

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

One hundred-fifteenth Legislative Day

Friday, May 4, 2012

1 The Speaker called the House to order at 9:00 a.m.
2
3 Prayer by Rabbi Hillel Goldberg, Executive Director, Rocky Mountain
4 Jewish News, Denver.
5
6 Pledge of Allegiance led by Shae and Avri Swerdfeger, Desert Sage
7 Elementary, Pueblo West.
8
9 The roll was called with the following result:
10
11 Present--46.
12 Excused--Representative(s) Barker, Becker, Bradford, Court,
13 DelGrosso, Ferrandino, Gardner B., Gerou, Hullinghorst,
14 Kerr A., Levy, Looper, Pabon, Ryden, Solano, Sonnenberg,
15 Summers, Swalm, Vaad--19.
16 Present after roll call--Representative(s) Becker, Bradford, Court,
17 DelGrosso, Ferrandino, Gardner B., Gerou, Hullinghorst,
18 Kerr A., Levy, Looper, Pabon, Ryden, Solano, Sonnenberg,
19 Summers, Swalm, Vaad.
20
21 The Speaker declared a quorum present.
22
23
24 On motion of Representative Coram, the reading of the journal of
25 May 3, 2012, was declared dispensed with and approved as corrected by
26 the Chief Clerk.
27
28
29 House in recess. House reconvened.
30
31
32
33 **CONSIDERATION OF RESOLUTION(S)**
34
35 **HJR12-1021** by Representative(s) Hamner and McKinley, Massey; also
36 Senator(s) Scheffel--Concerning the designation of pack
37 burro racing as a summer heritage sport in Colorado.
38
39 (Printed and placed in members' file)
40
41 Representative Hamner moved that the resolution be adopted and
42 requested that it be read at length.
43

1 Amendment No. 1, moved by Representative Hamner.

2

3 Amend printed resolution, page 2, line 21, strike "10-time" and substitute
4 "13-time".

5

6 Page 2, line 22, before "Karen Thorpe" insert "2-time winner".

7

8 The amendment was declared **passed** by **viva voce** vote.

9

10 On motion of Representative McKinley, the resolution as amended was
11 **adopted** by **viva voce** vote.

12

13 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
14 Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
15 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Holbert,
16 Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
17 Liston, Looper, McCann, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston,
18 Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Sonnenberg, Soper,
19 Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil,
20 Waller, Williams A., Wilson, Young, Speaker.

21

22

23 House in recess. House reconvened.

24

25

26

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

28

29 **APPROPRIATIONS**

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

32

33 **HB12-1252** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36 Amend printed bill, page 5, before line 24 insert:

37

38 **"SECTION 3. Appropriation.** (1) In addition to any other
39 appropriation, there is hereby appropriated, out of any moneys in the
40 general fund not otherwise appropriated, to the department of higher
41 education, for the fiscal year beginning July 1, 2012, the sum of
42 \$1,000,000, or so much thereof as may be necessary, to be allocated for
43 the implementation of this act as follows:

44 (a) \$250,000 for the board of governors of the Colorado state
45 university system;

46 (b) \$250,000 for the board of regents of the university of
47 Colorado;

48 (c) \$250,000 for the board of trustees of the Colorado school of
49 mines; and

50 (d) \$250,000 for the board of trustees of the university of northern
51 Colorado.

52 (2) In addition to any other appropriation, there is hereby
53 appropriated, out of any moneys in the general fund not otherwise
54 appropriated, to the department of the governor - lieutenant governor -
55 state planning and budgeting, for the fiscal year beginning July 1, 2012,
56 the sum of \$43,781 and 0.5 FTE, or so much thereof as may be necessary,

1 for allocation to the office of information technology for on-line posting
2 costs related to the implementation of this act."
3

4 Renumber succeeding section accordingly.
5

6 Page 1, line 103, strike "**INFORMATION.**" and substitute "**INFORMATION,
7 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".
8

9
10

11 **HB12-1361** be referred to the Committee of the Whole with favorable
12 recommendation.
13

14
15

16 **SB12-028** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19
20

21 Amend reengrossed bill, page bill, page 4, after line 19 insert:

22
23

24 **"SECTION 2. Appropriation.** (1) In addition to any other
25 appropriation, there is hereby appropriated, out of any moneys in the
26 general fund not otherwise appropriated, to the department of corrections,
27 for the fiscal year beginning July 1, 2012, the sum of \$11,840, or so much
28 thereof as may be necessary, to be allocated for the implementation of this
29 act for the purchase of computer center services.

