

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

Seventy-eighth Legislative Day

Wednesday, March 28, 2012

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

2

3 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian  
 4 Church, Denver.

5

6 Pledge of Allegiance led by Carson Holst, Sante Crutcher, Jake  
 7 Brisnehan, Cub Scout Pack S11, Den 9, Emerald Elementary and  
 8 Kohl Elementary, Broomfield.

9

10 The roll was called with the following result:

11

12 Present--62.

13 Excused--Representative(s) Fields, Holbert, Miklosi--3.

14 Present after roll call--Representative(s) Holbert, Miklosi.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Summers, the reading of the journal of  
 20 March 27, 2012, was declared dispensed with and approved as corrected  
 21 by the Chief Clerk.

22

23

24

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

26

27 The following bill(s) was(were) considered on Third Reading. The  
 28 title(s) was(were) publicly read. Reading of the bill at length was  
 29 dispensed with by unanimous consent.

30

31 **HB12-1305** by Representative(s) Gardner; also Senator(s) King, S--  
 32 Concerning statutory rates of interest.

33

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

35 A roll call vote was taken. As shown by the following recorded vote, less  
 36 than a majority of those elected to the House voted in the affirmative and  
 37 the bill was declared **lost**.

38

	YES	32	NO	31	EXCUSED	2	ABSENT	0
40	Acree	Y	Fischer	N	Looper	Y	Solano	N
41	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
42	Barker	Y	Gerou	Y	McCann	N	Soper	N
43	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y

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

14  
15 **HB12-1258** by Representative(s) DelGrosso; also Senator(s) Jahn--  
16 Concerning regulation of public utilities in terms of  
17 alternative fuel vehicles.

18  
19 The question being "Shall the bill pass?".

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

23	YES	60	NO	3	EXCUSED	2	ABSENT	0
24								
25	Acree	Y	Fischer	Y	Looper	N	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	E	Summers	Y
30	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
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	N	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	E	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Ferrandino, Fischer, Hamner, Jones,  
43 Kagan, Kerr A., Kerr J., Labuda, Lee, Levy, McCann, Pace, Schafer S., Scott,  
44 Singer, Solano, Todd, Vigil, Williams A., Wilson, Young.

45  
46  
47 **SB12-034** by Senator(s) King S., Tochtrop; also Representative(s)  
48 Miklosi--Concerning repeal of the rapid screen program to  
49 identify high-emitting motor vehicles.

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	63	NO	0	EXCUSED	2	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	E	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	E	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Jones, Ramirez, Solano, Williams A.,  
20 Wilson, Young.

21  
22 **HB12-1282** by Representative(s) Ramirez; also Senator(s) Nicholson--  
23 Concerning the ability of the Colorado geological survey  
24 to exempt review of the geologic factors of a preliminary  
25 subdivision plan upon request from the board of county  
26 commissioners of a county.

27  
28 The question being "Shall the bill pass?".  
29 A roll call vote was taken. As shown by the following recorded vote, a  
30 majority of those elected to the House voted in the affirmative and the bill  
31 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
34	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
35	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
36	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
37	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
38	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
39	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
40	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
41	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
42	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
43	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
44	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
45	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
46	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
47	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
48	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
49	Fields	E	Liston	Y	Singer	Y	Young	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Brown.

52  
53 **HB12-1295** by Representative(s) Priola; also Senator(s) Tochtrop--  
54 Concerning the creation of a Colorado Rockies license  
55 plate, and, in connection therewith, making an  
56 appropriation.

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

	YES	54	NO	9	EXCUSED	2	ABSENT	0
7	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
8	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
9	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
10	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
11	Becker	N	Holbert	N	Miklosi	E	Summers	Y
12	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
13	Bradford	N	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	N	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	N	Levy	N	Scott	Y	Wilson	N
22	Fields	E	Liston	Y	Singer	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Schafer S., Scott, Todd.

25  
 26 **SB12-127** by Senator(s) Newell, Aguilar, Bacon, Foster, Lundberg,  
 27 Nicholson, Steadman, White; also Representative(s)  
 28 Summers--Concerning the participation of providers of  
 29 long-term care in medicaid care coordination programs.

30  
 31 The question being "Shall the bill pass?".  
 32 A roll call vote was taken. As shown by the following recorded vote, a  
 33 majority of those elected to the House voted in the affirmative and the bill  
 34 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
38	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
42	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
43	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
44	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
45	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
46	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
47	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
48	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
49	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
50	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
51	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
52	Fields	E	Liston	Y	Singer	Y	Young	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Court, Fischer, Kefalas, Kerr A.,  
 55 Labuda, Schafer S., Singer, Todd, Tyler, Young.

56

1 **SB12-102** by Senator(s) Brophy; also Representative(s) Nikkel--  
 2 Concerning the repeal of the crime of criminal libel.  
 3

4 The question being "Shall the bill 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 bill  
 7 was declared **passed**.  
 8

	YES	37	NO	26	EXCUSED	2	ABSENT	0
10	Acree	N	Fischer	Y	Looper	Y	Solano	N
11	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
12	Barker	N	Gerou	Y	McCann	Y	Soper	N
13	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
14	Becker	N	Holbert	N	Miklosi	E	Summers	N
15	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
16	Bradford	N	Jones	N	Nikkel	Y	Swerdfeger	Y
17	Brown	N	Joshi	Y	Pabon	Y	Szabo	N
18	Casso	N	Kagan	Y	Pace	Y	Todd	N
19	Conti	N	Kefalas	Y	Peniston	N	Tyler	Y
20	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
21	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
22	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
24	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
25	Fields	E	Liston	Y	Singer	Y	Young	Y
26							Speaker	Y

27 Co-sponsor(s) added: Representative(s) Levy.  
 28  
 29

30 **SB12-152** by Senator(s) Cadman, Morse, Shaffer B.; also  
 31 Representative(s) Ferrandino, McNulty, Stephens--  
 32 Concerning changes to the procedures for filing reports  
 33 with the general assembly under the "Information  
 34 Coordination Act".  
 35

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

	YES	61	NO	2	EXCUSED	2	ABSENT	0
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	N	Stephens	Y
46	Becker	Y	Holbert	Y	Miklosi	E	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	N	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	E	Liston	Y	Singer	Y	Young	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Todd.

4  
5 **SB12-059** by Senator(s) Brophy; also Representative(s) Sonnenberg--  
6 Concerning commercial vehicle standards applied to  
7 certain vehicles under twenty-six thousand one pounds.

8  
9 The question being "Shall the bill pass?".

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

14	YES	62	NO	1	EXCUSED	2	ABSENT	0
15	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
16	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
17	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
18	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
19	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
20	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
21	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
22	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
23	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
24	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
25	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
26	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
27	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
28	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
29	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
30	Fields	E	Liston	Y	Singer	Y	Young	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Becker, Brown.

33  
34  
35 On motion of Representative Balmer, the House resolved itself into  
36 Committee of the Whole for consideration of General Orders, and he was  
37 called to the Chair to act as Chairman.

### 38 39 40 **GENERAL ORDERS--SECOND READING OF BILLS**

41  
42 The Committee of the Whole having risen, the Chairman reported the  
43 titles of the following bills had been read (reading at length had been  
44 dispensed with by unanimous consent), the bills considered and action  
45 taken thereon as follows:

46  
47 (Amendments to the committee amendment are to the printed committee  
48 report which was printed and placed in the members' bill file.)

49  
50 On motion of Representative Waller, the following bills on the General  
51 Orders Calendar were laid over until March 29, retaining place on  
52 Calendar: **HB12-1066, 1110, 1161, SB12-087, HB12-1294.**

53  
54 **HB12-1014** by Representative(s) Baumgardner; also Senator(s)  
55 Neville--Concerning modification of the fee for late  
56 registration of a vehicle.

1 Amendment No. 1, Transportation Report, dated February 2, 2012, and  
2 placed in member's bill file; Report also printed in House Journal,  
3 February 6, pages 161-162.

4  
5 Amendment No. 2, Appropriations Report, dated March 23, 2012, and  
6 placed in member's bill file; Report also printed in House Journal,  
7 March 23, page 775.

8  
9 Amendment No. 3, by Representative(s) Baumgardner.

10  
11 Amend the Transportation Committee Report, dated February 2, 2012,  
12 page 1, strike lines 2 through 9.

13  
14 As amended, ordered engrossed and placed on the Calendar for Third  
15 Reading and Final Passage.

16  
17 **HB12-1048** by Representative(s) Waller; also Senator(s) Tochtrop--  
18 Concerning relieving the Colorado bureau of investigation  
19 of its statutory duties as a point of contact for the national  
20 instant criminal background check system in cases of  
21 firearm transfers.

22  
23 Amendment No. 1, Appropriations Report, dated March 23, 2012, and  
24 placed in member's bill file; Report also printed in House Journal,  
25 March 23, pages 775-776.

26  
27 As amended, laid over until March 29, retaining place on Calendar.

28  
29 **HB12-1240** by Representative(s) Kerr A.; also Senator(s) Bacon and  
30 K. King--Concerning statutory changes to K-12 education.

31  
32 Amendment No. 1, Education Report, dated February 27, 2012, and  
33 placed in member's bill file; Report also printed in House Journal,  
34 February 29, pages 438-458.

35  
36 Amendment No. 2, Finance Report, dated March 15, 2012, and placed  
37 in member's bill file; Report also printed in House Journal, March 16,  
38 page 690.

39  
40 As amended, ordered engrossed and placed on the Calendar for Third  
41 Reading and Final Passage.

42  
43  
44

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

46  
47 Representative Kagan moved to amend the Report of the Committee of  
48 the Whole to reverse the action taken by the Committee in not adopting  
49 the following Kagan amendment, to HB12-1048, to show that said  
50 amendment passed, and that **HB12-1048**, as amended, was laid over until  
51 Thursday, March 29, 2012.

52  
53 Amend printed bill, page 2, line 5, strike "(1) (b)" and substitute "(1) (b);  
54 and **add** (1) (c), (1) (d), and (1.5)".

55  
56 Page 2, line 13, strike "and" and substitute "**and**".

1 Page 2, line 19, strike "TRANSFEREE." and substitute "TRANSFEREE;"

2

3 Page 2, after line 19, insert:

4

5 "(c) REQUIRE THE TRANSFEREE TO COMPLETE AND SIGN A WRITTEN  
6 DOCUMENT THAT REQUIRES THE TRANSFEREE TO STATE, UNDER PENALTY  
7 OF PERJURY, WHETHER HE OR SHE HAS ANY CRIMINAL CHARGES PENDING  
8 AGAINST HIM OR HER THAT RELATE TO AN ALLEGED INCIDENT OF  
9 DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), C.R.S., AND  
10 WHETHER HE OR SHE IS THE SUBJECT OF A PROTECTION ORDER, AS DEFINED  
11 IN SECTION 18-6-803.7, C.R.S.; AND

12

13 (d) RETAIN THE SIGNED DOCUMENT DESCRIBED IN PARAGRAPH (c)  
14 OF THIS SUBSECTION (1).

15

16 (1.5) A GUN SHOW VENDOR SHALL NOT TRANSFER OR ATTEMPT TO  
17 TRANSFER A FIREARM AT A GUN SHOW TO A TRANSFEREE UNLESS THE  
18 TRANSFEREE COMPLETES AND SIGNS THE WRITTEN DOCUMENT DESCRIBED  
19 IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, IN WHICH  
20 DOCUMENT THE TRANSFEREE ASSERTS THAT HE OR SHE DOES NOT HAVE  
21 ANY CRIMINAL CHARGES PENDING AGAINST HIM OR HER THAT RELATE TO  
22 AN ALLEGED INCIDENT OF DOMESTIC VIOLENCE AND THAT HE OR SHE IS  
23 NOT THE SUBJECT OF A PROTECTION ORDER."

24

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

26

27

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

45

46

47 Representative Fischer moved to amend the Report of the Committee of  
48 the Whole to reverse the action taken by the Committee in not adopting  
49 the following Fischer amendment, to HB12-1014, to show that said  
50 amendment passed, and that **HB12-1014**, as amended, passed.

51

52 Amend printed bill, page 3, line 14, strike "date." and substitute "date;  
53 except that this bill shall not take effect if there is evidence that the effect  
54 of the bill will result in a net loss of jobs in any field immediately affected  
55 by the bill."

56



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

	YES	28	NO	36	EXCUSED	1	ABSENT	0
4	Acree	N	Fischer	Y	Looper	N	Solano	Y
5	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
6	Barker	N	Gerou	N	McCann	Y	Soper	Y
7	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
8	Becker	N	Holbert	N	Miklosi	N	Summers	N
9	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
10	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
11	Brown	N	Joshi	N	Pabon	Y	Szabo	N
12	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
13	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
14	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
15	Court	Y	Kerr J.	N	Ramirez	N	Vigil	N
16	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
17	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
18	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
19	Fields	E	Liston	N	Singer	Y	Young	Y
20							Speaker	N

21  
22  
23  
24 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

25  
26 Passed Second Reading: **HB12-1014 amended, 1240 amended.**

27  
28 Laid over until date indicated retaining place on Calendar: **HB12-1066,**  
29 **1110, 1161, SB12-087, HB12-1294, 1048 amended,** March 29, 2012.

30  
31 The Chairman moved the adoption of the Committee of the Whole  
32 Report. As shown by the following roll call vote, a majority of those  
33 elected to the House voted in the affirmative, and the Report was  
34 **adopted.**

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

**APPOINTMENTS**

The Speaker announced the following temporary appointments:

**STATE, VETERANS, & MILITARY AFFAIRS**

Representative Waller to replace Representative Liston (temporary appointment for the State, Veterans, & Military Affairs meeting on Wednesday, March 28, 2012).

**LOCAL GOVERNMENT**

Representative Hullinghorst to replace Representative Fields (temporary appointment for the Local Government meetings through March, 30, 2012).

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

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

**HB12-1272** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 13, strike "a high-demand" and substitute "~~a high-demand~~ AN".

Page 2, line 16, strike "THESE".

Page 4, line 27, strike "a high-demand" and substitute "~~a high-demand~~ AN".

Page 6, after line 6 insert:

**"SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the employment support cash fund created in section 8-77-109 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of labor and employment, for the fiscal year beginning July 1, 2012, the sum of \$47,198, or so much thereof as may be necessary, related to the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 103, strike "**PROGRAMS.**" and substitute "**PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

**HB12-1281** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, line 14, strike "**definitions** -".
- 2
- 3 Page 4, line 13, strike "ACCOUNTABLE CARE".
- 4
- 5 Page 4, line 14, strike "COLLABORATIVE" and substitute "STATE
- 6 DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 7
- 8 Page 4, strike lines 16 through 27.
- 9
- 10 Page 5, strike lines 1 and 2.
- 11
- 12 Renumber succeeding subsections accordingly.
- 13
- 14 Page 5, line 9, strike "RCCOs" and substitute "CONTRACTORS OF THE
- 15 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 16
- 17 Page 5, line 16, strike "RCCO" and substitute "STATE DEPARTMENT'S
- 18 CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 19
- 20 Page 5, line 17, strike "RCCO" and substitute "STATE DEPARTMENT'S
- 21 CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 22
- 23 Page 5, line 18, strike "RCCO" and substitute "CONTRACTOR OF THE
- 24 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 25
- 26 Page 5, line 19, strike "RCCO" and substitute "CONTRACTOR OF THE
- 27 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 28
- 29 Page 5, line 21, strike "APRIL" and substitute "JULY".
- 30
- 31 Page 5, line 23, strike the second "IN".
- 32
- 33 Page 5, strike lines 24 through 26.
- 34
- 35 Page 6, line 7, strike "ACC" and substitute "STATE DEPARTMENT'S
- 36 CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 37
- 38 Page 6, line 9, strike "RCCO" and substitute "STATE DEPARTMENT'S
- 39 CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 40
- 41 Page 6, line 13, strike "RCCO" and substitute "CONTRACTOR OF THE
- 42 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 43
- 44 Page 6, line 14, strike "RCCO" and substitute "CONTRACTOR OF THE
- 45 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 46
- 47 Page 6, line 16, strike "RCCO" and substitute "CONTRACTOR OF THE
- 48 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 49
- 50 Page 6, line 21, strike "RCCO," and substitute "CONTRACTOR OF THE
- 51 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM,".
- 52
- 53 Page 6, line 22, strike "APRIL" and substitute "JULY".
- 54
- 55 Page 8, line 12, strike "SEPTEMBER 15," and substitute "FEBRUARY 1,".
- 56

1 Page 8, line 14, strike the first "THE" and substitute "ANY" and strike  
2 "SELECTED" and substitute "RECEIVED BY THE STATE DEPARTMENT".  
3

4 Page 10, strike lines 13 through 22 and substitute:  
5

6 **"SECTION 3.** In Colorado Revised Statutes, 25.5-5-402, **add** (6),  
7 (7), and (8) as follows:  
8

9 **25.5-5-402. Statewide managed care system.** (6) FOR REQUESTS  
10 FOR PROPOSALS OCCURRING ON AND AFTER JANUARY 1, 2015, THE  
11 DEPARTMENT SHALL ALLOW GLOBAL PAYMENT FOR HEALTH BENEFITS AND  
12 SERVICES PROVIDED TO MEDICAL ASSISTANCE CLIENTS PURSUANT TO  
13 SECTIONS 25.5-5-404 (1) (k) AND (1) (l), 25.5-5-406 (2), AND PARAGRAPH  
14 (b) OF SUBSECTION (2) OF THIS SECTION. THE STATE DEPARTMENT SHALL  
15 HAVE THE DISCRETION TO DETERMINE WHICH PROPOSALS SATISFY THE  
16 REQUEST FOR PROPOSAL AND ARE APPROPRIATE FOR THE STATE'S  
17 COORDINATED CARE SYSTEM.  
18

19 (7) AN ENTITY THAT PROVIDES FOR THE COORDINATION AND  
20 INTEGRATION OF CARE WITHIN THE STATE DEPARTMENT'S MEDICAID  
21 COORDINATED CARE SYSTEM, THAT SUBMITS A PAYMENT PROJECT FOR A  
22 GLOBAL PAYMENT PURSUANT TO SECTION 25.5-5-415 OR SECTION 25.5-5-  
23 406, SHALL SEEK PROPOSALS FROM EACH ESSENTIAL COMMUNITY  
24 PROVIDER IN THE REGION IN WHICH THE ENTITY HAS CLIENTS FOR THOSE  
25 SERVICES THAT THE ESSENTIAL COMMUNITY PROVIDER PROVIDES OR IS  
26 CAPABLE OF PROVIDING. TO ASSIST AN ENTITY THAT PROVIDES FOR THE  
27 COORDINATION AND INTEGRATION OF CARE WITHIN THE STATE  
28 DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM IN SEEKING  
29 PROPOSALS FROM ESSENTIAL COMMUNITY PROVIDERS WITHIN THE  
30 ENTITY'S CLIENT REGION, THE STATE DEPARTMENT SHALL PROVIDE THE  
31 ENTITY WITH A LIST OF ESSENTIAL COMMUNITY PROVIDERS WITHIN THE  
32 ENTITY'S CLIENT REGION. THE ENTITY THAT PROVIDES FOR THE  
33 COORDINATION AND INTEGRATION OF CARE WITHIN THE STATE  
34 DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM SHALL CONSIDER  
35 SUCH PROPOSALS IN GOOD FAITH AND SHALL, WHEN DEEMED REASONABLE  
36 BY THE ENTITY, BASED ON THE NEEDS OF ITS CLIENTS, CONTRACT WITH  
37 ESSENTIAL COMMUNITY PROVIDERS. EACH ESSENTIAL COMMUNITY  
38 PROVIDER SHALL BE WILLING TO NEGOTIATE ON REASONABLY EQUITABLE  
39 TERMS WITH THE ENTITY THAT PROVIDES FOR THE COORDINATION AND  
40 INTEGRATION OF CARE WITHIN THE STATE DEPARTMENT'S MEDICAID  
41 COORDINATED CARE SYSTEM. EACH ESSENTIAL COMMUNITY PROVIDER  
42 MAKING A PROPOSAL TO THE ENTITY THAT PROVIDES FOR THE  
43 COORDINATION AND INTEGRATION OF CARE WITHIN THE STATE  
44 DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM SHALL BE ABLE TO  
45 MEET THE CONTRACTUAL REQUIREMENTS OF THE ENTITY. THE  
46 REQUIREMENTS OF THIS SUBSECTION (7) DO NOT APPLY TO A MANAGED  
47 CARE ORGANIZATION WITHIN AN ENTITY THAT PROVIDES FOR THE  
48 COORDINATION AND INTEGRATION OF CARE WITHIN THE STATE  
49 DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM THAT OPERATES  
50 ENTIRELY AS A GROUP MODEL HEALTH MAINTENANCE ORGANIZATION.  
51

52 (8) IN SELECTING GLOBAL PAYMENT PROJECTS PURSUANT TO  
53 SECTION 25.5-5-415 OR SECTION 25.5-5-406, THE DEPARTMENT SHALL  
54 GIVE PREFERENCE TO THOSE PAYMENT PROJECTS IN WHICH AN ENTITY  
55 THAT PROVIDES FOR THE COORDINATION AND INTEGRATION OF CARE  
56 WITHIN THE STATE DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM

1 HAS EXECUTED CONTRACTS FOR SERVICES WITH ONE OR MORE ESSENTIAL  
2 COMMUNITY PROVIDERS UNLESS CONTRACTING WITH ESSENTIAL  
3 COMMUNITY PARTNERS RESULTS IN A NET INCREASE IN THE COST OF  
4 PROVIDING SERVICES UNDER THE PAYMENT PROJECT. THE FACT THAT A  
5 GLOBAL PAYMENT PROJECT INCLUDES COST-BASED REIMBURSEMENTS TO  
6 FEDERALLY QUALIFIED HEALTH CENTERS, AS DEFINED IN THE FEDERAL  
7 "SOCIAL SECURITY ACT," SHALL NOT NEGATIVELY AFFECT AN ENTITY  
8 THAT PROVIDES FOR THE COORDINATION AND INTEGRATION OF CARE  
9 WITHIN THE STATE DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM  
10 IN THE SELECTION PROCESS FOR GLOBAL PAYMENT PROJECTS PURSUANT TO  
11 SECTION 25.5-5-415 OR SECTION 25.5-5-406.

12  
13 **SECTION 4.** In Colorado Revised Statutes, 25.5-5-403, **add** (2.5)  
14 as follows:

15  
16 **25.5-5-403. Definitions.** As used in this part 4, unless the context  
17 otherwise requires:

18  
19 (2.5) "GLOBAL PAYMENT" MEANS A POPULATION-BASED PAYMENT  
20 MECHANISM THAT IS CONSTRUCTED ON A PER-MEMBER, PER-MONTH  
21 CALCULATION. GLOBAL PAYMENTS SHALL ACCOUNT FOR PROSPECTIVE  
22 LOCAL COMMUNITY OR HEALTH SYSTEM COST TRENDS AND VALUE, AS  
23 MEASURED BY QUALITY AND SATISFACTION METRICS, AND SHALL  
24 INCORPORATE COMMUNITY COST EXPERIENCE AND REPORTED ENCOUNTER  
25 DATA TO THE GREATEST EXTENT POSSIBLE TO ADDRESS REGIONAL  
26 VARIATION AND IMPROVE LONGITUDINAL PERFORMANCE. RISK  
27 ADJUSTMENTS, RISK-SHARING, AND ALIGNED PAYMENT INCENTIVES MAY  
28 BE UTILIZED TO ACHIEVE PERFORMANCE IMPROVEMENT. THE RATE  
29 CALCULATIONS FOR GLOBAL PAYMENT ARE EXEMPT FROM THE PROVISIONS  
30 OF SECTION 25.5-5-408. AN ENTITY THAT USES GLOBAL PAYMENT  
31 PURSUANT TO SECTION 25.5-5-406 SHALL MEET THE APPLICABLE  
32 FINANCIAL SOLVENCY REQUIREMENTS OF SECTION 25.5-5-406 (1) (k) AND  
33 (1) (l).

34  
35 **SECTION 5.** In Colorado Revised Statutes, 25.5-5-406, **add** (2)  
36 as follows:

37  
38 **25.5-5-406. Required features of managed care system.**

39 (2) (a) AFTER JANUARY 1, 2015, THE STATE DEPARTMENT SHALL OPEN  
40 FOR COMPETITIVE BID THE STATE DEPARTMENT'S MEDICAID COORDINATED  
41 CARE SYSTEM WITHIN REGIONS OF THE STATE. BEFORE ISSUING A REQUEST  
42 FOR PROPOSAL, THE STATE DEPARTMENT SHALL ANALYZE THE REGIONS OF  
43 THE STATE TO DETERMINE THE APPROPRIATE NUMBER OF CARE  
44 COORDINATION CONTRACTS THAT SHOULD BE AWARDED. FURTHER,  
45 BEFORE ISSUING A REQUEST FOR PROPOSAL, THE STATE DEPARTMENT  
46 SHALL ALSO ANALYZE THE APPROPRIATE NUMBER OF CARE COORDINATION  
47 CONTRACTS IN EACH REGION OF THE STATE.

48  
49 (b) NOTHING IN THIS SUBSECTION (2) SHALL DELAY THE  
50 IMPLEMENTATION OF THE MEDICAID PAYMENT REFORM AND INNOVATION  
51 PILOT PROGRAM CREATED IN SECTION 25.5-5-415.

52  
53 **SECTION 6. Appropriation.** (1) In addition to any other  
54 appropriation, there is hereby appropriated, to the department of health  
55 care policy and financing, for the fiscal year beginning July 1, 2012, the  
56 sum of \$213,079 and 0.8 FTE, or so much thereof as may be necessary,

1 to be allocated for the implementation of this act as follows:

2  
3 (a) \$47,538 and 0.8 FTE for personal services, of which sum  
4 \$23,769 is from the general fund and \$23,769 is from federal funds;

5  
6 (b) \$5,541 for operating expenses, of which sum \$2,771 is from  
7 the general fund and \$2,770 is from federal funds; and,

8  
9 (c) \$160,000 for general professional services, of which sum  
10 \$80,000 is from the general fund and \$80,000 is from federal funds.

11  
12 **SECTION 7. Safety clause.** The general assembly hereby finds,  
13 determines, and declares that this act is necessary for the immediate  
14 preservation of the public peace, health, and safety."

15  
16 Page 1, line 102, strike "**MEDICAID.**" and substitute "**MEDICAID, AND, IN**  
17 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

18  
19  
20  
21  
22 **EDUCATION**

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

25  
26 **HB12-1043** be amended as follows, and as so amended, be referred to  
27 the Committee of the Whole with favorable  
28 recommendation:

29  
30 Strike the Kerr A. floor amendment No. 2 (L.015) as printed in House  
31 Journal, February 20, 2012, page 317, lines 5 through 15.

32  
33 Strike the Education Committee Report, dated February 8, 2012, stated  
34 as Amendment No.1, and adopted as printed in House Journal,  
35 February 20, 2012, page 317, lines 1 through 3.

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

39  
40 "**SECTION 1.** In Colorado Revised Statutes, 22-32-109, **amend**  
41 (1) (nn) as follows:

42  
43 **22-32-109. Board of education - specific duties.** (1) In addition  
44 to any other duty required to be performed by law, each board of  
45 education shall have and perform the following specific duties:

46  
47 (nn) To ensure that each student who enrolls in the sixth grade in  
48 a public school of the school district, including but not limited to a district  
49 charter school, on the day of enrollment is registered with the  
50 state-provided, free on-line college planning and preparation resource,  
51 commonly referred to as "CollegeInColorado.org". The school district,  
52 the department of education, and the department of higher education shall  
53 collaborate to monitor the implementation of this paragraph (nn) and to  
54 ensure optimal interactivity between the various data bases and student  
55 record systems employed by school districts and college in Colorado.  
56 Each public school shall assist each student and his or her parent or legal

1 guardian to develop and maintain the student's individual career and  
2 academic plan no later than the beginning of ninth grade but may assist  
3 the student and his or her parent or legal guardian to develop and  
4 maintain the student's individual career and academic plan in any grade  
5 prior to ninth grade. AT A MINIMUM, EACH PUBLIC SCHOOL SHALL ENSURE  
6 THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S INDIVIDUAL  
7 CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER EXPLAINS TO  
8 THE STUDENT AND BY LETTER TO THE STUDENT'S PARENT OR LEGAL  
9 GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY  
10 ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION  
11 PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS ACT",  
12 ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE STUDENT OR  
13 THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE COUNSELOR OR  
14 TEACHER SHALL ASSIST THE STUDENT IN COURSE PLANNING TO ENABLE  
15 THE STUDENT TO CONCURRENTLY ENROLL IN COURSES WITH AN  
16 INSTITUTION OF HIGHER EDUCATION.

17

18 **SECTION 2.** In Colorado Revised Statutes, 22-30.5-505, **amend**  
19 (3) (f) as follows:

20

21 **22-30.5-505. State charter school institute - institute board -**  
22 **appointment - powers and duties - rules.** (3) The mission of the  
23 institute board shall be to foster high-quality public school choices  
24 offered through institute charter schools, including particularly schools  
25 that are focused on closing the achievement gap for at-risk students. In  
26 discharging its duties pursuant to this part 5, the institute shall:

27

28 (f) Ensure that each student who enrolls in the sixth grade in an  
29 institute charter school, on the day of enrollment, is registered with the  
30 state-provided, free on-line college planning and preparation resource,  
31 commonly referred to as "CollegeInColorado.org". The institute, the  
32 department, and the department of higher education shall collaborate to  
33 monitor the implementation of this paragraph (f) and to ensure optimal  
34 interactivity between the various data bases and student record systems  
35 employed by institute charter schools and college in Colorado. Each  
36 institute charter school shall assist each student and his or her parent or  
37 legal guardian to develop and maintain the student's individual career and  
38 academic plan no later than the beginning of ninth grade but may assist  
39 the student and his or her parent or legal guardian to develop and  
40 maintain the student's individual career and academic plan in any grade  
41 prior to ninth grade. AT A MINIMUM, EACH INSTITUTE CHARTER SCHOOL  
42 SHALL ENSURE THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S  
43 INDIVIDUAL CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER  
44 EXPLAINS TO THE STUDENT AND BY LETTER TO THE STUDENT'S PARENT OR  
45 LEGAL GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF  
46 CONCURRENTLY ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER  
47 EDUCATION PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS  
48 ACT", ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE  
49 STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE  
50 COUNSELOR OR TEACHER SHALL ASSIST THE STUDENT IN COURSE  
51 PLANNING TO ENABLE THE STUDENT TO CONCURRENTLY ENROLL IN  
52 COURSES WITH AN INSTITUTION OF HIGHER EDUCATION.

53

54 **SECTION 3.** In Colorado Revised Statutes, **add** 22-35-104.5 as  
55 follows:

56

1           **22-35-104.5. Concurrent enrollment - early completion of high**  
2 **school graduation requirements.** (1) AS USED IN THIS SECTION,  
3 "ELIGIBLE QUALIFIED STUDENT" MEANS A QUALIFIED STUDENT WHO, BY  
4 THE END OF THE FIRST SEMESTER OF HIS OR HER TWELFTH-GRADE YEAR,  
5 COMPLETES THE GRADUATION REQUIREMENTS ESTABLISHED BY THE LOCAL  
6 EDUCATION PROVIDER AND IS APPROVED FOR ENROLLMENT IN  
7 POSTSECONDARY COURSES BY THE COUNSELOR OR TEACHER WHO ASSISTS  
8 THE QUALIFIED STUDENT IN MAINTAINING THE QUALIFIED STUDENT'S  
9 INDIVIDUAL CAREER AND ACADEMIC PLAN.

10  
11           (2) AT LEAST NINETY DAYS BEFORE THE END OF THE ACADEMIC  
12 TERM THAT IMMEDIATELY PRECEDES THE INTENDED TERM OF  
13 CONCURRENT ENROLLMENT, AN ELIGIBLE QUALIFIED STUDENT WHO  
14 CHOOSES TO CONCURRENTLY ENROLL IN AN INSTITUTION OF HIGHER  
15 EDUCATION PURSUANT TO THIS SECTION SHALL NOTIFY THE  
16 SUPERINTENDENT OF THE STUDENT'S SCHOOL DISTRICT OR THE  
17 SUPERINTENDENT'S DESIGNEE OR, IF THE ELIGIBLE QUALIFIED STUDENT IS  
18 ENROLLED IN A CHARTER SCHOOL OR A SCHOOL OF A BOCES, THE CHIEF  
19 SCHOOL ADMINISTRATOR, AND PROVIDE EVIDENCE THAT THE ELIGIBLE  
20 QUALIFIED STUDENT MEETS OR, BY THE BEGINNING OF THE INTENDED  
21 TERM OF CONCURRENT ENROLLMENT, WILL MEET THE REQUIREMENTS  
22 SPECIFIED IN SUBSECTION (1) OF THIS SECTION.

23  
24           (3) NOTWITHSTANDING ANY PROVISION OF SECTION 22-35-104 TO  
25 THE CONTRARY, THE SUPERINTENDENT, THE SUPERINTENDENT'S DESIGNEE,  
26 OR THE CHIEF SCHOOL ADMINISTRATOR, WHICHEVER IS APPLICABLE, MAY  
27 AUTHORIZE AN ELIGIBLE QUALIFIED STUDENT WHO COMPLIES WITH THE  
28 PROVISIONS OF SUBSECTION (2) OF THIS SECTION TO ENROLL  
29 CONCURRENTLY.

30  
31           (4) AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY  
32 ENROLLS PURSUANT TO THIS SECTION SHALL ENROLL AT AN INSTITUTION  
33 OF HIGHER EDUCATION WITH WHICH THE LOCAL EDUCATION PROVIDER HAS  
34 AN EXISTING COOPERATIVE AGREEMENT. IF THE LOCAL EDUCATION  
35 PROVIDER DOES NOT HAVE A COOPERATIVE AGREEMENT WITH AN  
36 INSTITUTION OF HIGHER EDUCATION WHEN THE ELIGIBLE QUALIFIED  
37 STUDENT NOTIFIES THE LOCAL EDUCATION PROVIDER PURSUANT TO  
38 SUBSECTION (2) OF THIS SECTION, THE LOCAL EDUCATION PROVIDER SHALL  
39 ENTER INTO A COOPERATIVE AGREEMENT WITH AN INSTITUTION OF HIGHER  
40 EDUCATION.

41  
42           (5) AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY  
43 ENROLLS IN AN INSTITUTION OF HIGHER EDUCATION MAY CONCURRENTLY  
44 ENROLL FULL-TIME UNTIL THE ELIGIBLE QUALIFIED STUDENT COMPLETES  
45 HIS OR HER TWELFTH-GRADE YEAR.

46  
47           (6) THE LOCAL EDUCATION PROVIDER SHALL PAY TUITION ON  
48 BEHALF OF AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY  
49 ENROLLS PURSUANT TO THIS SECTION AT THE RATE ESTABLISHED  
50 PURSUANT TO SECTION 22-35-105 (3) (a) BY THE LOCAL EDUCATION  
51 PROVIDER AND THE INSTITUTION OF HIGHER EDUCATION. THE INSTITUTION  
52 OF HIGHER EDUCATION, INDEPENDENT OF THE LOCAL EDUCATION  
53 PROVIDER, MAY CHARGE THE PARENTS OR LEGAL GUARDIANS OF THE  
54 ELIGIBLE QUALIFIED STUDENT ADDITIONAL TUITION OR ASSOCIATED FEES  
55 AS PROVIDED IN SECTION 22-35-105 (3) (b).

56



1 (7) EACH LOCAL EDUCATION PROVIDER THAT ENROLLS QUALIFIED  
 2 STUDENTS SHALL ANNUALLY NOTIFY ALL QUALIFIED STUDENTS AND  
 3 PARENTS OR LEGAL GUARDIANS OF QUALIFIED STUDENTS OF THE  
 4 OPPORTUNITIES AND REQUIREMENTS FOR CONCURRENT ENROLLMENT  
 5 SPECIFIED IN THIS SECTION.  
 6

7 **SECTION 4. Safety clause.** The general assembly hereby finds,  
 8 determines, and declares that this act is necessary for the immediate  
 9 preservation of the public peace, health, and safety."  
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**SB12-036** be amended as follows, and as so amended, be referred to  
 the Committee of the Whole with favorable  
 recommendation:

Amend reengrossed bill, page 2, line 3, strike "and (5) (c)" and substitute  
 "(5) (c), and (9); and **add** (5) (g)".

Page 2, line 7, after "requires" insert "OR REQUESTS STUDENTS'  
 VOLUNTARY".

Page 3, line 10, after the period add "IN IMPLEMENTING THIS SUBSECTION  
 (5), THE SCHOOL OR SCHOOL DISTRICT AND EMPLOYEES SHALL ENSURE  
 THAT THEIR FIRST RESPONSIBILITY IS TO STUDENTS AND THEIR PARENTS  
 AND SHALL ALLOW ONLY MINIMAL USE OF STUDENTS' ACADEMIC TIME BY  
 INSTITUTIONS, AGENCIES, OR ORGANIZATIONS OUTSIDE THE SCHOOL OR  
 SCHOOL DISTRICT TO GATHER INFORMATION FROM STUDENTS."

Page 4, after line 2 insert:

"(g) NOTHING IN THIS SUBSECTION (5) LIMITS THE ABILITY OF A  
 SCHOOL DISTRICT TO ADMINISTER A THREAT ASSESSMENT.

(9) A school district shall, at the beginning of each academic year,  
 provide:

(a) To a parent or legal guardian of each student in the school  
 district written notice of the rights contained in this section; AND

(b) TO EACH PRINCIPAL, TEACHER, AND COUNSELOR THAT THE  
 SCHOOL DISTRICT EMPLOYS WRITTEN NOTICE OF THE REQUIREMENTS  
 SPECIFIED IN THIS SECTION FOR OBTAINING PARENTAL PERMISSION BEFORE  
 GIVING A STUDENT A SURVEY, ASSESSMENT, ANALYSIS, OR EVALUATION  
 INTENDED TO REVEAL THE INFORMATION SPECIFIED IN PARAGRAPH (a) OF  
 SUBSECTION (5) OF THIS SECTION."

## **JUDICIARY**

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

**HB12-1325** be amended as follows, and as so amended, be referred to  
 the Committee on Appropriations with favorable  
 recommendation:

- 1 Amend printed bill, page 2, line 3, strike "and (6)" and substitute "(6), and  
2 (7)".  
3  
4 Page 3, line 11, after "SIGNATURE" insert "OR OTHER EVIDENCE OF  
5 IDENTITY".  
6  
7 Page 3, strike lines 20 and 21 and substitute "SECTION TO AN ELECTRONIC  
8 LOGGING SYSTEM".  
9  
10 Page 3, line 22, strike "INVESTIGATORS".  
11  
12 Page 4, line 8, strike "THE ELECTRONIC SALES TRACKING SYSTEM" and  
13 substitute "AN ELECTRONIC LOGGING SYSTEM".  
14  
15 Page 4, line 14, strike "THE ELECTRONIC SALES TRACKING SYSTEM" and  
16 substitute "AN ELECTRONIC LOGGING SYSTEM".  
17  
18 Page 4, strike lines 22 through 27.  
19  
20 Page 5, strike lines 1 and 2.  
21  
22 Reletter succeeding section accordingly.  
23  
24 Page 5, after line 14 insert:  
25  
26 "(7) AN ADMINISTRATOR OF AN ELECTRONIC LOGGING SYSTEM  
27 SHALL NOT SELL, TRANSFER, SHARE, OR DISTRIBUTE THE INFORMATION  
28 RECEIVED THROUGH THE LOG FOR A COMMERCIAL PURPOSE."  
29

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### MESSAGE(S) FROM THE SENATE

- 30  
31  
32  
33  
34 The Senate has passed on Third Reading and returns herewith  
35 HB12-1144, HB12-1220.  
36  
37 The Senate has passed on Third Reading and transmits to the Revisor of  
38 Statutes:  
39  
40 HB12-1244 amended as printed in Senate Journal, March 26, 2012,  
41 page 576.  
42 SB12-044 amended as printed in Senate Journal, March 26, 2012,  
43 page 577.  
44 SB12-078 amended as printed in Senate Journal, March 26, 2012,  
45 page 577.  
46 HB12-1053 amended as printed in Senate Journal, March 26, 2012,  
47 page 578.  
48 HB12-1276 amended as printed in Senate Journal, March 26, 2012,  
49 page 578.  
50 HB12-1239 amended as printed in Senate Journal, March 26, 2012,  
51 page 578.  
52 HB12-1307 amended as printed in Senate Journal, March 26, 2012,  
53 page 579.  
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1 The Senate has passed on Third Reading and transmits to the Revisor of  
2 Statutes:

3  
4 **HB12-1168** amended in General Orders as printed in Senate Journal,  
5 March 26, 2012, page 578.  
6

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8  
9 **MESSAGE(S) FROM THE REVISOR**

10  
11 We herewith transmit:  
12 Without comment, as amended, HB12-1053, 1239, 1244, 1276, and 1307.  
13 Without comment, as amended, SB12-044 and 078.  
14

15  
16 We herewith transmit:  
17 Without comment, as amended, HB12-1168.  
18

19  
20 House in recess. House reconvened.  
21

22  
23  
24 **INTRODUCTION OF BILL**  
25 **First Reading**

26  
27 The following bill was read by title and referred to the committee  
28 indicated:

29  
30 **HB12-1331** by Representative(s) Brown, Wilson, Pace, Hamner,  
31 Kerr A., Massey, Murray, Ramirez, Schafer S., Summers,  
32 Todd; also Senator(s) Schwartz, Bacon, Heath, Johnston,  
33 King K., King S.--Concerning changing the name of  
34 Western state college of Colorado to Western state  
35 Colorado university.  
36 Committee on Education  
37

38  
39  
40 **INTRODUCTION OF RESOLUTION**

41  
42 The following resolution was read by title and laid over one day under the  
43 rules:

44  
45 **HJR12-1018** by Representative(s) Murray and Schafer S., Acree,  
46 Bradford, Conti, Court, Duran, Fields, Gerou, Hamner,  
47 Hullinghorst, Labuda, Levy, Looper, McCann, Nikkel,  
48 Peniston, Ryden, Solano, Stephens, Szabo, Todd, Williams  
49 A.; also Senator(s) Williams S. and Spence, Aguilar,  
50 Bacon, Boyd, Carroll, Foster, Giron, Guzman, Heath,  
51 Hodge, Hudak, Jahn, Morse, Nicholson, Roberts,  
52 Schwartz, Steadman, Tochtrop, White--Concerning the  
53 celebration of Colorado girls and women in sports and  
54 fitness.  
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**LAY OVER OF CALENDAR ITEM(S)**

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until March 29, retaining place on Calendar:

- Consideration of General Orders--**HB12-1261, 1317, SB12-128, HB12-1046.**
  - Consideration of Resolution(s)--**HJR12-1017.**
  - Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1002, 1270, 1224, 1262.**
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On motion of Representative Waller, the House adjourned until 9:00 a.m., March 29, 2012.

Approved:  
FRANK McNULTY,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk