

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

Sixty-third Legislative Day

Tuesday, March 13, 2012

1 The Speaker called the House to order at 9:00 a.m.  
2  
3 Prayer by Father Timothy McMahon, Arrupe Jesuit High School, Denver.  
4  
5 Pledge of Allegiance led by Speaker Frank McNulty, Highlands Ranch.  
6  
7 The roll was called with the following result:  
8  
9 Present--62.  
10 Excused--Representative(s) Scott--1.  
11 Absent--Representative(s) McCann, Pabon--2.  
12 Present after roll call--Representative(s) McCann, Pabon, Scott.  
13

14 The Speaker declared a quorum present.  
15  
16

17 On motion of Representative Ramirez, the reading of the journal of  
18 March 12, 2012, was declared dispensed with and approved as corrected  
19 by the Chief Clerk.  
20  
21

22 House in recess. House reconvened.  
23  
24  
25

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

**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

32 **HB12-1161** be amended as follows, and as so amended, be referred to  
33 the Committee on Appropriations with favorable  
34 recommendation:  
35

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

39 **"SECTION 1. Legislative declaration.** (1) The general  
40 assembly hereby:

41 (a) Finds that:

42  
43 (I) The nutrients nitrogen and phosphorus are widely present in

1 the environment from both natural and anthropogenic sources;

2

3 (II) Colorado has historically established nutrient reduction  
4 requirements where necessary to protect uses, water resources, and  
5 aquatic life from excessive plant growth;

6

7 (III) In response to environmental protection agency requirements,  
8 the Colorado water quality control division (division) has proposed  
9 nutrient control regulations and the Colorado water quality control  
10 commission has scheduled a rule-making hearing in March 2012 to  
11 consider changes to its nutrient regulations; and

12

13 (IV) Governor Hickenlooper has established a policy by executive  
14 order D 2011-005, dated January 11, 2011, stating that no state agency  
15 shall promulgate any regulation unless it is specifically mandated by law,  
16 and only then in consultation with local governments, and funding is  
17 provided to comply with the mandate;

18

19 (b) Determines that:

20

21 (I) Controlling nutrients as recommended by the environmental  
22 protection agency and proposed by the division will impose a widespread  
23 economic burden on those entities responsible for meeting numeric  
24 standards, and this economic burden may affect the viability of urban and  
25 rural communities; and

26

27 (II) Implementing nutrient regulations may also have  
28 environmental benefits, including protection of drinking water supplies,  
29 that need to be better understood; and

30

31 (c) Declares that:

32

33 (I) It is in Colorado's interests to minimize nutrient reduction costs  
34 by developing a program that is flexible, effectively protects drinking  
35 water supplies, and allows consideration of basin-specific concerns; and

36

37 (II) This act is necessary to ensure that the division's proposal:

38

39 (A) Complies with executive order D 2011-005;

40

41 (B) Reflects active stakeholder participation;

42

43 (C) Fully considers applicable cost-benefit study conclusions;

44

45 (D) Is structured to avoid unnecessary regulation and minimize  
46 the fiscal impact to state agencies and local governments; and

47

48 (E) Is designed to address basin-specific conditions.

49

50 **SECTION 2.** In Colorado Revised Statutes, 25-8-402, **amend**  
51 (1); and **add** (6) as follows:

52

53 **25-8-402. Procedures to be followed in classifying state waters**  
54 **and setting standards and control regulations - nutrients**  
55 **subcommittee.** (1) EXCEPT AS SPECIFIED IN SUBSECTION (6) OF THIS  
56 SECTION, prior to the classification of state waters and promulgating any

1 water quality standard or any control regulation authorized in this article,  
2 the commission shall conduct a public hearing ~~thereon~~ as provided in  
3 section 24-4-103, C.R.S. Notice of ~~any such~~ THE hearing ~~shall~~ MUST  
4 conform to the requirements of section 24-4-103, C.R.S., but ~~such~~ THE  
5 notice ~~shall~~ MUST be given at least sixty days prior to the hearing and  
6 ~~shall~~ MUST include each proposed standard or regulation.