30
31

32 (2) In addition to any other appropriation, there is hereby
33 appropriated to the governor - lieutenant governor - state planning and
34 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$11,840,
35 or so much thereof as may be necessary, for allocation to the office of
36 information technology, for the provision of computer center services for
37 the department of corrections related to the implementation of this act.
38 Said sum is from reappropriated funds received from the department of
39 corrections out of the appropriation made in subsection (1) of this
40 section."
41

42
43

44 Renumber succeeding section accordingly.
45

46
47

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

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55 **SB12-090** be postponed indefinitely.
56

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58

59 **SB12-101** be referred to the Committee of the Whole with favorable
60 recommendation.
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64 **SB12-108** be amended as follows, and as so amended, be referred to
65 the Committee of the Whole with favorable
66 recommendation:
67

68
69

70 Amend reengrossed bill, page 7, line 14, strike "\$278,581" and substitute
71 "\$251,803".
72

1 Page 7, line 20, strike "\$278,581" and substitute "\$251,803".

2

3 Page 7, after line 24 insert:

4

5 "(3) In addition to any other appropriation, there is hereby
6 appropriated out of any moneys in the general fund not otherwise
7 appropriated, to the department of health care policy and financing, for
8 the fiscal year beginning July 1, 2012, the sum of \$126,000 or so much
9 thereof as may be necessary, for allocation to information technology
10 contracts for the implementation of this act. Said sum is subject to the
11 "(M)" notation as defined in the general appropriation act. In addition to
12 said appropriation, the general assembly anticipates that, for the fiscal
13 year beginning July 1, 2012, the department of health care policy and
14 financing will receive the sum of \$126,000 in federal funds for the
15 implementation of this act. Although the federal funds are not
16 appropriated in this act, they are noted for the purpose of indicating the
17 assumptions used relative to these funds in developing the state
18 appropriation amounts."

19

20

21

22 **SB12-116** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25

26 Amend the House Judiciary Committee Report dated May 3, 2012, page
27 4, strike lines 2 and 3 and substitute:

28

29 "Page 6, strike lines 14 through 22 and substitute:

30

31 "**SECTION 8.** In Colorado Revised Statutes, **add** 17-18-108 as
32 follows:

33

34 **17-18-108. Appropriation to comply with section 2-2-703 - SB**
35 **12-116 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
36 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
37 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 12-116,
38 ENACTED IN 2012:

39

40 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, IN ADDITION
41 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
42 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
43 OTHERWISE APPROPRIATED, THE SUM OF TWENTY THOUSAND SEVEN
44 HUNDRED SIX DOLLARS (\$20,706).

45

46 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, IN ADDITION
47 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
48 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
49 OTHERWISE APPROPRIATED, THE SUM OF TWENTY THOUSAND SEVEN
50 HUNDRED SIX DOLLARS (\$20,706).

51

52 (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, IN ADDITION
53 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
54 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
55 OTHERWISE APPROPRIATED, THE SUM OF TWENTY THOUSAND SEVEN
56 HUNDRED SIX DOLLARS (\$20,706).

57

58 (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, IN ADDITION
59 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
60 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
61 OTHERWISE APPROPRIATED, THE SUM OF TWENTY THOUSAND SEVEN

1 HUNDRED SIX DOLLARS (\$20,706).

2 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

3 **SECTION 9. Accountability.** One year after this act becomes".

4

5 Page 4 of the committee report, strike lines 12 through 14 and substitute:

6

7 "Page 1, line 103, strike "CATHINONE." and substitute "CATHINONE,

8 **REQUIRING A POST-ENACTMENT REVIEW OF THE IMPLEMENTATION OF**

9 **THIS ACT, AND MAKING AN APPROPRIATION."**

10

11

12

13 **SB12-144** be postponed indefinitely.

14

15

16 **SB12-164** be referred to the Committee of the Whole with favorable
17 recommendation.

18

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21

22 **ECONOMIC & BUSINESS DEVELOPMENT**

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

25

26 **SB12-027** be referred to the Committee of the Whole with favorable
27 recommendation.

28

29

30 **SB12-177** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33

34 Amend reengrossed bill, page 3, strike lines 16 through 21 and substitute
35 "insurance and unemployment compensation. THE UNEMPLOYMENT
36 COMPENSATION FUND, CREATED IN SECTION 8-77-101, CONSTITUTES PART
37 OF THE ENTERPRISE ESTABLISHED PURSUANT TO THIS SUBSECTION (2)."

38

39 Page 4, strike lines 2 through 16 and substitute "SAME PURPOSES AND ON
40 THE SAME TERMS AND LEVY AND APPLY THE PROCEEDS OF BOND
41 ASSESSMENTS FOR THE SAME PURPOSES AND IN THE SAME MANNER AS THE
42 COLORADO HOUSING AND FINANCE AUTHORITY MAY ISSUE BONDS AND
43 LEVY AND APPLY THE PROCEEDS OF BOND ASSESSMENTS UNDER SECTION
44 29-4-710.7, C.R.S., SUBSTITUTING REFERENCES TO THE DIVISION FOR
45 REFERENCES TO THE AUTHORITY UNDER THAT SECTION. BOND
46 ASSESSMENTS LEVIED BY THE DIVISION MAY BE USED TO PAY REVENUE
47 BONDS ISSUED BY THE DIVISION UNDER THIS PARAGRAPH (d) OR REVENUE
48 BONDS ISSUED BY THE COLORADO HOUSING AND FINANCE AUTHORITY
49 UNDER SECTION 29-4-710.7, C.R.S.

50 (II) ANY BONDS ISSUED PURSUANT TO THIS PARAGRAPH (d) MUST".

51

52 Page 4, strike lines 18 and 19 and substitute "MAY BE IN THE FORM, MAY
53 BE SOLD AND MAY HAVE THE SAME TERMS AS PROVIDED IN SECTION
54 43-4-807 (1) (b) AND (1) (c), C.R.S., MAY CONTAIN THE PROVISIONS
55 PERMITTED BY SECTION 43-4-807 (1) (d), C.R.S., SHALL BE LEGAL
56 INVESTMENTS FOR THE ENTITIES DESCRIBED IN, SUBJECT TO THE TERMS

1 SET FORTH IN, SECTION 43-4-807 (3), C.R.S., AND SHALL BE EXEMPT FROM
2 TAXATION AND ASSESSMENTS IN THE STATE AS PROVIDED IN SECTION
3 43-4-807 (4), C.R.S. THE DIVISION MAY INVEST OR DEPOSIT ANY
4 PROCEEDS AND INTEREST FROM THE SALE OF SUCH BONDS AS PROVIDED IN
5 SECTION 43-4-807 (2), C.R.S. THE DIVISION SHALL HAVE THE POWER TO
6 ENTER INTO ALL OTHER CONTRACTS OR AGREEMENTS, WHICH CONTRACTS
7 AND AGREEMENTS ARE NOT SUBJECT TO THE "PROCUREMENT CODE",
8 ARTICLES 101 TO 112 OF TITLE 24, C.R.S., THAT ARE NECESSARY OR
9 INCIDENTAL TO THE EXERCISE OF ITS POWERS AND DUTIES UNDER THIS
10 PARAGRAPH (d), INCLUDING THE POWER TO ENGAGE THE SERVICES OF
11 CONSULTANTS, FINANCIAL ADVISORS, UNDERWRITERS, BOND INSURERS,
12 LETTER OF CREDIT BANKS, RATING AGENCIES, AGENTS AND OTHER
13 PERSONS WHOSE SERVICES MAY BE REQUIRED OR DEEMED ADVANTAGEOUS
14 BY THE DIVISION, AND THE POWER TO ENTER INTO INTEREST RATE
15 EXCHANGE AGREEMENTS FOR BONDS THAT HAVE BEEN ISSUED IN
16 ACCORDANCE WITH THIS PARAGRAPH (d). THE AMOUNT OF OUTSTANDING
17 LIABILITY FOR BONDS ISSUED PURSUANT TO THIS PARAGRAPH (d) OR
18 SECTION 29-4-710.7, C.R.S., IS NOT TAKEN INTO ACCOUNT FOR PURPOSES
19 OF RATE SETTING UNDER ARTICLE 76 OF THIS TITLE."

20

21 Page 6, line 13, strike "C.R.S." and substitute "C.R.S., AND MAY APPLY
22 AMOUNTS NECESSARY AND APPROPRIATE FROM THE UNEMPLOYMENT
23 COMPENSATION FUND TO THE REPAYMENT OF PRINCIPAL OF BONDS ISSUED
24 UNDER SECTION 8-71-103 (2) (d).".

25

26 Page 6, line 21, strike "C.R.S." and substitute "C.R.S., OR BY THE
27 DIVISION UNDER SECTION 8-71-103.".

28

29 Page 6, line 23, strike "transferred" and substitute "~~transferred~~ PAID".

30

31 Page 6, line 25, strike "C.R.S." and substitute "C.R.S., OR BY THE
32 DIVISION WITH RESPECT TO BONDS ISSUED UNDER SECTION 8-71-103.".

33

34 Page 7, line 13, after "C.R.S.," insert "OR SECTION 8-71-103 (2) (d)".

35

36 Page 8, line 8, strike "(b)" and substitute "(b) OR FROM REVENUES
37 GENERATED THROUGH THE LEVY BY THE DIVISION OF UNEMPLOYMENT
38 INSURANCE OF A BOND ASSESSMENT UNDER SECTION 8-71-103 (2) (d),
39 C.R.S.,".

40

41 Page 8, line 10, after "AUTHORITY" insert "OR MONEYS APPLIED BY THE
42 DIVISION".

43

44 Page 8, line 16, strike "on behalf of the authority" and substitute "~~on~~
45 ~~behalf of the authority~~".

46

47 Page 9, line 2, strike "TRANSFER" and substitute "PAY".

48

49 Page 9, line 4, strike "SECTION." and substitute "SECTION OR SECTION
50 8-71-103 (2) (d), C.R.S.".

51

52 Page 9, line 18, strike "transfer" and substitute "~~transfer~~ PAYMENT".

53

54 Page 9, line 19, strike "authority." and substitute "~~authority~~ ISSUER OF THE
55 BONDS.".

56

1 Page 9, line 20, strike "authority" and substitute "~~authority~~ ISSUER OF THE
2 BONDS".

3
4 Page 9, line 22, strike "authority shall transfer" and substitute "~~authority~~
5 ISSUER OF THE BONDS shall ~~transfer~~ PAY".

6
7 Page 10, line 13, strike "TRANSFER" and substitute "PAYMENT".

8
9
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11

12 **JUDICIARY**

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

15
16 **SB12-002** be referred favorably to the Committee on Finance.

17
18

19 **SB12-117** be referred favorably to the Committee on Appropriations.

20
21

22 **SB12-176** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25

26 Amend reengrossed bill, page 20, strike lines 1 through 4 and substitute:

27

28 "(III) PERFORMANCE, LOCATION, CONSTRUCTION, ALTERATION,
29 INSTALLATION, AND USE OF ON-SITE WASTEWATER TREATMENT SYSTEMS
30 PURSUANT TO ARTICLE 10 OF TITLE 25, C.R.S., WHICH ARE LOCATED
31 WITHIN A PROPERTY LINE."

32

33 Page 55, line 22, strike "primary" and substitute "~~primary~~".

34

35 Page 63, strike lines 1 through 10 and substitute:

36

37 **"SECTION 92. Act subject to petition - effective date.**

38 (1) Except as otherwise provided in subsection (2) of this section, this act
39 takes effect at 12:01 a.m. on the day following the expiration of the
40 ninety-day period after final adjournment of the general assembly (August
41 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
42 referendum petition is filed pursuant to section 1 (3) of article V of the
43 state constitution against this act or an item, section, or part of this act
44 within such period, then the act, item, section, or part will not take effect
45 unless approved by the people at the general election to be held in
46 November 2012 and, in such case, will take effect on the date of the
47 official declaration of the vote thereon by the governor.

48 (2) (a) Section 12-58-102 (5) introductory portion, as repealed and
49 reenacted in section 25 of this act, supersedes the amendment to this
50 provision in section 2 of House Bill 12-1126, and the superseded
51 provision takes effect either on the applicable effective date of this act or
52 House Bill 12-1126, whichever is later.

53

54 (b) Section 31 of this act shall not take effect if Senate Bill 12-104
55 is enacted and becomes law.

56 (c) Section 53 of this act shall not take effect if Senate Bill 12-158

1 is enacted and becomes law.

2 (d) Section 81 of this act shall not take effect if Senate Bill 12-157
3 is enacted and becomes law.".

4

5

6

7 **SCR12-001** be referred to the Committee of the Whole with favorable
8 recommendation.

9

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12

13 **LEGISLATIVE COUNCIL**

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

16

17 **SB12-086** be referred favorably to the Committee on Appropriations.

18

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21

22 **STATE, VETERANS, & MILITARY AFFAIRS**

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

25

26 **HCR12-1003** be postponed indefinitely.

27

28

29

30 On motion of Representative Stephens, **HB12-1355, 1357, 1358, 1361**
31 were added to the Special Orders Calendar on Friday, May 4, 2012.

32

33

34 On motion of Representative Waller, the House resolved itself into
35 Committee of the Whole for consideration of Special Orders and he was
36 called to the Chair to act as Chairman.

37

38

39

SPECIAL ORDERS--SECOND READING OF BILLS

40

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

45

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

48

49 **HB12-1355** by Representative(s) Gerou, Becker, Levy; also Senator(s)
50 Hodge, Steadman, Lambert--Concerning the transfer of the
51 geological survey to the Colorado school of mines.

52

53 Amendment No. 1, Appropriations Report, dated May 1, 2012, and
54 placed in member's bill file; Report also printed in House Journal, May 1,
55 page 1220-1221.

56

- 1 Amendment No. 2, by Representative(s) Levy.
2
3 Amend Appropriations Committee Report, dated May 1, 2012, page 1,
4 strike line 1 and substitute:
5
6 "Amend printed bill, page 2, line 7, strike "1," and substitute "31,".
7 Page 2 of the bill, line 7, strike "**understanding - conforming**".
8
9 Page 1 of the committee report, after line 2 insert:
10
11 "Page 3 of the bill, line 19, strike "1," and substitute "31,".
12 Page 3 of the bill, line 27, strike "1," and substitute "31,".
13 Page 4 of the bill, line 5, strike "1," and substitute "31,".
14
15 Page 1 of the committee report, line 6, strike "January 31, 2013," and
16 substitute "December 1, 2012,".
17
18 Page 2 of the committee report, after line 6 insert:
19
20 "Page 11 of the bill, line 25, strike "1," and substitute "31,".
21 Page 11 of the bill, line 27, strike "1," and substitute "31,".
22 Page 12 of the bill, line 7, strike "1," and substitute "31,".
23
24 Page 3 of the committee report, after line 2 insert:
25
26 "Page 12 of the bill, line 17, strike "1," and substitute "31,".
27 Page 12 of the bill, line 20, strike "1," and substitute "31,".
28 Page 12 of the bill, line 22, strike "1," and substitute "31,".
29 Page 13 of the bill, line 4, strike "1," and substitute "31,".
30 Page 13 of the bill, line 16, strike "1," and substitute "31,".
31 Page 13 of the bill, line 26, strike "1," and substitute "31,".
32 Page 14 of the bill, line 23, strike "1," and substitute "31,".
33
34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.
36
37 **HB12-1357** by Representative(s) Brown, Sonnenberg, Vigil; also
38 Senator(s) Renfroe, Bacon, Schwartz--Concerning the use
39 of unspent moneys after completion of capital construction
40 projects at state-supported institutions of higher education
41 authorized by a 2008 federal mineral lease revenues lease-
42 purchase agreement.
43
44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.
46
47 **HB12-1358** by Representative(s) Massey and McCann; also Senator(s)
48 Aguilar--Concerning funding issues related to medical
49 marijuana.
50
51 Amendment No. 1, Appropriations Report, dated May 3, 2012, and
52 placed in member's bill file; Report also printed in House Journal, May 3,
53 pages 1251-1252.
54
55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB12-1361** by Representative(s) Gardner B. and Gerou; also
 2 Senator(s) Cadman and Nicholson--Concerning claims
 3 against the state arising under the "Colorado
 4 Governmental Immunity Act".

5
 6 Amendment No. 1, by Representative(s) Levy and Gardner B.

7
 8 Amend printed bill, page 3, line 22, strike "OR A PRESCRIBED FIRE".
 9 Page 3, line 23, strike "STARTED OR MAINTAINED BY THE STATE".

10
 11 Page 4, line 2, strike "FACILITY OR IN STARTING OR MAINTAINING SUCH
 12 FIRE." and substitute "FACILITY.".

13
 14 Page 4, line 20, strike "COURTS," and substitute "JUDICIAL DEPARTMENT,".
 15 Page 5, line 8, strike "DANGEROUS".

16
 17 Page 5, line 9, strike "CONDITION CAUSED BY A".

18
 19 Page 5, after line 20, insert:

20
 21 "(4) NO RULE OF LAW IMPOSING ABSOLUTE OR STRICT LIABILITY
 22 SHALL BE APPLIED IN ANY ACTION AGAINST THE STATE FOR AN INJURY
 23 RESULTING FROM A PRESCRIBED FIRE STARTED OR MAINTAINED BY THE
 24 STATE OR ANY OF ITS EMPLOYEES. NO LIABILITY SHALL BE IMPOSED IN ANY
 25 SUCH ACTION UNLESS NEGLIGENCE IS PROVEN.".

26
 27 Page 6, line 17, strike "ANY SUCH" and substitute "AN".

28
 29 Page 6, line 25, strike "SUBROGATION" and insert "SUBROGATION,
 30 ASSIGNMENT, OR ANY OTHER RIGHT".

31
 32 Page 6, line 26, after "CLAIMANT" insert "OR THE STATE".

33
 34 As amended, ordered engrossed and placed on the Calendar for Third
 35 Reading and Final Passage.

36

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38

39

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

40

41 Passed Second Reading: **HB12-1355 amended, 1357, 1358 amended,**
 42 **1361 amended.**

43

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

48

49

	YES	64	NO	0	EXCUSED	1	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	E	Gerou	Y	McCann	Y	Soper	Y
53	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	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

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB12-1361.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1022.

The Senate has postponed indefinitely HB12-1161, HB12-1136,
 HB12-1333 and HJR12-1019. The bills are returned herewith.

The Senate has passed on Third Reading and returns herewith
 HB12-1272.

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

HB12-1238 amended as printed in Senate Journal, May 3, 2012,
 pages 1054-1056.

HB12-1237 amended as printed in Senate Journal, May 3, 2012,
 page 1056.

The Senate has postponed indefinitely HB12-1319. The bill is returned
 herewith.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
 Without comment, as amended, HB12-1237 and 1238.

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INTRODUCTION OF RESOLUTION

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

HJR12-1024 by Representative(s) McNulty, Ferrandino; also Senator(s) Shaffer B., Cadman--Concerning divestment from Iran for its continued pursuit of nuclear weapons.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until May 7, retaining place on Calendar:

- Consideration of Third Reading--**SB12-160, 026, 078, HB12-1349.**
- Consideration of General Orders--**SB12-118, HB12-1109, 1347, 1278, 1354, SB12-044, 051, 068, HB12-1359, SB12-166, 159, 175.**
- Consideration of Conference Committee Report(s)--**HB12-1002, SB12-020.**
- Consideration of Resolution(s)--**HJR12-1020, SJR12-041, HJR12-1023, SJR12-025, 043, 044.**
- Consideration of Memorial(s)--**SJM12-003.**
- Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1270, 1275, 1059, 1081, 1304, 1324, 1124, 1041, 1068, 1226, 1274, 1294, 1303, 1036, 1043, 1086.**

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

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk