

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

Fifteenth Legislative Day

Wednesday, January 25, 2012

1 The Speaker *Pro Tempore* called the House to order at 9:00 a.m.
2
3 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
4 Church, Denver.
5
6 Pledge of Allegiance led by Jodie Huapaya, Aruppe Jesuit High School.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Pace--1.
12 Vacancy--1.

13
14 The Speaker declared a quorum present.
15
16

17 On motion of Representative A. Williams, the reading of the journal of
18 January 24, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

22
23
24
25 The following bill(s) was(were) considered on Third Reading. The
26 title(s) was(were) publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.

28
29 **HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--
30 Concerning the procedure for the review of a proposal to
31 regulate an unregulated profession or occupation.
32

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

37
38

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
39	Acree	Y	Fischer	Y	Liston	Y	Solano	Y		
40	Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y		
41	Barker	Y		V	Massey	Y	Soper	Y		
42	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
43	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		

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

13 Co-sponsor(s) added: Representative(s) Beezley, Labuda, Looper, Priola,
 14 Ramirez, Scott, Sonnenberg, Wilson.

15
 16 **HB12-1033** by Representative(s) Swalm; also Senator(s) Newell--
 17 Concerning conditions on the authority of the director of
 18 the division of workers' compensation to impose
 19 administrative fines as a result of compliance audits
 20 finding instances of late reporting of injuries under the
 21 "Workers' Compensation Act of Colorado".
 22

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

27	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
29	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
30	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
31	Barker		Y		V	Massey	Y	Soper	Y	
32	Baumgardner	Y		Gerou	Y	McCann	Y	Stephens	Y	
33	Becker	Y		Hamner	Y	McKinley	Y	Summers	Y	
34	Beezley	Y		Holbert	Y	Miklosi	Y	Swalm	Y	
35	Bradford	Y		Hullinghorst	Y	Murray	Y	Swerdfeger	Y	
36	Brown	Y		Jones	Y	Nikkel	Y	Szabo	Y	
37	Casso	Y		Joshi	Y	Pabon	Y	Todd	Y	
38	Conti	Y		Kagan	Y	Pace	E	Tyler	Y	
39	Coram	Y		Kefalas	Y	Peniston	Y	Vaad	Y	
40	Court	Y		Kerr A.	Y	Priola	Y	Vigil	Y	
41	DelGrosso	Y		Kerr J.	Y	Ramirez	Y	Waller	Y	
42	Duran	Y		Labuda	Y	Ryden	Y	Williams A.	Y	
43	Ferrandino	Y		Lee	Y	Schafer S.	Y	Wilson	Y	
44	Fields	Y		Levy	Y	Scott	Y	Young	Y	
45								Speaker	Y	

46 Co-sponsor(s) added: Representative(s) Beezley, Brown, DelGrosso, Fields,
 47 Hamner, Holbert, Labuda, Liston, Pabon, Todd, Vigil, Wilson.

48
 49
 50 **HB12-1050** by Representative(s) Wilson; also Senator(s) Nicholson--
 51 Concerning the voluntary contribution designation
 52 benefiting the nongame and endangered wildlife fund that
 53 appears on the state individual income tax return forms,
 54 and, in connection therewith, extending the period for the
 55 contribution designation.
 56

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

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
7	Acree	Y	Fischer	Y	Liston	Y	Solano	Y		
8	Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y		
9	Barker	Y		V	Massey	Y	Soper	Y		
10	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
11	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
12	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
13	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
14	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
15	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
16	Conti	Y	Kagan	Y	Pace	E	Tyler	Y		
17	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
18	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
19	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
20	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
21	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
22	Fields	Y	Levy	Y	Scott	Y	Young	Y		
23							Speaker	Y		

24 Co-sponsor(s) added: Representative(s) Fields, Fischer, Hamner, Jones,
 25 Kefalas, Kerr A., Labuda, Lee, Levy, Pabon, Ryden, Schafer S., Solano, Tyler,
 26 Vigil, Young.

27
 28 **HB12-1078** by Representative(s) Vigil, Baumgardner, Sonnenberg,
 29 Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy,
 30 Giron, Hodge, Roberts--Concerning the exemption of
 31 drinking water treatment facilities from the requirement to
 32 obtain a certificate of designation.

33
 34 The question being "Shall the bill pass?".
 35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the bill
 37 was declared **passed**.

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
40	Acree	Y	Fischer	Y	Liston	Y	Solano	Y		
41	Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y		
42	Barker	Y		V	Massey	Y	Soper	Y		
43	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
44	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
45	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
46	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
47	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
48	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
49	Conti	Y	Kagan	Y	Pace	E	Tyler	Y		
50	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
51	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
52	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
53	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
54	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
55	Fields	Y	Levy	Y	Scott	Y	Young	Y		
56							Speaker	Y		

1 Co-sponsor(s) added: Representative(s) Barker, Becker, Brown, DelGrosso,
 2 Duran, Fields, Fischer, Hamner, Hulinghorst, Kagan, Labuda, Nikkel, Pabon,
 3 Schafer S., Scott, Summers, Todd.

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 6
 7 **CONSIDERATION OF RESOLUTION(S)**

8
 9 **HJR12-1004** by Representative(s) Massey and Kerr A., Todd, Summers,
 10 Kerr J., Beezley, Hamner, Holbert, Joshi, Murray,
 11 Peniston, Ramirez, Ryden, Schafer S., Solano; also
 12 Senator(s) Roberts and Johnston--Concerning teen suicide
 13 prevention in Colorado.

14
 15 (Printed and placed in members' file)

16
 17 On motion of Representative Massey, the resolution was **adopted** by the
 18 following roll call vote:

19
 20

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
21	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
22	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
23	Barker		Y		V	Massey	Y	Soper	Y	
24	Baumgardner	Y		Gerou	Y	McCann	Y	Stephens	Y	
25	Becker	Y		Hamner	Y	McKinley	Y	Summers	Y	
26	Beezley	Y		Holbert	Y	Miklosi	Y	Swalm	Y	
27	Bradford	Y		Hulinghorst	Y	Murray	Y	Swerdfeger	Y	
28	Brown	Y		Jones	Y	Nikkel	Y	Szabo	Y	
29	Casso	Y		Joshi	Y	Pabon	Y	Todd	Y	
30	Conti	Y		Kagan	Y	Pace	E	Tyler	Y	
31	Coram	Y		Kefalas	Y	Peniston	Y	Vaad	Y	
32	Court	Y		Kerr A.	Y	Priola	Y	Vigil	Y	
33	DelGrosso	Y		Kerr J.	Y	Ramirez	Y	Waller	Y	
34	Duran	Y		Labuda	Y	Ryden	Y	Williams A.	Y	
35	Ferrandino	Y		Lee	Y	Schafer S.	Y	Wilson	Y	
36	Fields	Y		Levy	Y	Scott	Y	Young	Y	
37								Speaker	Y	

38 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
 39 Barker, Baumgardner, Becker, Bradford, Brown, Casso, Conti, Coram, Court,
 40 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
 41 Hulinghorst, Jones, Kagan, Kefalas, Labuda, Lee, Levy, Liston, Looper,
 42 McCann, McKinley, Miklosi, Nikkel, Pabon, Priola, Scott, Sonnenberg, Soper,
 43 Stephens, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller, Williams A.,
 44 Wilson, Young, Speaker.

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

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 51 The Senate has adopted and transmits herewith: SJR12- 008.

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1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2

3 On motion of Representative Waller, the rules were suspended and the
4 following resolution was given immediate consideration.

5

6 **SJR12-008** by Senator(s) Shaffer B. and Cadman; also
7 Representative(s) Summers and Kagan, Ferrandino--
8 Concerning the State of Colorado's support for locating a
9 patent office in the Denver metro area.

10

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

12

13 On motion of Representative Summers, the resolution was **adopted** by
14 the following roll call vote:

15

16 **YES 63 NO 0 EXCUSED 1 ABSENT 0 VACANCY 1**

17	Acree	Y	Fischer	Y	Liston	Y	Solano	Y
18	Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y
19	Barker	Y		V	Massey	Y	Soper	Y
20	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y
21	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y
22	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y
23	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y
24	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y
25	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y
26	Conti	Y	Kagan	Y	Pace	E	Tyler	Y
27	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y
28	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y
29	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y
30	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y
31	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y
32	Fields	Y	Levy	Y	Scott	Y	Young	Y
33							Speaker	Y

34 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
35 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
36 Court, DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
37 Hullinghorst, Jones, Joshi, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
38 Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon,
39 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper,
40 Stephens, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller,
41 Williams A., Wilson, Young, Speaker.

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House in recess. House reconvened.

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

2
3 **ECONOMIC & BUSINESS DEVELOPMENT**

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

6
7 **HB12-1008** be amended as follows, and as so amended, be referred to
8 the Committee on Appropriations with favorable
9 recommendation:

10
11 Amend printed bill, page 3, line 10, after "ASSOCIATIONS," insert "LABOR
12 ORGANIZATIONS, ENVIRONMENTAL ADVOCACY GROUPS, CONSUMER
13 ADVOCATES,".

14
15
16
17 **HB12-1055** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20
21 Amend printed bill, page 8, strike lines 4 through 7.

22
23 Renumber succeeding subsections accordingly.

24
25 Page 8, line 21, strike "(17)," and substitute "(16),".

26
27 Page 8, line 27, strike "(17)" and substitute "(16)".

28
29 Page 11, strike lines 23 through 25 and substitute:

30
31 **"SECTION 3. Act subject to petition - effective date.** This act
32 takes effect at 12:01 a.m. on the day following the expiration of the
33 ninety-day period after final adjournment of the general assembly (August
34 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
35 referendum petition is filed pursuant to section 1 (3) of article V of the
36 state constitution against this act or an item, section, or part of this act
37 within such period, then the act, item, section, or part will not take effect
38 unless approved by the people at the general election to be held in
39 November 2012 and, in such case, will take effect on the date of the
40 official declaration of the vote thereon by the governor."

41
42
43
44
45 **HEALTH & ENVIRONMENT**

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

48
49 **HB12-1052** be referred favorably to the Committee on Economic &
50 Business Development.

51
52
53 **HB12-1054** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

56

1 Amend printed bill, page 2, line 4, strike "**exemption from certain**" and
2 substitute "**compliance with**".

3
4 Page 2, strike line 11 and substitute "STATE DEPARTMENT-APPROVED
5 PROVIDER APPLICATION SHALL SERVE TO FULFILL THE REQUIREMENTS OF
6 A COMMITMENT VOUCHER AND THE".

7
8 Page 2, line 14, after "A" insert "PROVIDER WHO PROVIDES SERVICES
9 THROUGH A".

10
11 Page 3, line 18, after "SERVICES" insert "TO RECIPIENTS".

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15 **PRINTING REPORT**

16
17 The Chief Clerk reports the following bill has been correctly printed:
18 **HB12-1177**.

19
20
21
22 **MESSAGE(S) FROM THE SENATE**

23
24 The Senate has passed on Third Reading and transmits to the Revisor of
25 Statutes: **SB12-014**.

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29 **MESSAGE(S) FROM THE REVISOR**

30
31 We herewith transmit:
32 Without comment, SB12-014.

33
34
35
36 **INTRODUCTION OF BILLS**
37 **First Reading**

38
39 The following bills were read by title and referred to the committees
40 indicated:

41
42 **HB12-1178** by Representative(s) Vigil; also Senator(s) Schwartz--
43 Concerning the deadline for filing notice for
44 reimbursement of tax payments for lost gasoline or special
45 fuel.

46 Committee on Finance

47
48 **SB12-014** by Senator(s) Bacon and Roberts, Morse; also
49 Representative(s) Levy and Gardner B.--Concerning the
50 conformity of the schedule for disclosure of campaign
51 finance information with the date of the primary election.

52 Committee on Judiciary

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1 On motion of Representative Nikkel, the House adjourned until 9:00 a.m.,
2 January 26, 2012.

3

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5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
FRANK McNULTY,
Speaker