7  
8 (6) REVISIONS TO THE BASIC STANDARDS AND METHODOLOGIES  
9 RELATED TO TOTAL NITROGEN, TOTAL INORGANIC NITROGEN, TOTAL  
10 PHOSPHOROUS, AND CHLOROPHYLL A FOR SURFACE WATER REGULATION  
11 NO. 31, 5 CCR 1002-31, AND ADOPTION OF A NEW NUTRIENTS  
12 MANAGEMENT CONTROL REGULATION, REGULATION NO. 85, 5 CCR  
13 1002-85, CANNOT TAKE EFFECT UNLESS AND UNTIL SPECIFICALLY  
14 APPROVED BY THE GENERAL ASSEMBLY ACTING BY A BILL OTHER THAN  
15 THE ANNUAL BILL INTRODUCED PURSUANT TO SECTION 24-4-103, C.R.S.

16  
17 **SECTION 3.** In Colorado Revised Statutes, 37-98-102, **add** (7)  
18 as follows:

19  
20 **37-98-102. Water resources review committee - creation -**  
21 **repeal.** (7) (a) DURING THE 2012 INTERIM, THE COMMITTEE SHALL HOLD  
22 AT LEAST ONE PUBLIC MEETING, ON OR BEFORE OCTOBER 1, 2012, TO  
23 CONSIDER WHETHER THE PROPOSED REVISIONS TO THE BASIC STANDARDS  
24 AND METHODOLOGIES RELATED TO TOTAL NITROGEN, TOTAL INORGANIC  
25 NITROGEN, TOTAL PHOSPHOROUS, AND CHLOROPHYLL A FOR SURFACE  
26 WATER REGULATION NO. 31, 5 CCR 1002-31, AND ADOPTION OF A NEW  
27 NUTRIENTS MANAGEMENT CONTROL REGULATION, REGULATION NO. 85,  
28 5 CCR 1002-85, AS REFERENCED IN SECTION 25-8-402 (6), C.R.S.:

29  
30 (I) COMPLY WITH EXECUTIVE ORDER D 2011-005;

31  
32 (II) REFLECT ACTIVE STAKEHOLDER PARTICIPATION;

33  
34 (III) FULLY CONSIDER THE CONCLUSIONS OF THE COST-BENEFIT  
35 STUDY CONDUCTED ON BEHALF OF THE COLORADO WATER RESOURCES  
36 AND POWER DEVELOPMENT AUTHORITY;

37  
38 (IV) ARE STRUCTURED TO AVOID UNNECESSARY REGULATION AND  
39 MINIMIZE THE FISCAL IMPACT TO STATE AGENCIES AND LOCAL  
40 GOVERNMENTS; AND

41  
42 (V) ARE DESIGNED TO ADDRESS BASIN-SPECIFIC CONDITIONS.

43  
44 (b) BY NOVEMBER 1, 2012, THE COMMITTEE SHALL DELIVER A  
45 REPORT CONTAINING ITS FINDINGS ON THE FACTORS SPECIFIED IN  
46 PARAGRAPH (a) OF THIS SUBSECTION (7) TO THE WATER QUALITY CONTROL  
47 COMMISSION CREATED IN SECTION 25-8-201, C.R.S.

48  
49 (c) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2013.

50  
51 **SECTION 4. Applicability.** The provisions of this act apply to  
52 rules adopted before, on, or after the effective date of this act.

53  
54 **SECTION 5. Safety clause.** The general assembly hereby finds,  
55 determines, and declares that this act is necessary for the immediate  
56 preservation of the public peace, health, and safety."

1 **APPROPRIATIONS**

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

4  
5 **HB12-1111** be referred to the Committee of the Whole with favorable  
6 recommendation.

7  
8  
9 **HB12-1271** be referred to the Committee of the Whole with favorable  
10 recommendation.

11  
12  
13 **HB12-1275** be amended as follows, and as so amended, be referred to  
14 the Committee of the Whole with favorable  
15 recommendation:

16  
17 Amend printed bill, page 5, after line 6 insert:

18  
19 **"SECTION 3. Appropriation.** (1) In addition to any other  
20 appropriation, there is hereby appropriated, out of any moneys in the  
21 Colorado state titling and registration account of the highway users tax  
22 fund created in section 42-1-211 (2), Colorado Revised Statutes, not  
23 otherwise appropriated, to the department of revenue, for the fiscal year  
24 beginning July 1, 2012, the sum of \$68,080, or so much thereof as may  
25 be necessary, to be allocated to the information technology division for  
26 the purchase of computer programming services from the office of  
27 information technology.

28  
29 (2) In addition to any other appropriation, there is hereby  
30 appropriated to the governor - lieutenant governor - state planning and  
31 budgeting, for the fiscal year beginning July 1, 2012, the sum of 68,080,  
32 or so much thereof as may be necessary, for allocation to the office of  
33 information technology, for the provision of computer center services for  
34 the department of revenue related to the implementation of this act. Said  
35 sum is from reappropriated funds received from the department of  
36 revenue out of the appropriation made in of subsection (1) of this section.

37  
38 (3) In addition to any other appropriation, there is hereby  
39 appropriated, out of any moneys in the license plate cash fund created in  
40 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise  
41 appropriated, to the department of revenue, for the fiscal year beginning  
42 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,  
43 for allocation to the division of motor vehicles for the purchase of license  
44 plates related to the implementation of this act."

45  
46 Renumber succeeding section accordingly.

47  
48 Page 1, line 103 strike "PLATE." and substitute "PLATE, AND, IN  
49 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

50  
51  
52  
53  
54  
55

1 **EDUCATION**

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

4  
5 **HB12-1225** be postponed indefinitely.

6  
7  
8 **HB12-1238** be amended as follows, and as so amended, be referred to  
9 the Committee on Appropriations with favorable  
10 recommendation:

11  
12 Amend printed bill, page 5, line 20, strike "AND".

13  
14 Page 5, after line 20 insert:

15  
16 "(e) AN IMPORTANT PARTNERSHIP BETWEEN A PARENT AND CHILD  
17 BEGINS BEFORE THE CHILD ENTERS KINDERGARTEN, WHEN THE PARENT  
18 HELPS THE CHILD DEVELOP RICH LINGUISTIC EXPERIENCES, INCLUDING  
19 LISTENING COMPREHENSION AND SPEAKING, THAT HELP FORM THE  
20 FOUNDATION FOR READING AND WRITING, WHICH ARE THE MAIN VEHICLES  
21 FOR CONTENT ACQUISITION; AND".

22  
23 Reletter succeeding paragraph accordingly.

24  
25 Page 5, line 21, strike "TEACHERS" and substitute "THE GREATEST  
26 IMPACT FOR ENSURING STUDENT SUCCESS LIES WITH THE TEACHER IN THE  
27 CLASSROOM, SO IT IS PARAMOUNT THAT TEACHERS".

28  
29 Page 6, line 8, strike "MASTERING" and substitute "ACHIEVING".

30  
31 Page 6, line 22, strike "CLASSROOM." and substitute "CLASSROOM,  
32 INCLUDING BUT NOT LIMITED TO THE SCHOOL READINESS ASSESSMENTS  
33 ADOPTED PURSUANT TO SECTION 22-7-1004 (2) (a).".

34  
35 Page 7, line 27, strike "A LEVEL THAT IS" and substitute "LEVELS THAT  
36 ARE".

37  
38 Page 8, line 1, strike "LEVEL FOR READING COMPETENCY" and substitute  
39 "LEVELS FOR READING COMPETENCY IN THE AREAS OF PHONEMIC  
40 AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY,  
41 INCLUDING ORAL SKILLS, AND READING COMPREHENSION".

42  
43 Page 8, line 4, strike "LEVEL" and substitute "LEVELS IN THE AREAS OF  
44 PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING  
45 FLUENCY, INCLUDING ORAL SKILLS, AND READING COMPREHENSION".

46  
47 Page 8, line 10, strike "COLLECTION" and substitute "LIST".

48  
49 Page 8, line 11, strike "READING ASSESSMENTS," and substitute "THE  
50 READING ASSESSMENTS APPROVED BY THE STATE BOARD PURSUANT TO  
51 SECTION 22-7-510 (1),".

52  
53 Page 8, line 13, strike "AND ASSEMBLED".

54  
55 Page 8, line 20, strike "EVIDENCE-BASED" and substitute "SCIENTIFICALLY  
56 BASED".

1 Page 8, after line 26:

2

3 "(14) "SCIENTIFICALLY BASED" MEANS THAT THE INSTRUCTION OR  
4 ITEM DESCRIBED IS BASED ON RESEARCH THAT APPLIES RIGOROUS,  
5 SYSTEMATIC, AND OBJECTIVE PROCEDURES TO OBTAIN VALID KNOWLEDGE  
6 THAT IS RELEVANT TO READING DEVELOPMENT, READING INSTRUCTION,  
7 AND READING DIFFICULTIES."

8

9 Renumber succeeding subsections accordingly.

10

11 Page 9, strike lines 2 and 3 and substitute "LEVELS FOR READING  
12 COMPETENCY IN THE AREAS OF PHONEMIC AWARENESS, PHONICS,  
13 VOCABULARY DEVELOPMENT, READING FLUENCY, INCLUDING ORAL  
14 SKILLS, AND READING COMPREHENSION ESTABLISHED BY THE STATE  
15 BOARD PURSUANT TO SECTION 22-7-510 FOR THE STUDENT'S GRADE  
16 LEVEL."

17

18 Page 9, line 20, strike "IN" and substitute "NO LATER THAN".

19

20 Page 10, line 1, strike "THE ASSESSMENTS TO BE" and substitute "FROM  
21 AMONG THE APPROVED ASSESSMENTS INCLUDED IN THE RESOURCE BANK  
22 THOSE ASSESSMENTS IT SHALL USE TO MEASURE A STUDENT'S READING  
23 COMPETENCY. A LOCAL EDUCATION PROVIDER MAY CHOOSE TO USE OTHER  
24 READING ASSESSMENTS IN ADDITION TO THE APPROVED ASSESSMENTS."

25

26 Page 10, strike line 2.

27

28 Page 10, line 4, before "READING" insert "APPROVED".

29

30 Page 10, line 8, strike "THE DIAGNOSTIC" and substitute "FROM AMONG  
31 THE APPROVED ASSESSMENTS INCLUDED IN THE RESOURCE BANK THOSE  
32 ASSESSMENTS IT SHALL USE TO DETERMINE A STUDENT'S SPECIFIC READING  
33 SKILL DEFICIENCIES. A LOCAL EDUCATION PROVIDER MAY CHOOSE TO USE  
34 OTHER DIAGNOSTIC READING ASSESSMENTS IN ADDITION TO THE  
35 APPROVED ASSESSMENTS."

36

37 Page 10, strike lines 9 and 10.

38

39 Page 11, line 7, strike "TARGETED" and substitute "TARGETED,  
40 SCIENTIFICALLY BASED".

41

42 Page 12, line 1, strike "THREE" and substitute "TWO".

43

44 Page 12, line 12, strike "TEACHER" and substitute "TEACHER, WHICH MAY  
45 OCCUR THROUGH EXISTING METHODS OF COMMUNICATION,".

46

47 Page 12, line 21, strike "READING TO ENSURE ACADEMIC" and substitute  
48 "READ".

49

50 Page 12, line 22, strike "DEVELOPMENT".

51

52 Page 13, line 20, strike "OR".

53

54 Page 13, line 21, strike "NEEDING MODIFICATIONS THAT IMPACT" and  
55 substitute "THAT IMPACTS".

56

- 1 Page 13, strike lines 26 and 27 and substitute "READING ISSUES IN LIEU OF  
2 A READ PLAN."  
3
- 4 Page 14, strike lines 1 through 3.  
5
- 6 Page 14, strike lines 10 and 11 and substitute:  
7  
8 "(c) THE AMOUNT OF ADDITIONAL INSTRUCTION TIME THE  
9 STUDENT WILL RECEIVE IN READING;"  
10
- 11 Page 14, line 12, strike "EVIDENCE-BASED" and substitute  
12 "SCIENTIFICALLY BASED".  
13
- 14 Page 14, line 14, after "READING" insert "APPROACHES, STRATEGIES,  
15 INTERVENTIONS, AND".  
16
- 17 Page 15, line 6, strike "THIRTY" and substitute "FORTY-FIVE".  
18
- 19 Page 16, line 6, strike "THE TEACHER" and substitute "PERSONNEL FROM  
20 THE STUDENT'S SCHOOL".  
21
- 22 Page 16, line 12, strike "THE TEACHER" and substitute "PERSONNEL FROM  
23 THE STUDENT'S SCHOOL".  
24
- 25 Page 16, line 16, strike "THE TEACHER IS" and substitute "PERSONNEL  
26 FROM THE STUDENT'S SCHOOL ARE".  
27
- 28 Page 17, strike lines 1 through 6 and substitute:  
29  
30 "(II) DISCUSS THE IMPORTANCE OF ACHIEVING READING  
31 COMPETENCY BY THE END OF THIRD GRADE, BECAUSE STUDENTS WHO  
32 ACHIEVE READING COMPETENCY BY THE END OF THIRD GRADE ARE MORE  
33 LIKELY TO GRADUATE FROM HIGH SCHOOL AND ATTAIN A POSTSECONDARY  
34 CREDENTIAL."  
35
- 36 Page 19, line 10, strike "AND".  
37
- 38 Page 19, line 14, strike "EVALUATION." and substitute "EVALUATION;  
39 AND".  
40
- 41 Page 19, after line 14 insert:  
42  
43 "(d) THE LOCAL EDUCATION PROVIDER, WITH THE APPROVAL OF  
44 THE STUDENT'S PARENT, MAY PROVIDE TO THE STUDENT MENTAL HEALTH  
45 SUPPORT FROM THE SCHOOL PSYCHOLOGIST, SCHOOL SOCIAL WORKER, OR  
46 SCHOOL COUNSELOR."  
47
- 48 Page 19, line 15, before the first "THE" insert "THE PROVISIONS OF THIS  
49 SECTION SPECIFY THE CIRCUMSTANCES UNDER WHICH A LOCAL EDUCATION  
50 PROVIDER, IN COLLABORATION WITH A STUDENT'S TEACHER AND PARENT,  
51 ARE REQUIRED TO DECIDE WHETHER A STUDENT WHO HAS A SIGNIFICANT  
52 READING DEFICIENCY SHOULD ADVANCE TO THE NEXT GRADE LEVEL."  
53
- 54 Page 19, strike lines 18 and 19 and substitute "AT ANY GRADE LEVEL  
55 SHOULD NOT ADVANCE TO THE NEXT GRADE LEVEL FOR ANY REASON  
56 DEEMED SUFFICIENT BY THE LOCAL EDUCATION PROVIDER.".

1 Page 21, line 25, after "LEVELS" insert "IN THE AREAS OF PHONEMIC  
2 AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY,  
3 INCLUDING ORAL SKILLS, AND READING COMPREHENSION".

4

5 Page 21, strike line 27 and substitute:

6

7 "(b) THE MINIMUM READING COMPETENCY SKILL LEVELS IN THE  
8 AREAS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT,  
9 READING FLUENCY, INCLUDING ORAL SKILLS, AND READING  
10 COMPREHENSION FOR".

11

12 Page 22, strike line 4 and substitute "APPROVED BY THE STATE BOARD  
13 PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (1)".

14

15 Page 22, line 5, strike "SECTION".

16

17 Page 22, strike lines 12 through 14 and substitute:

18

19 "(c) THE APPROVED READING ASSESSMENTS, BASED ON THE  
20 RECOMMENDATIONS OF THE DEPARTMENT, THAT LOCAL EDUCATION  
21 PROVIDERS MAY USE TO MEET THE REQUIREMENTS SPECIFIED IN SECTION  
22 22-7-505;"

23

24 Page 22, line 22, after "SHALL" insert "RECOMMEND TO THE STATE BOARD  
25 READING ASSESSMENTS FOR APPROVAL PURSUANT TO PARAGRAPH (c) OF  
26 SUBSECTION (1) OF THIS SECTION. THE DEPARTMENT SHALL".

27

28 Page 22, line 23, strike "APPROVED" and substitute "THE".

29

30 Page 22, line 24, after "GRADES" insert "THAT THE STATE BOARD  
31 APPROVES".

32

33 Page 22, line 25, strike "THE" and substitute "IN RECOMMENDING  
34 READING ASSESSMENTS TO THE STATE BOARD, THE".

35

36 Page 22, line 26, strike "APPROVED" and substitute "RECOMMENDED".

37

38 Page 23, strike lines 1 and 2 and substitute "THE AREAS OF PHONEMIC  
39 AWARENESS; PHONICS; VOCABULARY DEVELOPMENT; READING FLUENCY,  
40 INCLUDING ORAL SKILLS; AND READING COMPREHENSION;"

41

42 Page 23, line 3, strike "APPROVED" and substitute "RECOMMENDED".

43

44 Page 23, line 4, strike "DEFICIENCIES." and substitute "DEFICIENCIES;  
45 AND".

46

47 Page 23, after line 4 insert:

48

49 "(III) AT LEAST ONE OF THE RECOMMENDED READING  
50 ASSESSMENTS IS NORMED FOR THE PERFORMANCE OF STUDENTS WHO  
51 SPEAK SPANISH AS THEIR NATIVE LANGUAGE, WHICH ASSESSMENT IS  
52 AVAILABLE IN BOTH ENGLISH AND SPANISH."

53

54 Page 23, line 5, strike "EVIDENCE-BASED" and substitute "SCIENTIFICALLY  
55 BASED".

56



- 1 Page 23, strike line 14 and substitute "PHONEMIC AWARENESS; PHONICS;  
2 VOCABULARY DEVELOPMENT; READING FLUENCY, INCLUDING ORAL  
3 SKILLS; AND READING".  
4
- 5 Page 23, line 16, strike "EVIDENCE-BASED" and substitute  
6 "SCIENTIFICALLY BASED".  
7
- 8 Page 24, line 3, strike "FROM" and substitute "AND ACCEPT FROM EACH"  
9 and strike "PROVIDERS" and substitute "PROVIDER".  
10
- 11 Page 24, line 6, after "SHALL" insert "PROMPTLY" and strike "AND" and  
12 substitute "AND, IF IT IS A READING ASSESSMENT, RECOMMEND IT TO THE  
13 STATE BOARD FOR APPROVAL IF THE ASSESSMENT MEETS THE  
14 REQUIREMENTS SPECIFIED IN THIS SUBSECTION (2) OR, IF IT IS  
15 INSTRUCTIONAL PROGRAMMING IN READING OR PROFESSIONAL  
16 DEVELOPMENT PROGRAMS,".  
17
- 18 Page 24, line 12, strike "SHALL" and substitute "MAY".  
19
- 20 Page 24, line 19, after the period add "ANY ASSESSMENTS,  
21 INSTRUCTIONAL PROGRAMMING, OR PROFESSIONAL DEVELOPMENT  
22 PROGRAMS THAT THE DEPARTMENT ACQUIRES PURSUANT TO A LICENSE  
23 AND DEPOSITS IN THE RESOURCE BANK MAY BE USED ONLY IN  
24 ACCORDANCE WITH THE LICENSE."  
25
- 26 Page 24, line 26, strike "PROVIDERS" and substitute "PROVIDERS,  
27 RECOMMEND READING ASSESSMENTS TO THE STATE BOARD FOR APPROVAL  
28 IF THE ASSESSMENTS MEET THE REQUIREMENTS SPECIFIED IN THIS  
29 SUBSECTION (2),".  
30
- 31 Page 24, line 27, strike "THOSE ITEMS" and substitute "THE  
32 INSTRUCTIONAL PROGRAMMING IN READING AND PROFESSIONAL  
33 DEVELOPMENT PROGRAMS".  
34
- 35 Page 25, after line 1 insert:  
36
- 37 "(g) EACH LOCAL EDUCATION PROVIDER SHALL SELECT FROM  
38 AMONG THE APPROVED READING ASSESSMENTS THOSE READING  
39 ASSESSMENTS THAT IT WILL ADMINISTER TO STUDENTS IN KINDERGARTEN  
40 AND FIRST AND SECOND GRADES. EACH LOCAL EDUCATION PROVIDER IS  
41 ENCOURAGED TO USE THE INSTRUCTIONAL PROGRAMMING IN READING  
42 AND PROFESSIONAL DEVELOPMENT PROGRAMS INCLUDED IN THE  
43 RESOURCE BANK. THE DEPARTMENT AND EACH LOCAL EDUCATION  
44 PROVIDER, IN USING THE MATERIALS, TEST ITEMS, ASSESSMENTS,  
45 INSTRUCTIONAL PROGRAMMING IN READING, OR PROFESSIONAL  
46 DEVELOPMENT PROGRAMS THAT ARE INCLUDED IN OR DISTRIBUTED FROM  
47 THE RESOURCE BANK, SHALL COMPLY WITH THE FEDERAL COPYRIGHT  
48 LAWS, 17 U.S.C. SEC. 101 ET SEQ."  
49
- 50 Page 25, line 26, strike "PROGRAMS" and substitute "PROGRAMS,  
51 INCLUDING BUT NOT LIMITED TO RELATED PROFESSIONAL DEVELOPMENT  
52 PROGRAMS,".  
53
- 54 Page 26, line 10, strike "NUMBER" and substitute "PERCENTAGE".  
55
- 56 Page 28, strike lines 6 through 22 and substitute "APPROPRIATION BY THE

1 GENERAL ASSEMBLY TO THE DEPARTMENT. THE DEPARTMENT SHALL  
 2 ANNUALLY EXPEND THE MONEYS IN THE FUND IN ACCORDANCE WITH THE  
 3 FOLLOWING PRIORITIES:

4  
 5 (I) THE DEPARTMENT SHALL FIRST USE UP TO ONE MILLION  
 6 DOLLARS TO PROVIDE LITERACY SUPPORT ON A REGIONAL BASIS TO LOCAL  
 7 EDUCATION PROVIDERS TO ASSIST THEM IN IMPLEMENTING THE  
 8 REQUIREMENTS OF THIS PART 5;

9  
 10 (II) THE DEPARTMENT SHALL NEXT USE UP TO TWO PERCENT OF  
 11 THE AMOUNT ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE  
 12 COSTS INCURRED IN ADMINISTERING THE EARLY LITERACY GRANT  
 13 PROGRAM;

14  
 15 (III) THE DEPARTMENT SHALL NEXT USE AT LEAST THREE MILLION  
 16 DOLLARS TO PAY GRANTS AWARDED THROUGH THE EARLY LITERACY  
 17 GRANT PROGRAM; AND

18  
 19 (IV) THE DEPARTMENT SHALL USE SIXTY PERCENT OF THE  
 20 REMAINING MONEYS IN THE FUND TO REIMBURSE LOCAL EDUCATION  
 21 PROVIDERS FOR ALL OR A PORTION OF THE COSTS INCURRED IN  
 22 ADMINISTERING THE READING ASSESSMENTS PURSUANT TO SECTION  
 23 22-7-505. IN ADDITION TO THE AMOUNT SPECIFIED IN SUBPARAGRAPH (III)  
 24 OF THIS PARAGRAPH (d), THE DEPARTMENT SHALL USE FORTY PERCENT OF  
 25 THE REMAINING MONEYS IN THE FUND TO PAY GRANTS AWARDED  
 26 THROUGH THE EARLY LITERACY GRANT PROGRAM."

27  
 28 Page 38, strike lines 13 through 27.

29  
 30 Strike page 39.

31  
 32 Page 40, strike lines 1 through 19.

33  
 34 Renumber succeeding sections accordingly.

35  
 36  
 37  
 38  
 39 **LOCAL GOVERNMENT**

40 After consideration on the merits, the Committee recommends the  
 41 following:

42  
 43 **HB12-1282** be referred favorably to the Committee on Appropriations.

44  
 45  
 46  
 47 **DELIVERY OF BILLS TO GOVERNOR**

48  
 49 The Chief Clerk of the House of Representatives reports the following  
 50 bills have been delivered to the Office of the Governor: **HB12-1013,**  
 51 **1018, 1071, 1077, 1079, 1117, 1120, 1127, 1139, 1231** at 8:53 a.m. on  
 52 March 13, 2012.

53  
 54  
 55 House in recess. House reconvened.  
 56

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

2  
3 The Senate has passed on Third Reading and returns herewith:  
4 HB12-1033, HB12-1095, HB12-1169, HB12-1207, HB12-1288.

5  
6  
7 The Senate voted to recede from its position on HB12-1212, and  
8 repassed the bill. The bill is returned herewith.

9  
10  
11                   **INTRODUCTION OF BILLS**  
12                   **First Reading**

13  
14  
15 The following bills were read by title and referred to the committees  
16 indicated:

17  
18 **HB12-1326** by Representative(s) Acree and Kefalas--Concerning  
19 assistance to the elderly, and, in connection therewith,  
20 making an appropriation.

21 Committee on Finance

22  
23 **SB12-059** by Senator(s) Brophy; also Representative(s) Sonnenberg--  
24 -Concerning commercial vehicle standards applied to  
25 certain vehicles under twenty-six thousand one pounds.

26 Committee on Transportation

27  
28 **SB12-116** by Senator(s) Foster, Carroll, Johnston, Mitchell, Scheffel;  
29 also Representative(s) Brown, Levy, Beezley, Kagan--  
30 Concerning penalties associated with cathinones, and, in  
31 connection therewith, establishing a misdemeanor penalty  
32 for possession of a cathinone.

33 Committee on Judiciary

34  
35 **SB12-128** by Senator(s) Roberts; also Representative(s) Summers--  
36 Concerning achieving efficiencies in the medicaid long-  
37 term care program through greater utilization of  
38 alternative care facilities.

39 Committee on Health and Environment

40  
41 **SB12-152** by Senator(s) Cadman, Morse, Shaffer B.; also  
42 Representative(s) Ferrandino, McNulty, Stephens--  
43 Concerning changes to the procedures for filing reports  
44 with the general assembly under the "Information  
45 Coordination Act".

46 Committee on State, Veterans, & Military Affairs

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49                   **INTRODUCTION OF RESOLUTION**

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51  
52 The following resolution was read by title and laid over one day under the  
53 rules:

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55 **HJR12-1016** by Representative(s) Gerou, Becker, Levy, Barker, Brown,  
56 Coram, Ferrandino, Hamner, Holbert, Joshi, Kerr A., Kerr

1 J., Massey, McNulty, Murray, Pace, Peniston, Priola,  
2 Schafer S., Solano, Stephens, Summers, Swerdfeger,  
3 Todd; also Senator(s) Hodge, Lambert, Steadman, Brophy,  
4 Cadman, Grantham, Roberts--Concerning support for  
5 federal legislation (S. 484 and H.R. 3040) to reimburse  
6 Colorado for costs of federal mandates associated with the  
7 Fort Lewis College Native American Tuition Waiver  
8 Program.  
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### LAY OVER OF CALENDAR ITEM(S)

14 On motion of Representative DelGrosso, the following item(s) on the  
15 Calendar was (were) laid over until March 14, retaining place on  
16 Calendar:

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18 Consideration of Special Orders--**HB12-1267, 1059, 1305.**

19 Consideration of Third Reading--**HB12-1150, 1241, SB12-072, 079,**  
20 **146, HB12-1131, 1153, SB12-064, 096, HB12-1307, SB12-011, 007.**

21 Consideration of General Orders--**HB12-1121, 1103, 1300, SB12-030,**  
22 **HB12-1019, 1068, 1130, 1205, SB12-035, HB12-1118, 1263.**

23 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1058,**  
24 **1249, 1031, 1032, 1089, 1008.**

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28 On motion of Representative DelGrosso, the House adjourned until  
29 9:00 a.m., March 14, 2012.

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Approved:  
FRANK McNULTY,  
Speaker

Attest:

MARILYN EDDINS,

Chief Clerk