

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

Twenty-ninth Legislative Day

Wednesday, February 8, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by Representative Cherylin Peniston.

4

5 Pledge of Allegiance led by Alyssa and Katie Kunter, Hulstroms Options,  
6 Northglenn.

7

8 The roll was called with the following result:

9

10 Present--60.

11 Excused--Representative(s) Lee, McKinley, Schafer, Scott,  
12 Sonnenberg--5.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Swerdfeger, the reading of the journal of  
18 February 7, 2012, was declared dispensed with and approved as corrected  
19 by the Chief Clerk.

20

21

22

23

24

**CONSIDERATION OF RESOLUTION(S)**

25

26 **HJR12-1010** by Representative(s) Todd and Massey; also Senator(s)  
27 Newell and White--Concerning recognition of the film,  
28 television, and video gaming industry in Colorado.

29

30 (Printed and placed in members' file)

31

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

34

35 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Brown, Casso,  
36 Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer,  
37 Gardner B., Gerou, Hamner, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,  
38 Labuda, Levy, Liston, Looper, McCann, Miklosi, Murray, Nikkel, Pabon, Pace,  
39 Peniston, Ramirez, Ryden, Singer, Solano, Soper, Stephens, Summers,  
40 Swerdfeger, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

41

42

43

1 On motion of Representative Gardner, the House resolved itself into  
2 Committee of the Whole for consideration of General Orders, and he was  
3 called to the Chair to act as Chairman.

4

5

6

### GENERAL ORDERS--SECOND READING OF BILLS

7

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

12

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

15

16 **HB12-1127** by Representative(s) Liston, Priola, Holbert, Swalm,  
17 Swerdfeger, Szabo; also Senator(s) S. Williams--  
18 Concerning elimination of an increase in the  
19 unemployment insurance premium rate for new employers.

20

21 Amendment No. 1, Economic & Business Development Report, dated  
22 January 31, 2012, and placed in member's bill file; Report also printed in  
23 House Journal, February 1, page 131.

24

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

27

28 **HB12-1058** by Representative(s) Joshi; also Senator(s) Nicholson--  
29 Concerning the requirement that the department of public  
30 health and environment provide infant eye prophylaxis.

31

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

34

35 **HB12-1090** by Representative(s) Pace--Concerning the annual date for  
36 establishing the total pupil enrollment of each public  
37 school.

38

39 Amendment No. 1, Education Report, dated February 1, 2012, and  
40 placed in member's bill file; Report also printed in House Journal,  
41 February 2, page 136.

42

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

45

46 **HB12-1018** by Representative(s) Labuda, Barker, Duran, Gardner B.,  
47 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also  
48 Senator(s) Tochtrop, Morse, King S., White--Concerning  
49 modifications to available affiliation by social security  
50 employers with the fire and police pension association.

51

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

54

55

1 **HB12-1031** by Representative(s) Peniston, Labuda, Duran, Ramirez,  
2 Schafer S.; also Senator(s) Tochtrop, King S., Morse--  
3 Concerning the authority of the board of the fire and police  
4 pension association to make amendments to plans for the  
5 administration of benefits.  
6

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

10 **HB12-1077** by Representative(s) Gardner B., Barker, Duran, Labuda,  
11 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also  
12 Senator(s) Tochtrop, King S., White--Concerning  
13 modifications to the investment confidentiality provisions  
14 related to police officers' and firefighters' pension plans.  
15

16 Ordered engrossed and placed on the Calendar for Third Reading and  
17 Final Passage.  
18

19 **HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti,  
20 DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda,  
21 McCann, Pabon, Swalm, Swerdfeger; also Senator(s)  
22 Brophy--Concerning an extension of the period for which  
23 the voluntary contribution designation line benefiting the  
24 Make-A-Wish Foundation of Colorado fund appears on  
25 state individual income tax return forms.  
26

27 Ordered engrossed and placed on the Calendar for Third Reading and  
28 Final Passage.  
29

30 **HB12-1104** by Representative(s) Swerdfeger, Acree, Conti,  
31 Hullinghorst, Kagan, Kefalas, Pabon, Swalm; also  
32 Senator(s) Giron--Concerning a change to the voluntary  
33 contribution designation benefiting the Colorado breast  
34 and women's reproductive cancers fund, and, in  
35 connection therewith, changing the name of the fund to the  
36 Colorado cancer fund and expanding the purpose of the  
37 fund to include furtherance of the Colorado Cancer  
38 Coalition's work on behalf of the cancer community.  
39

40 Amendment No. 1, Finance Report, dated February 1, 2012, and placed  
41 in member's bill file; Report also printed in House Journal, February 2,  
42 pages 136-137.  
43

44 As amended, ordered engrossed and placed on the Calendar for Third  
45 Reading and Final Passage.  
46

47 **HB12-1053** by Representative(s) Gardner B.; also Senator(s) Giron--  
48 Concerning the victims' rights act.  
49

50 Amendment No. 1, Judiciary Report, dated January 31, 2012, and placed  
51 in member's bill file; Report also printed in House Journal, January 31,  
52 pages 137-138.  
53

54 Amendment No. 2, by Representative(s) B. Gardner.  
55

56 Amend printed bill, page 15, after line 18, insert:

1           **"SECTION 4.** In Colorado Revised Statutes, 24-4.1-108, **amend**  
2 (1) (f) as follows:

3  
4           **24-4.1-108. Awarding compensation.** (1) A person is entitled to  
5 an award of compensation under this part 1 if:

6  
7           (f) The application for an award of compensation under this part  
8 1 is filed with the board within one year of the date of injury to the victim  
9 or within such further extension of time as the board, for good cause  
10 shown, allows. FOR PURPOSES OF THIS PARAGRAPH (f), "GOOD CAUSE"  
11 MAY BE BUT IS NOT NECESSARILY LIMITED TO CIRCUMSTANCES IN WHICH  
12 THE CRIME WAS NOT SOLVED OR REPORTED WITHIN A YEAR."

13  
14 Renumber succeeding section accordingly.

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

18  
19 **HB12-1073** by Representative(s) Brown; also Senator(s) Roberts--  
20 Concerning the transfer of a judgeship from the first  
21 judicial district to the sixth judicial district.

22  
23 Ordered engrossed and placed on the Calendar for Third Reading and  
24 Final Passage.

25  
26 **HB12-1100** by Representative(s) Summers; also Senator(s) Aguilar--  
27 Concerning the admissibility in criminal proceedings of  
28 the results of a prenatal screening for illegal substances.

29  
30 Amendment No. 1, Judiciary Report, dated January 31, 2012, and placed  
31 in member's bill file; Report also printed in House Journal, January 31,  
32 page 138.

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

36  
37 **HB12-1008** by Representative(s) Acree; also Senator(s) Jahn--  
38 Concerning additional methods for providing input to  
39 executive branch agencies about proposed rules, and, in  
40 connection therewith, directing agencies to establish  
41 representative groups to evaluate and comment on  
42 proposed rules, requiring agencies to notify the general  
43 assembly of any rule-making that results in increases in  
44 fees or fines, and requiring agencies to submit  
45 departmental regulatory agendas to the general assembly.

46  
47 Ordered engrossed and placed on the Calendar for Third Reading and  
48 Final Passage.

49  
50 **HB12-1009** by Representative(s) Gerou; also Senator(s) Lambert--  
51 Concerning a report related to the federal moneys received  
52 by the executive branch.

53  
54 Amendment No. 1, Appropriations Report, dated February 6, 2012, and  
55 placed in member's bill file; Report also printed in House Journal,  
56 February 6, pages 142-143.

1 Amendment No. 2, by Representative(s) Becker and Beezley.

2

3 Amend the Appropriations Committee Report, dated February 6, 2012,  
4 page 1, after line 2 insert:

5

6 "Page 2, line 17, strike "AND".

7

8 Page 2, line 19, strike "EXPENSES." and substitute "EXPENSES; AND

9

10 (VI) ANY OBLIGATIONS IMPOSED ON THE STATE AS A RESULT OF  
11 ACCEPTING THE FEDERAL MONEYS."."

12

13 Page 1 of the report, line 5, strike "(IV) AND".

14

15 Page 1 of the report, line 6, strike "(V)" and substitute "(IV), (V), and  
16 (VI)".

17

18 Amendment No. 3, by Representative(s) Beezley.

19

20 Amend Amendment No. 2 by Representatives Becker and Beezley,  
21 page 187, line 10, strike:

22

23 "(VI) ANY" and substitute:

24

25 "(VI) A SUMMARY OF ANY".

26

27 As amended, laid over until February 9, retaining place on Calendar.

28

29 **HB12-1032** by Representative(s) Hamner; also Senator(s) Nicholson--  
30 Concerning continuation of forestry-related programs.

31

32 Amendment No. 1, Appropriations Report, dated February 6, 2012, and  
33 placed in member's bill file; Report also printed in House Journal,  
34 February 6, page 143.

35

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

38

39 **HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s)  
40 Hodge, Steadman, Lambert--Concerning a grant program  
41 to provide home care allowance benefits to certain eligible  
42 individuals.

43

44 Amendment No. 1, Finance Report, dated February 2, 2012, and placed  
45 in member's bill file; Report also printed in House Journal, February 2,  
46 page 137.

47

48 Amendment No. 2, Appropriations Report, dated February 6, 2012, and  
49 placed in member's bill file; Report also printed in House Journal,  
50 February 6, pages 143-147.

51

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

54

55

56

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

2  
3 Representative Ferrandino moved to amend the Report of the Committee  
4 of the Whole to reverse the action taken by the Committee in not adopting  
5 the Economic & Business Development Committee Report to  
6 HB 12-1008, dated January 24, 2012, to show that said report passed, and  
7 that **HB 12-1008**, as amended, passed.

8  
9 The amendment was declared **lost** by the following roll call vote:

	YES	29	NO	31	EXCUSED	5	ABSENT	0
12	Acree	N	Fischer	Y	Looper	N	Solano	Y
13	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	E
14	Barker	N	Gerou	N	McCann	Y	Soper	Y
15	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
16	Becker	N	Holbert	N	Miklosi	Y	Summers	N
17	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
18	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
19	Brown	N	Joshi	N	Pabon	Y	Szabo	N
20	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
21	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
22	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
23	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
24	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
25	Duran	Y	Lee	E	Schafer S.	E	Williams A.	Y
26	Ferrandino	Y	Levy	Y	Scott	E	Wilson	Y
27	Fields	Y	Liston	N	Singer	Y	Young	Y
28							Speaker	N

29  
30  
31  
32 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

33  
34 Passed Second Reading: **HB12-1127 amended, 1058, 1090 amended,**  
35 **1018, 1031, 1077, 1096, 1104 amended, 1053 amended, 1073, 1100**  
36 **amended, 1008, 1032 amended, 1177 amended.**

37  
38 Laid over until date indicated retaining place on Calendar: **HB12-1009**  
39 **amended--February 9, 2012.**

40  
41 The Chairman moved the adoption of the Committee of the Whole  
42 Report. As shown by the following roll call vote, a majority of those  
43 elected to the House voted in the affirmative, and the Report was  
44 **adopted.**

	YES	60	NO	0	EXCUSED	5	ABSENT	0
47	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
48	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	E
49	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
50	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
51	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
52	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
53	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
54	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
55	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
56	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y

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

8  
9  
10 House in recess. House reconvened.

11  
12  
13  
14 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

15  
16 The Speaker has signed: **SJR12-002, 005, 009, 010, 011, 012, and 013.**

17  
18  
19 **MESSAGE(S) FROM THE SENATE**

20  
21 The Senate has passed on Third Reading and transmits to the Revisor of  
22 Statutes: **SB12-009, SB12-066 and SB12-010.**

23  
24 The Senate has passed on Third Reading and transmits to the Revisor of  
25 Statutes:

26  
27 **SB12-013** As amended in General Orders as printed in Senate Journal,  
28 February 6, 2012, page 92.

29 **SB12-033** As amended in General Orders as printed in Senate Journal,  
30 February 6, 2012, page 91.

31 **SB12-048** As amended in General Orders as printed in Senate Journal,  
32 February 6, 2012, page 92.

33  
34  
35  
36 **MESSAGE(S) FROM THE REVISOR**

37 We herewith transmit:

38 Without comment, SB12-009, 010, and 066.

39 Without comment, as amended, SB12-013, 033, and 048.

40  
41  
42  
43 **LAY OVER OF CALENDAR ITEM(S)**

44  
45 On motion of Representative Holbert, the following item(s) on the  
46 Calendar was (were) laid over until February 9, retaining place on  
47 Calendar:

48  
49 Consideration of Special Orders--**HB12-1068 amended.**

50 Consideration of Third Reading--**HB12-1040, 1180, 1181, 1182, 1183,**  
51 **1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1200, 1192, 1193,**  
52 **1194, 1195, 1196, 1197, 1198, 1199, 1201, 1202, 1203.**

53 Consideration of General Orders--**HB12-1061 amended, 1105, 1017,**  
54 **1034, 1071, 1005, 1047, 1026, 1088, 1024, 1070, 1089.**

55  
56

1 On motion of Representative Holbert, the House adjourned until  
2 9:00 a.m., February 9, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:  
FRANK McNULTY,  
Speaker