed in House Journal,
11 March 9, pages 604-605.
12
- 13 Amendment No. 3, by Representative(s) Fields.
14
- 15 Amend the Local Government Committee report, dated February 22,
16 2012, page 1, after line 12 insert:
17
- 18 "Page 28 of the printed bill, line 21, strike "12-____," and substitute
19 "12-1205,"."
20
- 21 Page 2 of the report, strike lines 1 through 3.
22
- 23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.
25
- 26 **SB12-035** by Senator(s) Hodge; also Representative(s) Gardner B.--
27 Concerning limited liability for spaceflight activities.
28
- 29 Ordered revised and placed on the Calendar for Third Reading and Final
30 Passage.
31
- 32 **SB12-033** by Senator(s) Guzman; also Representative(s) Massey--
33 Concerning adding near fatalities to the responsibilities of
34 the department of human services child fatality review
35 team.
36
- 37 Amendment No. 1, Health & Environment Report, dated March 8, 2012,
38 and placed in member's bill file; Report also printed in House Journal,
39 March 12, pages 621-623.
40
- 41 As amended, ordered revised and placed on the Calendar for Third
42 Reading and Final Passage.
43
- 44 **HB12-1271** by Representative(s) Nikkel and McCann, Levy; also
45 Senator(s) Giron--Concerning charging of juveniles by
46 direct file of information or indictment in district court.
47
- 48 Amendment No. 1, Judiciary Report, dated March 8, 2012, and placed in
49 member's bill file; Report also printed in House Journal, March 9,
50 pages 607-608.
51
- 52 Amendment No. 2, by Representative(s) McCann.
53
- 54 Amend printed bill, page 2, line 15, after "(III)", insert "(A)".
55
- 56 Page 3, strike lines 1 and 2 and substitute "PARAGRAPH (a), OR IS ALLEGED

1 TO HAVE COMMITTED SEXUAL ASSAULT PURSUANT TO SECTION 18-3-402,
 2 C.R.S., SEXUAL ASSAULT ON A CHILD PURSUANT TO SECTION 18-3-405,
 3 C.R.S., OR SEXUAL ASSAULT ON A CHILD BY ONE IN A POSITION OF TRUST
 4 PURSUANT TO SECTION 18-3-405.3, C.R.S.; AND

5
 6 (B) IS FOUND TO HAVE A PRIOR ADJUDICATED FELONY OFFENSE;
 7 or".

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

11
 12 **HB12-1130** by Representative(s) Joshi, Holbert, Acree, Baumgardner,
 13 Bradford, Brown, Murray; also Senator(s) Mitchell--
 14 Concerning offenses against an unborn child.

15
 16 Amendment No. 1, Judiciary Report, dated February 21, 2012, and placed
 17 in member's bill file; Report also printed in House Journal, February 22,
 18 pages 348-349.

19
 20 As amended, ordered engrossed and placed on the Calendar for Third
 21 Reading and Final Passage.

22
 23 On motion of Representative Waller, the following bills on the General
 24 Orders Calendar were laid over until March 19, retaining place on
 25 Calendar: **HB12-1103, 1068, 1118, 1263, 1238, SB12-099.**

26
 27
 28
 29 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

30
 31 Passed Second Reading: **HB12-1300 amended, SB12-030 amended,**
 32 **HB12-1019 amended, 1205 amended, SB12-035, 033 amended,**
 33 **HB12-1271 amended, 1130 amended.**

34
 35 Laid over until date indicated retaining place on Calendar:
 36 **HB12-1121--May 10, 2012. Bill deemed lost.**
 37 **HB12-1103, 1068, 1118, 1263, 1238, SB12-099--March 19, 2012.**

38
 39 The Chairman moved the adoption of the Committee of the Whole
 40 Report. As shown by the following roll call vote, a majority of those
 41 elected to the House voted in the affirmative, and the Report was
 42 **adopted.**

43
 44

	YES	64	NO	0	EXCUSED	0	ABSENT	1
45	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
46	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
47	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
48	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
49	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
50	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
51	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
52	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
53	Casso	-	Kagan	Y	Pace	Y	Todd	Y
54	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
55	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
56	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y

1	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
2	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
3	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
4	Fields	Y	Liston	Y	Singer	Y	Young	Y
5							Speaker	Y

6
7
8
9 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

10
11 **APPROPRIATIONS**

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

14
15 **HB12-1162** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend printed bill, page 2, after line 25 insert:

20
21 **"SECTION 2. Appropriation.** (1) In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 Colorado state titling and registration account of the highway users tax
24 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
25 otherwise appropriated, to the department of revenue, for the fiscal year
26 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be
27 necessary, to be allocated for the information technology division for the
28 purchase of computer center services.

29
30 (2) In addition to any other appropriation, there is hereby
31 appropriated to the governor - lieutenant governor - state planning and
32 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
33 or so much thereof as may be necessary, for allocation to the office of
34 information technology, for the provision of computer center services for
35 the department of revenue related to the implementation of this act. Said
36 sum is from reappropriated funds received from the department of
37 revenue out of the appropriation made in subsection (1) of this section.

38
39 (3) In addition to any other appropriation, there is hereby
40 appropriated, out of any moneys in the license plate cash fund created in
41 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
42 appropriated, to the department of revenue, for the fiscal year beginning
43 July 1, 2012, the sum of \$1,976, or so much thereof as may be necessary,
44 for allocation to division of motor vehicles for the purchase of license
45 plates related to the implementation of this act."

46
47 Renumber succeeding section accordingly.

48
49 Page 1, line 102, strike "PLATE." and substitute "PLATE, AND, IN
50 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

51
52
53
54 **HB12-1209** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend printed bill, page 7, after line 1 insert:

2 **"SECTION 3. Appropriation.** In addition to any other
3 appropriation, there is hereby appropriated, out of any moneys in the
4 department of state cash fund created in section 24-21-104 (3) (b),
5 Colorado Revised Statutes, not otherwise appropriated, to the department
6 of state, for the fiscal year beginning July 1, 2012, the sum of \$198,912,
7 or so much thereof as may be necessary, for allocation to information
8 technology services related to the implementation of this act."
9

10 Renumber succeeding section accordingly.

11

12 Page 1, line 101, strike "ACT" and substitute "ACT", AND, IN
13 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
14

15

16

17

18 **HB12-1254** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend printed bill, page 2, line 23, strike "UNLESS" and substitute "IF"
23 and strike "DISTRICT," and substitute "DISTRICT HAS ONE THOUSAND OR
24 MORE INDIVIDUALS RESIDING WITHIN ITS TERRITORY, HAS ONLY ELECTED
25 BOARD MEMBERS, PROVIDES ONLY PARKS AND RECREATION FACILITIES
26 THAT ARE OPEN TO THE GENERAL PUBLIC INCLUDING INDIVIDUALS WHO
27 ARE NOT RESIDENTS OF THE DISTRICT, AND,"
28

29

30 Page 3, line 2, strike "NOT".

31

32 Page 3, before line 3 insert:

33 **"SECTION 2. Appropriation.** (1) In addition to any other
34 appropriation, there is hereby appropriated, out of any moneys in the
35 conservation trust fund allocation expense fund created in section 29-21-
36 101 (2) (a.5) (I), Colorado Revised Statutes, not otherwise appropriated,
37 to the department of local affairs, for the fiscal year beginning July 1,
38 2012, the sum of \$19,250 and 0.1 FTE, or so much thereof as may be
39 necessary, to be allocated for the implementation of this act as follows:

40

41 (a) \$3,010 and 0.1 FTE for personal services; and

42

43 (b) \$16,240 for the purchase of computer center services.
44

45

46 (2) In addition to any other appropriation, there is hereby
47 appropriated to the governor - lieutenant governor - state planning and
48 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$16,240
49 and 0.1 FTE, or so much thereof as may be necessary, for allocation to the
50 office of information technology, for the provision of computer center
51 services for the department of local affairs related to the implementation
52 of this act. Said sum is from reappropriated funds received from the
53 department of local affairs out of the appropriation made in paragraph (b)
54 of subsection (1) of this section."
55

56

57 Renumber succeeding sections accordingly.

58

59 Page 1, line 104, strike "ONLY" and substitute "ONLY, AND, IN
60 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
61

1 **HB12-1274** 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 10, before line 10 insert:
6

7 **"SECTION 12. Appropriation - adjustments in 2012 long bill.**

8 (1) For the implementation of this act, appropriations made in the annual
9 general appropriation act to the department of state for the fiscal year
10 beginning July 1, 2012, are adjusted as follows:
11

12 (a) The cash funds appropriation is decreased by \$190,100. Said
13 sum is from the notary administration cash fund created in section 12-55-
14 102.5 (1), Colorado Revised Statutes.
15

16 (b) The cash funds appropriation is increased by \$190,100. Said
17 sum is from the department of state cash fund created in section 24-21-
18 104 (3) (b), Colorado Revised Statutes.
19

20 **SECTION 13. Appropriation.** In addition to any other
21 appropriation, there is hereby appropriated, out of any moneys in the
22 department of state cash fund created in section 24-21-104 (3) (b),
23 Colorado Revised Statutes, not otherwise appropriated, to the department
24 of state, for the fiscal year beginning July 1, 2012, the sum of \$22,400, or
25 so much thereof as may be necessary, for allocation to information
26 technology services for contract programming services related to the
27 implementation of this act."
28

29 Renumber succeeding section accordingly.
30

31 Page 1, line 101 strike "**PUBLIC.**" and substitute "**PUBLIC, AND, IN**
32 **CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**".
33
34
35

36 **HB12-1292** be referred to the Committee of the Whole with favorable
37 recommendation.
38
39

40 **HB12-1302** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:
43

44 Amend printed bill, page 4, after line 14 insert:
45

46 **"SECTION 3. Appropriation.** (1) In addition to any other
47 appropriation, there is hereby appropriated, out of any moneys in the
48 Colorado state titling and registration account of the highway users tax
49 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
50 otherwise appropriated, to the department of revenue, for the fiscal year
51 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be
52 necessary, to be allocated for the information technology division for the
53 purchase of computer center services.
54

55 (2) In addition to any other appropriation, there is hereby
56 appropriated to the governor - lieutenant governor - state planning and

1 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
2 or so much thereof as may be necessary, for allocation to the office of
3 information technology, for the provision of computer center services for
4 the department of revenue related to the implementation of this act. Said
5 sum is from reappropriated funds received from the department of
6 revenue out of the appropriation made in subsection (1) of this section.
7

8 (3) In addition to any other appropriation, there is hereby
9 appropriated, out of any moneys in the license plate cash fund created in
10 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
11 appropriated, to the department of revenue, for the fiscal year beginning
12 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,
13 for allocation to division of motor vehicles for the purchase of license
14 plates related to the implementation of this act."
15

16 Renumber succeeding section accordingly.
17

18 Page 1, line 102, strike "PLATE." and substitute "PLATE, AND, IN
19 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
20
21
22

23 **HB12-1303** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend printed bill, page 30, after line 19 insert:
28

29 **"SECTION 4. Appropriation.** (1) In addition to any other
30 appropriation, there is hereby appropriated, out of any moneys in the
31 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
32 Colorado Revised Statutes, not otherwise appropriated, to the department
33 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum
34 of \$111,148 and 1.2 FTE, or so much thereof as may be necessary, to be
35 allocated for the implementation of this act as follows:
36

37 (a) \$57,428 and 1.1 FTE for personal services;
38

39 (b) \$27,971 for temporary contract labor;
40

41 (c) \$7,909 for operating expenses;
42

43 (d) \$16,656 for the purchase of legal services; and
44

45 (e) \$1,184 for the purchase of computer center services.
46

47 (2) In addition to any other appropriation, there is hereby
48 appropriated to the department of law, for the fiscal year beginning July
49 1, 2012, the sum of \$16,656 and 0.1 FTE, or so much thereof as may be
50 necessary, for the provision of legal services for the department of
51 regulatory agencies related to the implementation of this act. Said sum is
52 from reappropriated funds received from the department of regulatory
53 agencies out of the appropriation made in paragraph (d) of subsection (1)
54 of this section.
55

56 (3) In addition to any other appropriation, there is hereby

1 appropriated to the governor - lieutenant governor - state planning and
2 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$1,184,
3 or so much thereof as may be necessary, for allocation to the office of
4 information technology, for the provision of computer center services for
5 the department of regulatory agencies related to the implementation of
6 this act. Said sum is from reappropriated funds received from the
7 department of regulatory agencies out of the appropriation made in
8 paragraph (e) of subsection (1) of this section."
9

10 Renumber succeeding section accordingly.
11

12 Page 1, line 102, strike "AGENCIES." and substitute "AGENCIES, AND, IN
13 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
14
15
16
17

18 **FINANCE**

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

22 **HB12-1240** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:
25

26 Amend the Education Committee Report, dated February 27, 2012, page
27 1, strike lines 14 through 19.
28

29 Page 2, strike lines 1 through 28.
30

31 Renumber succeeding sections accordingly.
32
33
34

35 **HB12-1295** be referred favorably to the Committee on Appropriations.
36
37

38 **SB12-055** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:
41

42 Amend reengrossed bill, page 2, line 2, after "**amend**" insert "(5) (b) (I)
43 and".
44

45 Page 2, strike line 5 and substitute "**contribution programs - queue -
46 notice.** (5) For income tax years commencing on or after January 1,
47 2005, every voluntary contribution established in this article shall receive
48 a minimum dollar amount of contributions in each income tax year as
49 follows:
50

51 (b) (I) (A) Notwithstanding ~~the provisions of~~ paragraph (a) of this
52 subsection (5), for any voluntary contribution that appears on Colorado
53 income tax returns for the first time in the 2002 income tax year or any
54 income tax year thereafter, the amount designated on Colorado income
55 tax returns as contributed under ~~the provisions of~~ any voluntary
56 contribution established in this article shall equal or exceed seventy-five

1 thousand dollars according to the records of the department of revenue
 2 during the January 1 through September 30 period for which moneys are
 3 collected for the third income tax year in which the voluntary contribution
 4 appears on Colorado income tax returns. Any such voluntary contribution
 5 shall not be required to collect seventy-five thousand dollars in either the
 6 first or the second year that it appears on Colorado income tax returns.

7
 8 (B) FOR THE PURPOSES OF SUB-SUBPARAGRAPH (A) OF THIS
 9 SUBPARAGRAPH (I), A VOLUNTARY CONTRIBUTION THAT PREVIOUSLY
 10 APPEARED ON INCOME TAX RETURNS AND WAS REMOVED FOR FAILURE TO
 11 RECEIVE THE REQUISITE AMOUNT OF CONTRIBUTIONS PURSUANT TO EITHER
 12 PARAGRAPH (a) OF THIS SUBSECTION (5) OR SUBPARAGRAPH (II) OF THIS
 13 PARAGRAPH (b) IS DEEMED TO BE APPEARING ON THE FORM "FOR THE FIRST
 14 TIME" IF THREE INCOME TAX YEARS OR MORE ELAPSES BETWEEN THE LAST
 15 YEAR THE VOLUNTARY CONTRIBUTION APPEARED ON THE FORM AND THE
 16 FIRST YEAR IT IS REPLACED ON THE FORM.

17
 18 (6) ~~No more than fifteen~~".
 19
 20
 21
 22

23 HEALTH & ENVIRONMENT

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

26
 27 HB12-1242 be postponed indefinitely.
 28

29
 30 HB12-1268 be amended as follows, and as so amended, be referred to
 31 the Committee of the Whole with favorable
 32 recommendation:
 33

34 Strike the Health and Environment Committee Report, dated February 23,
 35 2012, and substitute:

36
 37 "Amend printed bill, strike everything below the enacting clause and
 38 substitute:
 39

40 "SECTION 1. In Colorado Revised Statutes, 25-1.5-103, **add** (5)
 41 as follows:
 42

43 **25-1.5-103. Health facilities - powers and duties of department**
 44 **- limitations on rules promulgated by department.** (5) (a) THIS
 45 SUBSECTION (5) APPLIES TO CONSTRUCTION, INCLUDING SUBSTANTIAL
 46 RENOVATION, OF A HEALTH CARE FACILITY BUILDING OR STRUCTURE ON
 47 OR AFTER JULY 1, 2013. ALL HEALTH FACILITY BUILDINGS AND
 48 STRUCTURES SHALL BE CONSTRUCTED IN CONFORMITY WITH THE
 49 STANDARDS ADOPTED BY THE DIRECTOR OF THE DIVISION OF FIRE SAFETY
 50 IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE
 51 DEPARTMENT OF PUBLIC SAFETY.
 52

53 (b) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION
 54 (5) BUT NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
 55 CONTRARY, THE DEPARTMENT SHALL NOT ISSUE OR RENEW ANY LICENSE
 56 UNDER THIS ARTICLE UNLESS THE DEPARTMENT HAS RECEIVED A

1 CERTIFICATE OF COMPLIANCE FROM THE DIVISION OF FIRE SAFETY
2 CERTIFYING THAT THE BUILDING OR STRUCTURE OF THE HEALTH FACILITY
3 ARE IN CONFORMITY WITH THE STANDARDS ADOPTED BY THE DIRECTOR OF
4 THE DIVISION OF FIRE SAFETY.

5
6 (c) HOME CARE AGENCIES, ASSISTED LIVING RESIDENCES, AND
7 OTHER FACILITIES OF A LIKE NATURE THAT DO NOT MAINTAIN BUILDINGS
8 OR STRUCTURES AT WHICH HEALTH CARE SERVICES ARE PROVIDED ARE
9 NOT REQUIRED TO OBTAIN A CERTIFICATE OF COMPLIANCE IN ACCORDANCE
10 WITH PARAGRAPH (b) OF THIS SUBSECTION (5) AS A CONDITION OF
11 LICENSURE BY THE DEPARTMENT.

12
13 (d) THE DEPARTMENT HAS NO AUTHORITY TO ESTABLISH OR
14 ENFORCE STANDARDS RELATING TO BUILDING OR FIRE CODES. ALL
15 FUNCTIONS, PERSONNEL, AND PROPERTY OF THE DEPARTMENT AS OF JUNE
16 30, 2013, THAT ARE PRINCIPALLY DIRECTED TO THE ADMINISTRATION,
17 INSPECTION, AND ENFORCEMENT OF ANY BUILDING OR FIRE CODES OR
18 STANDARDS SHALL BE TRANSFERRED TO THE HEALTH FACILITY
19 CONSTRUCTION AND INSPECTION SECTION OF THE DIVISION OF FIRE SAFETY
20 PURSUANT TO SECTION 24-33.5-1201 (4), C.R.S.

21
22 (e) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
23 ALL HEALTH FACILITIES SEEKING CERTIFICATION PURSUANT TO THE
24 FEDERAL INSURANCE OR ASSISTANCE PROVIDED BY TITLE XIX OF THE
25 FEDERAL "SOCIAL SECURITY ACT", AS AMENDED AND COMMONLY KNOWN
26 AS "MEDICAID", OR THE FEDERAL INSURANCE OR ASSISTANCE PROVIDED BY
27 TITLE XVIII OF THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED AND
28 COMMONLY KNOWN AS "MEDICARE", OR ANY SUCCESSOR CODE ADOPTED
29 OR PROMULGATED BY THE APPROPRIATE FEDERAL AUTHORITIES, SHALL
30 CONTINUE TO MEET SUCH CERTIFICATION REQUIREMENTS.

31
32 **SECTION 2.** In Colorado Revised Statutes, 25-3-102, **amend** (1);
33 and **add** (3) as follows:

34
35 **25-3-102. License - application - issuance - certificate of**
36 **compliance required.** (1) An application for a license described in
37 section 25-3-101 shall be made to the department of public health and
38 environment annually upon such form and in such manner as prescribed
39 by the department; except that a community residential home shall make
40 application for a license pursuant to section 27-10.5-109, C.R.S. The
41 department has authority to administer oaths, subpoena witnesses or
42 documents, and take testimony in all matters relating to issuing, denying,
43 limiting, suspending, or revoking such license. The department shall issue
44 licenses to applicants furnishing satisfactory evidence of fitness to
45 conduct and maintain a facility described in section 25-3-101 in
46 accordance with ~~the provisions of this part 1 and the rules and regulations~~
47 ~~adopted by such~~ THE department. The license shall be signed by the
48 president and attested by the secretary of the state board of health and
49 have the seal thereof affixed thereto. ~~Such~~ THE license expires one year
50 from the date of issuance.

51
52 (3) (a) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
53 CONTRARY, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
54 SHALL NOT ISSUE OR RENEW ANY LICENSE DESCRIBED IN SECTION 25-3-101
55 FOR A FACILITY COVERED BY SECTION 25-1.5-103 (5) UNLESS THE
56 DEPARTMENT RECEIVES A CERTIFICATE OF COMPLIANCE FOR THE

1 APPLICANT'S BUILDING OR STRUCTURE FROM THE DIVISION OF FIRE SAFETY
2 IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE
3 DEPARTMENT OF PUBLIC SAFETY IN ACCORDANCE WITH PART 12 OF
4 ARTICLE 33.5 OF TITLE 24, C.R.S.

5

6 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
7 SHALL TAKE ACTION ON AN APPLICATION FOR LICENSURE WITHIN THIRTY
8 DAYS AFTER THE DATE IT RECEIVES THE CERTIFICATE OF COMPLIANCE
9 FROM THE DIVISION OF FIRE SAFETY.

10

11 **SECTION 3.** In Colorado Revised Statutes, 25-3-105, **add** (4) as
12 follows:

13

14 **25-3-105. License - fee - rules - penalty.** (4) ON JUNE 30, 2013,
15 ANY MONEYS REMAINING IN THE HEALTH FACILITIES GENERAL LICENSURE
16 CASH FUND CREATED IN SECTION 25-3-103.1 (1) FROM FEES COLLECTED BY
17 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR HEALTH
18 FACILITY BUILDING AND STRUCTURE CODE PLAN REVIEWS AND
19 INSPECTIONS ARE TRANSFERRED TO THE HEALTH FACILITY CONSTRUCTION
20 AND INSPECTION CASH FUND CREATED IN SECTION 24-33.5-1207.8, C.R.S.

21

22 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1201, **add**
23 (4) as follows:

24

25 **24-33.5-1201. Division of fire safety - creation - public school**
26 **construction and inspection section - health facility construction and**
27 **inspection section.** (4) (a) THERE IS HEREBY CREATED WITHIN THE
28 DIVISION THE HEALTH FACILITY CONSTRUCTION AND INSPECTION SECTION
29 TO IMPLEMENT SECTION 24-33.5-1212.5 AND TO ADMINISTER AND
30 ENFORCE THE CODES IN ACCORDANCE WITH SECTIONS 24-33.5-1212.5 AND
31 24-33.5-1213. THE HEALTH FACILITY CONSTRUCTION AND INSPECTION
32 SECTION SHALL PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION
33 AND THE EXECUTIVE DIRECTOR AS IF THE SAME WERE TRANSFERRED TO
34 THE DEPARTMENT BY A **TYPE 2** TRANSFER, AS SUCH TRANSFER IS DEFINED
35 IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF
36 THIS TITLE.

37

38 (b) ON AND AFTER JULY 1, 2013, ALL POSITIONS OF EMPLOYMENT
39 IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR WHICH
40 PRINCIPAL DUTIES ARE CONCERNED WITH LIFE SAFETY INSPECTION AND
41 THAT ARE DETERMINED BY THE DIRECTOR TO BE NECESSARY TO CARRY
42 OUT THE PURPOSES OF THE HEALTH FACILITY CONSTRUCTION AND
43 INSPECTION SECTION ARE TRANSFERRED TO THE DIVISION AND ARE
44 EMPLOYMENT POSITIONS THEREIN. THE EXECUTIVE DIRECTOR SHALL
45 APPOINT SUCH EMPLOYEES AS ARE NECESSARY TO CARRY OUT THE DUTIES
46 AND EXERCISE THE POWERS SPECIFIED IN THIS PART 12. THE EXECUTIVE
47 DIRECTOR MAY DELEGATE APPOINTING AUTHORITY AS APPROPRIATE.

48

49 (c) ON AND AFTER JULY 1, 2013, ALL EMPLOYEES OF THE
50 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CARRYING OUT THE
51 DUTIES PRINCIPALLY RELATING TO LIFE SAFETY CODE COMPLIANCE ARE
52 EMPLOYEES OF THE HEALTH FACILITY CONSTRUCTION AND INSPECTION
53 SECTION IN THE DIVISION. THE EMPLOYEES RETAIN ALL RIGHTS UNDER THE
54 STATE PERSONNEL SYSTEM AND TO RETIREMENT BENEFITS PURSUANT TO
55 THE LAWS OF THIS STATE, AND THEIR SERVICES ARE DEEMED TO HAVE
56 BEEN CONTINUOUS.

1 (d) ON JULY 1, 2013, ALL ITEMS OF PROPERTY, REAL AND
 2 PERSONAL, INCLUDING OFFICE FURNITURE AND FIXTURES, BOOKS,
 3 DOCUMENTS, AND RECORDS OF THE DEPARTMENT OF PUBLIC HEALTH AND
 4 ENVIRONMENT USED IN CARRYING OUT THE DUTIES PRINCIPALLY RELATING
 5 TO LIFE SAFETY CODE COMPLIANCE ARE TRANSFERRED TO THE HEALTH
 6 FACILITY CONSTRUCTION AND INSPECTION SECTION IN THE DIVISION AND
 7 BECOME THE PROPERTY OF THAT SECTION.

8
 9 (e) BY OCTOBER 1, 2012, THE DIVISION AND THE GOVERNOR SHALL
 10 SUBMIT AN APPLICATION TO THE SECRETARY OF THE UNITED STATES
 11 DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A MODIFICATION TO
 12 THE AGREEMENT ENTERED INTO BETWEEN THE SECRETARY AND THE STATE
 13 OF COLORADO PURSUANT TO SECTION 1864 OF THE FEDERAL "SOCIAL
 14 SECURITY ACT", 42 U.S.C. SEC. 1395AA, WHICH MODIFICATION ALLOWS
 15 THE DIVISION TO FULFILL THE DUTIES UNDER THAT LAW ASSOCIATED WITH
 16 THE ASSESSMENT OF COMPLIANCE WITH THE FEDERAL FIRE SAFETY CODE
 17 REQUIREMENTS FOR HEALTH FACILITIES, AND A MODIFICATION TO
 18 WAIVERS FOR RESIDENTIAL MEDICAID PROVIDER TYPES TO ALLOW THE
 19 DIVISION TO CONDUCT CONSTRUCTION PLANS AND INSPECTIONS.

20
 21 **SECTION 5.** In Colorado Revised Statutes, 24-33.5-1202,
 22 **amend** (7.7); and **add** (7.9) as follows:

23
 24 **24-33.5-1202. Definitions.** As used in this part 12, unless the
 25 context otherwise requires:

26
 27 (7.7) ~~"Manufacturer" means any one or more of the following:~~

28
 29 ~~(a) An entity that manufactures or otherwise produces cigarettes~~
 30 ~~or causes cigarettes to be manufactured with the intent that such cigarettes~~
 31 ~~be sold in Colorado, regardless of where the cigarettes are manufactured~~
 32 ~~or produced and regardless of whether they are imported from outside the~~
 33 ~~United States;~~

34
 35 ~~(b) The first purchaser anywhere that intends to resell, in the~~
 36 ~~United States, cigarettes manufactured anywhere that the original~~
 37 ~~manufacturer or producer does not intend to be sold in the United States;~~
 38 ~~or~~

39
 40 ~~(c) An entity that becomes a successor to an entity described in~~
 41 ~~paragraph (a) or (b) of this subsection (7.7) "HEALTH FACILITY" MEANS~~
 42 ~~A GENERAL HOSPITAL, HOSPITAL UNIT AS DEFINED IN SECTION 25-3-101~~
 43 ~~(2), C.R.S., PSYCHIATRIC HOSPITAL, COMMUNITY CLINIC, REHABILITATION~~
 44 ~~CENTER, CONVALESCENT CENTER, COMMUNITY MENTAL HEALTH CENTER,~~
 45 ~~ACUTE TREATMENT UNIT, FACILITY FOR PERSONS WITH DEVELOPMENTAL~~
 46 ~~DISABILITIES, HABILITATION CENTER FOR CHILDREN WITH BRAIN DAMAGE,~~
 47 ~~CHIROPRACTIC CENTER AND HOSPITAL, MATERNITY HOSPITAL, NURSING~~
 48 ~~CARE FACILITY, REHABILITATIVE NURSING FACILITY, HOSPICE CARE~~
 49 ~~FACILITY, DIALYSIS TREATMENT CLINIC, AMBULATORY SURGICAL CENTER,~~
 50 ~~BIRTHING CENTER, OR OTHER FACILITY OF A LIKE NATURE; EXCEPT THAT~~
 51 ~~"HEALTH FACILITY" DOES NOT INCLUDE A FACILITY AT WHICH HEALTH~~
 52 ~~SERVICES ARE NOT PROVIDED TO INDIVIDUALS.~~

53
 54 (7.9) "MANUFACTURER" MEANS ANY ONE OR MORE OF THE
 55 FOLLOWING:

56

1 (a) AN ENTITY THAT MANUFACTURES OR OTHERWISE PRODUCES
2 CIGARETTES OR CAUSES CIGARETTES TO BE MANUFACTURED WITH THE
3 INTENT THAT SUCH CIGARETTES BE SOLD IN COLORADO, REGARDLESS OF
4 WHERE THE CIGARETTES ARE MANUFACTURED OR PRODUCED AND
5 REGARDLESS OF WHETHER THEY ARE IMPORTED FROM OUTSIDE THE
6 UNITED STATES;

7
8 (b) THE FIRST PURCHASER ANYWHERE THAT INTENDS TO RESELL,
9 IN THE UNITED STATES, CIGARETTES MANUFACTURED ANYWHERE THAT
10 THE ORIGINAL MANUFACTURER OR PRODUCER DOES NOT INTEND TO BE
11 SOLD IN THE UNITED STATES; OR

12
13 (c) AN ENTITY THAT BECOMES A SUCCESSOR TO AN ENTITY
14 DESCRIBED IN PARAGRAPH (a) OR (b) OF THIS SUBSECTION (7.9).

15
16 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-1203,
17 **amend** (1) (b.5); and **add** (1) (p.5) as follows:

18
19 **24-33.5-1203. Duties of division.** (1) The division shall perform
20 the following duties:

21
22 (b.5) Advise the governor and the general assembly regarding
23 implementation of the public school construction and inspection program
24 AND THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM;

25
26 (p.5) CONDUCT, WHEN THERE IS NO LOCAL BUILDING DEPARTMENT
27 OR FIRE DEPARTMENT, CONSTRUCTION PLAN REVIEWS AND INSPECTIONS OF
28 HEALTH FACILITY BUILDINGS AND STRUCTURES AND ENFORCE THE CODES
29 IN ACCORDANCE WITH SECTIONS 24-33.5-1212.5 AND 24-33.5-1213;

30
31 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-1204.5,
32 **amend** (1) (g); and **add** (1) (f.5) as follows:

33
34 **24-33.5-1204.5. Powers and duties of administrator - rules.**
35 (1) In addition to any other duties and powers granted by this section or
36 sections 24-33.5-1206.2 and 24-33.5-1206.4, the administrator has the
37 following duties and powers:

38
39 (f.5) TO ESTABLISH AND ADOPT RULES NECESSARY TO ADMINISTER
40 THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM FOR:

41
42 (I) WHERE THERE IS NO LOCAL BUILDING DEPARTMENT OR FIRE
43 DEPARTMENT, THE INSPECTION OF HEALTH FACILITY BUILDINGS AND
44 STRUCTURES AND PERFORMANCE OF PLAN REVIEWS; AND

45
46 (II) THE DEVELOPMENT OF A PROGRAM FOR CERTIFICATION OF
47 HEALTH FACILITY LIFE SAFETY INSPECTORS;

48
49 (g) To conduct hearings upon charges for discipline of a school
50 building inspector, HEALTH FACILITY LIFE SAFETY CODE INSPECTOR, OR
51 THIRD-PARTY INSPECTOR; issue subpoenas; compel attendance of
52 witnesses; compel the production of books, records, papers, and
53 documents; administer oaths to persons giving testimony at hearings; and
54 recommend prosecution of persons violating this part 12.

55
56 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-1206,

1 **amend** (2) as follows:

2
3 **24-33.5-1206. Education and training programs - certification**
4 **programs - supervision and control.** (2) The public school construction
5 and inspection program, THE HEALTH FACILITY CONSTRUCTION AND
6 INSPECTION PROGRAM, and the certification ~~program~~ PROGRAMS for public
7 school and junior college building inspectors AND LIFE SAFETY CODE
8 INSPECTORS established pursuant to this part 12 ~~shall be~~ ARE under the
9 supervision and control of the director with the advice of the board of
10 appeals created in section 24-33.5-1213.7.

11
12 **SECTION 9.** In Colorado Revised Statutes, **add** 24-33.5-1207.8
13 as follows:

14
15 **24-33.5-1207.8. Health facility construction and inspection**
16 **cash fund - created.** ALL MONEYS COLLECTED BY THE DIVISION
17 PURSUANT TO SECTION 24-33.5-1212.5 SHALL BE TRANSMITTED TO THE
18 STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEALTH
19 FACILITY CONSTRUCTION AND INSPECTION CASH FUND, WHICH IS HEREBY
20 CREATED. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST
21 EARNED THEREON ARE SUBJECT TO ANNUAL APPROPRIATION BY THE
22 GENERAL ASSEMBLY FOR PAYING THE EXPENSES OF THE HEALTH FACILITY
23 CONSTRUCTION AND INSPECTION PROGRAM. ANY UNEXPENDED AND
24 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
25 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
26 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

27
28 **SECTION 10.** In Colorado Revised Statutes, **add** 24-33.5-1212.5
29 as follows:

30
31 **24-33.5-1212.5. Health facility fire and building codes -**
32 **third-party inspections authorized - temporary certificate of**
33 **occupancy - fees - rules - board of appeals.** (1) (a) THIS SECTION
34 APPLIES TO HEALTH FACILITY BUILDINGS OR STRUCTURES, INCLUDING THE
35 CONSTRUCTION OR SUBSTANTIAL REMODELING THEREOF, WHEN THERE IS
36 NO LOCAL BUILDING DEPARTMENT OR FIRE DEPARTMENT TO PERFORM
37 SUCH FUNCTIONS.

38
39 (b) ON AND AFTER JULY 1, 2013, HEALTH FACILITY BUILDINGS AND
40 STRUCTURES SHALL BE MAINTAINED IN ACCORDANCE WITH THEIR LOCAL
41 BUILDING AND FIRE CODES OR, IF NO SUCH LOCAL BUILDING AND FIRE
42 CODES EXIST, WITH THE BUILDING AND FIRE CODES ADOPTED BY THE
43 DIRECTOR PURSUANT TO SECTION 24-33.5-1203.5.

44
45 (c) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1),
46 UPON REQUEST OF THE LOCAL FIRE AUTHORITY, THE DIRECTOR OF THE
47 DIVISION SHALL PROVIDE TECHNICAL ASSISTANCE IN THE REVIEW OF
48 HEALTH FACILITY PLANS AND, IF APPROPRIATE, CONDUCT INSPECTIONS ON
49 BEHALF OF THE LOCAL FIRE AUTHORITY.

50
51 (2) EXCEPT AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION, IN
52 THE ABSENCE OF A LOCAL BUILDING DEPARTMENT OR FIRE DEPARTMENT,
53 THE DIVISION SHALL CONDUCT THE NECESSARY PLAN REVIEWS, ISSUE
54 BUILDING PERMITS, CAUSE THE NECESSARY INSPECTIONS TO BE
55 PERFORMED, PERFORM FINAL INSPECTIONS, AND ISSUE CERTIFICATES OF
56 OCCUPANCY TO ASSURE THAT A HEALTH FACILITY BUILDING OR

1 STRUCTURE HAS BEEN CONSTRUCTED IN CONFORMITY WITH THE BUILDING
2 AND FIRE CODES ADOPTED BY THE DIRECTOR AND THAT THE HEALTH
3 FACILITY HAS COMPLIED WITH THIS SECTION.

4
5 (3) **Third-party inspectors.** (a) THE DIVISION MAY CONTRACT
6 WITH THIRD-PARTY INSPECTORS WHO ARE CERTIFIED IN ACCORDANCE
7 WITH SECTION 24-33.5-1213.5 TO PERFORM INSPECTIONS.

8
9 (b) (I) A HEALTH FACILITY MAY HIRE AND COMPENSATE
10 THIRD-PARTY INSPECTORS UNDER CONTRACT WITH THE DIVISION OR HIRE
11 AND COMPENSATE OTHER THIRD-PARTY INSPECTORS WHO ARE CERTIFIED
12 IN ACCORDANCE WITH SECTION 24-33.5-1213.5 TO PERFORM INSPECTIONS.

13
14 (II) IF A THIRD-PARTY INSPECTOR IS USED, THE DIVISION SHALL
15 REQUIRE A SUFFICIENT NUMBER OF THIRD-PARTY INSPECTION REPORTS TO
16 BE SUBMITTED BY THE INSPECTOR TO THE DIVISION BASED UPON THE
17 SCOPE OF THE PROJECT TO ENSURE QUALITY INSPECTIONS ARE PERFORMED.
18 EXCEPT AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION, THE
19 THIRD-PARTY INSPECTOR SHALL ATTEST THAT INSPECTIONS ARE COMPLETE
20 AND ALL VIOLATIONS ARE CORRECTED BEFORE THE HEALTH FACILITY IS
21 ISSUED A CERTIFICATE OF OCCUPANCY. INSPECTION RECORDS SHALL BE
22 RETAINED BY THE THIRD-PARTY INSPECTOR FOR TWO YEARS AFTER THE
23 CERTIFICATE OF OCCUPANCY IS ISSUED. IF THE DIVISION FINDS THAT
24 INSPECTIONS ARE NOT COMPLETED SATISFACTORILY, AS DETERMINED BY
25 RULE OF THE DIVISION, OR THAT ALL VIOLATIONS ARE NOT CORRECTED,
26 THE DIVISION SHALL TAKE ENFORCEMENT ACTION AGAINST THE
27 APPROPRIATE HEALTH FACILITY PURSUANT TO SECTION 24-33.5-1213.

28
29 (4) **Temporary certificate of occupancy.** IF INSPECTIONS ARE
30 NOT COMPLETED AND A BUILDING OR STRUCTURE REQUIRES IMMEDIATE
31 OCCUPANCY, AND IF THE HEALTH FACILITY HAS PASSED THE APPROPRIATE
32 INSPECTIONS THAT INDICATE THERE ARE NO LIFE SAFETY ISSUES, THE
33 DIVISION MAY ISSUE A TEMPORARY CERTIFICATE OF OCCUPANCY. THE
34 TEMPORARY CERTIFICATE OF OCCUPANCY EXPIRES NINETY DAYS AFTER
35 THE DATE OF OCCUPANCY. IF NO RENEWAL OF THE TEMPORARY
36 CERTIFICATE OF OCCUPANCY IS ISSUED OR A PERMANENT CERTIFICATE OF
37 OCCUPANCY IS NOT ISSUED, THE BUILDING OR STRUCTURE SHALL BE
38 VACATED UPON EXPIRATION OF THE TEMPORARY CERTIFICATE. THE
39 DIVISION SHALL ENFORCE THIS SUBSECTION (4) PURSUANT TO SECTION
40 24-33.5-1213.

41
42 (5) **Division fees.** IF THE DIVISION CONDUCTS THE NECESSARY
43 PLAN REVIEWS AND PERFORMS THE NECESSARY INSPECTIONS TO
44 DETERMINE THAT A BUILDING OR STRUCTURE HAS BEEN CONSTRUCTED IN
45 CONFORMITY WITH THE BUILDING AND FIRE CODES ADOPTED BY THE
46 DIRECTOR, THE DIVISION SHALL CHARGE FEES AS ESTABLISHED BY THE
47 DIRECTOR BY RULE, BASED ON THE DIRECT COST OF PROVIDING THE
48 SERVICE. THE FEES SHALL COVER THE ACTUAL, REASONABLE, AND
49 NECESSARY EXPENSES OF THE DIVISION. THE DIRECTOR, BY RULE OR AS
50 OTHERWISE PROVIDED BY LAW, MAY INCREASE OR REDUCE THE AMOUNT
51 OF THE FEES AS NECESSARY TO COVER THE ACTUAL, REASONABLE, AND
52 NECESSARY COSTS OF THE DIVISION. ANY FEES COLLECTED BY THE
53 DIVISION PURSUANT TO THIS SUBSECTION (5) SHALL BE TRANSMITTED TO
54 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEALTH
55 FACILITY CONSTRUCTION AND INSPECTION CASH FUND CREATED IN
56 SECTION 24-33.5-1207.8.

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

3
4 (7) **Board of appeals.** (a) (I) THERE IS HEREBY CREATED IN THE
5 DIVISION THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM
6 BOARD OF APPEALS, REFERRED TO IN THIS SECTION AS THE "BOARD OF
7 APPEALS". THE BOARD OF APPEALS CONSISTS OF SEVEN MEMBERS
8 APPOINTED BY THE EXECUTIVE DIRECTOR.

9
10 (II) THE MEMBERS OF THE BOARD OF APPEALS SHALL BE PERSONS
11 WHO ARE QUALIFIED BY EXPERIENCE AND TRAINING TO PASS UPON
12 MATTERS PERTAINING TO HEALTH FACILITY BUILDING CONSTRUCTION AND
13 SHALL INCLUDE:

14
15 (A) THE FOUR MEMBERS OF THE BOARD OF APPEALS CREATED IN
16 SECTION 24-33.5-1213.7 WHO REPRESENT THE COLORADO CHAPTER OF
17 THE INTERNATIONAL CODE COUNCIL, THE FIRE MARSHAL'S ASSOCIATION OF
18 COLORADO, THE COLORADO STATE FIRE CHIEFS' ASSOCIATION, AND
19 COLORADO COUNTIES, INCORPORATED, OR ANY MEMBER APPOINTED FROM
20 A SUCCESSOR TO ANY OF THESE ORGANIZATIONS REPRESENTING
21 COMPARABLE INTERESTS; AND

22
23 (B) ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING
24 ORGANIZATIONS OR A SUCCESSOR TO ANY OF SUCH ORGANIZATIONS
25 REPRESENTING COMPARABLE INTERESTS: THE COLORADO ASSOCIATION OF
26 HEALTHCARE ENGINEERS AND DIRECTORS; THE AMERICAN SOCIETY FOR
27 HEALTHCARE ENGINEERING; AND THE COLORADO CHAPTER OF THE
28 AMERICAN INSTITUTE OF ARCHITECTS.

29
30 (III) THE MEMBERS OF THE BOARD OF APPEALS SERVE AT THE
31 PLEASURE OF THE EXECUTIVE DIRECTOR.

32
33 (IV) FOR THE INITIAL APPOINTMENTS TO THE BOARD OF APPEALS:

34
35 (A) THE MEMBERS SERVING PURSUANT TO SUB-SUBPARAGRAPH
36 (A) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) SERVE TERMS
37 COEXTENSIVE WITH THE TERMS TO WHICH THEY WERE APPOINTED UNDER
38 SECTION 24-33.5-1213.7; AND

39
40 (B) FOR THE MEMBERS APPOINTED PURSUANT TO
41 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a),
42 THE EXECUTIVE DIRECTOR SHALL APPOINT ONE MEMBER FOR A ONE-YEAR
43 TERM, ONE MEMBER FOR A TWO-YEAR TERM, AND ONE MEMBER FOR A
44 THREE-YEAR TERM. ALL SUBSEQUENT APPOINTMENTS ARE FOR
45 THREE-YEAR TERMS; EXCEPT THAT AN APPOINTMENT TO FILL A VACANCY
46 ON THE BOARD SHALL BE FOR THE REMAINDER OF THE PREDECESSOR'S
47 TERM.

48
49 (V) THE MEMBERS OF THE BOARD OF APPEALS SHALL NOT BE
50 COMPENSATED FOR THEIR SERVICE ON THE BOARD AND SHALL NOT BE
51 REIMBURSED FOR EXPENSES.

52
53 (b) THE BOARD OF APPEALS SHALL SELECT A CHAIR FROM AMONG
54 ITS MEMBERS AND SHALL ADOPT REASONABLE PROCEDURES FOR
55 CONDUCTING ITS DELIBERATIONS.

56

1 (c) (I) A HEALTH FACILITY REPRESENTATIVE MAY APPEAL TO THE
2 BOARD OF APPEALS A FINAL WRITTEN DECISION OF A DIVISION INSPECTOR
3 OR THIRD-PARTY INSPECTOR THAT CONDUCTS A PLAN REVIEW OR
4 INSPECTION PURSUANT TO THIS SECTION. THE APPEAL SHALL BE FILED
5 WITH THE DIVISION WITHIN THIRTY DAYS AFTER THE DATE OF THE
6 DECISION. THE DIVISION SHALL SPECIFY THE FORM ON WHICH AN APPEAL
7 SHALL BE MADE AND SHALL PROVIDE THE FORM TO A HEALTH FACILITY
8 REPRESENTATIVE UPON REQUEST.

9
10 (II) UPON RECEIPT OF AN APPEAL, THE DIVISION SHALL NOTIFY THE
11 CHAIR OF THE BOARD OF APPEALS AND SCHEDULE A HEARING NO MORE
12 THAN FIFTEEN DAYS AFTER THE DATE ON WHICH THE APPEAL WAS FILED.

13
14 (III) THE BOARD OF APPEALS MAY REVIEW A FINAL WRITTEN
15 DECISION BY AN INSPECTING ENTITY THAT IS BASED ON THE CODES OR
16 STANDARDS ADOPTED BY THE DIRECTOR. THE BOARD OF APPEALS SHALL
17 NOT WAIVE ANY REQUIREMENT OF THE CODES OR STANDARDS. THE BOARD
18 OF APPEALS MAY RECOMMEND ALTERNATIVE MATERIALS AS PROVIDED IN
19 THE CODES OR STANDARDS. THE FINAL WRITTEN DECISION OF THE BOARD
20 IS FINAL AGENCY ACTION FOR PURPOSES OF SECTION 24-4-106.

21
22 (d) IN ADDITION TO HEARING APPEALS AS PROVIDED IN THIS
23 SECTION, THE BOARD OF APPEALS SHALL ADVISE THE DIRECTOR IN
24 PROMULGATING RULES AND ENACTING STANDARDS FOR THE HEALTH
25 FACILITY CONSTRUCTION AND INSPECTION PROGRAM.

26
27 **SECTION 11.** In Colorado Revised Statutes, 24-33.5-1213,
28 **amend** (1), (2) (a), and (4) (b) as follows:

29
30 **24-33.5-1213. Fire and building code - violations - enforcement**
31 **- inspections.** (1) The director shall enforce ~~the provisions of sections~~
32 ~~22-32-124 (2), and 23-71-122 (1) (v), C.R.S., and sections~~
33 ~~24-33.5-1212.5, 24-33.5-1213.3, and 24-33.5-1213.5, C.R.S., by~~
34 appropriate actions in courts of competent jurisdiction.

35
36 (2) (a) The director may issue a notice of violation to a person
37 who is believed to have violated the codes as determined by an inspection
38 pursuant to section 22-32-124 (2), ~~or 23-71-122 (1) (v), C.R.S., or section~~
39 ~~24-33.5-1212.5, OR 24-33.5-1213.3, C.R.S.~~ The notice shall be delivered
40 to the alleged violator by certified mail, return receipt requested, or by
41 any means that verifies receipt as reliably as certified mail, return receipt
42 requested.

43
44 (4) (b) A civil penalty collected pursuant to this subsection (4)
45 shall be deposited in the public school construction and inspection cash
46 fund created in section 24-33.5-1207.7 OR THE HEALTH FACILITY
47 CONSTRUCTION AND INSPECTION CASH FUND CREATED IN SECTION
48 24-33.5-1207.8, AS APPROPRIATE.

49
50 **SECTION 12.** In Colorado Revised Statutes, 24-33.5-1213.7,
51 **add** (6) as follows:

52
53 **24-33.5-1213.7. Board of appeals.** (6) THIS SECTION ONLY
54 APPLIES TO MATTERS RELATED TO SCHOOL REVIEWS AND INSPECTIONS.

55
56 **SECTION 13.** In Colorado Revised Statutes, 24-75-402, **amend**

1 (5) (y) as follows:
2

3 **24-75-402. Cash funds - limit on uncommitted reserves -**
4 **reduction in amount of fees - exclusions.** (5) Notwithstanding any
5 provision of this section to the contrary, the following cash funds are
6 excluded from the limitations specified in this section:
7

8 (y) The public school construction and inspection cash fund
9 created in section 24-33.5-1207.7 AND THE HEALTH FACILITY
10 CONSTRUCTION AND INSPECTION CASH FUND CREATED IN SECTION
11 24-33.5-1207.8;
12

13 **SECTION 14. Effective date.** (1) Except as otherwise provided
14 in subsection (2) of this section, this act takes effect July 1, 2013, only if
15 the division of fire safety in the department of public safety notifies the
16 revisor of statutes in writing, by June 30, 2013, that the secretary of the
17 United States department of health and human services has granted a
18 modification to the agreement entered into between said secretary and the
19 state of Colorado pursuant to section 1864 of the federal "Social Security
20 Act", 42 U.S.C. sec. 1395aa, which modification allows said division to
21 fulfill the duties under that law associated with the assessment of
22 compliance with the federal fire safety code requirements for health
23 facilities.
24

25 (2) Section 24-33.5-1201 (4) (e), Colorado Revised Statutes, as
26 enacted in section 4 of this act, takes effect upon passage.
27

28 **SECTION 15. Safety clause.** The general assembly hereby finds,
29 determines, and declares that this act is necessary for the immediate
30 preservation of the public peace, health, and safety."
31

32 Page 1, line 107, strike "**RENAMING THE PUBLIC SCHOOL**" and substitute
33 "**CREATING THE HEALTH FACILITY**".
34
35
36

37 **SB12-023** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
41
42

43 **JUDICIARY**

44 After consideration on the merits, the Committee recommends the
45 following:
46

47 **HB12-1297** 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 2, strike line 2 and substitute:
52

53 **"SECTION 1.** In Colorado Revised Statutes, 12-36.5-106, **add**
54 (14) as follows:
55

56 **12-36.5-106. Committee on anticompetitive conduct - repeal**

1 **- legislative declaration.** (14) THIS SECTION IS REPEALED, EFFECTIVE
2 SEPTEMBER 1, 2013. PRIOR TO SUCH REPEAL, THE GENERAL ASSEMBLY
3 ANTICIPATES THAT THERE WILL BE, AND DECLARES ITS SUPPORT FOR,
4 CONSTRUCTIVE DISCUSSION AMONG LICENSED PROFESSIONALS AND OTHER
5 INTERESTED PARTIES TO CONSIDER THE PROPER ROLE, STRUCTURE, AND
6 FUNCTIONS OF THE COMMITTEE ON ANTICOMPETITIVE CONDUCT AND TO
7 RECOMMEND LEGISLATION ON THIS SUBJECT FOR CONSIDERATION DURING
8 THE 2013 REGULAR SESSION."

9
10 Page 3, line 1, strike "**repeal**" and substitute "**amend**".

11
12 Page 3, strike lines 5 and 6 and substitute:

13
14 "(z) (I) Review final actions of the committee on anticompetitive
15 conduct established pursuant to section 12-36.5-106, C.R.S.

16
17 (II) THIS PARAGRAPH (z) IS REPEALED, EFFECTIVE SEPTEMBER 1,
18 2013."

19
20 Page 3, before line 15 insert:

21
22 "**SECTION 6. Effective date.** This act takes effect upon passage;
23 except that section 2 of this act is effective September 1, 2013."

24
25 Renumber succeeding section accordingly.

26
27 Page 1, strike lines 102 through 105 and substitute:

28
29 "**IN CONNECTION THEREWITH, CONTINUING THE COMMITTEE'S**
30 **STATUTORY AUTHORIZATION UNTIL SEPTEMBER 1, 2013.**"

31
32
33
34 **SB12-056** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37
38 Amend reengrossed bill, page 2, line 14, strike "TEN" and substitute
39 "SEVEN".

40
41 Page 3, line 2, strike "TEN" and substitute "SEVEN".

42
43 Page 3, line 6, strike "JUDGE" and substitute "JUDICIAL OFFICER".

44
45 Page 3, line 11, strike "TEN" and substitute "SEVEN".

46
47 Page 3, line 13, after the period add "IF A PARTY OBJECTS TO THE
48 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
49 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
50 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
51 THEN THE APPOINTMENT IS DEEMED CONFIRMED."

52
53 Page 3, line 26, strike "TEN" and substitute "SEVEN".

54
55 Page 4, line 2, strike "TEN" and substitute "SEVEN".

56

- 1 Page 4, line 6, strike "JUDGE" and substitute "JUDICIAL OFFICER".
2
- 3 Page 4, line 11, strike "TEN" and substitute "SEVEN".
4
- 5 Page 4, line 13, after the period add "IF A PARTY OBJECTS TO THE
6 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
7 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
8 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
9 THEN THE APPOINTMENT IS DEEMED CONFIRMED."
10
- 11 Page 4, line 15, strike "(1) (a) (I.3) and".
12
- 13 Page 4, line 19, strike "~~shall~~ MAY," and substitute "shall,".
14
- 15 Page 5, line 3, strike "TEN" and substitute "SEVEN".
16
- 17 Page 5, strike lines 11 through 23.
18
- 19 Page 6, line 6, strike "TEN" and substitute "SEVEN".
20
- 21 Page 6, line 10, strike "JUDGE" and substitute "JUDICIAL OFFICER".
22
- 23 Page 6, line 15, strike "TEN" and substitute "SEVEN".
24
- 25 Page 6, line 17, after the period add "IF A PARTY OBJECTS TO THE
26 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
27 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
28 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
29 THEN THE APPOINTMENT IS DEEMED CONFIRMED."
30
- 31 Page 7, line 3, strike "TEN" and substitute "SEVEN".
32
- 33 Page 7, line 8, strike "~~any documented~~" and substitute "any documented
34 evidence of".
35
- 36 Page 7, line 9, strike "~~evidence of~~ A CLAIM BY ONE OF THE PARTIES OF".
37
- 38 Page 7, line 12, strike "TEN" and substitute "SEVEN".
39
- 40 Page 7, line 16, strike "JUDGE" and substitute "JUDICIAL OFFICER".
41
- 42 Page 7, line 21, strike "TEN" and substitute "SEVEN".
43
- 44 Page 7, line 23, after the period add "IF A PARTY OBJECTS TO THE
45 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
46 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
47 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
48 THEN THE APPOINTMENT IS DEEMED CONFIRMED."
49
- 50 Page 8, line 17, strike "TEN" and substitute "SEVEN".
51
- 52 Page 8, line 21, strike "JUDGE" and substitute "JUDICIAL OFFICER".
53
- 54 Page 8, line 26, strike "TEN" and substitute "SEVEN".
55
- 56 Page 9, line 1, after the period add "IF A PARTY OBJECTS TO THE

1 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
2 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
3 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
4 THEN THE APPOINTMENT IS DEEMED CONFIRMED."

5

6

7

8 **SB12-074** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11

12 Amend reengrossed bill, page 2, line 4, after "(5)" insert "(a)".

13

14 Page 2, line 9, strike "25.5-6-1102 (6)," and substitute "25.5-6-1101 (4),".

15

16 Page 2, strike lines 15 through 20.

17

18

19

20 **SB12-131** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:

23

24 Amend reengrossed bill, page 2, line 13, strike "RECORDED," and
25 substitute "VALID,".

26

27

28

29

30 **TRANSPORTATION**

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

33

34 **HB12-1258** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37

38 Amend printed bill, page 2, line 11, strike "UTILIZING" and substitute
39 "UTILIZING, IN WHOLE OR IN PART, LIQUEFIED PETROLEUM GAS,".

40

41 Page 3, strike line 10 and substitute "ELECTRIC, NATURAL GAS, OR
42 LIQUEFIED PETROLEUM GAS EXTENSION OR CONNECTION OF SERVICE,".

43

44 Page 3, strike line 14 and substitute "GENERATING ELECTRICITY FOR USE
45 IN ALTERNATIVE FUEL VEHICLE CHARGING OR FUELING FACILITIES AS
46 AUTHORIZED BY SUBSECTION (4) OF THIS SECTION, PERSON'S RESELLING
47 ELECTRICITY SUPPLIED BY A PUBLIC UTILITY, OR PERSONS RESELLING
48 COMPRESSED OR LIQUEFIED NATURAL GAS, LIQUEFIED PETROLEUM GAS, OR
49 ANY".

50

51 Page 3, line 18, delete everything after "PUBLIC".

52

53 Page 3, strike lines 19 through 23 and substitute "UTILITY. ELECTRIC AND
54 NATURAL GAS PUBLIC UTILITIES MAY PROVIDE THE SERVICES DESCRIBED
55 IN THIS SUBSECTION (2) AS EITHER REGULATED OR UNREGULATED
56 SERVICES. IF PROVIDED AS UNREGULATED SERVICES, THESE UNREGULATED

1 SERVICES MAY NOT BE SUBSIDIZED BY THE REGULATED SERVICES OF THE
2 ELECTRIC OR NATURAL GAS PUBLIC UTILITY. "

3
4 Page 4, line 1, strike "OR OTHER ENTITY".

5
6 Page 4, line 14, strike everything after "RESOURCE".

7
8 Page 4, strike lines 15 through 23 and substitute "THAT:

9
10 (I) QUALIFIES AS "RETAIL DISTRIBUTED GENERATION" AS DEFINED
11 IN SECTION 40-2-124 (1) (a) (V), IF LOCATED ON THE SYSTEM OF AN
12 ENTITY SUBJECT TO THE REQUIREMENTS OF SECTION 40-2-124. THE
13 ELECTRIC POWER REQUIREMENTS FOR THE PROPERTY PURSUANT TO
14 SECTION 40-2-124 (1) INCLUDE THE DEMAND FOR EXISTING OR PROPOSED
15 ALTERNATIVE FUEL VEHICLE CHARGING OR FUELING FACILITIES IN
16 ADDITION TO BUILDINGS AND OTHER IMPROVEMENTS.

17
18 (II) COMPLIES WITH SECTION 40-9.5-118, IF LOCATED ON THE
19 SYSTEM OF A COOPERATIVE ELECTRIC ASSOCIATION; OR

20
21 (III) COMPLIES WITH SECTION 40-2-124 (7), IF LOCATED ON THE
22 SYSTEM OF A MUNICIPALLY OWNED UTILITY. "

23
24 Page 4, line 26, strike "NOT A WHOLESALE" and substitute "A RETAIL".

25
26 Page 4, strike line 27.

27
28 Strike page 5.

29
30 Page 6, strike lines 1 through 15 and substitute:

31
32 "(6) THE REGULATED EXPENDITURES AND INVESTMENTS MADE BY
33 A PUBLIC UTILITY TO ACCOMMODATE ALTERNATIVE FUEL VEHICLE
34 CHARGING AND FUELING FACILITIES ARE EQUAL IN PRIORITY TO ALL
35 OTHER".

36
37 Page 6, strike lines 19 through 21.

38
39
40
41 **SB12-012** be referred favorably to the Committee on Finance.

42
43
44 **SB12-034** be referred to the Committee of the Whole with favorable
45 recommendation.

46
47
48 **SB12-092** be referred to the Committee of the Whole with favorable
49 recommendation.

50
51
52 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

53
54 The Speaker has signed: **HB12-1033, 1047, 1055, 1074, 1078, 1090,**
55 **1095, 1163, 1177, 1217, 1221, 1233.**

1 **HB12-1158** Concerning the regulation of producers of materials that may be
 2 used in commercial livestock feed, and, in connection
 3 therewith, repealing the “Colorado Inedible Meat Rendering
 4 and Processing Act of 1967” and relocating some of its
 5 provisions to the “Colorado Feed Law”
 6

7 Approved March 15, 2012 at 4:06 pm

8
 9 **HB12-1054** CONCERNING SIMPLIFICATION OF THE PROCUREMENT PROCESS
 10 FOR PROVIDERS WHO HAVE PREVIOUSLY BEEN APPROVED TO
 11 PARTICIPATE IN HEALTHCARE PROGRAMS ADMINISTERED BY
 12 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
 13

14 Approved March 15, 2012 at 4:11 pm

15
 16 **HB 12-1015** CONCERNING THE PROCEDURE FOR THE REVIEW OF A PROPOSAL
 17 TO REGULATE AN UNREGULATED PROFESSION OR OCCUPATION
 18

19 Approved March 15, 2012 at 4:31 pm

20
 21 **HB12-1022** CONCERNING THE AMOUNT OF WATER THAT PERMITTED MINING
 22 OPERATION THAT CONSTRUCT IMPERMEABLE AREAS THAT
 23 ELIMINATE PREEXISTING NATURAL EVAPOTRANSPIRATION ARE
 24 REQUIRED TO REPLACE
 25

26 Approved March 15, 2012 at 4:16 pm

27
 28 **HB12-1139** CONCERNING PRETRIAL DETENTION OF CHILDREN PROSECUTED
 29 AS ADULTS
 30

31 Approved March 15, 2012 at 4:36 pm

32
 33 Sincerely,
 34 (signed)
 35 John W. Hickenlooper
 36 Governor
 37

38
 39 March 16, 2012

40
 41 To the Honorable House of Representatives
 42 Sixty-Eighth General Assembly
 43 Second Regular Session
 44 State Capitol
 45 Denver, CO 80203
 46

47 Ladies and Gentlemen:

48
 49 I have the honor to inform you that I have approved and filed with the
 50 Secretary of State the following Acts:
 51

52 **HB12-1147** CONCERNING THE DESIGNATION OF THE WESTERN TIGER
 53 SALAMANDER AS THE STATE AMPHIBIAN
 54

55 Approved March 16, 2012 at 11:41 am

56

1 **HB12-1050** CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION
 2 BENEFITING THE NONGAME AND ENDANGERED WILDLIFE FUND
 3 THAT APPEARS ON THE STATE INDIVIDUAL INCOME TAX RETURN
 4 FORMS AND, IN CONNECTION THEREWITH, EXTENDING THE
 5 PERIOD FOR THE CONTRIBUTION DESIGNATION
 6

7 Approved March 16, 2012 at 11:48 am

8
 9 **HB12-1079** CONCERNING DESIGNATION OF CERTAIN POSITIONS IN THE
 10 DEPARTMENT OF PUBLIC SAFETY
 11

12 Approved March 16, 2012 at 11:52 am

13
 14 **HB12-1231** CONCERNING THE AUTHORITY OF THE DEPARTMENT OF
 15 REVENUE TO ALLOW LICENSED PRIVATE INVESTIGATORS
 16 ACCESS TO CERTAIN MOTOR VEHICLE RECORDS FOR SPECIFIED
 17 PURPOSES
 18

19 Approved March 16, 2012 at 11:56 am

20
 21 **HB12-1013** CONCERNING INTERVENTION SERVICES FOR MIDDLE-GRADE
 22 STUDENTS
 23

24 Approved March 16, 2012 at 12:00 pm

25
 26 Sincerely,
 27 (signed)
 28 John W. Hickenlooper
 29 Governor

30
31
32 **APPOINTMENT(S) TO CONFERENCE COMMITTEE(S)**

33
34 The Speaker appointed House conferees to the First Conference
35 Committee(s) as follows:

36
37 **SB12-020**--Representatives Summers, Chairman, Waller and Lee.

38 _____
39

40
 41 On motion of Representative Waller, the bills on the Special Orders
 42 Calendar for March 16, 2012 (**HB12-1267, 1059, 1305**), were moved to
 43 the bottom of the General Orders Calendar for Monday, March 19, 2012.
 44

45 _____
46

47
48 **LAY OVER OF CALENDAR ITEM(S)**

49
50 On motion of Representative Waller, the following item(s) on the
51 Calendar was (were) laid over until March 19, retaining place on
52 Calendar:
53

54 Consideration of General Orders--**HB12-1111, 1275, SB12-077, 066.**
55

1 Consideration of Resolution(s)--**HJR12-1016.**
2 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
3 **1034, 1114, 1151.**

4

5

6

7 On motion of Representative Waller, the House adjourned until
8 10:00 a.m., March 19, 2012.

9

10

Approved:
FRANK McNULTY,
Speaker

11

12

13 Attest:

14 MARILYN EDDINS,

15 Chief Clerk