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HOUSE JOURNAL

SIXTY-EIGHTH GENERAL ASSEMBLY STATE OF COLORADO

Second Regular Session

Forty-first Legislative Day

Monday, February 20, 2012

1	The Speaker called the House to order at 10:00 a.m.
2 3 4	Prayer by the Reverend Brad Meuli, Director of Denver Rescue Mission.
5	Pledge of Allegiance led by Jeremy Keenan, Eagle Scout, George Washington High School, Denver.
7 8	The roll was called with the following result:
9 10	Present61.
11	ExcusedRepresentative(s) McCann1.
12 13	AbsentRepresentative(s) Barker, Fields, Pace3. Present after roll callRepresentative(s) Barker, Fields, Pace.
14 15	The Speaker declared a quorum present.
16 17	<u> </u>
18 19	On motion of Representative Scott, the reading of the journal of February 17, 2012, was declared dispensed with and approved as
20 21	corrected by the Chief Clerk.
22 23	
24 25	THIRD READING OF BILL(S)FINAL PASSAGE

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

HB12-1064 by Representative(s) Stephens; also Senator(s) S. King-Concerning the prohibition of limitations concerning firearms during an official state of emergency.

The question being "Shall the bill pass?".

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

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39	YES	45	NO	19	EXCUSED	1	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	E	Soper	Y
43	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y

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

Co-sponsor(s) added: Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Brown, Conti, Coram, DelGrosso, Gardner B., Holbert, Joshi, Kerr J., Liston, Looper, Murray, Nikkel, Pace, Priola, Ramirez, Scott, Sonnenberg, Summers, Swalm, Vaad, Vigil, Waller, Speaker.

by Representative(s) Priola, McKinley, Holbert, Balmer, Barker, Baumgardner, DelGrosso, Kerr J., Liston, McNulty, Murray, Sonnenberg, Stephens, Swalm; also Senator(s) Brophy--Concerning the authority of a lawabiding person to carry a concealed handgun without a permit.

Representative B. Gardner moved that the bill be rereferred to the Committee on Judiciary. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and HB12-1092 was rereferred to the Committee on Judiciary.

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

SB12-008

by Senator(s) Brophy, Giron, Hodge, Roberts, Schwartz; also Representative(s) Sonnenberg, Baumgardner, Swerdfeger, Vigil, Wilson--Concerning postponement of the repeal of requirements to replace well depletions to the Denver basin aquifers.

The question being "Shall the bill pass?".

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

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6	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
8	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
9	Barker	Y	Gerou	Y	McCann	E	Soper	Y
10	Baumgardner	Y	Hamner	Y	McKinley	Y	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	Y	Ryden	Y	Waller	Y
20	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
21	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
22	Fields	Y	Liston	Y	Singer	Y	Young	Y
23							Speaker	Y

Co-sponsor(s) added: Representative(s) Becker, Brown, Coram, Fischer, Gerou, Holbert, Pace, Priola.

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by Representative(s) Massey, Fields, Hamner, Holbert, HB12-1124 Levy, Peniston; also Senator(s) Johnston--Concerning a study of digital learning in Colorado.

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The question being "Shall the bill pass?".

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

35 36

36	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	E	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	Y	Liston	Y	Singer	Y	Young	Y
53					_		Speaker	Y
54	Co-sponsor(s) a	adde	d: Representat	ive(s) Fischer, Kerr	A., I	Kerr J., Labuda	, Lee,

Co-sponsor(s) added: Representative(s) Fischer, Kerr A., Kerr J., Labuda, Lee, Murray, Nikkel, Pace, Schafer S., Summers, Todd, Vigil, Wilson, Young.

55 56

HB12-1117

by Representative(s) Balmer; also Senator(s) Nicholson-Concerning the ability of a local government to permit, in its discretion, the collection of charitable solicitations from motorists on a certain number of days per calendar year.

The question being "Shall the bill pass?".

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

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

Co-sponsor(s) added: Representative(s) Casso, Fields, Fischer, Hamner, Jones, Kagan, Kerr A., Kerr J., Labuda, Miklosi, Pabon, Pace, Peniston, Priola, Ryden, Schafer S., Singer, Soper, Todd, Vigil, Wilson, Young.

HB12-1157 by Representative(s) Vigil; also Senator(s) Guzman-Concerning the court hearing on a petition for the organization of a special district.

The question being "Shall the bill pass?".

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

41								
42	YES	64	NO	0	EXCUSED	1	ABSENT	0
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	E	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

Ferrandino Fields	Levy Liston	Scott Singer	Wilson Young	Y Y
			Speaker	Y

Co-sponsor(s) added: Representative(s) Fields, Labuda, Todd.

by Representative(s) Labuda, Bradford, Fields, Gardner B., Lee, Swerdfeger, Szabo; also Senator(s) Aguilar-Concerning the repeal of the advisory committee on covering all children in Colorado.

The question being "Shall the bill pass?".

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

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

Co-sponsor(s) added: Representative(s) Hamner, Kerr J., Massey, Schafer S., Todd, Williams A.

<u>HB12-1097</u> by Representative(s) Summers; also Senator(s) Jahn-Concerning civil penalties for retail food establishments.

The question being "Shall the bill pass?".

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

45	YES	64	NO	0	EXCUSED	1	ABSENT	0
46	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
47	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
48	Barker	Y	Gerou	Y	McCann	E	Soper	Y
49	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
50	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
51	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
52	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
53	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
54	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
55	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
56	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y

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

Co-sponsor(s) added: Representative(s) Brown, Coram, DelGrosso, Ferrandino, Fields, Kerr A., Kerr J., Schafer S., Todd, Young.

HB12-1139 by Representative(s) Levy, Fields, Barker, Court, Kagan, Massey, McCann, McKinley, Nikkel, Solano, Young; also Senator(s) Guzman--Concerning pretrial detention of children prosecuted as adults.

The question being "Shall the bill pass?".

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

20	YES	64	NO	0	EXCUSED	1	ABSENT	0
					_			
21	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
22	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
23	Barker	Y	Gerou	Y	McCann	E	Soper	Y
24	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
25	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
26	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
27	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
28	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
29	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
30	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
31	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
32	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
33	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
34	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
35	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
36	Fields	Y	Liston	Y	Singer	Y	Young	Y
37							Speaker	Y

Co-sponsor(s) added: Representative(s) Duran, Fischer, Hullinghorst, Kefalas, Kerr A., Kerr J., Labuda, Lee, Pabon, Pace, Schafer S., Singer, Todd, Vigil, Williams A., Wilson.

by Representative(s) Ryden, Gardner B., Kagan, Pabon, Singer, Wilson; also Senator(s) Spence--Concerning the authority of the department of revenue to allow licensed private investigators access to certain motor vehicle records for specified purposes.

The question being "Shall the bill pass?".

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

YES	34	NO	30	EXCUSED	1	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	Y	Massey	N	Sonnenberg	N
Barker	Y	Gerou	N	McCann	E	Soper	Y

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

15 Co-sponsor(s) added: Representative(s) Labuda, Todd, Vigil.

17 HB12-1233 by Representative(s) Labuda, Barker, Casso, Gardner B., Pabon; also Senator(s) Carroll--Concerning the ability of a court to enter a decree of legal separation in certain circumstances without the appearance of the parties.

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The question being "Shall the bill pass?".

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

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27	YES	45	NO	19	EXCUSED	1	ABSENT	0
28	Acree	Y	Fischer	Y	Looper	N	Solano	Y
29	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
30	Barker	Y	Gerou	Y	McCann	E	Soper	Y
31	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	N	Holbert	N	Miklosi	Y	Summers	N
33	Beezley	Y	Hullinghorst	Y	Murray	N	Swalm	N
34	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	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	Y
40	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
41	Duran	Y	Lee	Y	Schafer S.	Y	Williams A	. Y
42	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
43	Fields	Y	Liston	N	Singer	Y	Young	Y
44					_		Speaker	N
45	Co-sponsor(s)	add	ed: Represent	ative	(s) Fischer,	Kagan	, Kerr A.,	Ryden

Co-sponsor(s) added: Representative(s) Fischer, Kagan, Kerr A., Ryden, Schafer S., Solano, Todd, Vigil, Wilson.

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by Representative(s) Duran, Summers, Fields, McCann, HB12-1276 Casso, Hullinghorst, Massey, Swerdfeger, Vigil; also Senator(s) Newell--Concerning child care licensure waivers for materials related to a child care center's curriculum.

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The question being "Shall the bill pass?".

55 56 A roll call vote was taken. As shown by the following recorded vote, a majority of those elected to the House voted in the affirmative and the bill was declared **passed**.

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

Co-sponsor(s) added: Representative(s) Fischer, Hamner, Kefalas, Kerr A., Kerr J., Labuda, Peniston, Priola, Schafer S., Solano, Todd, Young.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB12-1200 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning funding for capital construction, and making supplemental appropriations in connection therewith.

(Amended as printed in Senate Journal, February 14, page 157.)

Representative Gerou moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

30									
39	YES	62	NO	2	EXCUSED	1	ABSENT	0	
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	\mathbf{E}	Soper	Y	
43	Baumgardner	Y	Hamner	Y	McKinley	Y	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	N	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	N	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	

The question being, "Shall the bill, as amended, pass?".

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

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5	YES	60	NO	4	EXCUSED	1	ABSENT	0	
7	Acree	Y	Fischer	Y	Looper	Y	Solano	Y	1
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
)	Barker	Y	Gerou	Y	McCann	E	Soper	Y	
)	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y	
	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y	
2	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y	
3	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y	
L	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y	
5	Casso	Y	Kagan	Y	Pace	N	Todd	Y	
5	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y	
<i>'</i>	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y	
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y	
)	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y	
)	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y	
	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y	
2	Fields	Y	Liston	Y	Singer	Y	Young	Y	
3					Č		Speaker	Y	

HB12-1202

by Representative(s) Levy, Becker, Gerou; also Senator(s) Lambert, Hodge, Steadman--Concerning authorization for the appropriation of tobacco education program fund moneys to the department of health care policy and financing in order to obtain federal matching funds for the Colorado quitline program, and, in connection therewith, making and reducing appropriations.

(Amended as printed in Senate Journal, February 14, page 157.)

Representative Levy moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

50								
39	YES	52	NO	12	EXCUSED	1	ABSENT	0
40	Acree	N	Fischer	Y	Looper	N	Solano	Y
41	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
42	Barker	Y	Gerou	Y	McCann	E	Soper	Y
43	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
44	Becker	Y	Holbert	Y	Miklosi	Y	Summers	N
45	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
46	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
47	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
48	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
49	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
50	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
51	Court	Y	Kerr J.	Y	Ramirez	N	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

The question being, "Shall the bill, as amended, pass?".

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

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6	YES	45	NO	19	EXCUSED	1	ABSENT	0
7	Acree	N	Fischer	Y	Looper	N	Solano	Y
8	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
9	Barker	Y	Gerou	Y	McCann	E	Soper	Y
10	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
11	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
12	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
13	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
14	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
15	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
16	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
17	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
18	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
19	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
20	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
21	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
22	Fields	Y	Liston	N	Singer	Y	Young	Y
23					-		Speaker	Y

Co-sponsor(s) added: Representative(s) Ferrandino, Fields, Hamner, Schafer S., Wilson.

On motion of Representative Stephens, **HB12-1270**, **1289**, **1178**, **1094**, **1229** were added to the Special Orders Calendar on Monday, February 20, 2012.

On motion of Representative Szabo, the House resolved itself into Committee of the Whole for consideration of Special Orders and she was called to the Chair to act as Chairman.

SPECIAL ORDERS--SECOND READING OF BILLS

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

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

by Representative(s) Conti--Concerning concurrent enrollment for students who may complete high school graduation requirements before the end of twelfth grade.

Amendment No. 1, Education Report, dated February 8, 2012, and placed in member's bill file; Report also printed in House Journal, February 9, page 216-219. 5 <u>Amendment No. 2</u>, by Representative(s) A. Kerr. 6 7 Amend Education Committee Report, dated February 8, 2012, page 5, 8 after line 13 insert: 9 10 "(7) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE 11 CONTRARY, A LOCAL EDUCATION PROVIDER IS NOT REQUIRED TO 12 IMPLEMENT THIS SECTION IN ANY BUDGET YEAR IN WHICH THE AMOUNT OF 13 PER PUPIL REVENUE RECEIVED BY THE LOCAL EDUCATION PROVIDER IS 14 LESS THAN THE AMOUNT OF PER PUPIL REVENUE RECEIVED BY THE LOCAL 15 EDUCATION PROVIDER FOR THE 2008-09 BUDGET YEAR.". 17 As amended, laid over until February 21, retaining place on Calendar. 18 by Representative(s) Ryden, Jones, Liston, Miklosi, Tyler, 19 HB12-1270 20 Wilson; also Senator(s) Heath--Concerning an increase in 21 the limit on the amount of alcohol beverages a person 22 licensed to sell alcohol beverages for on-premises consumption may purchase from a licensed alcohol 23 24 beverage retailer. 25 26 Amendment No. 1, Economic & Business Development Report, dated 27 February 14, 2012, and placed in member's bill file; Report also printed in House Journal, February 15, pages 265-270. 28 29 As amended, ordered engrossed and placed on the Calendar for Third 30 31 Reading and Final Passage. 32 by Representative(s) Nikkel, DelGrosso; also Senator(s) 33 HB12-1289 34 Jahn, Cadman--Concerning complaints to the division of 35 insurance on certain adverse actions of auto insurers. 36 37 <u>Amendment No. 1</u>, by Representative(s) Nikkel. 38 39 Amend printed bill, page 2, line 8, strike "first-class" and substitute 40 "first-class United States". 41 42 As amended, ordered engrossed and placed on the Calendar for Third 43 Reading and Final Passage. 44 HB12-1178 by Representative(s) Vigil; also Senator(s) Schwartz--45 46 Concerning the deadline for filing notice for 47 reimbursement of tax payments for lost gasoline or special 48 fuel. 49 Ordered engrossed and placed on the Calendar for Third Reading and 50 51 Final Passage. 52

by Representative(s) Kerr A.--Concerning increasing the

fine for parking in front of a fire hydrant in an

unincorporated area of a county.

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HB12-1094

Amendment No. 1, Local Government Report, dated February 15, 2012, and placed in member's bill file; Report also printed in House Journal, February 16, page 283.

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

HB12-1229 by Representative(s) Murray; also Senator(s) Scheffel--Concerning publication requirements for a newspaper in which a legal notice or advertisement is printed.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: HB12-1270 amended, 1289 amended, 1178, **1094 amended, 1229**.

Laid over until date indicated retaining place on Calendar: **HB12-1043** amended--February 21, 2012.

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

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

 On motion of Representative Szabo, the House resolved itself into Committee of the Whole for consideration of General Orders, and she was called to the Chair to act as Chairman.

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GENERAL ORDERS--SECOND READING OF BILLS

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

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

HB12-1160 by Representative(s) Baumgardner; also Senator(s) Schwartz--Concerning methane gas captured from active and inactive coal mines.

Amendment No. 1, Agriculture, Livestock, & Natural Resources Report, dated February 13, 2012, and placed in member's bill file; Report also printed in House Journal, February 14, page 253.

As amended, laid over until February 23, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Laid over until date indicated retaining place on Calendar: **HB12-1160 amended**--February 23, 2012.

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

YES	56	NO	7	EXCUSED	1	ABSENT	1
Acree	Y	Fischer	N	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	E	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	-	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	N	Kagan	N	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
Fields	Y	Liston	Y	Singer	Y	Young	Y
				-		Speaker	Y

House in recess. House reconvened.

APPOINTMENTS

LOCAL GOVERNMENT:

The Speaker announced the appointment of Representative Bradford, Chairman. Representative Szabo as Vice Chairman.

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> The Speaker announced the appointment of Representative Bradford to replace Representative J. Kerr to the Committee on Local Government.

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House in recess. House reconvened.

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REPORTS FROM THE HOUSE ETHICS COMMITTEE

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February 14, 2012

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Dear Mr. Speaker:

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Please be advised that the Ethics Committee you appointed pursuant to House 22 Rule 49 has now met to consider the Complaint filed against Representative Laura Bradford. The Ethics Committee met on February 6 and 24 February 10, 2012. Minutes of the discussions and actions taken at those meetings, along with the evidentiary information compiled by the Committee, are maintained by the Legislative Council staff and may be reviewed at that office.

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29 In conducting its preliminary investigation, the Ethics Committee limited its 30 focus to the issues framed in the Complaint, dated January 31, 2012, concerning: (1) Whether, on January 25, 2012, Representative Bradford was driving under the influence of alcohol or while her abilities were impaired, in 33 violation of section 42-4-1301 (a) or (b), C.R.S., and, if so, whether her 34 misconduct involved her legislative duties in a manner to warrant action under House Rule 49; and (2) whether, on January 25, 2012, Representative Bradford invoked legislative privilege against arrest, either expressly or implicitly, and was granted such privilege, thereby avoiding further investigation of her level of intoxication and further potential charges under the Colorado Revised Statutes and, if so, whether the invocation or acceptance of legislative privilege, under the facts and circumstances, constituted misconduct involving her legislative duties in a manner to warrant action under House Rule 49.

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The Committee recognizes that in holding public office, the members of the General Assembly are entrusted with the public's trust and, therefore, are held to a higher standard of conduct consistent with the public's expectations. 46 However, the Committee finds that it has no evidence to support a finding that Representative Bradford was driving under the influence or while her abilities were impaired on January 25, 2012. The Committee further finds, based upon the press conference held by the Denver Police Department on January 31, 2012, clarifying the events of January 25, 2012, that Representative Bradford did not invoke legislative privilege and, in fact, on at least two occasions asked to be treated like any other person in that situation.

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54 Accordingly, the Committee determines that no probable cause exists to find that an ethics violation occurred. The Committee finds that no further action is 56 required of this Committee and hereby dissolves itself in the discharge of its

duties. It is the understanding of the Ethics Committee that, upon making these findings, the Complaint is dismissed pursuant to House Rule 49 (c).

4 Respectfully submitted,
5 (signed)
6 Tom Massey, Chairman
7 Jerry Sonnenberg
8 Brian DelGrosso

February 17, 2012

Dear Mr. Speaker:

We, the undersigned members of the Ethics Committee you appointed pursuant to House Rule 49 regarding the Complaint filed against Representative Laura Bradford, respectfully submit this Minority Report. While we agree with the statements set forth in the first and second paragraphs of the Majority Report, as well as the conclusion that no probable cause exists to find that an ethics violation occurred, we herein submit our separate findings based upon the evidence, and lack of evidence, available to the Committee in its preliminary investigation under the rule.

We find that the Denver Police Department did not administer a breathalyzer test or obtain a blood sample to test for Representative Bradford's blood alcohol content. Therefore, the undersigned believe that the Committee was not able to make a determination as to whether Representative Bradford was driving under the influence or while her abilities were impaired on January 25, 2012. The undersigned also find that, because of an internal investigation by the Denver Police Department, the Committee was not able to investigate fully whether Representative Bradford invoked legislative privilege. Therefore, the Committee's investigation was limited to information already in the public record. Based on the evidence available, namely the press conference held by the Denver Police Department on January 31, 2012, clarifying the events of January 25, 2012, we cannot find that Representative Bradford did invoke legislative privilege.

Our ethical obligations require us to do more than just obey the law. The Committee recognized that in holding public office, the members of the General Assembly are entrusted with the public's trust and, therefore, are held to a higher standard of conduct consistent with the public's expectations. Nevertheless, based on the investigation that the Committee was able to conduct, the Committee determined, and we agree, that no probable cause exists to find that an ethics violation occurred.

47 Respectfully submitted,
48 (signed)
49 Claire Levy. Vice-Chairman
50 Judy Solano

REPO	ORT(S) OF COMMITTEE(S) OF REFERENCE
JUDICIARY After consider following:	eration on the merits, the Committee recommends the
<u>HB12-1095</u>	be referred to the Committee of the Whole with favorable recommendation.
<u>HB12-1163</u>	be referred to the Committee of the Whole with favorable recommendation.
	NG OF BILLS - RESOLUTIONS - MEMORIALS has signed: HJR12-1002, 1003, 1005, 1006, 1007, 1008,
1009, 1011, 1	012, 1013, HR12-1003.
	INTRODUCTION OF BILLS First Reading
The followin indicated:	g bills were read by title and referred to the committees
HB12-1308 Committee or	by Representative(s) Singer, Ferrandino, Hullinghorst-Concerning funding for economic development programs administered by the Colorado office of economic development. a Finance
HB12-1309 Committee or	by Representative(s) Swalm and Looper, Holbert, Barker, Coram, Joshi, Kerr J., Murray; also Senator(s) King KConcerning the requirement that all employers in the state verify the work eligibility status of new employees through the federal electronic verification program. The Economic and Business Development
<u>HB12-1310</u>	by Representative(s) Gardner B., Barker; also Senator(s) Carroll, GuzmanConcerning changes to statutory
Committee or	provisions related to criminal proceedings. n Judiciary
HB12-1311 Committee or	by Representative(s) Summers, Acree, Brown, Fields, Joshi, Kefalas, McCann, Schafer S., Young; also Senator(s) BoydConcerning continuation of the state board of pharmacy, and, in connection therewith, implementing the recommendations contained in the sunset review and report regarding the board and recodifying the laws regulating pharmacists, the practice of pharmacy, and the manufacture, distribution, and dispensing of prescription drugs and controlled substances. Health and Environment
	JUDICIARY After consideration following: HB12-1095 HB12-1163 SIGNIN The Speaker 1009, 1011, 1 The following indicated: HB12-1308 Committee on HB12-1310 Committee on HB12-1311

1 2 3 4 5 6 7	HB12-1312 Committee on	by Representative(s) Sonnenberg, Levy; also Senator(s) Brophy and JohnstonConcerning the exclusion of land use issues addressed by local governing bodies from the public utilities commission's proper scope of review with respect to applications for certificates of public convenience and necessity for transmission lines. Transportation
8 9 10 11	<u>HB12-1313</u>	by Representative(s) Szabo; also Senator(s) Bacon-Concerning procedures related to the statewide initiative title board.
13 14 15 16 17	<u>HB12-1314</u>	by Representative(s) SonnenbergConcerning an exception to the requirement to file an oil and gas severance tax return for a person who has less than a certain amount withheld. Agriculture, Livestock, & Natural Resources
19 20 21 22 23	SB12-036 Committee on	by Senator(s) Mitchell; also Representative(s) Holbert-Concerning parental consent for the collection of information from students in schools. Education
21 22 23 24 25 26 27 28	SB12-045 Committee on	by Senator(s) Hudak and King K., Bacon; also Representative(s) Massey and Fields, HolbertConcerning granting associate degrees to students who transfer from a two-year institution. Education
30 31 32 33 34	SB12-061 Committee on	by Senator(s) King K.; also Representative(s) Massey-Concerning procedures relating to the authorization of charter schools. Education
35 36 37 38 39	SB12-067 Committee on	by Senator(s) Hudak, Bacon, Johnston, King K., Spence; also Representative(s) HolbertConcerning requirements pertaining to the corporate status of charter schools. Education
40 41 42 43 44 45 46 47	SB12-131 Committee on	by Senator(s) Guzman, Steadman; also Representative(s) PabonConcerning the responsibilities of a fiduciary with regard to the estate of a person who may have executed a designated beneficiary agreement. Judiciary
48 49 50 51 52		LAY OVER OF CALENDAR ITEM(S) f Representative Waller, the following item(s) on the (were) laid over until February 21, retaining place on

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55 Consideration of Third Reading--**HB12-1040, 1068**.
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1	Consideration of General Orders HB12-1105 , 1017 , 1005 , 1026 , 1115 ,
2	1210, 1151, 1172, 1065, SB12-094, HB12-1121.
3	Consideration of Senate Amendment(s) HB12-1078 .
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7	On motion of Representative Waller, the House adjourned until 9:00 a.m.,
8	February 21, 2012.
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10	Approved:
11	FRÂNK McNULTY,
12	Speaker
13	Attest:
14	MARILYN EDDINS,
15	Chief Clerk