

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

One hundred-twelfth Legislative Day

Tuesday, May 1, 2012

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

2

3 Prayer by Dr. Richard Evans, Washington Park United Methodist Church,
4 Denver.

5

6 Pledge of Allegiance led by Elias Miller, Trail Blazer Elementary,
7 Highlands Ranch.

8

9 The roll was called with the following result:

10

11 Present--48.

12 Excused--Representative(s) Baumgardner, Becker, DelGrosso,
13 Ferrandino, Gardner B., Gerou, Hulinghorst, Kerr A., Levy,
14 Looper, Nikkel, Pabon, Singer, Solano, Sonnenberg, Vaad--16.

15 Absent--Representative(s) Priola--1.

16 Present after roll call--Representative(s) Baumgardner, Becker,
17 DelGrosso, Ferrandino, Gardner B., Gerou, Hulinghorst,
18 Kerr A., Levy, Looper, Nikkel, Pabon, Priola, Singer, Solano,
19 Sonnenberg, Vaad.

20

21 The Speaker declared a quorum present.

22

23

24 On motion of Representative Coram, the reading of the journal of
25 April 30, 2012, was declared dispensed with and approved as corrected
26 by the Chief Clerk.

27

28

29

30

MESSAGE(S) FROM THE SENATE

31

32 The Senate has adopted and transmits herewith: SJR12- 036.

33

34

INTRODUCTION AND CONSIDERATION OF RESOLUTION

35

36
37 On motion of Representative Murray, the rules were suspended and the
38 following resolution was given immediate consideration.

39

40 **SJR12-036** by Senator(s) Scheffel, Harvey; also Representative(s)
41 Holbert--Concerning achievements by Rocky Vista
42 University, including the graduation of its inaugural class
43 of doctors.

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

2

3 On motion of Representative Holbert, the resolution was **adopted** by
4 **viva voce** vote.

5

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

14

15

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19

REPORT(S) OF COMMITTEE(S) OF REFERENCE

20

APPROPRIATIONS

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

24

25 **HB12-1349** be referred to the Committee of the Whole with favorable
26 recommendation.

27

28

29 **HB12-1352** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32

33 Amend the printed bill, page 13, after line 23 insert:

34

35 "SECTION 2. **Appropriation.** In addition to any other
36 appropriation, there is hereby appropriated, out of any moneys in the
37 general fund not otherwise appropriated, to the Legislative Department,
38 for the fiscal year beginning July 1, 2012, the sum of \$25,832 and 0.4
39 FTE, or so much thereof as may be necessary, for the implementation of
40 this act."

41

42 Renumber succeeding section accordingly.

43

44 Page 1 of the printed bill, line 102, strike "WILDFIRE." and substitute
45 "WILDFIRE, AND, IN CONNECTION THEREWITH, MAKING AN
46 APPROPRIATION."

47

48

49

50 **SB12-044** be referred to the Committee of the Whole with favorable
51 recommendation.

52

53

54

55

1 **EDUCATION**

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

4
5 **SB12--047** be referred favorably to the Committee on Appropriations.

6
7
8 **SB12-051** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend reengrossed bill, page 2, line 13, strike "SHALL".

13
14 Page 2, strike line 14.

15
16 Page 2, line 15, strike "TO THIS SECTION," and substitute "MAY REVIEW
17 AND REVISE THE POLICIES AND PROCEDURES ADOPTED BY THE BOARD
18 PURSUANT TO SECTION 22-32-109 (1) (b) AND MAY CHOOSE TO REQUIRE
19 COMPETITIVE BIDDING ON CONTRACTS FOR PROFESSIONAL SERVICES,".

20
21 Page 2, line 16, strike "(2), AT A MINIMUM," and substitute "(2)".

22
23 Page 3, strike lines 11 through 14 and substitute "SECTION; AND".

24
25 Page 3, strike lines 16 through 27 and substitute "THE BOARD OF
26 EDUCATION.".

27
28 Page 4, strike lines 1 through 13.

29
30 Page 6, strike lines 13 through 27.

31
32 Page 7, strike lines 1 through 16.

33
34 Renumber succeeding section accordingly.

35
36 Page 7, line 20, strike "7" and substitute "8".

37
38
39
40 **SB12-068** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43
44 Amend reengrossed bill, page 4, line 12, strike "OR".

45
46 Page 4, line 15, strike "PARENTS." and substitute "PARENTS; OR".

47
48 Page 4, after line 15 insert:

49 "(c) ANY FOOD OR BEVERAGE THAT IS DONATED TO THE SCHOOL
50 TO BE GIVEN TO A STUDENT FOR CONSUMPTION OFF OF SCHOOL PREMISES
51 AND NOT DURING THE SCHOOL DAY.".

52
53
54
55 **SB12-164** be referred favorably to the Committee on Finance.

56

1 **THIRD READING OF BILL(S)--FINAL PASSAGE**

2
3 The following bill(s) was(were) considered on Third Reading. The
4 title(s) was(were) publicly read. Reading of the bill at length was
5 dispensed with by unanimous consent.

6
7 **HB12-1319** by Representative(s) Gardner B.; also Senator(s) K. King
8 --Concerning building inspections relating to utilities.
9

10 The question being "Shall the bill pass?".

11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative and the bill
13 was declared **passed**.

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

33 Co-sponsor(s) added: Representative(s) Barker, Beezley, Bradford, Massey,
34 Murray, Priola, Scott, Stephens, Swalm, Waller.

35
36 **HB12-1333** by Representative(s) Becker, Beezley, Coram, Kerr J.,
37 Priola; also Senator(s) Grantham--Concerning public
38 school employees' participation in labor organizations.
39

40 The question being "Shall the bill pass?".

41 A roll call vote was taken. As shown by the following recorded vote, a
42 majority of those elected to the House voted in the affirmative and the bill
43 was declared **passed**.

	YES	33	NO	32	EXCUSED	0	ABSENT	0
46	Acree	Y	Fischer	N	Looper	Y	Solano	N
47	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
48	Barker	Y	Gerou	Y	McCann	N	Soper	N
49	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
50	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
51	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
52	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
53	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
54	Casso	N	Kagan	N	Pace	N	Todd	N
55	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
56	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y

1	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
2	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
3	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
4	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
5	Fields	N	Liston	Y	Singer	N	Young	N
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Bradford,
8 Brown, Gerou, Holbert, Liston, Looper, Murray, Scott, Sonnenberg, Swalm.

9
10 **HB12-1268** by Representative(s) Acree, Beezley, Joshi, Kerr J.,
11 McCann, Ramirez; also Senator(s) Hudak--Concerning a
12 transfer of functions pertaining to health facility
13 compliance with certain building safety standards from the
14 department of public health and environment to the
15 division of fire safety in the office of preparedness,
16 security, and fire safety within the department of public
17 safety, and, in connection therewith, creating the health
18 facility construction and inspection section in the division
19 of fire safety.

20
21 The question being "Shall the bill pass?".
22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.

25	YES	53	NO	12	EXCUSED	0	ABSENT	0
27	Acree	Y	Fischer	N	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
35	Casso	N	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
40	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
42	Fields	N	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Gerou, Liston, Summers, Todd.

45
46
47 **SB12-161** by Senator(s) Nicholson, King S.; also Representative(s)
48 Bradford--Concerning measures to reduce health care
49 costs in correctional facilities.

50
51 The question being "Shall the bill pass?".
52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.

55

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Acree, Balmer, Barker, Baumgardner,
 20 Becker, Beezley, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran,
 21 Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert, Hullinghorst,
 22 Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
 23 Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace,
 24 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
 25 Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd,
 26 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

27
 28 **HB12-1350** by Representative(s) Waller, Balmer, Barker, Casso,
 29 Court, Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi,
 30 Kerr A., Liston, Looper, Massey, Pabon, Priola, Ramirez,
 31 Soper, Stephens, Summers, Swerdfeger, Vigil; also
 32 Senator(s) Hodge, Heath, Guzman, Hudak, King K.,
 33 Morse, Nicholson--Concerning in-state tuition
 34 classification for dependents of members of the armed
 35 forces.

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
41								
42								
43	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
44	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
45	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
46	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
47	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
48	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
49	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
50	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
51	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
52	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
53	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
54	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
55	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
56	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Beezley, Brown, Conti, Coram,
 5 DelGrosso, Ferrandino, Fields, Fischer, Kagan, Kefalas, Kerr J., Labuda, Lee,
 6 McCann, Miklosi, Murray, Nikkel, Pace, Peniston, Ryden, Schafer S., Scott,
 7 Singer, Solano, Sonnenberg, Szabo, Todd, Tyler, Williams A., Wilson, Young,
 8 Speaker.

9
 10 **HB12-1346** by Representative(s) Gardner B.; also Senator(s) S. King--
 11 Concerning sex offender registration.

12
 13 The question being "Shall the bill pass?".
 14 A roll call vote was taken. As shown by the following recorded vote, a
 15 majority of those elected to the House voted in the affirmative and the bill
 16 was declared **passed**.

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

36 Co-sponsor(s) added: Representative(s) Barker, Brown, Court, Fischer, Gerou,
 37 Hamner, Hullinghorst, Jones, Kefalas, Priola, Ryden, Schafer S., Todd.

38
 39 **SB12-038** by Senator(s) Tochtrop; also Representative(s) Priola--
 40 Concerning measures to protect consumers who engage a
 41 roofing contractor to perform roofing services on
 42 residential property.

43
 44 The question being "Shall the bill pass?".
 45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.

48	YES	45	NO	20	EXCUSED	0	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	N	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
52	Barker	N	Gerou	N	McCann	Y	Soper	Y
53	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
54	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
55	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y

1	Brown	N	Joshi	N	Pabon	N	Szabo	N
2	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
3	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
4	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
5	Court	N	Kerr J.	Y	Ramirez	N	Vigil	Y
6	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
7	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
8	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
9	Fields	Y	Liston	Y	Singer	Y	Young	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Labuda, Todd, Williams A.

12

13

14

15

16 On motion of Representative Waller, **HB12-1352, 1327, 1351, 1353,**
 17 **SB12-026, 078** were made Special Orders on Tuesday, May 1, 2012, at
 18 10:08 a.m.

19

20

21 The hour of 10:08 a.m., having arrived, on motion of Representative
 22 Conti, the House resolved itself into Committee of the Whole for
 23 consideration of Special Orders and she was called to the Chair to act as
 24 Chairman.

25

26

27 **SPECIAL ORDERS--SECOND READING OF BILLS**

28

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

33

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

36

37 **HB12-1327** by Representative(s) Coram; also Senator(s) Roberts and
 38 King S.--Concerning financial responsibility requirements
 39 for motor carriers, and, in connection therewith, repealing
 40 the surety bond requirement for towing carriers and
 41 imposing a period of disqualification from the right to
 42 operate as a towing carrier as an additional penalty for
 43 failure to respond as required after violating applicable
 44 provisions.

45

46 Amendment No. 1, Transportation Report, dated April 25, 2012, and
 47 placed in member's bill file; Report also printed in House Journal,
 48 April 25, pages 1138-1141.

49

50 Amendment No. 2, Appropriations Report, dated April 27, 2012, and
 51 placed in member's bill file; Report also printed in House Journal,
 52 April 27, pages 1181-1182.

53

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

56

1 **HB12-1351** by Representative(s) Becker; also Senator(s) Tochtrop--
2 Concerning inclusion under the renewable energy
3 standard's definition of recycled energy such energy that
4 combusts gas generated from synthetic gas derived from
5 waste materials through pyrolysis as the fuel source for
6 generation.

7
8 Ordered engrossed and placed on the Calendar for Third Reading and
9 Final Passage.

10
11 **HB12-1352** by Representative(s) Gardner B. and Gerou; also
12 Senator(s) Cadman--Concerning the creation of a state
13 commission to address matters arising out of the lower
14 north fork wildfire.

15
16 Amendment No. 1, Judiciary Report, dated April 30, 2012, and placed in
17 member's bill file; Report also printed in House Journal, April 30,
18 page 1203.

19
20 Amendment No. 2, Appropriations Report, dated May 1, 2012, and placed
21 in member's bill file; Report also printed in House Journal, May 1,
22 page 1206 .

23
24 Amendment No. 3, by Representative(s) Gardner B.

25
26 Amend printed bill, page 10, line 9, after "ACTION" insert "AGAINST THE
27 STATE, INCLUDING, WITHOUT LIMITATION, AN ACTION AGAINST THE STATE
28 ARISING UNDER 42 U.S.C. SEC. 1983,".

29
30 Page 13, line 10, strike "STATE" and substitute "STATE, INCLUDING,
31 WITHOUT LIMITATION, AN ACTION AGAINST THE STATE ARISING UNDER 42
32 U.S.C. SEC. 1983,".

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

36
37
38
39 Committee in recess. Committee reconvened.
40

41
42 **SPECIAL ORDERS--SECOND READING OF BILLS**
43 (continued)

44
45 **HB12-1353** by Representative(s) Becker, Gerou, Levy; also Senator(s)
46 Steadman, Hodge, Lambert--Concerning the mitigation of
47 the effect of automatic proportional reductions to the tier
48 2 transfers out of the operational account of the severance
49 tax trust fund when revenue shortfalls occur.

50
51 Ordered engrossed and placed on the Calendar for Third Reading and
52 Final Passage.

53
54 **SB12-026** by Senator(s) Cadman; also Representative(s) Vaad--
55 Concerning a state agency rule that creates a state mandate
56 on a local government.

1 Amendment No. 1, Local Government Report, dated April 23, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 24, page 1109.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB12-078** by Senator(s) Hudak, Aguilar, Jahn, Newell, Roberts,
9 Tochtrop, White, Williams S.; also Representative(s)
10 Schafer S., Fischer, Kerr A., Kerr J., Ramirez--Concerning
11 protections for at-risk adults.

12
13 Amendment No. 1, Health & Environment Report, dated April 19, 2012,
14 and placed in member's bill file; Report also printed in House Journal,
15 April 20, pages 1061-1062.

16
17 Amendment No. 2, Appropriations Report, dated April 27, 2012, and
18 placed in member's bill file; Report also printed in House Journal,
19 April 27, page 1182.

20
21 Amendment No. 3, by Representative(s) Schafer.

22
23 Amend the House Health and Environment Committee Report, dated
24 April 19, 2012, page 1, after line 7, insert:

25
26 "Page 4, line 27, strike "withholding" and substitute "withholding,".

27
28 Page 5, strike lines 1 through 3 and substitute:
29 ~~"of artificial nourishment in accordance with the "Colorado Medical~~
30 ~~Treatment Decision Act", article 18 of title 15, C.R.S., shall not be~~
31 ~~considered as abuse~~ WITHDRAWING, OR REFUSING OF ANY TREATMENT,
32 INCLUDING BUT NOT LIMITED TO RESUSCITATION, CARDIAC PACING,
33 MECHANICAL VENTILATION, DIALYSIS, ARTIFICIAL NUTRITION AND
34 HYDRATION, ANY MEDICATION OR MEDICAL PROCEDURE OR DEVICE, IN
35 ACCORDANCE WITH ANY VALID MEDICAL DIRECTIVE OR ORDER, OR AS
36 DESCRIBED IN A PALLIATIVE PLAN OF CARE, SHALL NOT BE DEEMED
37 CARETAKER NEGLECT. AS USED IN THIS PARAGRAPH (b), "MEDICAL
38 DIRECTIVE OR ORDER" INCLUDES, BUT IS NOT LIMITED TO, A MEDICAL
39 DURABLE POWER OF ATTORNEY, A DECLARATION AS TO MEDICAL
40 TREATMENT EXECUTED PURSUANT TO SECTION 15-18-104, C.R.S., A
41 MEDICAL ORDERS FOR SCOPE OF TREATMENT FORM EXECUTED PURSUANT
42 TO ARTICLE 18.7 OF TITLE 15, C.R.S., AND A CPR DIRECTIVE EXECUTED
43 PURSUANT TO ARTICLE 18.6 OF TITLE 15, C.R.S."

44
45 Page 5, line 25, after "self-neglect.", add "REFUSAL OF MEDICAL
46 TREATMENT, MEDICATIONS, DEVICES, OR PROCEDURES BY AN ADULT OR ON
47 BEHALF OF AN ADULT BY A DULY AUTHORIZED SURROGATE MEDICAL
48 DECISION MAKER OR IN ACCORDANCE WITH A VALID MEDICAL DIRECTIVE
49 OR ORDER, OR AS DESCRIBED IN A PALLIATIVE PLAN OF CARE, SHALL NOT
50 BE DEEMED SELF-NEGLECT. REFUSAL OF FOOD AND WATER IN THE
51 CONTEXT OF A LIFE-LIMITING ILLNESS SHALL NOT, BY ITSELF, BE EVIDENCE
52 OF SELF-NEGLECT. AS USED IN THIS SUBSECTION (10), "MEDICAL
53 DIRECTIVE OR ORDER" INCLUDES, BUT IS NOT LIMITED TO, A MEDICAL
54 DURABLE POWER OF ATTORNEY, A DECLARATION AS TO MEDICAL
55 TREATMENT EXECUTED PURSUANT TO SECTION 15-18-104, C.R.S., A
56 MEDICAL ORDERS FOR SCOPE OF TREATMENT FORM EXECUTED PURSUANT

1 TO ARTICLE 18.7 OF TITLE 15, C.R.S., AND A CPR DIRECTIVE EXECUTED
2 PURSUANT TO ARTICLE 18.6 OF TITLE 15, C.R.S."."

3
4 Amendment No. 4, by Representative(s) Schafer.

5
6 Amend reengrossed bill, page 16, strike lines 15 through 17 and
7 substitute:

8 "(II) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
9 DISTRICT ATTORNEYS;"

10
11 As amended, ordered revised and placed on the Calendar for Third
12 Reading and Final Passage.

13
14
15
16

17 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

18
19 Representative Duran moved to amend the Report of the Committee of
20 the Whole to reverse the action taken by the Committee in not adopting
21 the following Duran amendment, to HB12-1352, to show that said
22 amendment passed, and that **HB12-1352**, as amended, passed.

23
24

Amend printed bill. page 5, after line 20, insert:

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33

"(3) THE COMMISSION SHALL EVALUATE THE MERITS OF RAISING
EXISTING CAPS ON DAMAGES SPECIFIED IN THE ACT AND MAKING SUCH
WAIVER RETROACTIVE WITH RESPECT TO CONTROLLED WILDFIRE BURNS
CONDUCTED BY THE STATE. NOTWITHSTANDING ANY OTHER PROVISION OF
THIS PART 17, ANY MECHANISM CREATED BY THE STATE PURSUANT TO
THIS PART 17 SHALL ENSURE THAT EVERY PERSON ENJOYS ALL RIGHTS TO
HAVE THE PERSON'S CLAIM ADJUDICATED IN A COURT OF LAW."

34
35

Page 11, strike lines 26 and 27.

36
37

Page 12, strike lines 1 through 16.

38
39

Renumber succeeding subsection accordingly.

40
41

The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	33	EXCUSED	0	ABSENT	1
43	Acree	N	Fischer	Y	Looper	N	Solano	Y
44	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
45	Barker	N	Gerou	N	McCann	Y	Soper	Y
46	Baumgardner	N	Hamner	Y	McKinley	-	Stephens	N
47	Becker	N	Holbert	N	Miklosi	Y	Summers	N
48	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
49	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
50	Brown	N	Joshi	N	Pabon	Y	Szabo	N
51	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
52	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
53	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
54	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
55	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
56	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y

1	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
2	Fields	Y	Liston	N	Singer	Y	Young	Y
3							Speaker	N

4
5 Representative Kagan moved to amend the Report of the Committee of
6 the Whole to reverse the action taken by the Committee in not adopting
7 the following Kagan amendment, to HB12-1352, to show that said
8 amendment passed, and that **HB12-1352**, as amended, passed.

9
10 Amend printed bill, page 6, strike lines 7 through 27 and substitute
11 "THREE MEMBERS, EACH OF WHOM IS A CURRENT OR RETIRED JUDGE IN THE
12 STATE. ONE OF THE COMMISSION MEMBERS SHALL BE APPOINTED BY THE
13 SPEAKER OF THE HOUSE OF REPRESENTATIVES, ONE MEMBER SHALL BE
14 APPOINTED BY THE PRESIDENT OF THE SENATE, AND THE FINAL MEMBER
15 SHALL BE APPOINTED BY THE CHIEF JUSTICE. THE COMMISSION MEMBERS
16 SHALL SELECT A CHAIR FROM AMONG THE MEMBERSHIP. THE COMMISSION
17 MAY PROMULGATE AND AMEND RULES".

18
19 Page 7, strike lines 12 through 16 and substitute "THEIR OFFICIAL
20 DUTIES.".

21
22 Renumber succeeding subsections accordingly.

23
24 The amendment was declared **lost** by the following roll call vote:

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

43
44
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46
47 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

48
49 Passed Second Reading: **HB12-1327 amended, 1351, 1352 amended,**
50 **1353, SB12-026 amended, 078 amended.**

51
52 The Chairman moved the adoption of the Committee of the Whole
53 Report. As shown by the following roll call vote, a majority of those
54 elected to the House voted in the affirmative, and the Report was
55 **adopted.**

56

	YES	64	NO	0	EXCUSED	0	ABSENT	1
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB12-1008 by Representative(s) Acree; also Senator(s) Jahn--
Concerning additional methods for providing input to
executive branch agencies about proposed rules, and, in
connection therewith, directing agencies to establish
representative groups to evaluate and comment on
proposed rules, requiring agencies to notify the general
assembly of any rule-making that results in increases in
fees or fines, and requiring agencies to submit
departmental regulatory agendas to the general assembly.

(Amended as printed in Senate Journal, March 9, page 436.)

Representative Acree moved that the House **concur** in Senate amend-
ments. The motion was declared **passed** by the following roll call vote:

	YES	64	NO	0	EXCUSED	0	ABSENT	1
40	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
41	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
42	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
43	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
44	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
45	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
46	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
47	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
48	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
49	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
50	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
51	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
52	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
53	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
54	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
55	Fields	Y	Liston	Y	Singer	Y	Young	Y
56							Speaker	Y

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	61	NO	3	EXCUSED	0	ABSENT	1
7	Acree	Y	Fischer	N	Looper	Y	Solano	Y
8	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
9	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
10	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
11	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
12	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
13	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
14	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
15	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
16	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
17	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
18	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
19	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
20	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
21	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
22	Fields	Y	Liston	Y	Singer	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Conti, Summers.

25
 26 **HB12-1034** by Representative(s) Looper, Fischer, Hamner, Jones,
 27 Ramirez, Tyler, Vaad, Young; also Senator(s) Spence,
 28 Hudak, King S., Williams S.--Concerning continuing the
 29 processors and end users fund that encourages recycling of
 30 waste tires, and, in connection therewith, making an
 31 appropriation.

32
 33 (Amended as printed in Senate Journal, March 13, page 476.)

34
 35 Representative Looper moved that the House **concur** in Senate
 36 amendments. The motion was declared **passed** by the following roll call
 37 vote:

	YES	52	NO	12	EXCUSED	0	ABSENT	1
40	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
41	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
42	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
43	Baumgardner	N	Hamner	Y	McKinley	-	Stephens	N
44	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
45	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
46	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
47	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
48	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
49	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
50	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
51	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
52	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
53	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
54	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
55	Fields	Y	Liston	Y	Singer	Y	Young	Y
56							Speaker	Y

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	47	NO	17	EXCUSED	0	ABSENT	1
7	Acree	N	Fischer	Y	Looper	Y	Solano	Y
8	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
9	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
10	Baumgardner	N	Hamner	Y	McKinley	-	Stephens	N
11	Becker	N	Holbert	N	Miklosi	Y	Summers	N
12	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
13	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
14	Brown	N	Joshi	N	Pabon	Y	Szabo	N
15	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
16	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
17	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
18	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
19	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
20	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
21	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
22	Fields	Y	Liston	N	Singer	Y	Young	Y
23							Speaker	N

24 Co-sponsor(s) added: Representative(s) Hullinghorst, Pace, Priola, Swerdfeger.

25
 26 **HB12-1012** by Representative(s) Williams A.; also Senator(s) Guzman
 27 and White--Concerning authorization for reimbursement
 28 for up to fifty thousand dollars of actual, reasonable, and
 29 necessary business reestablishment expenses to be paid by
 30 a state agency in connection with the reestablishment of an
 31 operation displaced by a department of transportation
 32 project or a project with department of transportation
 33 oversight.

34
 35 (Amended as printed in Senate Journal, March 28, pages 599-600.)

36
 37 Representative A. Williams moved that the House **concur** in Senate
 38 amendments. The motion was declared **passed** by the following roll call
 39 vote:

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

1	Fields	Y	Liston	Y	Singer	Y	Young	Y
2							Speaker	Y

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

8	9	YES	64	NO	0	EXCUSED	0	ABSENT	1
10	Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
11	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
12	Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
13	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y	
14	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y	
15	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y	
16	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y	
17	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y	
18	Casso	Y	Kagan	Y	Pace	Y	Todd	Y	
19	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y	
20	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y	
21	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y	
22	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y	
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y	
24	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y	
25	Fields	Y	Liston	Y	Singer	Y	Young	Y	
26							Speaker	Y	

27 Co-sponsor(s) added: Representative(s) Fischer, Peniston.

31 REPORT(S) OF COMMITTEE(S) OF REFERENCE

33 APPROPRIATIONS

34 After consideration on the merits, the Committee recommends the
35 following:

37 **HB12-1355** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

41 Amend printed bill, page 2, line 7, strike "**understanding - conforming
42 of statutes.**" and substitute "**understanding - report.**".

44 Page 4, strike lines 12 through 15.

46 Renumber succeeding subsection accordingly.

48 Page 4, after line 24 insert:

50 "(7) (a) ON OR BEFORE JANUARY 31, 2013, AND IN ACCORDANCE
51 WITH THE PROVISIONS OF SECTION 24-1-136 (9), C.R.S., THE COLORADO
52 SCHOOL OF MINES SHALL REPORT TO THE JOINT BUDGET COMMITTEE, THE
53 AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE OF THE
54 HOUSE OF REPRESENTATIVES, OR ITS SUCCESSOR COMMITTEE, AND THE
55 AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE OF THE
56 SENATE, OR ITS SUCCESSOR COMMITTEE, CONCERNING THE TRANSFER OF

1 THE GEOLOGICAL SURVEY AND THE OFFICE OF THE STATE GEOLOGIST TO
2 THE COLORADO SCHOOL OF MINES.

3 (b) AT A MINIMUM, THE REPORT SHALL INCLUDE INFORMATION
4 CONCERNING:

5 (I) WHETHER THE PRESIDENT OF THE COLORADO SCHOOL OF MINES
6 AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL
7 RESOURCES ENTERED INTO A MEMORANDUM OF UNDERSTANDING
8 AFFIRMING THE TRANSFER OF THE COLORADO GEOLOGICAL SURVEY AND
9 THE OFFICE OF THE STATE GEOLOGIST TO THE COLORADO SCHOOL OF
10 MINES; AND

11 (II) THE CONTENTS OF THE MEMORANDUM OF UNDERSTANDING,
12 INCLUDING A DESCRIPTION OF THE CONTENTS OF THE MEMORANDUM OF
13 UNDERSTANDING RELATING TO THE PROVISIONS REQUIRED PURSUANT TO
14 PARAGRAPHS (a) TO (e) OF SUBSECTION (2) OF THIS SECTION.

15
16 Page 12, after line 7 insert:

17

18 **"23-41-210. Annual report to general assembly - repeal.**

19 (1) (a) ON OR BEFORE DECEMBER 1, 2013, AND EACH DECEMBER 1
20 THEREAFTER, AND IN ACCORDANCE WITH THE PROVISIONS OF SECTION
21 24-1-136 (9), C.R.S., THE COLORADO SCHOOL OF MINES SHALL SUBMIT A
22 WRITTEN REPORT TO THE JOINT BUDGET COMMITTEE, THE AGRICULTURE,
23 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE OF THE HOUSE OF
24 REPRESENTATIVES, OR ITS SUCCESSOR COMMITTEE, AND THE
25 AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE OF THE
26 SENATE, OR ITS SUCCESSOR COMMITTEE, CONCERNING THE
27 IMPLEMENTATION OF THIS PART 2.

28 (b) AT A MINIMUM, THE ANNUAL REPORT SHALL INCLUDE
29 INFORMATION CONCERNING:

30 (I) THE PRIORITY OF FUNCTIONS AND OBJECTIVES FOR THE
31 COLORADO GEOLOGICAL SURVEY, AS DETERMINED BY THE COLORADO
32 SCHOOL OF MINES, INCLUDING THE PRIORITY OF THOSE OBJECTIVES
33 DESCRIBED IN SECTION 23-41-205 (1) (a) TO (1) (m);

34 (II) THE IMPLEMENTATION OF THE OBJECTIVES OF THE AVALANCHE
35 INFORMATION CENTER;

36 (III) THE SEVERANCE TAX MONEYS RECEIVED BY THE COLORADO
37 GEOLOGICAL SURVEY AND OTHER STATE FUNDING, AND THE SUFFICIENCY
38 OF THOSE MONEYS FOR THE IMPLEMENTATION OF THE FUNCTIONS AND
39 OBJECTIVES OF THE COLORADO GEOLOGICAL SURVEY;

40 (IV) ADDITIONAL FUNDING OR OTHER RESOURCES FROM ANY
41 OTHER SOURCE THAT ARE AVAILABLE TO CARRY OUT THE FUNCTIONS AND
42 OBJECTIVES OF THE COLORADO GEOLOGICAL SURVEY;

43 (V) THE NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES
44 DEDICATED TO THE IMPLEMENTATION OF THIS PART 2;

45 (VI) COLLABORATION WITH STATE AGENCIES, INDUSTRY,
46 ACADEMIC INSTITUTIONS, OR OTHER ENTITIES CONCERNING THE
47 IMPLEMENTATION OF THIS PART 2; AND

48 (VII) THE OBJECTIVES FOR THE COLORADO GEOLOGICAL SURVEY,
49 THE OFFICE OF THE STATE GEOLOGIST, AND THE AVALANCHE INFORMATION
50 CENTER FOR THE NEXT YEAR.

51 (c) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2017."

52

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PRINTING REPORT1
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The Chief Clerk reports the following bills have been correctly printed:
HB12-1357, 1358, 1359.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB12-1080.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith
HB12-1293, HB12-1108, HB12-1241.

The Senate has passed on Third Reading and transmits to the Revisor of
Statutes: SB12-176, SCR12-001, SB12-170.

SB12-177 amended as printed in Senate Journal, April 30, 2012,
page 934.

HCR12-1001 amended on Third Reading, May 1, 2012, as printed in the
Senate Journal.

HB12-1041 amended as printed in Senate Journal, April 27, 2012,
page 924.

HB12-1068 amended as printed in Senate Journal, April 30, 2012,
page 935.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB12-170 and 176.

Without comment, as amended, HB12-1041 and 1068 and HCR 12-1001.

Without comment, as amended, SB12-177 and SCR 12-001.

INTRODUCTION OF BILL**First Reading**

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

SB12-175 by Senator(s) Carroll and Roberts; also Representative(s)
Gardner B. and Duran--Concerning statutorily established
time intervals.

Committee on Judiciary

House in recess. House reconvened.

INTRODUCTION OF BILLS
First Reading

- 1
2
3
4 The following bills were read by title and referred to the committees
5 indicated:
6
7 **HB12-1360** by Representative(s) Gerou and Levy, Becker; also
8 Senator(s) Steadman and Lambert, Hodge--Concerning the
9 transfer of up to four million dollars from the general fund
10 to the Colorado economic development fund based upon
11 the amount by which the June 2012 estimate of general
12 fund revenue for the 2011-12 fiscal year exceeds the
13 March 2012 estimate of general fund revenue for the
14 2011-12 fiscal year.
15 Committee on Appropriations
16
17 **SB12-002** by Senator(s) Steadman, Guzman; also Representative(s)
18 Ferrandino, Casso, Hullinghorst, Kagan, Kerr A., Levy,
19 Miklosi, Schafer S., Singer, Young--Concerning
20 authorization of civil unions, and, in connection therewith,
21 making an appropriation.
22 Committee on Judiciary
23
24 **SB12-027** by Senator(s) Scheffel; also Representative(s) Ramirez--
25 Concerning notice to certain members of the general
26 assembly of rules promulgated pursuant to the "State
27 Administrative Procedure Act" as a result of an enacted
28 legislative measure.
29 Committee on Economic and Business Development
30
31 **SB12-028** by Senator(s) Grantham; also Representative(s) Barker--
32 Concerning aggravated juvenile offenders adjudicated for
33 murder.
34 Committee on Judiciary
35
36 **SB12-046** by Senator(s) Newell and Hudak; also Representative(s)
37 Nikkel and Levy, Szabo--Concerning disciplinary
38 measures in public schools, and in connection therewith,
39 requiring a post-enactment review of the implementation
40 of this act.
41 Committee on Education
42
43 **SB12-090** by Senator(s) Foster, Aguilar, Bacon, Boyd, Carroll,
44 Giron, Guzman, Heath, Hudak, Johnston, Morse, Newell,
45 Nicholson, Schwartz, Williams S.; also Representative(s)
46 Court--Concerning restoring coverage for circumcision of
47 males under medicaid, and, in connection therewith,
48 making an appropriation.
49 Committee on Health and Environment
50
51 **SB12-101** by Senator(s) Nicholson; also Representative(s) Bradford--
52 Concerning the authority of a local improvement district,
53 and, in connection therewith, making an appropriation.
54 Committee on Local Government
55

- 1 **SB12-104** by Senator(s) Steadman, Aguilar, Guzman, Morse, Newell,
 2 Renfroe, Roberts; also Representative(s) DelGrosso,
 3 Kerr A., Lee, Pabon, Vigil--Concerning consolidation of
 4 drug treatment funding into the correctional treatment
 5 fund, and, in connection therewith, making and reducing
 6 appropriations.
 7 Committee on Judiciary
 8
- 9 **SB12-108** by Senator(s) Nicholson; also Representative(s) Summers
 10 and Kerr A.--Concerning providing oral health services to
 11 pregnant women who are enrolled in medicaid, and, in
 12 connection therewith, making an appropriation.
 13 Committee on Health and Environment
 14
- 15 **SB12-170** by Senator(s) Aguilar; also Representative(s) Gerou--
 16 Concerning authorization for personalized license plates
 17 of one position to fund a program that helps persons with
 18 disabilities obtain benefits.
 19 Committee on Transportation
 20
- 21 **SB12-176** by Senator(s) Brophy, Guzman, Morse, Roberts, Schwartz;
 22 also Representative(s) Labuda, Gardner B., Levy, Murray,
 23 Waller--Concerning nonsubstantive revisions of statutes in
 24 the Colorado Revised Statutes, as amended, and, in
 25 connection therewith, amending or repealing obsolete,
 26 inconsistent, and conflicting provisions of law and
 27 clarifying the language to reflect the legislative intent of
 28 the laws.
 29 Committee on Judiciary
 30
- 31 **SB12-177** by Senator(s) Jahn, Cadman; also Representative(s) Liston
 32 and Pabon, Duran, Gardner B., McNulty, Priola, Soper,
 33 Swalm, Swerdfeger, Szabo, Tyler, Williams A.--
 34 Concerning administration of the unemployment insurance
 35 program in order to stabilize unemployment insurance
 36 rates, and, in connection therewith, facilitating the
 37 issuance of unemployment revenue bonds and accelerating
 38 the creation of the division of unemployment insurance in
 39 the department of labor and employment.
 40 Committee on Economic and Business Development
 41

INTRODUCTION OF CONCURRENT RESOLUTION

- 46 The following resolution was read by title and referred to the committee
 47 indicated:
 48
- 49 **SCR12-001** by Senator(s) Steadman; also Representative(s)
 50 Ferrandino--Submitting to the registered electors of the
 51 state of Colorado an amendment to the Colorado
 52 constitution repealing provisions deemed obsolete on
 53 account of a determination of the unconstitutionality of
 54 said provisions by a court of competent jurisdiction.
 55 Committee on Judiciary
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INTRODUCTION OF RESOLUTION

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

HJR12-1023 by Representative(s) McNulty and Stephens, Waller, Nikkel, Murray, Priola, Becker, Bradford, DelGrosso, Gardner B., Gerou, Kerr J., Liston, Massey, Sonnenberg, Summers, Vaad--Concerning authorizing and directing the committee on legal services to retain legal counsel to represent the General Assembly as amicus curiae in the case of Lobato v. State of Colorado for the purpose of preserving and protecting the General Assembly's plenary power under the doctrine of separation of powers.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until May 2, retaining place on Calendar:

- Consideration of Third Reading--**SB12-160**.
 - Consideration of General Orders--**SB12-118, HB12-1109, 1119, 1347, 1278**.
 - Consideration of Conference Committee Report(s)--**HB12-1002**.
 - Consideration of Resolution(s)--**HJR12-1020, 1021, SJR12-041**.
 - Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1270, 1307, 1052, 1105, 1146, 1321, 1275, 1059, 1081, 1304, 1324, 1124**.
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On motion of Representative Stephens, the House adjourned until 9:00 a.m., May 2, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

