

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

Eighty-sixth Legislative Day

Thursday, April 5, 2012

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

2

3 Prayer by Representative Kevin Priola.

4

5 Pledge of Allegiance led by Sidney Stadelmann, Park Hill Elementary,
6 Denver and Isabelle Stadelmann.

7

8 The roll was called with the following result:

9

10 Present--49.

11 Excused--Representative(s) Becker, DelGrosso, Ferrandino,
12 Gardner, Gerou, Hullinghorst, A. Kerr, Levy, Looper, Nikkel,
13 Pabon, Singer, Solano, Sonnenberg, Vaad--15.

14 Absent--Representative(s) Casso--1.

15 Present after roll call--Representative(s) Becker, Casso,
16 DelGrosso, Ferrandino, Gardner, Gerou, Hullinghorst, A. Kerr,
17 Levy, Looper, Nikkel, Pabon, Singer, Solano, Sonnenberg,
18 Vaad.

19

20 The Speaker declared a quorum present.

21

22

23 On motion of Representative Kagan, the reading of the journal of
24 April 4, 2012, was declared dispensed with and approved as corrected by
25 the Chief Clerk.

26

27

28

29

30 On motion of Representative Massey, the House resolved itself into
31 Committee of the Whole for consideration of General Orders, and he was
32 called to the Chair to act as Chairman.

33

34

GENERAL ORDERS--SECOND READING OF BILLS

35

36

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

41

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

1 On motion of Representative Waller, the following bills on the General
2 Orders Calendar was laid over until April 9, retaining place on Calendar:
3 **HB12-1048, 1317, SB12-087, HB12-1294, 1281, SB12-118.**

4
5 **SB12-128** by Senator(s) Roberts; also Representative(s) Summers--
6 Concerning achieving efficiencies in the medicaid long-
7 term care program through greater utilization of
8 alternative care facilities.
9

10 Amendment No. 1, Health & Environment Report, dated
11 March 22, 2012, and placed in member's bill file; Report also printed in
12 House Journal, March 23, page 791.

13
14 Amendment No. 2, by Representative(s) Summers.

15
16 Amend the Health and Environment Committee Report, dated March 22,
17 2012, page 1, strike line 2 and substitute:

18
19 "(IV) STUDIES HAVE BEEN CONDUCTED".
20

21 Page 1, line 16, after "BUDGET-NEUTRAL" insert "OR SHALL PRODUCE
22 COST SAVINGS".
23

24 As amended, ordered revised and placed on the Calendar for Third
25 Reading and Final Passage.
26

27 **HB12-1328** by Representative(s) Priola, Ferrandino, DelGrosso,
28 Murray, Sonnenberg; also Senator(s) Giron--Concerning
29 exclusion from the "Uniform Consumer Credit Code" of
30 certain charges by persons regularly engaged in making
31 contracts for purchase of tangible personal property in the
32 course of business if those charges do not exceed amounts
33 permitted by law.
34

35 Amendment No. 1, Economic & Business Development Report, dated
36 March 29, 2012, and placed in member's bill file; Report also printed in
37 House Journal, March 30, page 867.
38

39 Amendment No. 2, by Representative(s) Priola.
40

41 Amend the Economic and Business Development Committee Report,
42 dated March 29, 2012, page 1, strike line 1.

43
44 Page 1 of the report, before line 2 insert:

45
46 "Amend printed bill, page 2, strike line 7 and substitute "C.R.S.:".
47

48 Page 2 of the bill, after line 7 insert:

49
50 "(I) The rates and charges, and the disclosure of rates and
51 charges, of".
52

53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.
55

1 **SB12-134** by Senator(s) Aguilar, Boyd, Carroll, Foster, Nicholson;
2 also Representative(s) Acree--Concerning financial
3 assistance in Colorado hospitals.
4

5 Ordered revised and placed on the Calendar for Third Reading and Final
6 Passage.
7

8
9 **HB12-1293** by Representative(s) Todd, Court, Ferrandino, Liston,
10 Murray--Concerning modifications to procedures that
11 govern recall elections.
12

13 Ordered engrossed and placed on the Calendar for Third Reading and
14 Final Passage.
15

16
17 **SB12-013** by Senator(s) Schwartz; also Representative(s) Jones--
18 Concerning low-speed electric vehicles.
19

20 Ordered revised and placed on the Calendar for Third Reading and Final
21 Passage.
22

23
24 **SB12-124** by Senator(s) Harvey, Scheffel, Foster, Jahn, Lambert,
25 Newell, Schwartz; also Representative(s) Nikkel, Brown,
26 Conti, Coram, DelGrosso, Gardner B., Holbert, Liston,
27 Murray, Szabo--Concerning the elimination of the limit on
28 the number of regional tourism projects that the Colorado
29 economic development commission may approve.
30

31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.
33

34
35 **SB12-036** by Senator(s) Mitchell; also Representative(s) Holbert--
36 Concerning parental consent for the collection of
37 information from students in schools.
38

39 Amendment No. 1, Education Report, dated March 26, 2012, and placed
40 in member's bill file; Report also printed in House Journal, March 28,
41 page 839.
42

43 Amendment No. 2, by Representative(s) Hamner.
44

45 Amend the Education Committee report, dated March 26, 2012, page 1,
46 line 2, strike ""(5) (c), and (9);" and substitute ""(5) (c);".
47

48 Page 1 of the committee report, line 13, strike "ASSESSMENT." and
49 substitute "ASSESSMENT.". "
50

51 Page 1 of the committee report, strike lines 14 through 20.
52

53 Strike page 2 of the committee report.
54
55

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

2

3 Amend the Education Committee report, dated March 26, 2012, page 1,
4 strike lines 3 and 4.

5

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

8

9

10

11

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

12

13 Passed Second Reading: **SB12-128 amended, HB12-1328 amended,**
14 **SB12-134, HB12-1293, SB12-013, 124, 036 amended.**

15

16 Laid over until date indicated retaining place on Calendar: **HB12-1048,**
17 **1317, SB12-087, HB12-1294, 1281, SB12-118.**

18

19 The Chairman moved the adoption of the Committee of the Whole
20 Report. As shown by the following roll call vote, a majority of those
21 elected to the House voted in the affirmative, and the Report was
22 **adopted.**

23

24

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

42

43

44

45

REPORT(S) OF COMMITTEE(S) OF REFERENCE

46

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

50

51 **HB12-1280** be amended as follows, and as so amended, be referred to
52 the Committee on Appropriations with favorable
53 recommendation:

54

55 Amend printed bill, strike everything below the enacting clause and
56 substitute:

1 **SECTION 1.** In Colorado Revised Statutes, 24-35-201, **add**
2 (1.3), (4.5), (5.5), (6.5), (7.5), and (9) as follows:
3

