

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

Forty-fourth Legislative Day

Thursday, February 23, 2012

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

2

3 Prayer by Dr. Calvin C. Nelson, Potter's House, Denver.

4

5 Pledge of Allegiance led by Isabelle May, Winnie Eller, Julia Farone,
6 Karsen Jorgensen, Sarah Kubik, Celia Morin, Good Shepherd Catholic
7 School, Denver.

8

9 The roll was called with the following result:

10

11 Present--64.

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

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

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Scott, the reading of the journal of
19 February 22, 2012, was declared dispensed with and approved as
20 corrected by the Chief Clerk.

21

22

23 House in recess. House reconvened.

24

25

26

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

28

29 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

32

33 **HB12-1167** be postponed indefinitely.

34

35

36

37

38 **EDUCATION**

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

41

42 **SB12-043** be referred to the Committee of the Whole with favorable
43 recommendation.

1 **FINANCE**

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

4
5 **HB12-1131** be referred favorably to the Committee on Appropriations.
6

7
8 **HB12-1132** be postponed indefinitely.
9

10
11 **HB12-1265** be postponed indefinitely.
12

13
14 **HB12-1287** be postponed indefinitely.
15
16
17

18
19 **LOCAL GOVERNMENT**

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

22
23 **HB12-1205** be amended as follows, and as so amended, be referred to
24 the Committee on Appropriations with favorable
25 recommendation:
26

27 Amend printed bill, page 16, line 1, after "(5)" insert "(a)".
28

29 Page 16, line 7, strike "(a)" and substitute "(I)" and strike "~~supervising~~
30 ~~licensees or~~" and substitute "supervising licensees or".
31

32 Page 16, line 8, strike "~~designated by such licensees' employers~~" and
33 substitute "designated by ~~such~~ THE licensees' employers".
34

35 Page 16, line 12, strike "(b)" and substitute "(II)".
36

37 Page 16, after line 12 insert:

38 "(b) ALL RULES ADOPTED UNDER THIS ARTICLE SHALL BE
39 CONSISTENT WITH ALL APPLICABLE FEDERAL LAWS AND REGULATIONS,
40 INCLUDING RULES PROMULGATED BY THE UNITED STATES FOOD AND DRUG
41 ADMINISTRATION."
42

43 Page 27, line 17, strike "and personal" and substitute "~~and personal~~".
44

45 Page 30, strike lines 14 through 16 and substitute "age or older who
46 objects to medical evaluation ~~on the basis of religious or personal beliefs~~
47 may waive the requirement by delivering to the ~~registered~~ hearing aid
48 provider OR AUDIOLOGIST a written waiver;"
49

50 Page 30, line 19, strike "physician;" and substitute "physician OR IS
51 WORKING UNDER THE DIRECT SUPERVISION OF A PHYSICIAN OR AN
52 AUDIOLOGIST;"
53

54 Page 33, line 5, after "provider's" insert "OR AUDIOLOGIST'S".
55

56 Page 33, line 6, after "provider" insert "OR AUDIOLOGIST".

1 **HB12-1244** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4
5 Amend printed bill, page 2, line 15, strike "24-21-113," and substitute
6 "24-32-116,".
7
8 Page 2, line 16, strike "24-21-113" and substitute "24-32-116".
9
10 Page 2, line 18, strike "**24-21-113.**" and substitute "**24-32-116.**".
11
12 Page 2, line 19, strike "**fee for access -**".
13
14 Page 2, after line 20 insert:
15
16 "(a) "DEPARTMENT" MEANS THE DEPARTMENT OF LOCAL AFFAIRS.
17
18 (b) "INVENTORY" MEANS THE ON-LINE DATABASE OF ACTIVE
19 LOCAL GOVERNMENTS MAINTAINED BY THE DEPARTMENT AS OF THE
20 EFFECTIVE DATE OF THIS SECTION."
21
22 Reletter succeeding paragraphs accordingly.
23
24 Page 3, strike lines 7 and 8 and substitute:
25
26 "(2) (a) THE DEPARTMENT SHALL UPDATE AND EXPAND THE
27 INVENTORY AND ANY ASSOCIATED FORMS OR DOCUMENTS AS NECESSARY
28 TO OBTAIN AND INTEGRATE, FOR EACH LOCAL GOVERNMENTAL ENTITY,
29 THE INFORMATION DESCRIBED IN SUBSECTION (3) OF THIS SECTION.
30
31 (b) NOTHING IN THIS SECTION PRECLUDES THE DEPARTMENT FROM
32 INCLUDING ADDITIONAL INFORMATION IN THE INVENTORY."
33
34 Page 3, line 11, strike "SECRETARY OF".
35
36 Page 3, strike lines 12 and 13 and substitute "DEPARTMENT, WHICH SHALL
37 INCLUDE THE SAME IN THE INVENTORY:".
38
39 Page 3, line 19, after "AGENT;" insert "AND".
40
41 Page 3, line 20, strike "AGENT;" and substitute "AGENT."
42
43 Page 3, strike lines 21 through 24.
44
45 Page 3, line 27, strike "NECESSARY." and substitute "REQUIRED BY THE
46 DEPARTMENT."
47
48 Page 4, line 2, strike "OF THE".
49
50 Page 4, line 3, strike "SECRETARY OF STATE".
51
52 Page 4, line 4, strike "SECRETARY OF STATE" and substitute
53 "DEPARTMENT".
54
55 Page 4, strike lines 5 through 9 and substitute "ACCESSIBLE FROM THE
56 DEPARTMENT'S WEB SITE.".

1 Page 1, strike lines 102 through 104 and substitute "**MAINTAINED BY THE**
2 **DEPARTMENT OF LOCAL AFFAIRS, AND, IN CONNECTION THEREWITH,**
3 **REQUIRING THE INCLUSION OF CERTAIN INFORMATION IN THE**
4 **INVENTORY.**".

5
6
7
8 **HB12-1254** be amended as follows, and as so amended, be referred to
9 the Committee on Appropriations with favorable
10 recommendation:

11
12 Amend printed bill, page 2, line 3, strike "(2) (a) (II) (A)" and substitute
13 "(2) (a) (II) (A); and **add** (2) (a.5)".

14
15 Page 2, line 4, strike "**definitions.**" and substitute "**definitions - notice of**
16 **funding through gifts, grants, and donations - repeal.**".

17
18 Page 2, line 19, after "SERVICES" insert "AND INCLUDES TERRITORY".

19
20 Page 3, after line 2 insert:

21
22 "(a.5) (I) THE DIVISION IS AUTHORIZED TO SEEK AND ACCEPT
23 GIFTS, GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR
24 THE PURPOSES OF IMPLEMENTING THE AMENDMENT TO
25 SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF
26 THIS SUBSECTION (2) MADE BY HOUSE BILL 12-1254, ENACTED IN 2012;
27 EXCEPT THAT THE DIVISION MAY NOT ACCEPT A GIFT, GRANT, OR
28 DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE INCONSISTENT WITH
29 SAID SUB-SUBPARAGRAPH (A) OR ANY OTHER LAW OF THE STATE. THE
30 DIVISION SHALL TRANSMIT ALL PRIVATE AND PUBLIC MONEYS RECEIVED
31 THROUGH GIFTS, GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO
32 SHALL CREDIT THE SAME TO THE CONSERVATION TRUST FUND ALLOCATION
33 EXPENSE FUND, WHICH FUND IS HEREBY CREATED AND REFERRED TO IN
34 THIS PARAGRAPH (a.5) AS THE "FUND". THE MONEYS IN THE FUND ARE
35 SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY TO THE
36 DIVISION AND TO THE GOVERNOR'S OFFICE OF INFORMATION TECHNOLOGY
37 FOR THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING
38 THE AMENDMENT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (II) OF
39 PARAGRAPH (a) OF THIS SUBSECTION (2) MADE BY HOUSE BILL 12-1254,
40 ENACTED IN 2012.

41
42 (II) (A) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION,
43 THE DIVISION SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT
44 HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR
45 DONATIONS TO IMPLEMENT THE AMENDMENT TO SUB-SUBPARAGRAPH (A)
46 OF SUBPARAGRAPH (II) OF PARAGRAPH (a) OF THIS SUBSECTION (2) MADE
47 BY HOUSE BILL 12-1254, ENACTED IN 2012, AND SHALL INCLUDE IN THE
48 NOTIFICATION THE INFORMATION SPECIFIED IN SECTION 24-75-1303 (3),
49 C.R.S.

50
51 (III) THIS PARAGRAPH (a.5) IS REPEALED, EFFECTIVE JULY 1,
52 2015".

53
54 Page 1, line 103, after "**WITHIN**" insert "**AND INCLUDES TERRITORY**
55 **WITHIN**".

56

1 **TRANSPORTATION**

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

4
5 **HB12-1171** be postponed indefinitely.

6
7
8 **HB12-1222** be referred to the Committee of the Whole with favorable
9 recommendation.

10
11
12 **HB12-1224** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15
16 Amend printed bill, page 4, line 3, strike "ITS PRIMARY" and substitute
17 "A".

18
19 Page 5, after line 23 insert:

20
21 "(4) THE AUTHORITY SHALL NOT:

22
23 (a) ASSESS ANY FEE ON ITS MEMBERS; OR

24
25 (b) TAKE ANY ASSETS OWNED BY A MEMBER WITHOUT PRIOR
26 AGREEMENT."

27
28 Renumber succeeding subsections accordingly.

29
30 Page 5, line 24, strike "THIRTEEN" and substitute "NINETEEN".

31
32 Page 5, line 25, strike "SIX" and substitute "TWELVE".

33
34 Page 5, strike line 27.

35
36 Page 6, strike lines 1 through 3 and substitute:

37
38 "(I) ONE MEMBER REPRESENTING THE FIVE STATEWIDE DIGITAL
39 TRUNKED RADIO SYSTEM MUTUAL AID CHANNEL REGIONS, WHO IS
40 SELECTED BY THE REGIONS;

41
42 "(II) TWO MEMBERS REPRESENTING THE FOUR ZONE SWITCH USERS,
43 WHO ARE SELECTED BY THE NON-STATE AGENCY USERS OF ZONES ONE,
44 TWO, THREE, AND FOUR;

45
46 "(III) ONE MEMBER REPRESENTING THE LICENSED AMBULANCE OR
47 EMERGENCY MEDICAL SERVICE AND THE LICENSED HOSPITAL OR TRAUMA
48 CENTER, WHO IS SELECTED BY THE STATE EMERGENCY MEDICAL AND
49 TRAUMA SERVICES ADVISORY COUNCIL CREATED IN SECTION 25-3.5-104,
50 C.R.S.;

51
52 "(IV) FIVE MEMBERS REPRESENTING THE NINE ALL-HAZARD
53 REGIONS, WHO ARE SELECTED BY THE NINE ALL-HAZARD REGIONS;

54
55 "(V) ONE MEMBER REPRESENTING THE STATEWIDE FIRE
56 DEPARTMENTS, WHO IS SELECTED BY THE COLORADO STATE FIRE CHIEFS'

1 ASSOCIATION; AND

2

3 (VI) TWO MEMBERS REPRESENTING THE LAW ENFORCEMENT
4 AGENCIES, ONE WHO IS SELECTED BY THE COLORADO ASSOCIATION OF
5 CHIEFS OF POLICE AND ONE WHO IS SELECTED BY THE COUNTY SHERIFFS OF
6 COLORADO."

7

8 Page 6, line 4, strike "(I)".

9

10 Page 6, strike lines 6 through 13 and substitute:

11

12 "(A) THE CHIEF INFORMATION OFFICER OF THE GOVERNOR'S OFFICE
13 OF INFORMATION TECHNOLOGY, OR HIS OR HER DESIGNEE;

14

15 (B) THE CHIEF OF THE COLORADO STATE PATROL, OR HIS OR HER
16 DESIGNEE;

17

18 (C) THE DIRECTOR OF THE COLORADO DEPARTMENT OF
19 CORRECTIONS, OR THE DIRECTOR'S DESIGNEE;

20

21 (D) THE DIRECTOR OF THE COLORADO DEPARTMENT OF
22 TRANSPORTATION, OR THE DIRECTOR'S DESIGNEE;

23

24 (E) THE DIRECTOR OF THE COLORADO DEPARTMENT OF NATURAL
25 RESOURCES, OR THE DIRECTOR'S DESIGNEE; AND

26

27 (F) THE DIRECTOR OF THE COLORADO DEPARTMENT OF LOCAL
28 AFFAIRS, OR THE DIRECTOR'S DESIGNEE."

29

30 Page 6, line 18, strike "NOT TO EXCEED" and substitute "OF".

31

32 Page 6, line 21, strike "FULL".

33

34 Page 7, strike lines 2 through 25 and substitute:

35

36 "(8) AFTER THE EFFECTIVE DATE OF THIS SECTION, NEW MEMBERS
37 OF THE AUTHORITY SHALL BE ADMITTED IN ACCORDANCE WITH ANY
38 BYLAWS OR POLICIES ESTABLISHED BY THE AUTHORITY."

39

40 Page 7, line 26, strike "~~29-24.5-105.~~" and substitute "~~29-24.5-104.~~".

41

42 Page 8, after line 2 insert:

43

44 **"29-24.5-105. Consolidated communications system authority**
45 **- subject to termination - repeal.** (1) THE PROVISIONS OF SECTION
46 24-34-104, C.R.S., CONCERNING THE TERMINATION OF REGULATORY
47 AGENCIES OF THE STATE UNLESS EXTENDED AS PROVIDED IN SAID SECTION,
48 ARE APPLICABLE TO THE CONSOLIDATED COMMUNICATIONS SYSTEM
49 AUTHORITY CREATED IN THIS ARTICLE. IN THE EVENT THE AUTHORITY IS
50 EXTENDED AS PROVIDED IN SECTION 24-34-104, C.R.S., THE GENERAL
51 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THE
52 AUTHORITY SHOULD BE SUBJECT TO REVIEW PURSUANT TO SAID SECTION
53 AT LEAST EVERY FIVE YEARS.

54

55 (2) THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2018. PRIOR TO
56 SUCH REPEAL, THE FUNCTIONS OF THE CONSOLIDATED COMMUNICATIONS

1 SYSTEM AUTHORITY SHALL BE REVIEWED AS PROVIDED FOR IN SECTION
2 24-34-104, C.R.S.

3

4 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **add** (49)
5 (i) as follows:

6

7 **24-34-104. General assembly review of regulatory agencies**
8 **and functions for termination, continuation, or reestablishment.**
9 (49) The following agencies, functions, or both, shall terminate on July
10 1, 2018:

11

12 (i) THE CONSOLIDATED COMMUNICATIONS SYSTEM AUTHORITY
13 CREATED IN SECTION 29-24.5-103, C.R.S."

14

15 Renumber succeeding sections accordingly.

16

17

18

19

PRINTING REPORT

20

21 The Chief Clerk reports the following bills have been correctly printed:
22 **HB12-1315, 1316.**

23

24

25

26

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

27

28 The Speaker has signed: **HB12-1180, 1182, 1183, 1184, 1185, 1186,**
29 **1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197,**
30 **1199, 1200, 1201, 1202, 1203.**

31

32

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34

DELIVERY OF BILLS TO GOVERNOR

35

36 The Chief Clerk of the House of Representatives reports the following
37 bills have been delivered to the Office of the Governor: **HB12-1180,**
38 **1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192,**
39 **1193, 1194, 1195, 1196, 1197, 1199, 1200, 1201, 1202, 1203** at
40 11:04 a.m. on February 23, 2012.

41

42

43

MESSAGE(S) FROM THE SENATE

44

45 The Senate has passed on Third Reading and transmits to the Revisor of
46 Statutes: SB12-147.

47

48 SB12-099 amended as printed in Senate Journal, February 22, 2012,
49 page 226.

50 SB12-092 amended as printed in Senate Journal, February 22, 2012,
51 page 227.

52

53

54 The Senate voted to concur in House amendments to SB12-094 and
55 repassed the bills as amended.

56

MESSAGE(S) FROM THE REVISOR

1
2
3 We herewith transmit:
4 Without comment, SB12-147.
5 Without comment, as amended, SB12-092 and 099.

INTRODUCTION OF BILLS
First Reading

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7
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11
12 The following bills were read by title and referred to the committees
13 indicated:

14
15 **HB12-1317** by Representative(s) Sonnenberg; also Senator(s)
16 Schwartz--Concerning the creation of the parks and
17 wildlife commission to replace the parks and wildlife
18 board in the department of natural resources, and, in
19 connection therewith, describing the composition and
20 terms of the commission.

21 Committee on Agriculture, Livestock, & Natural Resources

22
23 **SB12-011** by Senator(s) Spence; also Representative(s) Summers--
24 Concerning the differential response pilot program for
25 child abuse or neglect cases of low or moderate risk.

26 Committee on Health and Environment

27
28 **SB12-051** by Senator(s) Bacon; also Representative(s) Massey--
29 Concerning requirements for contracts executed by local
30 education providers.

31 Committee on Education

32
33 **SB12-056** by Senator(s) Carroll; also Representative(s) Holbert--
34 Concerning judicial appointments in domestic relations
35 cases involving children.

36 Committee on Judiciary

INTRODUCTION OF RESOLUTION

37
38
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41
42 The following resolution was read by title and laid over one day under the
43 rules:

44
45 **HJR12-1014** by Representative(s) Fischer and Massey, Kefalas; also
46 Senator(s) Boyd--Concerning neonatal screening for the
47 early detection of congenital heart defects, and, in
48 connection therewith, proclaiming Friday,
49 February 24, 2012, "Congenital Heart Defect Day" and
50 "Children's Heart Day".

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LAY OVER OF CALENDAR ITEM(S)

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On motion of Representative Ramirez, the following item(s) on the Calendar was (were) laid over until February 24, retaining place on Calendar:

- Consideration of Special Orders--**HB12-1043**.
- Consideration of Third Reading--**HB12-1040, 1068**.
- Consideration of General Orders--**HB12-1105, 1017, 1005, 1026, 1115, 1210, 1172, 1121, 1007, 1114, 1144, 1169, 1269, 1030, 1123, 1095, 1163, 1160, 1237, 1285**.
- Consideration of Senate Amendment(s)--**HB12-1078**.



On motion of Representative Ramirez, the House adjourned until 9:00 a.m., February 24, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

