

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

Seventy-first Legislative Day

Wednesday, March 21, 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 Jenn Belz, Mullen High School, Denver.

7

8 The roll was called with the following result:

9

10 Present--60.

11 Excused--Representative(s) Baumgardner, Nikkel, Miklosi,
12 Singer, Wilson--5.

13 Present after roll call--Representative(s) Baumgardner, Nikkel,
14 Singer, Wilson.

15

16 The Speaker declared a quorum present.

17

18

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

22

23

24

CONSIDERATION OF MEMORIAL

25

26 **HM12-1001** by Representative(s) Jones, Court, Ferrandino, Holbert,
27 McCann, McNulty, Stephens, Swalm, Todd, Waller--
28 Memorializing former Representative Gerald H. "Jerry"
29 Kopel.

30

31 (Printed and placed in members' file)

32

33 Representative Jones moved that the Memorial be adopted and asked it
34 be read at length.

35

36

37 Pursuant to House Rule 26(f) the House stood in recess to allow the
38 following former members to speak on behalf of the honorable Gerald H.
39 "Jerry" Kopel: Former Representatives Ruth Wright, David Skaggs,
40 Wellington Webb, Dorothy Rupert, Phil Hernandez, Bill Owens, Bill
41 Thiebaut, Bob Allen, John D. McFarlane, Dennis Gallagher, and former
42 Senator Barbara Holme.

43

House reconvened.

The memorial was **adopted** by the following roll call vote:

	YES	63	NO	0	EXCUSED	2	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	Y	Soper	Y
10	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
11	Becker	Y	Holbert	Y	Miklosi	E	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

24 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
 25 Barker, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, DelGrosso,
 26 Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Hullinghorst, Joshi, Kagan,
 27 Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey,
 28 McKinley, Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden,
 29 Schafer S., Scott, Singer, Solano, Sonnenberg, Soper, Summers, Swerdfeger,
 30 Szabo, Tyler, Vaad, Vigil, Williams A., Wilson, Young.

31
 32 Representative Jones introduced members of the family who were
 33 present.

MESSAGE(S) FROM THE SENATE

39 The Senate has adopted and transmits herewith: SJR12- 022.

THIRD READING OF BILL(S)--FINAL PASSAGE

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

49 **HB12-1323** by Representative(s) Coram; also Senator(s) Roberts--
 50 Concerning the associate county judge for Montrose
 51 county.

53 The question being "Shall the bill pass?"

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
3	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
4	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
5	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
6	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
7	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
8	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
9	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
10	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
11	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
12	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
13	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
14	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
15	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
16	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
17	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
18	Fields	Y	Liston	Y	Singer	Y	Young	Y
19							Speaker	Y

20 Co-sponsor(s) added: Representative(s) Brown, Jones, Kerr J., Pace, Wilson.

21
 22 **HB12-1318** by Representative(s) Brown, Sonnenberg, Vigil; also
 23 Senator(s) Schwartz, Bacon, Renfroe--Concerning the
 24 development of guidelines regarding the eligibility of
 25 controlled maintenance funding for state facilities.

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

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

50 Co-sponsor(s) added: Representative(s) Coram, Gerou, Kerr J., Looper, Nikkel,
 51 Pace, Priola.

52
 53 **SB12-133** by Senator(s) Schwartz, Aguilar, King S., Newell, White;
 54 also Representative(s) Coram--Concerning the diversion
 55 of electronic devices from landfills.

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	43	NO	20	EXCUSED	2	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	Y	Soper	Y
10	Baumgardner	E	Hamner	Y	McKinley	N	Stephens	N
11	Becker	N	Holbert	N	Miklosi	E	Summers	Y
12	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
13	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
14	Brown	N	Joshi	N	Pabon	Y	Szabo	N
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	N	Vaad	Y
18	Court	Y	Kerr J.	N	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	Y	Wilson	Y
22	Fields	Y	Liston	N	Singer	Y	Young	Y
23							Speaker	N

24 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Hamner,
 25 Hullinghorst, Jones, Kefalas, Kerr A., Labuda, Pabon, Pace, Singer, Todd,
 26 Tyler, Vigil, Wilson, Young.

27
 28 **HB12-1313** by Representative(s) Szabo; also Senator(s) Bacon--
 29 Concerning procedures related to the statewide initiative
 30 title board.

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

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

55 Co-sponsor(s) added: Representative(s) Beezley, Court, Holbert, Kerr J.,
 56 Looper, Nikkel.

1 **SB12-062** by Senator(s) Williams S.; also Representative(s) Looper--
 2 Concerning procedures that facilitate voting by military
 3 personnel.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	63	NO	0	EXCUSED	2	ABSENT	0
11	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
12	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
13	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
14	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
15	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
16	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
17	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
18	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
19	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
20	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
21	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
22	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
23	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
24	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
25	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
26	Fields	Y	Liston	Y	Singer	Y	Young	Y
27							Speaker	Y

28 .Co-sponsor(s) added: Representative(s) Acree, Balmer, Barker, Beezley,
 29 Casso, Court, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
 30 Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee,
 31 Liston, Massey, Nikkel, Pabon, Pace, Priola, Ramirez, Ryden, Schafer S., Scott,
 32 Soper, Stephens, Szabo, Todd, Vigil, Wilson, Young, Speaker
 33

34 **HB12-1209** by Representative(s) Gardner B.; also Senator(s) Carroll--
 35 Concerning the "Uniform Electronic Legal Material Act",
 36 and, in connection therewith, making an appropriation.
 37

38 The question being "Shall the bill pass?".
 39 A roll call vote was taken. As shown by the following recorded vote, a
 40 majority of those elected to the House voted in the affirmative and the bill
 41 was declared **passed**.
 42

	YES	63	NO	0	EXCUSED	2	ABSENT	0
44	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
45	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
46	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
47	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
49	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
50	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
51	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
52	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
53	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
54	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
55	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
56	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y

1	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
2	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
3	Fields	Y	Liston	Y	Singer	Y	Young	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Barker, Fischer, Labuda, Wilson.

6
 7 **HB12-1274** by Representative(s) Swerdfeger; also Senator(s) Jahn--
 8 Concerning the regulation of notaries public, and, in
 9 connection therewith, making and reducing appropriations.

10
 11 The question being "Shall the bill pass?".
 12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative and the bill
 14 was declared **passed**.

16	YES	63	NO	0	EXCUSED	2	ABSENT	0
17	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
18	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
19	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
20	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
22	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
23	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
24	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
25	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
26	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
27	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
28	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
29	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
30	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
31	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
32	Fields	Y	Liston	Y	Singer	Y	Young	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Coram, Kerr J., Wilson.

35
 36 **HB12-1292** by Representative(s) Murray; also Senator(s) Heath--
 37 Concerning technical modifications to laws relating to the
 38 administration of elections, and, in connection therewith,
 39 harmonizing current laws with federal law, altering the
 40 time periods within which certain actions must be taken,
 41 raising certain fees, and deleting obsolete references.

42
 43 The question being "Shall the bill pass?".
 44 A roll call vote was taken. As shown by the following recorded vote, a
 45 majority of those elected to the House voted in the affirmative and the bill
 46 was declared **passed**.

48	YES	63	NO	0	EXCUSED	2	ABSENT	0
49	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
50	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
51	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
52	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
54	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
55	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
56	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y

1	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
2	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
3	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
4	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
5	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
6	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
7	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
8	Fields	Y	Liston	Y	Singer	Y	Young	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Court, Kerr J., Labuda.

11
 12 **HB12-1302** by Representative(s) Massey; also Senator(s) Tochtrop--
 13 Concerning the creation of a flight for life Colorado
 14 license plate, and, in connection therewith, making an
 15 appropriation.
 16

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

21	YES	54	NO	9	EXCUSED	2	ABSENT	0
23	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
24	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
25	Barker	N	Gerou	Y	McCann	Y	Soper	Y
26	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
27	Becker	N	Holbert	N	Miklosi	E	Summers	Y
28	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
29	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
30	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
31	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
32	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
33	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
34	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
35	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
37	Ferrandino	N	Levy	N	Scott	Y	Wilson	Y
38	Fields	Y	Liston	Y	Singer	Y	Young	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Fischer, Hamner, Todd, Wilson.

41
 42 **SB12-055** by Senator(s) White, Aguilar, Giron, Guzman, Hudak,
 43 Newell, Nicholson, Spence, Steadman, Tochtrop, Williams
 44 S.; also Representative(s) McCann--Concerning the
 45 voluntary contribution designation benefiting the 9Health
 46 Fair fund to appear on the state individual income tax
 47 return forms.
 48

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

53	YES	57	NO	6	EXCUSED	2	ABSENT	0
55	Acree	Y	Fischer	Y	Looper	N	Solano	Y
56	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N

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

16 Co-sponsor(s) added: Representative(s) Fields, Hullinghorst, Massey,
 17 Schafer S., Todd.

18
 19 **SB12-023** by Senator(s) Boyd; also Representative(s) Summers and
 20 Kerr A.--Concerning the program of all-inclusive care for
 21 the elderly, and, in connection therewith, addressing
 22 enrollment of persons who are eligible for the PACE
 23 program and addressing how the PACE program works
 24 with integrative initiatives involving the medicaid
 25 population in Colorado.

26
 27 The question being "Shall the bill pass?".
 28 A roll call vote was taken. As shown by the following recorded vote, a
 29 majority of those elected to the House voted in the affirmative and the bill
 30 was declared **passed**.

31	YES	58	NO	5	EXCUSED	2	ABSENT	0
33	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
34	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
35	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
36	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
37	Becker	Y	Holbert	N	Miklosi	E	Summers	Y
38	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
39	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
40	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
41	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
42	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
43	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
44	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
45	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
46	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
47	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
48	Fields	Y	Liston	Y	Singer	Y	Young	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Fields, Fischer, Hullinghorst, Kefalas,
 51 Labuda, Pace, Schafer S., Singer, Todd, Vigil, Wilson, Young.

52
 53 **HB12-1238** by Representative(s) Massey and Hamner, Fields, Pabon,
 54 Priola, Casso, Gerou, Lee, Murray, Pace, Sonnenberg,
 55 Swerdfeger; also Senator(s) Johnston and Spence, Bacon,
 56 Giron, Jahn, Newell--Concerning literacy education for

1 students enrolled in kindergarten through third grade, and,
 2 in connection therewith, creating the "Colorado Early
 3 Literacy Act", and making and reducing appropriations.
 4

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

6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	51	NO	12	EXCUSED	2	ABSENT	0
11	Acree	Y	Fischer	N	Looper	Y	Solano	N
12	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
13	Barker	Y	Gerou	Y	McCann	Y	Soper	N
14	Baumgardner	E	Hamner	Y	McKinley	N	Stephens	Y
15	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
16	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
17	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
18	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
19	Casso	Y	Kagan	Y	Pace	Y	Todd	N
20	Conti	Y	Kefalas	N	Peniston	N	Tyler	Y
21	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
22	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
23	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
24	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
25	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
26	Fields	Y	Liston	Y	Singer	N	Young	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Barker, Beezley, Brown, Gardner B.,
 29 Holbert, Joshi, Kerr J., Liston, Looper, Nikkel, Summers, Szabo, Vigil, Wilson,
 30 Speaker.
 31

32 **HB12-1321** by Representative(s) Ferrandino and Vaad; also Senator(s)
 33 Johnston and King K.--Concerning the state personnel
 34 system, and, in connection therewith, enacting the
 35 "Modernization of the State Personnel System Act".
 36

37 As shown by the following roll call vote, a majority of all members
 38 elected to the House voted in the affirmative, and Representative
 39 Ferrandino was given permission to offer a Third Reading amendment:
 40

	YES	62	NO	1	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	E	Hamner	Y	McKinley	Y	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	Y	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	N	Wilson	Y

1	Fields	Y	Liston	Y	Singer	Y	Young	Y
2							Speaker	Y

3
4 **Third Reading amendment No. 1**, by Representative Ferrandino.

5
6 Amend engrossed bill, page 17, line 24, strike "SHALL" and substitute
7 "MAY".

8
9 Page 18, line 2, strike "COPY" and substitute "SUMMARY".

10
11 The amendment was declared **passed** by the following roll call vote:

13	YES	63	NO	0	EXCUSED	2	ABSENT	0
14	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
15	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
16	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
17	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
18	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
19	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
20	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
21	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
22	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
23	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
24	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
25	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
26	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
27	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
28	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
29	Fields	Y	Liston	Y	Singer	Y	Young	Y
30							Speaker	Y

31
32 The question being, "Shall the bill, as amended, pass?".

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

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

55 Co-sponsor(s) added: Representative(s) Bradford, Court, Fields, Fischer,
56 Gardner B., Gerou, Hullinghorst, Kerr A., Kerr J., Labuda, Levy, Looper,

1 Massey, Murray, Pabon, Pace, Priola, Ramirez, Ryden, Schafer S., Summers,
2 Szabo, Todd, Vigil, Wilson, Young, Speaker.

3
4 **HCR12-1001** by Representative(s) Ferrandino and Vaad; also Senator(s)
5 Johnston and King K.--Submitting to the registered
6 electors of the state of Colorado amendments to the
7 Colorado constitution concerning the state personnel
8 system, and, in connection therewith, expanding the
9 veterans' preference; increasing the number of candidates
10 eligible to be appointed to a position; adjusting the
11 duration of allowable temporary employment; allowing the
12 flexibility to remove a limited number of positions from
13 the system; modifying the residency requirement;
14 adjusting the terms of service for members of the state
15 personnel board; and requiring merit-based appointments
16 to be made through a comparative analysis process.

17
18 The question being "Shall the resolution pass?".
19 A roll call vote was taken. As shown by the following recorded vote, a
20 constitutional two-thirds majority of those elected to the House voted in
21 the affirmative and the resolution was declared **passed**.

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

41 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Gardner B.,
42 Gerou, Hullinghorst, Kerr A., Kerr J., Labuda, Lee, Liston, Murray, Nikkel,
43 Pabon, Pace, Ramirez, Ryden, Schafer S., Scott, Summers, Todd, Tyler, Vigil,
44 Williams A., Wilson, Young, Speaker.

45

46

47

48 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

49

50 On motion of Representative Stephens, the rules were suspended and the
51 following resolution was given immediate consideration.

52

53 **SJR12-022** by Senator(s) Jahn; also Representative A. Williams--
54 Concerning recognition of "Single Parents' Day" .

55

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

1 On motion of Representative A. Williams, the resolution was **adopted** by
2 **viva voce** vote.

3
4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
5 Barker, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
6 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner,
7 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
8 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Murray, Nikkel,
9 Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer,
10 Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo,
11 Todd, Tyler, Vaad, Vigil, Waller, Wilson, Young, Speaker.

12
13
14 House in recess. House reconvened.
15
16

17
18 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

19
20 **ECONOMIC & BUSINESS DEVELOPMENT**

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

23
24 **SB12-122** be postponed indefinitely.
25
26
27
28

29 **HEALTH & ENVIRONMENT**

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

32
33 **SB12-022** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36

37 **SB12-091** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:
40

41 Amend reengrossed bill, page 2, line 3, strike "(1) (a) (III)" and substitute
42 "(2)".
43

44 Page 3, strike lines 13 through 19 and substitute:
45

46 "(2) (a) THE GOVERNOR SHALL MAKE appointments to the board.
47 ~~shall be made by the governor~~ IN MAKING AN APPOINTMENT TO FILL A
48 VACANCY ON THE BOARD IN THE POSITION OF, OR TO FILL THE REMAINDER
49 OF AN UNEXPIRED TERM FOR, A NURSING HOME ADMINISTRATOR WHO IS
50 FROM NONPROFIT FACILITY ADMINISTRATION, AS REQUIRED BY
51 SUBPARAGRAPH (I) OF PARAGRAPH (a) OF SUBSECTION (1) OF THIS
52 SECTION, IF THE GOVERNOR, AFTER A GOOD-FAITH ATTEMPT, IS UNABLE TO
53 FIND A NURSING HOME ADMINISTRATOR CANDIDATE WHO COMES FROM
54 NONPROFIT FACILITY ADMINISTRATION TO FILL THE VACANCY OR
55 COMPLETE THE UNEXPIRED TERM, THE GOVERNOR MAY APPOINT ANY
56 QUALIFIED NURSING HOME ADMINISTRATOR TO COMPLETE THE UNEXPIRED

1 TERM OR FILL THE VACANCY IN THAT BOARD POSITION. IF THE
 2 APPOINTMENT IS TO FILL A VACANCY, THE BOARD MEMBER MAY SERVE
 3 THE FULL TERM AND IS ELIGIBLE FOR APPOINTMENT FOR A SECOND TERM.
 4

5 (b) The governor may remove any board member for negligence,
 6 incompetency, unprofessional conduct, or willful misconduct. Actions
 7 constituting neglect of duty shall include but ARE not be limited to three
 8 unexcused absences from scheduled meetings in any one calendar year.
 9 ~~Appointments to fill vacancies shall be made~~ THE GOVERNOR SHALL FILL
 10 A VACANCY IN THE MEMBERSHIP OF THE BOARD for the remainder of the
 11 unexpired term. A member who is a practicing nursing home
 12 administrator or long-term care professional shall serve for a full term
 13 only if, during such term, such member is actively employed as a
 14 practicing member of his or her profession without a lapse of employment
 15 greater than one hundred twenty days."
 16

17 Page 4, strike lines 8 and 9 and substitute "twenty-one years of age or
 18 older, and who provides written documentation that the applicant meets
 19 one".
 20

21 Page 4, line 11, strike "(a) (I)" and substitute "(a)".
 22

23 Page 4, line 13, strike "(b) (II)" and substitute "(b)".
 24

25 Page 4, strike line 14 and substitute "degree OR HIGHER DEGREE in public
 26 health administration OR health administration, A MASTER'S DEGREE IN
 27 MANAGEMENT OR BUSINESS".
 28

29 Page 4, line 17, strike "(c) (III) (A)" and substitute "(c) (I)".
 30

31 Page 4, line 18, after "field" insert "OR A BACHELOR'S DEGREE IN BUSINESS
 32 OR PUBLIC ADMINISTRATION".
 33

34 Page 4, line 23, strike "(B)" and substitute "(II)".
 35

36 Page 4, line 24, strike "SUBPARAGRAPH(III)," and substitute "PARAGRAPH
 37 (c),".
 38

39 Page 4, strike line 27 and substitute "YEAR."
 40

41 Page 5, strike lines 1 through 4.
 42

43 Page 5, line 17, after "(1)" insert "(a)".
 44

45 Page 5, strike lines 21 and 22 and substitute "~~of section 12-39-106 and~~
 46 who:
 47

48 (I) PROVIDES WRITTEN DOCUMENTATION VERIFYING THAT THE
 49 APPLICANT HAS PASSED A NATIONAL EXAMINATION ADMINISTERED BY A
 50 NATIONALLY RECOGNIZED TESTING ENTITY FOR NURSING HOME
 51 ADMINISTRATORS AND HAS PASSED AN EXAMINATION IN ANOTHER STATE;
 52 AND

53 (II) Successfully completes the Colorado state examination
 54 provided in section 12-39-109.
 55

56 (b) For purposes of this section,"

1 **JUDICIARY**

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

4
5 **SB12-010** be referred favorably to the Committee on Appropriations.

6
7
8 **SB12-147** be postponed indefinitely.

9
10

11 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

12

13 The Speaker has signed: **HB12-1028, 1029, 1031, 1032, 1058, 1061,**
14 **1065, 1072, 1089, 1104, 1169, 1207, 1212, 1249, 1288, HR12-1004,**
15 **SB12-011, 064, 072, 079, 096.**

16

17

18

19

20 **MESSAGE(S) FROM THE SENATE**

21

22 The Senate has postponed indefinitely HB12-1159, HB12-1115. The bills
23 are returned herewith.

24

25

26

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

29

30 SB12-154 amended as printed in Senate Journal, March 19, 2012,
31 page 520.

32

33

34

35 **MESSAGE(S) FROM THE REVISOR**

36

37 We herewith transmit:

38 Without comment, as amended, SB12-154.

39

40

41

42 **INTRODUCTION OF BILLS**

43

44 **First Reading**

45

46 The following bills were read by title and referred to the committees
47 indicated:

48

49 **HB12-1327** by Representative(s) Coram; also Senator(s) Roberts and
50 King S.--Concerning financial responsibility requirements
51 for motor carriers, and, in connection therewith, repealing
52 the surety bond requirement for towing carriers and
53 imposing a period of disqualification from the right to
54 operate as a towing carrier as an additional penalty for
55 failure to respond as required after violating applicable
56 provisions.

57 Committee on Transportation

58

- 1 **HB12-1328** by Representative(s) Priola, Ferrandino, DelGrosso,
2 Murray, Sonnenberg; also Senator(s) Giron--Concerning
3 exclusion from the "Uniform Consumer Credit Code" of
4 certain charges by persons regularly engaged in making
5 contracts for purchase of tangible personal property in the
6 course of business if those charges do not exceed amounts
7 permitted by law.
8 Committee on Economic and Business Development
9
- 10 **HB12-1329** by Representative(s) Scott, Sonnenberg, Looper, Barker,
11 Nikkel, Liston, Kerr J., Stephens, Vaad--Concerning the
12 county treasurer becoming the public trustee in certain
13 counties where the public trustee is currently appointed by
14 the governor.
15 Committee on Local Government
16
- 17 **SB12-109** by Senator(s) Johnston; also Representative(s) Coram--
18 Concerning requirements governing the regular
19 maintenance of voter registration lists, and, in connection
20 therewith, making an appropriation.
21 Committee on Local Government
22 Committee on Appropriations
23
- 24 **SB12-116** by Senator(s) Foster, Carroll, Johnston, Mitchell, Scheffel;
25 also Representative(s) Brown, Levy, Beezley, Kagan--
26 Concerning penalties associated with cathinones, and, in
27 connection therewith, establishing a misdemeanor penalty
28 for possession of a cathinone.
29 Committee on Judiciary
30
- 31 **SB12-124** by Senator(s) Harvey, Scheffel, Foster, Jahn, Lambert,
32 Newell, Schwartz; also Representative(s) Nikkel, Brown,
33 Conti, Coram, DelGrosso, Gardner B., Holbert, Liston,
34 Murray, Szabo--Concerning the elimination of the limit on
35 the number of regional tourism projects that the Colorado
36 economic development commission may approve.
37 Committee on Local Government
38
- 39 **SB12-127** by Senator(s) Newell, Aguilar, Bacon, Foster, Lundberg,
40 Nicholson, Steadman, White; also Representative(s)
41 Summers--Concerning the participation of providers of
42 long-term care in medicaid care coordination programs.
43 Committee on Health and Environment
44

PRINTING REPORT

45
46
47
48
49
50 The Chief Clerk reports the following bills have been correctly printed:
51 **HB12-1327, 1328, 1329.**
52
53
54
55
56

LAY OVER OF CALENDAR ITEM(S)

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On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until March 22, retaining place on Calendar:

- Consideration of Third Reading--**HB12-1267, SB12-031.**
- Consideration of General Orders---**HB12-1068, 1305, 1080, SB12-148, HB12-1162, 1254, 1303, 1268, 1297, SB12-056, 074, 131, HB12-1258, SB12-034, 092.**
- Consideration of Resolution(s)--**HJR12-1016.**
- Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1002, 1125.**



On motion of Representative Waller, the House adjourned until 9:00 a.m., March 22, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk