

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

Sixty-fourth Legislative Day

Wednesday, March 14, 2012

1 Representative Nikkel called the House to order at 9:00 a.m.

2

3 Prayer by Father Eamon Kelly, Pontifical Institute of Notre Dame,
4 Jerusalem.

5

6 Pledge of Allegiance led by Devin Holiday, University of Colorado,
7 Boulder.

8

9 The roll was called with the following result:

10

11 Present--64.

12 Excused--Representative(s) McNulty--1.

13 Present after roll call--Representative(s) McNulty.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Ramirez, the reading of the journal of
19 March 13, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 House in recess. House reconvened.

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MESSAGE(S) FROM THE SENATE

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27 The Senate has adopted and transmits herewith: SJR12- 018, 019.

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30

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

31

32 On motion of Representative Stephens, the rules were suspended and the
33 following resolutions were given immediate consideration.

34

35
36 **SJR12-019** by Senator(s) Brophy, Schwartz; also Representative(s)
37 McKinley--Concerning the contribution of wind energy to
38 Colorado's economy.

39

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

41

42 On motion of Representative McKinley, the resolution was **adopted** by
43 the following roll call vote:

	YES	53	NO	10	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	N	Solano	Y
3	Balmer	N	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	N	Miklosi	Y	Summers	Y
7	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
8	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	N	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	N	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	E
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	N	Singer	Y	Young	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Barker, Brown, Casso, Court,
 20 Ferrandino, Fischer, Hamner, Hullinghorst, Jones, Kefalas, Kerr A., Labuda,
 21 Lee, Levy, Massey, McCann, Miklosi, Nikkel, Pace, Peniston, Ryden,
 22 Schafer S., Singer, Solano, Sonnenberg, Soper, Swerdfeger, Todd, Tyler, Vigil,
 23 Williams A., Wilson, Young.

24
 25 **SJR12-018** by Senator(s) Boyd; also Representative(s) Pabon--
 26 Concerning honoring Coloradans living with multiple
 27 sclerosis, and, in connection therewith, recognizing
 28 March 14 as "Multiple Sclerosis Awareness Day".
 29

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

31
 32 On motion of Representative Pabon, the resolution was read at length and
 33 **adopted** by **viva voce** vote.
 34

35 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
 36 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
 37 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
 38 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
 39 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi,
 40 Murray, Nikkel, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott,
 41 Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
 42 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young.
 43

44
 45 House in recess. House reconvened.
 46
 47

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

49 **APPROPRIATIONS**

50 After consideration on the merits, the Committee recommends the
 51 following:
 52

53
 54 **HB12-1238** be amended as follows, and as so amended, be referred to
 55 the Committee of the Whole with favorable
 56 recommendation:

1 Amend the Education Committee Report, dated March 12, 2012, page 8,
2 line 5, strike "AND".

3

4 Page 8, after line 5, insert:

5

6 "(IV) THE DEPARTMENT SHALL NEXT USE THE MONEYS IN THE
7 FUND TO REIMBURSE SCHOOL DISTRICTS FOR EDUCATIONAL SERVICES
8 PROVIDED PURSUANT TO SECTION 22-32-141 TO JUVENILES HELD IN JAILS
9 OR OTHER FACILITIES FOR THE DETENTION OF ADULT OFFENDERS; AND".

10

11 Page 8, line 6, strike "(IV)" and substitute "(V)".

12

13 Page 8, after line 17, insert:

14

15 "Page 44, after line 11, insert:

16

17 **"SECTION 11. Appropriation.** (1) In addition to any other
18 appropriation, there is hereby appropriated, out of any moneys in the early
19 literacy fund created in section 22-7-511 (3), Colorado Revised Statutes,
20 not otherwise appropriated, to the department of education, for the fiscal
21 year beginning July 1, 2012, the sum of \$5,291,943 and 9.8 FTE, or so
22 much thereof as may be necessary, for allocation to the assistance to
23 public schools division for reading and literacy programs related to the
24 implementation of this act.

25

26 (2) In addition to any other appropriation, there is hereby
27 appropriated, out of any moneys in the early literacy fund created in
28 section 22-7-511 (3), Colorado Revised Statutes, not otherwise
29 appropriated, to the department of education, for the fiscal year beginning
30 July 1, 2012, the sum of \$20,046 and 0.2 FTE, or so much thereof as may
31 be necessary, for allocation to the public school finance division for
32 administrative expenses related to district per pupil reimbursements for
33 juveniles held in jail.

34

35 (3) In addition to any other appropriation, there is hereby
36 appropriated, out of any moneys in the early literacy fund created in
37 section 22-7-511 (3), Colorado Revised Statutes, not otherwise
38 appropriated, to the department of education, for the fiscal year beginning
39 July 1, 2012, the sum of \$100,000, or so much thereof as may be
40 necessary, for allocation to the public school finance division for district
41 per pupil reimbursements for juveniles held in jail.

42

43 **SECTION 12. Appropriation - adjustments in 2012 long bill.**

44 (1) For the implementation of this act, appropriations made in the annual
45 general appropriation act to the department of education for the fiscal
46 year beginning July 1, 2012, are adjusted as follows:

47

48 (a) The cash funds appropriation for public school finance
49 administration is decreased by \$20,046 and 0.2 FTE. Said sum is from the
50 read-to-achieve cash fund created in section 22-7-908 (1), Colorado
51 Revised Statutes.

52

53 (b) The cash funds appropriation for district per pupil
54 reimbursements for juveniles held in jail is decreased by \$100,000. Said
55 sum is from the read-to-achieve cash fund created in section 22-7-908 (1),
56 Colorado Revised Statutes.

1 (c) The cash funds appropriation for the read-to-achieve grant
2 program is decreased by \$5,242,516 and 1.0 FTE. Said sum is from the
3 read-to-achieve cash fund created in section 22-7-908 (1), Colorado
4 Revised Statutes."

5

6 Renumber succeeding sections accordingly.

7

8 Page 1 of the bill, line 104, strike "ACT"." and substitute "ACT" AND
9 MAKING AND REDUCING APPROPRIATIONS."."

10

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12

13 **HB12-1268** be rereferred favorably to the Committee on Health &
14 Environment.

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18

19 **ECONOMIC & BUSINESS DEVELOPMENT**

20 After consideration on the merits, the Committee recommends the
21 following:

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23 **HB12-1156** be postponed indefinitely.

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25

26 **SB12-058** be postponed indefinitely.

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31 **HEALTH & ENVIRONMENT**

32 After consideration on the merits, the Committee recommends the
33 following:

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35 **SB12-077** be referred to the Committee of the Whole with favorable
36 recommendation.

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39 **SB12-099** be referred to the Committee of the Whole with favorable
40 recommendation.

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45 **JUDICIARY**

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

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49 **SB12-066** be referred to the Committee of the Whole with favorable
50 recommendation.

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53 **SB12-110** be referred favorably to the Committee on Finance.

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PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB12-1326.

MESSAGE(S) FROM THE SENATE

The Senate has voted not to concur in House Amendments to SB12-020, and requests that a Conference Committee be appointed. The President appointed Senators Aguilar - Chair, Carroll, and Roberts as members of the First Conference Committee on part of the Senate. The bill is transmitted herewith.

The Senate has passed on Third Reading and returns herewith HB12-1104, HB12-1065, HB12-1028, HB12-1072, HB12-1029, HB12-1061, HB12-1216.

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

HB12-1114 amended as printed in Senate Journal, March 8, 2012, page 465.

HB12-1034 amended as printed in Senate Journal, March 13, 2012, page 476.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1034 and 1114.

LAY OVER OF CALENDAR ITEM(S)

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

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

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

Consideration of General Orders--**HB12-1121, 1103, 1300, SB12-030, HB12-1019, 1068, 1130, 1205, SB12-035, HB12-1118, 1263, SB12-033.**

Consideration of Resolution(s)--**HJR12-1016.**

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

1 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
2 March 15, 2012.

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6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
FRANK McNULTY,
Speaker