4 **24-35-201. Definitions.** As used in this part 2, unless the context
5 otherwise requires:
6

7 (1.3) "CASH VALUE" MEANS THE VALUE OF ALL CURRENCY PLUS
8 THE VALUE OF ALL PRINTED PAY VOUCHERS REDEEMABLE FOR CURRENCY.
9

10 (4.5) "LICENSED TRACK" MEANS A CLASS B TRACK, AS DEFINED IN
11 SECTION 12-60-102 (4) (a) (I), C.R.S., AT WHICH A RACE MEET OF HORSES,
12 CONSISTING OF THIRTY OR MORE RACE DAYS, WAS CONDUCTED DURING
13 THE PREVIOUS CALENDAR YEAR AND IS SCHEDULED TO CONDUCT A RACE
14 MEET OF HORSES, CONSISTING OF THIRTY OR MORE RACE DAYS, IN THE
15 CURRENT CALENDAR YEAR.
16

17 (5.5) "LOTTERY RETAILER" MEANS A LOTTERY SALES AGENT
18 LICENSED PURSUANT TO SECTIONS 24-35-206 AND 24-35-208.5.
19

20 (6.5) "NET MACHINE INCOME" MEANS THE CASH VALUE PLACED
21 INTO A VIDEO LOTTERY TERMINAL MINUS THE VALUE OF ALL FREE GAMES
22 AWARDED AND ALL PAY VOUCHERS ISSUED BY SUCH TERMINAL.
23

24 (7.5) "PARI-MUTUEL LICENSEE" MEANS A LICENSEE, AS DEFINED IN
25 SECTION 12-60-102 (17), C.R.S., THAT OWNS OR CONTROLS A LICENSED
26 TRACK AND THAT IS IN COMPLIANCE WITH ALL STATUTES AND RULES
27 REGARDING THE CONDUCT OF A RACE MEET OF HORSES AT, AND THE
28 OPERATION OF, THE LICENSED TRACK.
29

30 (9) (a) "VIDEO LOTTERY TERMINAL" MEANS AN ELECTRONIC
31 COMPUTERIZED GAME MACHINE THAT:
32

33 (I) IS OPERATED, MONITORED, CONTROLLED, AND AUDITED BY THE
34 DIVISION THROUGH A CENTRAL TECHNOLOGY SYSTEM;
35

36 (II) UPON INSERTION OF CASH VALUE, IS AVAILABLE TO PLAY A
37 VIDEO GAME OF CHANCE AUTHORIZED BY THE DIVISION; AND
38

39 (III) USES MICROPROCESSORS TO AWARD TO A PLAYER, ON THE
40 BASIS OF CHANCE, FREE GAMES OR CREDITS EVIDENCED BY A PRINTED PAY
41 VOUCHER REDEEMABLE FOR CURRENCY.
42

43 (b) "VIDEO LOTTERY TERMINAL" DOES NOT INCLUDE:
44

45 (I) A MACHINE OR DEVICE THAT DIRECTLY DISBURSES COINS, CASH,
46 TOKENS, OR ANY ITEM OF VALUE OTHER THAN A PRINTED PAY VOUCHER;
47 OR
48

49 (II) A MACHINE OR DEVICE DEFINED AS A SLOT MACHINE IN
50 SECTION 9 (4) (c) OF ARTICLE XVIII OF THE STATE CONSTITUTION.
51

52 **SECTION 2.** In Colorado Revised Statutes, **add** 24-35-208.5 as
53 follows:
54

55 **24-35-208.5. Commission - video lottery terminals -**
56 **authorization - requirements - rules.** (1) (a) THE GENERAL ASSEMBLY

1 HEREBY FINDS AND DECLARES THAT:

2

3 (I) AT VARIOUS TIMES DURING THE PAST SIXTY YEARS, THE
4 REGISTERED ELECTORS OF THE STATE OF COLORADO HAVE AUTHORIZED
5 THE CONDUCT OF DIFFERENT FORMS OF GAMBLING ACTIVITIES WITHIN THE
6 STATE;

7

8 (II) AT THE 1948 GENERAL ELECTION, A BILL REFERRED TO VOTERS
9 STATEWIDE BY THE GENERAL ASSEMBLY WAS APPROVED TO ALLOW
10 PARI-MUTUEL WAGERING ON THE RACING OF HORSES AND OTHER ANIMALS;

11

12 (III) IN 1958, VOTERS STATEWIDE APPROVED AN INITIATED
13 MEASURE AMENDING THE COLORADO CONSTITUTION ALLOWING LICENSED
14 NONPROFIT ORGANIZATIONS TO CONDUCT CERTAIN GAMES OF CHANCE
15 SUCH AS BINGO AND RAFFLES;

16

17 (IV) ANOTHER AMENDMENT TO THE COLORADO CONSTITUTION,
18 REFERRED TO VOTERS AT THE 1980 GENERAL ELECTION, WAS APPROVED
19 ALLOWING THE GENERAL ASSEMBLY TO ESTABLISH A STATE-SUPERVISED
20 LOTTERY;

21

22 (V) AN INITIATED AMENDMENT TO THE COLORADO CONSTITUTION
23 WAS APPROVED BY VOTERS AT THE 1990 GENERAL ELECTION TO ALLOW
24 LIMITED STAKES GAMING TO BE CONDUCTED WITHIN THE CITIES OF
25 CENTRAL CITY, BLACKHAWK, AND CRIPPLE CREEK; AND

26

27 (VI) IN 2008, THE COLORADO CONSTITUTION WAS FURTHER
28 AMENDED BY AN INITIATED MEASURE TO ALLOW THE VOTERS WITHIN
29 THESE THREE LIMITED GAMING CITIES TO EXPAND THE OPERATION OF
30 LIMITED GAMING WITHIN THEIR BOUNDARIES IN TERMS OF EXPANDED
31 HOURS, ADDITIONAL GAMES, AND INCREASED BETTING LIMITS.

32

33 (b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

34

35 (I) THE EXPANSION AND GROWTH OF GAMBLING IN COLORADO
36 OVER THE PAST TWENTY-TWO YEARS THROUGH THE ESTABLISHMENT AND
37 EXPANSION OF THE STATE LOTTERY, WHICH NOW INCLUDES SCRATCH AND
38 WIN, LOTTO, MULTI-STATE POWERBALL, AND MULTI-STATE MEGA MILLIONS
39 GAMES, AND THE ESTABLISHMENT AND EXPANSION OF LIMITED GAMING IN
40 THE THREE MOUNTAIN CITIES, WHICH NOW INCLUDES SLOT MACHINES AS
41 WELL AS THE GAMES OF BLACKJACK, POKER, ROULETTE, AND CRAPS WITH
42 MAXIMUM SINGLE BETS OF ONE HUNDRED DOLLARS, HAS HAD A
43 SIGNIFICANT AND DETRIMENTAL ECONOMIC IMPACT ON PARI-MUTUEL
44 LICENSEES AND THEIR HORSE RACING OPERATIONS IN COLORADO;

45

46 (II) AS A RESULT OF THE INTENSE COMPETITION BETWEEN THE
47 DIFFERENT GAMBLING OPPORTUNITIES AVAILABLE WITHIN THE STATE,
48 PARI-MUTUEL LICENSEES ARE CURRENTLY STRUGGLING TO MAINTAIN
49 ECONOMICALLY VIABLE HORSE RACING OPERATIONS IN COLORADO, AND
50 THE DEMISE OF PARIMUTUEL HORSE RACING IN THIS STATE WOULD HAVE
51 A SERIOUS NEGATIVE IMPACT ON THE ECONOMIC WELL-BEING OF THE
52 STATE AND MANY OF ITS RESIDENTS;

53

54 (III) THERE IS A RATIONAL AND LEGITIMATE BASIS FOR REQUIRING
55 LOTTERY RETAILERS AUTHORIZED TO INSTALL AND OPERATE VIDEO
56 LOTTERY TERMINALS IN ACCORDANCE WITH THIS SECTION TO BE

1 PARI-MUTUEL LICENSEES AS DOING SO PROVIDES AN IMPORTANT
2 ECONOMIC OPPORTUNITY TO THESE LICENSEES TO PARTICIPATE IN THE
3 CONTINUED GROWTH AND STABILITY OF THE STATE-SUPERVISED LOTTERY
4 AND TO IMPROVE THE PROFITABILITY AND LIKELIHOOD OF CONTINUED
5 SUCCESS OF THEIR BUSINESS OPERATIONS, INCLUDING THEIR OPERATIONS
6 AS PARI-MUTUEL LICENSEES; AND

7
8 (IV) IMPROVING THE FINANCIAL VIABILITY OF PARI-MUTUEL
9 LICENSEES IN COLORADO WILL ALSO PROVIDE POSITIVE FINANCIAL
10 IMPACTS TO OTHER SEGMENTS OF COLORADO'S ECONOMY, ESPECIALLY
11 THE AGRICULTURAL AND HOSPITALITY SEGMENTS.

12
13 (1.5) THE COMMISSION MAY AUTHORIZE AT ANY TIME THE
14 INSTALLATION AND OPERATION OF VIDEO LOTTERY TERMINALS BY NO
15 MORE THAN TWO LOTTERY RETAILERS WHO MEET ALL QUALIFICATIONS SET
16 FORTH IN THIS SECTION AND SECTION 24-35-206. SUCH AUTHORIZATION
17 SHALL BE EVIDENCED BY AN ADDITIONAL LICENSE ISSUED BY THE
18 COMMISSION.

19
20 (2) (a) A LOTTERY RETAILER SHALL NOT INSTALL OR OPERATE A
21 VIDEO LOTTERY TERMINAL UNLESS THE LOTTERY RETAILER IS A
22 PARI-MUTUEL LICENSEE AND THE VIDEO LOTTERY TERMINAL IS TO BE
23 LOCATED IN AN AGE-CONTROLLED AREA, AS DEFINED BY RULE OF THE
24 COMMISSION, ON PREMISES THAT ARE OWNED OR CONTROLLED BY THE
25 LOTTERY RETAILER.

26
27 (b) THE COMMISSION MAY AUTHORIZE THE INSTALLATION AND
28 OPERATION OF VIDEO LOTTERY TERMINALS AT A SITE THAT IS WITHIN THE
29 AREA OF THE STATE LOCATED WEST OF THE CONTINENTAL DIVIDE AND
30 THAT IS AT LEAST ONE HUNDRED MILES FROM THE CITIES OF CENTRAL,
31 BLACK HAWK, AND CRIPPLE CREEK AND FROM ANY FACILITY LOCATED ON
32 INDIAN TRIBAL LANDS AT WHICH LIMITED GAMING ACTIVITIES ARE
33 OPERATED.

34
35 (3) THE COMMISSION SHALL DETERMINE THE NUMBER OF VIDEO
36 LOTTERY TERMINALS THAT MAY BE PLACED ON THE PREMISES OF A
37 LOTTERY RETAILER; EXCEPT THAT THE COMMISSION SHALL NOT APPROVE
38 MORE THAN TWO THOUSAND FIVE HUNDRED VIDEO LOTTERY TERMINALS
39 ON THOSE PREMISES OF A LOTTERY RETAILER.

40
41 (4) VIDEO LOTTERY TERMINALS SHALL NOT BE INSTALLED OR
42 OPERATED ON PREMISES LOCATED IN ANY CITY, TOWN, CITY AND COUNTY,
43 OR UNINCORPORATED PORTION OF A COUNTY UNLESS FIRST APPROVED BY:

44
45 (a) AN AFFIRMATIVE VOTE OF A MAJORITY OF THE GOVERNING
46 BODY OF SUCH CITY, TOWN, CITY AND COUNTY, OR COUNTY IN WHICH
47 SUCH PREMISES ARE WHOLLY OR PARTIALLY LOCATED; OR

48
49 (b) AN AFFIRMATIVE VOTE OF A MAJORITY OF THE ELECTORS OF
50 SUCH CITY, TOWN, CITY AND COUNTY, OR COUNTY IN WHICH SUCH
51 PREMISES ARE WHOLLY OR PARTIALLY LOCATED UPON THE QUESTION
52 BEING SUBMITTED TO THE ELECTORS BY THE GOVERNING BODY OF SUCH
53 CITY, TOWN, CITY AND COUNTY, OR COUNTY AT A GENERAL, REGULAR, OR
54 SPECIAL ELECTION CONDUCTED PURSUANT TO APPLICABLE STATE OR
55 LOCAL GOVERNMENT ELECTION LAWS.

56

1 (5) (a) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION (5) AND
2 IN ADDITION TO ANY OTHER IMPACT FEES OR DEVELOPMENT CHARGES
3 THAT MAY BE IMPOSED BY LAW, THE GOVERNING BODY OF ANY CITY,
4 TOWN, CITY AND COUNTY, OR COUNTY IN WHICH PREMISES ARE WHOLLY
5 OR PARTIALLY LOCATED ON WHICH VIDEO LOTTERY TERMINALS ARE TO BE
6 INSTALLED OR OPERATED MAY IMPOSE VIDEO LOTTERY IMPACT FEES ON A
7 LOTTERY RETAILER TO DEFRAY THE COSTS OF THE ON- AND OFF-SITE
8 IMPACTS DIRECTLY RELATED TO THE OPERATION OF VIDEO LOTTERY
9 TERMINALS ON SUCH PREMISES.

10
11 (b) ANY VIDEO LOTTERY IMPACT FEES AUTHORIZED UNDER
12 PARAGRAPH (a) OF THIS SUBSECTION (5) SHALL BE:

13
14 (I) REASONABLY RELATED IN TIME TO THE INCURRENCE OF THE ON-
15 AND OFF-SITE IMPACTS DIRECTLY RELATED TO THE OPERATION OF VIDEO
16 LOTTERY TERMINALS ON SUCH PREMISES, OR THE COSTS THEREOF; AND

17
18 (II) NO GREATER THAN NECESSARY TO DEFRAY THE COSTS OF THE
19 ON- AND OFF-SITE IMPACTS DIRECTLY RELATED TO THE OPERATION OF
20 VIDEO LOTTERY TERMINALS ON SUCH PREMISES; EXCEPT THAT THE
21 AMOUNT OF VIDEO LOTTERY IMPACT FEES ANNUALLY IMPOSED BY A LOCAL
22 GOVERNMENT ON A LOTTERY RETAILER PURSUANT TO THIS SUBSECTION (5)
23 SHALL NOT EXCEED FIVE MILLION DOLLARS, ADJUSTED ANNUALLY FOR
24 INFLATION.

25
26 (c) FOR PURPOSES OF THIS SUBSECTION (5), "INFLATION" MEANS
27 THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
28 LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
29 DENVER-BOULDER-GREELEY, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS
30 SUCCESSOR INDEX.

31
32 (6) THE COMMISSION MAY PROMULGATE RULES AS NECESSARY TO
33 IMPLEMENT THIS SECTION AND TO MONITOR AND REGULATE THE
34 OPERATION OF VIDEO LOTTERY TERMINALS. THE COMMISSION MAY FINE,
35 ADMONISH, OR SUSPEND OR REVOKE THE LICENSE OF ANY LOTTERY
36 RETAILER THAT THE COMMISSION FINDS HAS ALLOWED AN UNDERAGE
37 PERSON TO ENTER THE AGE-CONTROLLED AREA, AS DEFINED BY RULE OF
38 THE COMMISSION, OF ANY PREMISES FOR THE PURPOSE OF USING A VIDEO
39 LOTTERY TERMINAL.

40
41 (7) THE DIRECTOR, EXECUTIVE DIRECTOR, AND THE COMMISSION
42 SHALL MANAGE AND REGULATE THE OPERATION OF VIDEO LOTTERY
43 TERMINALS IN ACCORDANCE WITH THIS SECTION AND THEIR POWERS AND
44 DUTIES AS SET FORTH IN SECTIONS 24-35-204, 24-35-204.5, 24-35-205,
45 AND 24-35-208, RESPECTIVELY.

46
47 (8) EACH VIDEO LOTTERY TERMINAL IS SUBJECT TO APPROVAL BY
48 THE COMMISSION IN ACCORDANCE WITH RULES PROMULGATED BY THE
49 COMMISSION.

50
51 (9) IN ADDITION TO ANY OTHER REQUIREMENTS SET FORTH IN THIS
52 SECTION, EACH VIDEO LOTTERY TERMINAL APPROVED UNDER THIS SECTION
53 SHALL:

54
55 (a) OFFER ONLY GAMES LICENSED AND AUTHORIZED BY THE
56 COMMISSION; AND

1 (b) NOT HAVE ANY MEANS OF MANIPULATION BY A PLAYER OR
2 OTHER UNAUTHORIZED PERSON THAT WOULD AFFECT THE PROBABILITY OF
3 WINNING A GAME.

4
5 (10) THE MANAGEMENT, OPERATION, AND CONTROL OVER VIDEO
6 LOTTERY TERMINALS SHALL BE IN ACCORDANCE WITH SECTION
7 24-35-204.5.

8
9 (11) COMPENSATION TO BE PAID TO LOTTERY RETAILERS SHALL BE
10 SEVENTY PERCENT OF NET MACHINE INCOME.

11
12 (12) OF THE PROCEEDS RECEIVED FROM THE OPERATION OF VIDEO
13 LOTTERY TERMINALS, THE DIVISION SHALL FIRST REMIT TO LOTTERY
14 RETAILERS THE COMPENSATION SET FORTH IN SUBSECTION (11) OF THIS
15 SECTION. THE DIVISION SHALL DISTRIBUTE THE BALANCE OF SUCH
16 PROCEEDS, NET OF PRIZES AND EXPENSES, IN ACCORDANCE WITH SECTION
17 3 (1) (b) OF ARTICLE XXVII OF THE STATE CONSTITUTION.

18
19 (13) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALTER,
20 LIMIT, IMPAIR, PREVENT, OR DIMINISH ANY LAND USE, BUILDING, OR
21 ZONING PLANS, CODES, RESOLUTIONS, OR REGULATIONS OF ANY CITY,
22 TOWN, CITY AND COUNTY, OR COUNTY WITHIN WHICH PREMISES ARE
23 WHOLLY OR PARTIALLY LOCATED ON WHICH VIDEO LOTTERY TERMINALS
24 ARE TO BE INSTALLED OR OPERATED PURSUANT TO THIS SECTION.

25
26 **SECTION 3.** In Colorado Revised Statutes, **add** 23-5-142 as
27 follows:

28
29 **23-5-142. Colorado college scholarship fund - creation.**

30 (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE COLORADO
31 COLLEGE SCHOLARSHIP FUND, REFERRED TO IN THIS SECTION AS THE
32 "FUND". THE FUND CONSISTS OF MONEYS CREDITED TO THE FUND
33 PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE MONEYS IN THE FUND
34 ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR
35 THE DIRECT AND INDIRECT COSTS OF IMPLEMENTING AND ADMINISTERING
36 A SCHOLARSHIP PROGRAM CREATED BY BILL ENACTED BY THE GENERAL
37 ASSEMBLY DURING THE FIRST REGULAR SESSION OF THE SIXTY-NINTH
38 GENERAL ASSEMBLY IN 2013 FOR THE PURPOSE OF INCREASING THE
39 ACCESS OF COLORADO RESIDENTS TO UNDERGRADUATE POSTSECONDARY
40 EDUCATION.

41
42 (2) ALL REVENUES THAT WOULD OTHERWISE BE ALLOCATED TO
43 THE GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE
44 XXVII OF THE STATE CONSTITUTION, EXCEPT FOR THE PORTION OF SUCH
45 REVENUES REQUIRED TO BE DISTRIBUTED PURSUANT TO SECTION
46 12-47.1-701.5 (3.5), C.R.S., AND REQUIRED TO BE TRANSFERRED TO THE
47 COLORADO TRAVEL AND TOURISM PROMOTION FUND PURSUANT TO
48 SECTION 24-49.7-106 (7), C.R.S., ARE CREDITED TO THE FUND.

49
50 (3) ANY MONEYS IN THE FUND NOT EXPENDED OR OTHERWISE
51 ENCUMBERED MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED
52 BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND
53 DEPOSIT OF MONEYS IN THE FUND ARE CREDITED TO THE FUND. ANY
54 UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT
55 THE END OF A FISCAL YEAR REMAIN IN THE FUND AND ARE NOT TO BE
56 CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

1 **SECTION 4.** In Colorado Revised Statutes, 12-47.1-701.5, add
2 (3.5) as follows:
3

4 **12-47.1-701.5. Revenues attributable to local revisions to**
5 **gaming limits - extended limited gaming fund - identification -**
6 **separate administration - distribution - definitions.** (3.5) (a) (I) IN THE
7 FISCAL YEAR THAT COMMENCES ON JULY 1 OF A GIVEN YEAR AFTER THE
8 END OF THE FIRST FISCAL YEAR DURING WHICH VIDEO LOTTERY TERMINALS
9 ARE OPERATED DURING ONLY A PORTION OF THAT FISCAL YEAR IN
10 ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., IF THE AGGREGATE
11 AMOUNT OF REVENUE IN THE EXTENDED LIMITED GAMING FUND TO BE
12 DISTRIBUTED IN THAT FISCAL YEAR IN ACCORDANCE WITH SUBPARAGRAPH
13 (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION TO COLLEGES
14 THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IS LESS THAN
15 TWENTY-NINE MILLION DOLLARS, THE STATE TREASURER SHALL
16 DISTRIBUTE MONEYS THAT WOULD OTHERWISE BE ALLOCATED TO THE
17 GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE XXVII
18 OF THE STATE CONSTITUTION IN THE SAME MANNER AS MONEYS IN THE
19 FUND ARE DISTRIBUTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF
20 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION SO THAT THE
21 AGGREGATE AMOUNT TO BE DISTRIBUTED IN THAT FISCAL YEAR TO
22 COLLEGES THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IN
23 ACCORDANCE WITH THIS SUBPARAGRAPH (I) AND SUBPARAGRAPH (I) OF
24 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION EQUALS
25 TWENTY-NINE MILLION DOLLARS.
26

27 (II) IN THE FISCAL YEAR THAT COMMENCES ON JULY 1 OF A GIVEN
28 YEAR AFTER THE END OF THE FIRST FISCAL YEAR DURING WHICH VIDEO
29 LOTTERY TERMINALS ARE OPERATED DURING THE ENTIRE FISCAL YEAR IN
30 ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., IF THE AGGREGATE
31 AMOUNT OF REVENUE IN THE EXTENDED LIMITED GAMING FUND TO BE
32 DISTRIBUTED IN THAT FISCAL YEAR IN ACCORDANCE WITH SUBPARAGRAPH
33 (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION TO COLLEGES
34 THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IS LESS THAN
35 TWENTY-NINE MILLION DOLLARS, ADJUSTED FOR INFLATION IN THE MOST
36 RECENTLY COMPLETED CALENDAR YEAR, THE STATE TREASURER SHALL
37 DISTRIBUTE MONEYS THAT WOULD OTHERWISE BE ALLOCATED TO THE
38 GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE XXVII
39 OF THE STATE CONSTITUTION IN THE SAME MANNER AS MONEYS IN THE
40 FUND ARE DISTRIBUTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF
41 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION SO THAT THE
42 AGGREGATE AMOUNT TO BE DISTRIBUTED IN THAT FISCAL YEAR TO
43 COLLEGES THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IN
44 ACCORDANCE WITH THIS SUBPARAGRAPH (II) AND SUBPARAGRAPH (I) OF
45 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION EQUALS
46 TWENTY-NINE MILLION DOLLARS, ADJUSTED FOR INFLATION IN THE MOST
47 RECENTLY COMPLETED CALENDAR YEAR.
48

49 (III) IN EACH FISCAL YEAR THAT COMMENCES ON JULY 1 OF A
50 GIVEN YEAR AFTER THE END OF THE SECOND FISCAL YEAR DURING WHICH
51 VIDEO LOTTERY TERMINALS ARE OPERATED DURING THE ENTIRE FISCAL
52 YEAR IN ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., IF THE
53 AGGREGATE AMOUNT OF REVENUE IN THE EXTENDED LIMITED GAMING
54 FUND TO BE DISTRIBUTED IN THAT FISCAL YEAR IN ACCORDANCE WITH
55 SUBPARAGRAPH (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION
56 TO COLLEGES THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IS

1 LESS THAN TWENTY-NINE MILLION DOLLARS, ADJUSTED ANNUALLY BY THE
2 GREATER OF INFLATION IN THE MOST RECENTLY COMPLETED CALENDAR
3 YEAR OR THE PERCENTAGE CHANGE IN THE BALANCE OF PROCEEDS
4 RECEIVED FROM THE OPERATION OF VIDEO LOTTERY TERMINALS, NET OF
5 PRIZES, EXPENSES, AND COMPENSATION PAID TO LOTTERY RETAILERS, AND
6 DISTRIBUTED IN ACCORDANCE WITH SECTION 3 (1) (b) OF ARTICLE XXVII
7 OF THE STATE CONSTITUTION IN THE PRIOR FISCAL YEAR, THE STATE
8 TREASURER SHALL DISTRIBUTE MONEYS THAT WOULD OTHERWISE BE
9 ALLOCATED TO THE GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III)
10 OF ARTICLE XXVII OF THE STATE CONSTITUTION IN THE SAME MANNER AS
11 MONEYS IN THE FUND ARE DISTRIBUTED IN ACCORDANCE WITH
12 SUBPARAGRAPH (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION
13 SO THAT THE AGGREGATE AMOUNT TO BE DISTRIBUTED IN THAT FISCAL
14 YEAR TO COLLEGES THAT WERE OPERATING ON AND AFTER JANUARY 1,
15 2008, IN ACCORDANCE WITH THIS SUBPARAGRAPH (III) AND
16 SUBPARAGRAPH (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION
17 EQUALS TWENTY-NINE MILLION DOLLARS, ADJUSTED ANNUALLY BY THE
18 GREATER OF INFLATION IN THE MOST RECENTLY COMPLETED CALENDAR
19 YEAR OR THE PERCENTAGE CHANGE IN THE BALANCE OF PROCEEDS
20 RECEIVED FROM THE OPERATION OF VIDEO LOTTERY TERMINALS, NET OF
21 PRIZES, EXPENSES, AND COMPENSATION PAID TO LOTTERY RETAILERS, AND
22 DISTRIBUTED IN ACCORDANCE WITH SECTION 3 (1) (b) OF SAID ARTICLE
23 XXVII IN THE PRIOR FISCAL YEAR.
24

25 (IV) FOR PURPOSES OF THIS PARAGRAPH (a), "INFLATION" MEANS
26 THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
27 LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
28 DENVER-BOULDER-GREELEY, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS
29 SUCCESSOR INDEX.
30

31 (b) (I) MONEYS THAT WOULD OTHERWISE BE ALLOCATED TO THE
32 GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE XXVII
33 OF THE STATE CONSTITUTION THAT ARE DISTRIBUTED PURSUANT TO
34 PARAGRAPH (a) OF THIS SUBSECTION (3.5), AND ANY INTEREST OR INCOME
35 EARNED ON A COLLEGE'S DEPOSIT OF SUCH MONEYS, SHALL SUPPLEMENT
36 AND SHALL NOT SUPPLANT ANY OTHER STATE MONEYS APPROPRIATED OR
37 OTHERWISE ALLOCATED FOR SIMILAR PROGRAMS OR PURPOSES. AS USED
38 IN THIS PARAGRAPH (b), "STATE MONEYS" MEANS GENERAL FUND
39 OPERATING FUNDING, INCLUDING COLLEGE OPPORTUNITY FUND STIPENDS
40 AND FEE-FOR-SERVICE FUNDS, ADJUSTED FOR INFLATION TO THE SAME
41 DEGREE AS THE INFLATION ADJUSTMENT RECEIVED BY OTHER
42 INSTITUTIONS OF HIGHER EDUCATION.
43

44 (II) ANY HIGHER EDUCATION FUNDING FORMULA THAT ALLOCATES
45 STATE-APPROPRIATED MONEYS SHALL NOT USE MONEYS DISTRIBUTED
46 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3.5) TO SUPPLANT
47 STATE MONEYS OTHERWISE ALLOCATED BY SUCH FORMULA.
48

49 **SECTION 5.** In Colorado Revised Statutes, 24-49.7-106, **add** (7)
50 as follows:
51

52 **24-49.7-106. Colorado travel and tourism promotion fund -**
53 **Colorado travel and tourism additional source fund - creation -**
54 **nature of funds.** (7) (a) ALL MONEYS THAT WOULD OTHERWISE BE
55 TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III)
56 OF ARTICLE XXVII OF THE STATE CONSTITUTION SHALL BE TRANSFERRED

1 TO THE COLORADO TRAVEL AND TOURISM PROMOTION FUND; EXCEPT
2 THAT:

3
4 (I) IN THE FISCAL YEAR THAT COMMENCES ON JULY 1 OF A GIVEN
5 YEAR AFTER THE END OF THE FIRST FISCAL YEAR DURING WHICH VIDEO
6 LOTTERY TERMINALS ARE OPERATED DURING ONLY A PORTION OF THAT
7 FISCAL YEAR IN ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., THE
8 AGGREGATE AMOUNT TRANSFERRED TO THE COLORADO TRAVEL AND
9 TOURISM PROMOTION FUND IN THAT FISCAL YEAR PURSUANT TO THIS
10 SUBSECTION (7) SHALL NOT EXCEED FOUR MILLION DOLLARS

11
12 (II) IN EACH FISCAL YEAR THAT COMMENCES ON JULY 1 OF A GIVEN
13 YEAR AFTER THE END OF THE FIRST FISCAL YEAR DURING WHICH VIDEO
14 LOTTERY TERMINALS WERE OPERATED DURING THE ENTIRE FISCAL YEAR
15 IN ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., THE AGGREGATE
16 AMOUNT TRANSFERRED TO THE ASSISTANCE FUND IN THAT FISCAL YEAR
17 PURSUANT TO THIS SUBSECTION (7) SHALL NOT EXCEED FOUR MILLION
18 DOLLARS, ADJUSTED FOR INFLATION IN THE MOST RECENTLY COMPLETED
19 CALENDAR YEAR.

20
21 (b) FOR PURPOSES OF THIS SUBSECTION (7), "INFLATION" MEANS
22 THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
23 LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
24 DENVER-BOULDER-GREELEY, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS
25 SUCCESSOR INDEX.

26
27 **SECTION 6.** In Colorado Revised Statutes, 22-43.7-104, **repeal**
28 (2) (b) (III) as follows:

29
30 **22-43.7-104. Public school capital construction assistance fund**
31 **- creation - crediting of moneys to fund - use of fund - emergency**
32 **reserve - creation.** (2) (b) For each fiscal year commencing on or after
33 July 1, 2008, the following moneys shall be credited to the assistance
34 fund:

35
36 ~~(III) All moneys that would otherwise be transferred to the general~~
37 ~~fund pursuant to section 3 (1) (b) (III) of article XXVII of the state~~
38 ~~constitution. The moneys credited to the assistance fund pursuant to this~~
39 ~~subparagraph (III) and any income and interest derived from the deposit~~
40 ~~and investment of such moneys shall be exempt from any restriction on~~
41 ~~spending, revenue, or appropriations, including, without limitation, the~~
42 ~~restrictions of section 20 of article X of the state constitution.~~

43
44 **SECTION 7. Safety clause.** The general assembly hereby finds,
45 determines, and declares that this act is necessary for the immediate
46 preservation of the public peace, health, and safety."

47
48 Page 1, line 104, strike "UNDER THE CONTROL OF THE".

49
50 Page 1, strike line 105 and substitute: "AT ONE SITE WITHIN THE AREA OF
51 THE STATE WEST OF THE CONTINENTAL DIVIDE."

52
53
54
55 **HB12-1334** be referred favorably to the Committee on Appropriations.

56

1 **APPROPRIATIONS**

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

4
5 **HB12-1037** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **HB12-1286** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12
13 Amend printed bill, page 13, strikes lines 2 and 3 and substitute:

14
15 "(II) MONEYS TRANSFERRED TO THE FUND, INCLUDING THREE
16 MILLION DOLLARS THAT SHALL BE TRANSFERRED ON JULY 1, 2012, FROM
17 THE GENERAL FUND TO THE COLORADO OFFICE OF FILM, TELEVISION, AND
18 MEDIA OPERATIONAL ACCOUNT CASH FUND; AND".

19
20 Page 15, strike lines 24 through 27.

21
22 Page 16, strike lines 1 through 4 and substitute:

23
24 "**SECTION 7. Appropriation.** In addition to any other
25 appropriation, there is hereby appropriated, out of any moneys in the
26 Colorado office of film, television, and media operational account cash
27 fund created in section 24-48.5-116 (5) (a), Colorado Revised Statutes,
28 not otherwise appropriated, to the governor - lieutenant governor - state
29 planning and budgeting, for the fiscal year beginning July 1, 2012, the
30 sum of \$3,000,000, or so much thereof as may be necessary, for allocation
31 to economic development programs for the Colorado office of film,
32 television, and media related to the implementation of this act.".

33
34
35
36 **HB12-1315** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend the Agriculture, Livestock, & Natural Resources Committee
41 Report, dated March 28, 2012, page 6, after line 25 insert:

42
43 "Page 16, strike lines 25 and 26 and substitute:

44
45 "(a) ANY MONEYS TRANSFERRED TO THE FUND, INCLUDING:

46
47 (I) (A) ON JULY 1, 2012, ONE MILLION FIVE HUNDRED SIXTY
48 THOUSAND FOUR HUNDRED NINETY-ONE DOLLARS SHALL BE TRANSFERRED
49 FROM THE GENERAL FUND TO THE CLEAN AND RENEWABLE ENERGY FUND.

50
51 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JANUARY 1,
52 2013.

53
54 (II) (A) ON JULY 1, 2013, AND EACH JULY 1 THEREAFTER THROUGH
55 JULY 1, 2016, ONE MILLION SIX HUNDRED THOUSAND DOLLARS SHALL BE
56 TRANSFERRED FROM THE GENERAL FUND TO THE CLEAN AND RENEWABLE

1 ENERGY FUND.

2

3 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JANUARY
4 1, 2017."."

5

6 Page 7 of the Committee Report, after line 7 insert:

7

8 "Page 17, line 27, strike "39-29-109 (2) (a)," and substitute "39-29-108
9 (2),"."

10

11 Page 7 of the Committee Report, after line 10 insert:

12

13 "Page 18, line 9, strike "MONEYS" and substitute "EXCEPT AS PROVIDED
14 IN PARAGRAPH (d) OF THIS SUBSECTION (1), MONEYS"."

15

16 Page 7 of the Committee Report, after line 16 insert:

17

18 "Page 18, after line 21 insert:

19

20 "(c) ON JULY 1, 2012, THE STATE TREASURER SHALL TRANSFER SIX
21 HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE COLORADO
22 ENERGY OFFICE LOW-INCOME ENERGY ASSISTANCE FUND CREATED IN
23 SECTION 40-8.7-112 (3) (a), C.R.S.

24

25 (d) ON JULY 1, 2012, THE STATE TREASURER SHALL TRANSFER ONE
26 MILLION SIX HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE
27 CLEAN AND RENEWABLE ENERGY FUND CREATED IN SECTION
28 24-38.5-102.4."."

29

30 Page 13 of the Committee Report, after line 14 insert:

31

32 "Page 39, strike lines 19 through 27.

33

34 Page 40, strike lines 1 through 10 and substitute:

35

36 "SECTION 47. In Colorado Revised Statutes, 39-29-108, amend
37 (2) as follows:

38

39 **39-29-108. Allocation of severance tax revenues - definitions.**

40 (2) (a) (I) Of the total gross receipts realized from the severance taxes
41 imposed on minerals and mineral fuels under the provisions of this article
42 after ~~June 30, 1981~~ JUNE 30, 2012, BUT BEFORE JULY 1, 2016, ONE
43 MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED IN
44 EACH FISCAL YEAR TO THE INNOVATIVE ENERGY FUND CREATED IN
45 SECTION 24-38.5-102.5, C.R.S. OF THE REMAINDER OF THE TOTAL GROSS
46 RECEIPTS AFTER THE TRANSFER TO THE INNOVATIVE ENERGY FUND, fifty
47 percent shall be credited to the state severance tax trust fund created by
48 section 39-29-109, and fifty percent shall be credited to the local
49 government severance tax fund created by section 39-29-110.

50

51 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JANUARY 1,
52 2017.

53

54 (b) OF THE TOTAL GROSS RECEIPTS REALIZED FROM THE
55 SEVERANCE TAXES IMPOSED ON MINERALS AND MINERAL FUELS UNDER
56 THE PROVISIONS OF THIS ARTICLE AFTER JUNE 30, 2016, FIFTY PERCENT

1 SHALL BE CREDITED TO THE STATE SEVERANCE TAX TRUST FUND CREATED
2 BY SECTION 39-29-109, AND FIFTY PERCENT SHALL BE CREDITED TO THE
3 LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED BY SECTION
4 39-29-110."."

5

6 Page 15 of the Committee Report, after line 21 insert:

7

8 "Page 48, line 3, strike "C.R.S." and substitute "C.R.S., ALL MONEYS
9 TRANSFERRED TO THE FUND, ALL MONEYS RECEIVED AS A RESULT OF
10 CONTRACTS ENTERED INTO BY THE COLORADO ENERGY OFFICE FOR THE
11 OFFICES'S PROGRAM TO IMPROVE THE HOME ENERGY EFFICIENCY OF
12 LOW-INCOME HOUSEHOLDS, AND ALL MONEYS RECEIVED BY THE
13 COLORADO ENERGY OFFICE FROM GIFTS, GRANTS, AND DONATIONS FOR
14 THE OFFICES'S PROGRAM TO IMPROVE THE HOME ENERGY EFFICIENCY OF
15 LOW-INCOME HOUSEHOLDS."."

16

17 Page 16 of the Committee Report, after line 23 insert:

18

19 "Page 50, after line 10 insert:

20

21 **SECTION 54. Appropriation.** (1) In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 innovative energy fund created in section 24-38.5-102.5, Colorado
24 Revised Statutes, not otherwise appropriated, to the governor - lieutenant
25 governor - state planning and budgeting, for the fiscal year beginning July
26 1, 2012, the sum of \$1,500,000 and 10.3 FTE, or so much thereof as may
27 be necessary, to be allocated for the implementation of this act as follows:

28

29 (a) \$1,373,312 and 10.3FTE for Colorado energy office, program
30 administration;

31

32 (b) \$33,604 for Colorado energy office, legal services;

33

34 (c) \$45,714 for special purpose, health, life, and dental;

35

36 (d) \$1,368 for special purpose ,short-term disability;

37

38 (e) \$24,740 for special purpose, amortization equalization
39 disbursement; and

40

41 (f) \$21,262 for special purpose, supplemental amortization
42 equalization disbursement.

43

44 **SECTION 55. Appropriation.** In addition to any other
45 appropriation, there is hereby appropriated, out of any moneys in the
46 Colorado energy office low-income assistance fund created in section
47 40-8.7-112 (3) (a), Colorado Revised Statutes, not otherwise
48 appropriated, to the governor - lieutenant governor - state planning and
49 budgeting, for the fiscal year beginning July 1, 2012, the sum of
50 \$600,000, or so much thereof as may be necessary, for allocation to the
51 Colorado energy office for weatherization services related to the
52 implementation of this act.

53

54 **SECTION 56. Appropriation.** (1) In addition to any other
55 appropriation, there is hereby appropriated, out of any moneys in the clean
56 and renewable energy fund, created in section 24-38.5-102.4, Colorado

1 Revised Statutes, not otherwise appropriated, to the governor - lieutenant
2 governor - state planning and budgeting, for the fiscal year beginning July
3 1, 2012, the sum of \$1,560,491 and 10.4 FTE, or so much thereof as may
4 be necessary, to be allocated for the implementation of this act as follows:

- 5
6 (a) \$1,433,803 and 10.4 FTE for Colorado energy office, program
7 administration;
8
9 (b) \$33,604 for Colorado energy office, legal services;
10
11 (c) \$45,714 for special purpose, health, life, and dental;
12
13 (d) \$1,368 for special purpose ,short-term disability;
14
15 (e) \$24,740 for special purpose, amortization equalization
16 disbursement; and
17
18 (f) \$21,262 for special purpose, supplemental amortization
19 equalization disbursement.".

20
21 Renumber succeeding sections accordingly.

22
23 Page 1, line 102, strike "OFFICE." and substitute "OFFICE, AND IN
24 CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

25
26
27
28 **HB12-1326** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31
32 Amend printed bill, page 3, strike lines 2 through 4 and substitute the
33 following:

34
35 "(II) IS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO SECTION
36 25.5-5-101 (1) (I), C.R.S., BUT IS NOT ELIGIBLE FOR LONG-TERM CARE
37 SERVICES PURSUANT TO ARTICLE 6 OF TITLE 25.5, C.R.S.".

38
39 Page 3, line 9, strike "\$3,000,000," and substitute "\$3,022,800,".

40
41 Page 3, after line 10, insert:

42
43 **"SECTION 4. Continuous appropriation - adjustments in 2012**
44 **long bill.** In the annual general appropriations act, for the fiscal year
45 beginning July 1, 2012, the amount that represents an estimate of
46 expenditures by the department of human services from the old age
47 pension cash fund for old age pension cash assistance programs pursuant
48 to section 1 of article XXIV of the state constitution is increased by
49 \$6,695,581. This amount is subject to the (I) notation included in the
50 annual general appropriations act. Although these funds are not
51 appropriated in this act, they are noted for the purpose of indicating
52 assumed expenditures that may be authorized by the state board of human
53 services as encouraged pursuant to section 1 of this act." .

54
55 Renumber succeeding section accordingly.

56

- 1 **HB12-1335** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **HB12-1336** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **HB12-1337** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
- 13 **HB12-1338** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
- 17 **HB12-1339** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20
- 21 **HB12-1340** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24
- 25 **HB12-1341** be referred to the Committee of the Whole with favorable
26 recommendation.
27
28
- 29 **HB12-1342** be referred to the Committee of the Whole with favorable
30 recommendation.
31
32
- 33 **HB12-1343** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36
- 37 **HB12-1344** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
- 41 **SB12-110** be referred to the Committee of the Whole with favorable
42 recommendation.
43
44
- 45 **SB12-156** be referred to the Committee of the Whole with favorable
46 recommendation.
47
48
49
- 50 **LOCAL GOVERNMENT**
51 After consideration on the merits, the Committee recommends the
52 following:
53
- 54 **HB12-1319** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend printed bill, page 2, strike lines 3 through 9 and substitute "(7)
2 and (8) as follows:

3
4 **12-23-116. Inspection - application - standards.**
5 (7) Notwithstanding the fact that any incorporated town or city, any
6 county, or any city and county in which a public school is located or is to
7 be located has its own electrical code and inspection authority, any
8 electrical installation in any new construction or remodeling or repair of
9 a public school shall be inspected by EITHER a state electrical inspector OR
10 A LOCAL ELECTRICAL INSPECTOR AT THE DISCRETION OF THE SCHOOL
11 DISTRICT."

12
13 Page 2, line 22, after "PERFORMING" insert "SCHOOL".

14
15 Page 3, strike lines 3 through 24.

16
17 Renumber succeeding sections accordingly.

18
19 Page 3, strike lines 26 and 27 and substitute "(5) and (6) as follows:

20
21 **12-58-114.5. Inspection - application - standards.**
22 (5) Notwithstanding the fact that any incorporated town or city, any
23 county, or any city and county in which a public school is located or is to
24 be located has its own plumbing code and inspection authority, any
25 plumbing or gas piping installation in any new construction or remodeling
26 or repair of a public school shall be inspected by EITHER a state plumbing
27 inspector OR A LOCAL PLUMBING INSPECTOR AT THE DISCRETION OF THE
28 SCHOOL DISTRICT."

29
30 Page 4, strike lines 1 through 6.

31
32 Page 4, line 7, after "(6)" insert "(a)".

33
34 Page 4, after line 18 insert:

35
36 "(b) STATE PLUMBING INSPECTORS AND PLUMBING INSPECTORS
37 PERFORMING SCHOOL INSPECTIONS FOR ANY LOCAL JURISDICTION SHALL
38 INSPECT TO THE PLUMBING AND GAS STANDARDS IN THE COLORADO
39 PLUMBING CODE AS ESTABLISHED BY THE BOARD PURSUANT TO SECTION
40 12-58-114.5 (1)."

41
42
43
44 **SB12-158** be referred to the Committee of the Whole with favorable
45 recommendation.

46
47
48
49 **MESSAGE(S) FROM THE SENATE**

50
51 The Senate has passed on Third Reading and returns herewith
52 HB12-1295.

53
54
55 The Senate has passed on Third Reading and transmits to the Revisor of
56 Statutes: SB12-161.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB12-161.

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB12-1295**.

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB12-1295** at 1:31 p.m. on April 5, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR12- 006.

The Senate has adopted and transmits herewith: SJR12- 024.

The Senate has passed on Third Reading and returns herewith **HB12-1271**.

The Senate has postponed indefinitely **HB12-1111** and **HB12-1118**. The bills are returned herewith.

**INTRODUCTION OF BILL
First Reading**

The following bill was read by title and referred to the committees indicated:

HB12-1345 by Representative(s) Massey; also Senator(s) Bacon--
Concerning the financing of public schools, and, in connection therewith, making an appropriation.
Committee on Education
Committee on Appropriations

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until April 9, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161.**
Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052.**

On motion of Representative Stephens, the House adjourned until 10:00 a.m., April 9, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk