

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

First Legislative Day

Wednesday, January 11, 2012

1 Prayer by Representative Ken Summers.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Anna Benevento, Platte River Academy,
6 Highlands Ranch, and Kate Benevento, Highlands Ranch.
7
8 The Speaker appointed Marilyn Eddins Temporary Chief Clerk.
9

RESIGNATION

10
11
12
13 June 27, 2011
14
15 Marilyn Eddins
16 Chief Clerk of the House of Representatives
17
18 Dear Chief Clerk Eddins,
19
20 Due to my appointment as Colorado Commissioner of Insurance, I must resign
21 my seat as State Representative for House District 50.
22
23 My last day will be June 30, 2011.
24
25 The State and County officials have been notified and the vacancy committee
26 will meet as controlled by statute.
27
28 Sincerely,
29 (signed)
30 Jim Riesberg
31

COMMUNICATION
STATE OF COLORADO

32
33
34
35 **Department of**
36 **State**
37
38 **UNITED STATES OF AMERICA) SS. Certificate**
39 **STATE OF COLORADO)**
40

41 I, Scott Gessler, Secretary of State of the State of Colorado, do hereby certify
42 that the attached is a true and exact copy of the Designation of Nomination by
43 Vacancy Committee as filed in this office on the twenty-second day of July,

1 2011, by the Democratic 50th House District Vacancy Committee, designating
2 the appointment of David L. Young to fill the vacancy in the office of the
3 Colorado State House of Representatives, District 50, for the Sixty-eighth
4 General Assembly of the State of Colorado, caused by the resignation of the
5 Honorable Jim Riesberg.

6
7 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the
8 Great Seal of the State of Colorado, at the City and County of Denver this
9 twenty-fifth day of July, 2011.

10
11 (Signed)
12 Scott Gessler
13 Secretary of State

14
15
16 **COMMUNICATION**
17 **STATE OF COLORADO**

18 **Department of**
19 **State**

20
21 **UNITED STATES OF AMERICA)**
22 **STATE OF COLORADO) SS. Certificate**
23

24 I, Scott Gessler, Secretary of State of the State of Colorado, do hereby certify
25 that the attached is a true and exact copy of the Acceptance of Designation by
26 Vacancy Committee as filed in this office on the twenty-second day of July,
27 2011, by David L. Young, accepting the appointment of the Democratic 50th
28 House District Vacancy Committee, to fill the vacancy in the office of Colorado
29 State House of Representatives, District 50, for the Sixty-eighth General
30 Assembly of the State of Colorado, caused by the resignation of the Honorable
31 Jim Riesberg.

32
33 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the
34 Great Seal of the State of Colorado, at the City and County of Denver this
35 twenty-fifth day of July, 2011.

36
37 (Signed)
38 Scott Gessler
39 Secretary of State

40
41 (Note: On July 28, 2011, at 11:30 a.m., David L. Young was sworn in as
42 Representative for House District 50. Chief Justice Michael L. Bender
43 administered the oath of office in the Chamber of the House of
44 Representatives.)

45
46
47 **RESIGNATION**
48

49 January 9, 2012

50
51
52 Marilyn Eddins
53 Chief Clerk of the House of Representatives
54 Colorado State Capitol
55 200 East Colfax Avenue
56 Denver, CO 80203

1 Dear Chief Clerk Eddins:

2

3 It is with mixed emotions that I am resigning my seat in the House of
4 Representatives. I was honored to be elected by the people of Longmont to
5 serve as their representative. Now, I have been chosen, by a vacancy committee
6 in Boulder County, to serve as County Commissioner.

7

8 I have greatly enjoyed working with you and the capitol staff. Everyone has
9 been so supportive in everything they have done to make our legislative process
10 work.

11

12 I am proud of the work I have done in my short time in the legislature. I am
13 particularly proud of the work I was able to do on the Audit and Health Benefit
14 Exchange Commission. The work on both of those committees shows that we
15 can get work done in both bipartisan and nonpartisan ways in Colorado.

16

17 My last day will be Monday, January 9, 2012.

18

19 The State and County officials have been notified and the vacancy committee
20 for House District 11 will be meeting on January 21.

21

22 Sincerely,

23 (signed)

24 Deb Gardner

25 State Representative

26 House District 11

27

28

29

30

31 Representative Stephens moved that the following remarks of Speaker
32 McNulty and Representative Ferrandino be printed in the House Journal.
33 There being no objection the remarks were printed.

34

35

36 Speaker Frank McNulty addressed the members of the House of
37 Representatives:

38

39 Madam Majority Leader, Mr. Minority Leader, esteemed colleagues and
40 honored guests, welcome to the Second Regular Session of the 68th General
41 Assembly!

42

43 Before I begin my formal remarks, let's take a moment to recognize our new
44 House Minority Leader Mark Ferrandino, and the House's newest member,
45 Rep. Dave Young. I look forward to working with each of you, and all of our
46 returning members, to move Colorado forward through our work this session.

47

48 Let's also take a moment to thank all of our families for being here today and
49 those who might not be here—they sacrifice so much for us to serve our state.

50

51 Colleagues, I'm under no illusion that this session will be easy. In fact,
52 everyone thinks the odds are against us.

53

54 Times are tough. Too many Coloradans are still without work, and the state
55 faces yet another year of difficult budget decisions.

56

1 Colleagues, the fact is we can succeed. We need look no further than last year
2 to see what can be accomplished when Republicans and Democrats work
3 together.

4
5 In 2011, we passed a budget that was responsible for all Coloradans--one that
6 reduced proposed cuts to K-12 education while cutting government spending
7 elsewhere and decreasing the tax burden on Colorado's small businesses and
8 job creators.

9
10 This year, we can achieve just as much and more for the people of Colorado.

11
12 Colleagues, now is the exact time to focus our combined energy and intellect
13 on doing our part to improve the economic condition of our state. This precise
14 improvement will not come by the raising of barriers and creation of obstacles,
15 but rather by the pragmatic work of clearing the way so that small businesses
16 can flourish and working families can prosper. In this is the recognition that
17 government doesn't create jobs, government doesn't create wealth, but rather,
18 entrepreneurs create jobs, risk-takers create innovative economic growth. The
19 pioneer work ethic guides us away from a blind and dangerous reliance on
20 government handouts and toward economic prosperity for our families and our
21 communities. This is not about the 1%; this is about the 100%. The simple
22 recognition that every Coloradan must play a meaningful and active role in
23 ensuring our state's economic recovery is vital to our future prosperity.

24
25 The responsible development of oil and natural gas is key to moving our state
26 forward. Technical innovation has opened new opportunities in Colorado for
27 the development of oil and natural gas. These advancements will bring
28 thousands of jobs to the state and give a much need boost to our economy. In
29 Northern Colorado it has been announced that between 500 million and 1.5
30 billion barrels of oil and natural gas can be developed because of these
31 innovations. We must respect this responsible development of oil in other parts
32 of the state as well, including on the Western Slope, which has been severely
33 impacted by this recession.

34
35 Colorado has a long history of respecting local control issues. While we do
36 respect local control, we understand that there are areas that have historically
37 been the responsibility of the state, including the development of traditional
38 energy. This session, we will fight to preserve the historic relationship between
39 the state of Colorado and energy development.

40
41 In October, House Republicans embarked on our Building a Better Colorado
42 tour to meet with leaders in small business and job creation across the state.
43 During our meetings across the Continental Divide and back, we visited with
44 farmers, ranchers, members of the tourism industry, manufacturers, non-profits,
45 those in natural resources and citizens from all walks of life. We sat down for
46 open and honest discussions with executives of large companies that employ
47 hundreds of people and with others who employ only a handful of Coloradans.

48
49 But no matter Where we were, and no matter to whom we talked, the message
50 was clear: government needs to get out of the way.

51
52 Burdensome government regulations and blind restrictions have a stranglehold
53 on Colorado's path to economic recovery. We've heard the call for action, and
54 today we'll introduce a series of measures that will clear the way for Coloradans
55 to succeed.

56

1 One measure, the Colorado Timber Act, sponsored by Rep. Laura Bradford
2 comes as a direct result of the bad-for-business regulations we saw on our
3 Colorado jobs tour. In Montrose, Dallas Wright, plant manager of the
4 Intermountain Resources sawmill, explained the role the mill plays in
5 Montrose's economy. The jobs it offers have helped tie generations of
6 Coloradans together. The mill helps strengthen forests by removing beetle-
7 killed timber and helping to protect communities from the threat of catastrophic
8 wild fires. Despite this plant's good work, Mr. Wright informed us that only
9 7 percent of the lumber his mill produces is sold in Colorado. This is because
10 of unnecessary government restrictions that prohibit the use of this Colorado
11 grown lumber in construction.

12
13 There is no structural deficiency associated with beetle-killed timber. This
14 wood has been used safely in other states; we plan on putting it to use here in
15 Colorado as well, creating jobs and helping Colorado businesses along the way.

16
17 If allowed to beetle killed trees, not only do we help improve the beauty and
18 vitality of our forests, but managers like Mr. Wright can hire entire new crews
19 for their saw mills. Mr. Wright can add 80 additional employees at his plant
20 alone. That's 80 different families in just one community, while simultaneously
21 supplying builders and contractors with another source of reliable and
22 affordable wood—all that with one simple rule change.

23
24 Ill-thought rules hamper our road to recovery, which is why Rep. Libby Szabo,
25 will introduce a bill this year that requires government to exercise foresight by
26 having agencies turn in their rule analyses at least 15 days prior to a rule-
27 making hearing. These analyses must make note of reporting the proposed
28 rule's effects on our state's economic development and job creation. This
29 measure has already received support from several employer groups, and is
30 another way we can help Colorado businesses succeed.

31
32 One of the biggest problems we heard from small business owners is how
33 difficult it is to comply with rules and regulations that change too often and
34 with too little notice. Time and time again, farmers, ranchers and small
35 business owners submit an application for a permit, only to see officials change
36 the rules for their application after its submission. Such inefficient practices
37 burden job creators with needless hassles and duplicative processes that waste
38 time and resources in an already difficult economic environment.

39
40 This session, Rep. Jerry Sonnenberg and Sen. Cheri Jahn will introduce the
41 CLEAR Act, which will ensure that the rules in place for a permit application
42 remain in place for the entire reviewing process of that application. This
43 measure will not only save small businesses from unjust fines and unexpected
44 expenses associated with re-filing applications, but will help reestablish an
45 essential relationship of trust between job creators and state government. It is
46 imperative that entrepreneurs can once again believe government is working to
47 protect their interests rather than trying to put them out of business.

48
49 To further Colorado's image as a business friendly state, I'm proud to announce
50 The SUCCESS Act, another bipartisan bill Rep. Don Coram and Sens. Angela
51 Giron and Steve King will introduce this year that emphasizes compliance over
52 punishment for businesses' interactions with state department rules and
53 regulations. Too often we hear government agencies compared to sharks,
54 circling their prey and eagerly waiting for their feeding frenzy of fines to begin.
55 My friends, we must establish a process that affords businesses a chance to
56 correct their errors or minor infractions instead of issuing punitive fines by

1 default. Far too many state agencies rely on these inflexible and punitive
2 measures as sources of revenue. That changes this year. Colorado is on the path
3 to a new era in state and private sector relationship.
4

5 For too long, the House of Representatives has neglected its oversight role.
6 This year, our assembly will not act as a rubberstamp for department and
7 agency requests. When a department or agency head meets with their proper
8 oversight committee, they should expect to answer tough questions before their
9 funding requests or statute changes may be approved. If they find themselves
10 unable to provide a satisfactory answer to these difficult but responsible
11 questions, they will be asked to do their homework and come back with the
12 answer. This type of diligent oversight is a duty this body has shrugged for far
13 too long and one which Coloradans rightfully expect.
14

15 Ensuring departments and agencies are held accountable is going to be a
16 common theme this year. Rep. Cheri Gerou and Sen. Kent Lambert will
17 sponsor a bill that extends the legislature's oversight role so that state agencies
18 will be required to report to the state legislature any federal funding they
19 receive, increasing government transparency and accountability. The Federal
20 Funds Transparency Act will help legislators better assess our state's needs and
21 Where hard-earned taxpayer dollars are being spent and misspent.
22

23 We understand that we face another challenging budget year, and we look
24 forward to fulfilling our constitutional obligation to pass a balanced budget.
25 That is why we have asked Gov. Hickenlooper to work with our Congressional
26 delegation, and President Obama, to find ways we can reform the federally
27 mandated health care and entitlement system, which chews a larger and larger
28 portion of our budget every year. These seemingly unending mandates take
29 money away from our schools and other budgetary priorities and put policy
30 makers on a hamster wheel of uncontrolled spending and induced compliance
31 with federal mandates.
32

33 We know there is no "magic wand" to fix the federal entitlement program
34 forced on our state. But I believe Gov. Hickenlooper, Minority Leader
35 Ferrandino, the General Assembly, our Congressional delegation and citizens
36 and experts across the state can come together to find tailored solutions that
37 work best for Colorado. This is a conversation that we need to have for the
38 good of our state, and a conversation that must be started in earnest before it is
39 too late.
40

41 Coloradans suffer when policy makers are forced to accept cookie-cutter, one-
42 size-fits-all approaches from Washington, DC. Fifty states make up the
43 composition of our great nation—all of them different from the other. Here in
44 Colorado, the Continental Divide separates east from west. We have urban,
45 suburban and rural corridors that are each different from the other.
46

47 Our state has unique needs that require Colorado specific solutions. Majority
48 Leader Stephens will introduce The Colorado-Specific Solutions Act with
49 Senate Minority Leader Bill Cadman. This act will codify our very deliberate
50 attempt to seek home-grown solutions to the unique problems that face
51 Colorado. Thanks to Majority Leader Stephens, Colorado will fight against
52 corrupting federal mandates and set a course of our own. No longer should
53 Coloradans be categorically lumped into federal solutions not tailored to the
54 specific needs of the Centennial State.
55

56 Finding Colorado specific solutions applies especially to our most vulnerable

1 citizens. We cannot continue to put the health and safety of Coloradans into the
2 hands of a bloated bureaucracy in Washington, DC that's unfamiliar to the
3 unique needs of our citizens.

4
5 Good government doesn't only entail increasing transparency and removing
6 burdensome regulations; it also demands we recognize the will of the people.

7
8 Over the last decade, Coloradans have made their voices clear at the ballot box.
9 The House Majority respects their wishes. This year, House Republicans will
10 stay true the promise we made this past summer and will ensure Amendment
11 35 funds go to fight cancer and support chronic disease prevention—just as
12 Coloradans voted for us to do seven years ago. I would like to thank Gov.
13 Hickenlooper for coming alongside our House Republicans to protect this
14 funding.

15
16 In few areas have Coloradans been more resoundingly united than when it
17 comes to tax increases. We saw this in November when 64 percent of
18 Coloradans voted against a statewide tax increase. This isn't a Democrat or
19 Republican issue. Coloradans across the political spectrum, from Democrats
20 in Denver to Republicans in Lamar to independents in Jefferson County voted
21 against Proposition 103. Coloradans do not want to be over taxed and we will
22 respect their wishes.

23
24 Colorado is fortunate to have the Taxpayer's Bill of Rights, which has saved
25 our state from the type of overspending that is plaguing Washington and
26 pushing other states nearly into bankruptcy.

27
28 Everyone has been hit hard by the ongoing recession, but none more than our
29 senior citizens. Most of our elderly live on fixed incomes and have seen time
30 and time again their well-earned and vital tax exemptions kept from them
31 because lawmakers—their elected representatives in government—wouldn't
32 balance the checkbook. The time of balancing our state budget on the backs of
33 our senior's most in need must come to an end.

34
35 Just who benefits from this exemption? We are helping the men and women
36 who served our country in World War II, Korea, Vietnam and across the world.
37 They are the generation who built the country we live in and love today; they
38 are the men and women whom we are helping by protecting the Senior
39 Homestead Property Tax Exemption.

40
41 Friends, the vast majority of these men and women are not millionaires. The
42 seniors who will benefit from this tax relief don't have yachts; they don't live
43 in a mansion on a hill. They are our parents and grandparents, our aunts and
44 uncles, our neighbors who can use this little bit of money to pay their bills, for
45 their food and for medication.

46
47 Colleagues, we will support voter approved property tax relief for seniors.

48
49 Our goal must be to move Colorado forward together and to recognize what has
50 already been accomplished. It is right that credit is given to our governor for his
51 hard work in bringing such national partners as GE to Colorado and Coleman
52 back to Colorado and for the commitment of Arrow Electronics to grow their
53 existing operations here. While it is right to take a moment to reflect on what
54 has been accomplished, it is imperative that we remain focused directly on the
55 dual goals of job creation and economic security for Colorado families.

56

1 My friends, ours is the time for action. We have been called by our fellow
2 citizens to meet the challenges head-on. We have 120 days—perhaps less--to
3 help put Colorado back on the path to prosperity. Though much work lies
4 ahead of us, I know when our time together is over we'll be able to look back
5 with pride on the accomplishments of this legislative body. Republicans and
6 Democrats, coming together to improve job creation and economic security for
7 Colorado's working families and small businesses. My friends, it's time to
8 build a better Colorado together.

9
10 Thank you; may God bless you, and may He continue to bless the Great State
11 of Colorado.

12
13
14 Minority Leader Mark Ferrandino addressed the members of the House
15 of Representatives:

16
17 Good morning Mr. Speaker, Madam Majority Leader, fellow members and
18 honored guests.

19
20 Before I continue I want to issue a warm welcome to the newest member of our
21 chamber, Representative Dave Young of Greeley.

22
23 I also want to take a moment to welcome my twin sister Nicole, and her
24 daughter – my niece – Abby, who turns nine next week. Happy ninth birthday,
25 Abby.

26
27 Finally, I want to welcome my husband, Greg Wertsch. Thank you for your love
28 and support.

29
30 Members, I am deeply honored to have been selected as leader of the House
31 Democratic caucus. This is my first chance to address you in this way, on this
32 day, and I cherish the opportunity.

33
34 You have seen the headlines. The press and the pundits have already written off
35 this session. One newspaper said the other day that everyone expects this
36 session to be – and I quote – “a massive partisan brawl.”

37
38 Mr. Speaker, I've heard you today. Together, we can prove the pundits wrong.

39
40 We can show a skeptical public that the Colorado General Assembly is not the
41 United States Congress.

42
43 Members, what we do and do not accomplish during this session is entirely up
44 to each of us working together. There are no predetermined outcomes.

45
46 To assume that we will fail – as many do – is to wander into a trap of
47 mediocrity. It affirms the cynics' deepest doubts, and neglects the spirit of
48 service that stirred us to run for office in the first place. And if we fall down on
49 our responsibilities, it is Colorado families who will ultimately be hurt.

50
51 I stand before you today to make this commitment: House Democrats will not
52 take the low road toward gridlock and dysfunction.

53
54 Mr. Speaker, I am not issuing a challenge, but an invitation. We can be partners,
55 not partisans. We can actually get things done for the people of Colorado.

56

1 When the session ends, there will be plenty of time for Democrats and
2 Republicans to make their case to the voters, and for the voters to judge us on
3 how well we did.
4
5 But for the next hundred and twenty days – or less! -- Coloradans want to see
6 the two parties working together to enact practical solutions to address the
7 state's problems.
8
9 I fully expect vigorous debate and at times stark disagreement. After all, the
10 opinions in this room are as varied as the topography of our state.
11
12 But when we can forge meaningful partnerships, we should. That's what the
13 people who sent us here want.
14
15 There are core issues we can all agree on:
16
17 One, Colorado needs more good-paying jobs;
18
19 Two, it needs an education system that prepares our children to succeed in a
20 global economy;
21
22 And three, it needs to adapt to changing economic and demographic realities.
23
24 We can certainly disagree on how we get there, but these goals are shared.
25
26 House Democrats' agenda is simple:
27
28 We will fight to start up the engine of economic recovery with practical
29 solutions and innovative programs.
30
31 We will support Colorado workers and Colorado businesses to create more
32 good jobs.
33
34 We will reform inefficient programs that do not meet our high standard for
35 return on investment. Because what worked 20 years ago may not be working
36 today.
37
38 And you can be sure that we will fight for a public education system, from
39 preschool through grad school, that lifts up our students, prepares them for a
40 challenging and changing world, and provides them with the skills and
41 knowledge they need to succeed.
42
43 Education is the best economic development tool we have in our toolbox. As
44 a person who struggled with a learning disability, I know first-hand the impact
45 of a strong public education system.
46
47 I am standing here today thanks to the amazing public school teachers who
48 taught me. I am dedicated to ensuring that every Colorado kid has the same
49 opportunity I did growing up.
50
51 To say that this state's economy is improving is cold comfort to the thousands
52 of Coloradans who continue to suffer the effects of the Great Recession.
53
54 Nevertheless, Colorado's economy is growing.
55
56 The state unemployment rate is inching downward.

1 New companies like Arrow, G.E. and Vestas are coming in to take advantage
2 of our favorable business climate, our natural resources and the intellectual
3 capital of our skilled and well-educated workforce.
4
5 And with Governor Hickenlooper at the helm, I am confident that we'll see
6 more businesses – and more jobs – moving to Colorado.
7
8 Our foresight and leadership in developing the New Energy Economy, our
9 investments in knowledge-based industries like bioscience and biotechnologies,
10 are attracting big, forward-thinking companies to Colorado. With those
11 relocations come good-paying jobs that can't be outsourced.
12
13 We can compete with any state and any nation for any company.
14
15 But there's another story too, and one that is equally worth telling. It is the story
16 of the innovators working in the laboratories at our universities, research centers
17 and small start-ups across this state.
18
19 And it's about regular people willing to take the first steps on the rocky path of
20 entrepreneurship, with little more than a business plan and an idea.
21
22 In 2002, Richard Lewis was a man with a plan for an information technology
23 services company called RTL Networks, based right here in Denver.
24
25 With advice from the state small business development center in Denver, in ten
26 years RTL Networks has grown to more than one hundred employees and has
27 been placed on Inc. Magazine's list of the five hundred fastest-growing
28 privately owned companies in America.
29
30 Colorado needs more success stories like Richard Lewis.
31
32 It is to help other businesses to follow the same arc that House Democrats this
33 week introduced a package of bills we are calling "Start Up Colorado."
34
35 Representative Max Tyler's bill will give a needed leg up to more small
36 businesses, the true engines of our economic recovery.
37
38 Funding Representative John Kefalas's Angel Investor program will create an
39 incentive to investors to take a chance on Colorado's innovators.
40
41 And a bill I am sponsoring with Representative Dave Young will help move
42 new technologies out of our laboratories and into the market.
43
44 Over the coming days and weeks, members of the Democratic caucus will
45 introduce even more legislation as part of the Start Up Colorado jobs package
46 to get more Coloradans working.
47
48 By supporting the small and growing businesses of today we are creating a
49 framework for a more sustainable and dynamic economic expansion tomorrow.
50
51
52 But there are other, simple things we can do that will move our state forward
53 right now.
54
55 Like giving companies that employ Coloradans the first crack at state contracts,
56 so our tax dollars create jobs here, and not in other states or overseas.

1 Like partnering with Governor Hickenlooper in responsibly cutting red tape to
2 help create jobs, while keeping rules in place to prevent companies from
3 gouging their customers or fleecing their investors.
4
5 And like making better use of the state's business-development programs,
6 building on the things we are doing right and fixing the things that aren't
7 working, so that we can assure taxpayers that they are getting the greatest
8 number of jobs in return for their investment.
9
10 Job One is doing anything and everything we can, to help start up our economic
11 recovery. But it is not our only job.
12
13 The most recent recession has put a squeeze on our budget, one we are likely
14 to feel for a long time to come.
15
16 We simply do not have the resources to do everything.
17
18 And so we must prioritize.
19
20 We have to pass a responsible state budget, one that balances cuts against
21 people's actual needs. Governor Hickenlooper's practical, pragmatic budget
22 proposal is an excellent starting point.
23
24 But the responsibility of actually passing the budget falls squarely on us.
25
26 To balance our budget, we need to keep everything -- and I mean everything --
27 on the table. To take anything off at this point, to set up a false choice between
28 Medicaid and education, or Medicaid and seniors, is simply irresponsible.
29
30 There are no sacred cows.
31
32 We will work to improve any program that needs it, including Medicaid. The
33 proposal Representative Dave Young introduced yesterday to foster innovation
34 in Medicaid should clearly demonstrate just how serious we are about pursuing
35 real reform.
36
37 Let's stop fantasizing about a magic Medicaid waiver that can make our
38 problems go away. It just does not exist.
39
40 Let me be clear: Medicaid is not a "tumor" on our budget, as one political
41 leader from a different chamber recently described it. Our Medicaid rolls are
42 still growing because many people are still struggling. Simple as that.
43
44 Colorado already has one of the leanest Medicaid systems in the country.
45 My door is open to anyone who can make it leaner without punishing people --
46 particularly children, the disabled and the elderly.
47
48 Two years ago, we put in place a process that, if done well, could remake state
49 government.
50
51 The SMART Government Act set guideposts for a more outcomes-driven state
52 government -- one that articulates clear goals and implements strategic plans for
53 achieving those goals.
54
55 The law envisions a comprehensive process of performance-based budgeting
56 that is more transparent and accountable to the people.

1 But this process cannot work without a commitment from everyone sitting in
2 this room to take seriously the legislature's oversight role.

3
4 The upcoming joint hearings are a chance for creative thinking about innovative
5 solutions – not for browbeating or piling-on. If done right, SMART can ensure
6 that our government is, as Governor Hickenlooper says, efficient, effective, and
7 elegant.

8
9 That's our ultimate responsibility as legislators – to help make our state the best
10 it can be.

11
12 We must foster an economy Where businesses and workers can thrive, preserve
13 an environment Where our air and water are clean and our citizens healthy and
14 safe, and enhance a society Where equality and opportunity are not just words
15 we speak, but ideals that we live.

16
17 It's a delicate balancing act sometimes.

18
19 Members, it is my great privilege to serve with you in the Colorado House of
20 Representatives -- this wonderful forum for ideas. I look forward to working
21 with each and every one of you to find practical solutions for Colorado.

22
23 Thank you.

24
25
26
27 The roll was called with the following result:

28
29 Present--63.
30 Excused--Representative(s) Vaad--1.
31 Vacancy--1.
32

33 The Speaker declared a quorum present.

34
35
36 House in recess. House reconvened.

37
38
39 On motion of Representative Stephens, the Speaker appointed
40 Representatives Summers, Chairman, Holbert, and Todd to notify the
41 Senate that the House was organized and ready for business.

42
43
44 On motion of Representative Stephens, the Speaker appointed
45 Representatives Nikkel, Chairman, Becker, and Young to notify the
46 Governor that the House was organized and ready for business.

47
48
49 House in recess.

50
51
52 The Speaker recognized a committee from the Senate. Senators
53 Tochtrop, Williams, and Roberts reported that the Senate was organized
54 and ready for business.

House reconvened.

Representative Summers, Chairman of the Committee to Notify the Senate, reported that the Senate had been notified that the House was organized and ready for business.

Representative Nikkel, Chairman of the Committee to Notify the Governor, reported that the Governor had been notified that the House was organized and ready for business.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

HJR12-1001 by Representative(s) Stephens, McNulty, Ferrandino; also Senator(s) Morse, Shaffer B., Cadman--Concerning a Joint Session of the House of Representatives and the Senate for the purpose of hearing a message from His Excellency, Governor John Hickenlooper, and appointing a committee to escort the Governor.

(Printed and placed in member's file).

On motion of Representative Stephens, the resolution was **adopted** by **viva voce** vote.

The Speaker appointed Representatives J. Kerr, Chairman, Scott, and Fields pursuant to the resolution.

APPOINTMENTS

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

13 members: Representatives Sonnenberg, Chairman; Baumgardner, Vice-Chairman; Brown, Coram, Fischer, Jones, Looper, McKinley, Ryden, Scott, Vaad, Vigil, Wilson

APPROPRIATIONS

13 members: Representatives Becker, Chairman; Gerou, Vice-Chairman; DelGrosso, Ferrandino, B. Gardner, Hullinghorst, A. Kerr, Levy, Looper, Pabon, Solano, Sonnenberg, Vaad

ECONOMIC & BUSINESS DEVELOPMENT

13 members: Representatives Liston, Chairman; Swalm, Vice-Chairman; Balmer, Holbert, Miklosi, Priola, Soper, Swerdfeger, Szabo, Tyler, Williams, Wilson, Vacancy

1 EDUCATION

2 13 members: Representatives Massey, Chairman; Beezley, Vice-Chairman;
 3 Hamner, Holbert, Joshi, A. Kerr, Murray, Peniston, Ramirez, Schafer, Solano,
 4 Summers, Todd

6 FINANCE

7 13 members: Representatives DelGrosso, Chairman; Swerdfeger,
 8 Vice-Chairman; Acree, Beezley, Conti, Hulinghorst, Joshi, Kagan, Kefalas,
 9 Labuda, McCann, Pabon, Swalm

10

11 HEALTH & ENVIRONMENT

12 13 members: Representatives Summers, Chairman; Acree, Vice-Chairman;
 13 Bradford, Brown, Fields, Joshi, Kefalas, J. Kerr, Massey, McCann, Peniston,
 14 Schafer, Young

15

16 JUDICIARY

17 11 members: Representatives B. Gardner, Chairman; Barker, Vice-Chairman;
 18 DelGrosso, Duran, Kagan, Lee, Nikkel, Pabon, Ryden, Sonnenberg, Waller

19

20 LOCAL GOVERNMENT

21 11 members: Representatives Bradford, Chairman; Szabo, Vice-Chairman;
 22 Balmer, Conti, Fields, B. Gardner, Labuda Lee, Pace, Soper, Swerdfeger

23

24 STATE, VETERANS, & MILITARY AFFAIRS

25 9 members: Representatives J. Kerr, Chairman; Coram, Vice-Chairman;
 26 Baumgardner, Casso, Court, Duran, Liston, Todd, Waller

27

28 TRANSPORTATION

29 13 members: Representatives Vaad, Chairman; Looper, Vice-Chairman;
 30 Barker, Brown, Fischer, Hamner, Jones, Priola, Ramirez, Scott, Tyler,
 31 Williams, Young

32

33 OTHER PERMANENT COMMITTEES

34

35 CAPITOL DEVELOPMENT

36 3 House Members: Representatives Sonnenberg, Chairman; Brown, Vigil.

37

38 EXECUTIVE COMMITTEE OF LEGISLATIVE COUNCIL

39 3 House Members: Representatives McNulty, Chairman; Ferrandino,
 40 Vice-Chairman; Stephens

41

42 JOINT BUDGET

43 3 House Members: Representatives Gerou, Chairman, Becker, Levy

44

45 LEGISLATIVE AUDIT

46 4 House Members: Representatives Acree, Chairman; J. Kerr, Miklosi,
 47 A. Williams.

48

49 On motion of Representative Stephens the appointments to the Audit
 50 Committee were confirmed by the following roll call vote.

51

52	YES	62	NO	0	EXCUSED	2	ABSENT	0	VACANCY	1
53	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
54	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
55	Barker		Y		V	Massey	Y	Soper	Y	
56	Baumgardner	Y	Gerou		Y	McCann	Y	Stephens	Y	

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

14

15 **LEGISLATIVE COUNCIL**

16 9 House Members: Representatives McNulty, Chairman; Duran, Court,
 17 Ferrandino, J. Kerr, Nikkel, Priola, Stephens, Todd.

18

19 On motion of Speaker McNulty the appointments to the Committee on
 20 Legislative Council were confirmed by the following roll call vote.

21

22	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
23	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
24	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
25	Barker		Y		V	Massey	Y	Soper	Y	
26	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
27	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
28	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
29	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
30	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
31	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
32	Conti	Y	Kagan	Y	Pace	Y	Tyler	Y		
33	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	E		
34	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
35	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
36	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
37	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
38	Fields	Y	Levy	Y	Scott	Y	Young	Y		
39							Speaker	Y		

40

41 **LEGAL SERVICES**

42 4 House Members: Representatives Gardner, Vice-Chairman; Labuda, Levy,
 43 Murray, Waller.

44

45 On motion of Speaker McNulty the appointments to the Committee on
 46 Legal Services were confirmed by the following roll call vote.

47

48	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
49	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
50	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
51	Barker		Y		V	Massey	Y	Soper	Y	
52	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
53	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
54	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
55	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
56	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		

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

**MEMORANDUM
REPORT FROM THE HOUSE AND SENATE
COMMITTEES ON DELAYED BILLS**

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadlines:

Early introduction deadline for House bills:

The Monday, January 16 deadline (the 6th legislative day) for the introduction of the two remaining House bills requested prior to the December 1 bill request deadline is extended until Tuesday, January 17, 2012 (the 7th legislative day).

Last bill request deadline for the House and Senate:

The Monday, January 16 deadline (the 6th legislative day) for all remaining bill requests to the Office of Legislative Legal Services is extended until Tuesday, January 17, 2012 (the 7th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

(signed)	(signed)
Representative McNulty	Senator Shaffer
Speaker of the House of Representatives	President of the Senate

(signed)	(signed)
Representative Stephens	Senator Morse
House Majority Leader	Senate Majority Leader

(signed)	(signed)
Representative Ferrandino	Senator Cadman
House Minority Leader	Senate Minority Leader

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly preprinted:
HB12-1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059.

INTRODUCTION OF BILLS
First Reading

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

HB12-1001 by Representative(s) Murray and Gardner B., Labuda, Levy, Waller; also Senator(s) Johnston and Spence, Brophy, Carroll, Morse, Roberts, Schwartz--Concerning legislative review of rules of the state board of education to implement the statewide system to evaluate the effectiveness of licensed educators.

Committee on Legal Services

HB12-1002 by Representative(s) Sonnenberg; also Senator(s) Jahn--Concerning the rules of state agencies applicable to applications for permits.

Committee on Economic and Business Development

HB12-1003 by Representative(s) Fischer; also Senator(s) Nicholson--Concerning the authorization of the use of graywater.

Committee on State, Veterans, & Military Affairs

HB12-1004 by Representative(s) Bradford; also Senator(s) King S.--Concerning requiring local building codes to allow the use of lumber milled from certain trees as building framing material.

Committee on Economic and Business Development

HB12-1005 by Representative(s) Pabon; also Senator(s) Harvey--Concerning investment of public funds.

Committee on Finance

HB12-1006 by Representative(s) Todd, Barker, Murray, Ramirez, Soper, Summers, Waller; also Senator(s) Spence, Aguilar, Bacon, Brophy, Giron, Roberts--Concerning the voluntary contribution designation benefiting the American Red Cross Colorado disaster response, readiness, and preparedness fund that appears on the state individual income tax return forms.

Committee on Finance

HB12-1007 by Representative(s) Szabo; also Senator(s) Grantham--Concerning the requirement that a regulatory analysis be issued prior to the promulgation of rules by a state administrative agency.

Committee on Economic and Business Development

HB12-1008 by Representative(s) Acree; also Senator(s) Jahn--Concerning additional methods for providing input to executive branch agencies about proposed rules, and, in connection therewith, directing agencies to establish representative groups to evaluate and comment on proposed rules, requiring agencies to notify the general assembly of

- 1 any rule-making that results in increases in fees or fines,
2 and requiring agencies to submit departmental regulatory
3 agendas to the general assembly.
4 Committee on Economic and Business Development
5
6 **HB12-1009** by Representative(s) Gerou; also Senator(s) Lambert--
7 Concerning a report related to the federal moneys received
8 by the executive branch.
9 Committee on Appropriations
10
11 **HB12-1010** by Representative(s) Baumgardner, Sonnenberg,
12 Swerdfeger, Vigil, Wilson; also Senator(s) Giron, Brophy,
13 Hodge, Roberts, Schwartz--Concerning the reissuance of a
14 lost share certificate of a mutual ditch company.
15 Committee on Agriculture, Livestock, & Natural Resources
16
17 **HB12-1011** by Representative(s) Brown, Sonnenberg, Vigil; also
18 Senator(s) Bacon, Renfroe, Schwartz--Concerning the
19 codification of the fifteen-year rule for controlled
20 maintenance funding eligibility for state facilities.
21 Committee on Finance
22
23 **HB12-1012** by Representative(s) Williams A.; also Senator(s) Guzman--
24 Concerning authorization for reimbursement for up to fifty
25 thousand dollars of actual, reasonable, and necessary
26 business reestablishment expenses to be paid by a state
27 agency in connection with the reestablishment of an
28 operation displaced by the agency.
29 Committee on Transportation
30
31 **HB12-1013** by Representative(s) Fields and Holbert, Massey; also
32 Senator(s) Hudak and King K., Bacon--Concerning
33 intervention services for middle-grade students.
34 Committee on Education
35
36 **HB12-1014** by Representative(s) Baumgardner--Concerning
37 modification of the fee for late registration of a vehicle.
38 Committee on Transportation
39
40 **HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--
41 Concerning the procedure for the review of a proposal to
42 regulate an unregulated profession or occupation.
43 Committee on Economic and Business Development
44
45 **HB12-1016** by Representative(s) Balmer--Concerning limiting ex parte
46 communications by commissioners of the public utilities
47 commission.
48 Committee on Transportation
49
50 **HB12-1017** by Representative(s) Swerdfeger and Pace; also Senator(s)
51 Giron--Concerning the extension of the local access to
52 health care pilot program operated under the authority of
53 the board of county commissioners of Pueblo county.
54 Committee on Local Government
55

- 1 **HB12-1018** by Representative(s) Labuda, Barker, Duran, Gardner B.,
2 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also
3 Senator(s) Tochtrop, Morse, King S., White--Concerning
4 modifications to available affiliation by social security
5 employers with the fire and police pension association.
6 Committee on Finance
7
- 8 **HB12-1019** by Representative(s) Vaad, Barker, Looper, Ramirez, Scott,
9 Tyler; also Senator(s) King S., Spence, Williams S.--
10 Concerning the abolition of the motor carrier services
11 division of the division of motor vehicles of the department
12 of revenue, and, in connection therewith, transferring the
13 powers, duties, and functions of the motor carrier services
14 division relating to ports of entry to the Colorado state
15 patrol of the department of public safety and transferring
16 the powers, duties, and functions of the motor carrier
17 services division relating to commercial driver's licenses
18 and the international registration plan to the department of
19 revenue.
20 Committee on Transportation
21
- 22 **HB12-1020** by Representative(s) Soper--Concerning the legal
23 consequences of a creditor's refusal to accept United States
24 currency as payment for debts of less than a certain amount.
25 Committee on State, Veterans, & Military Affairs
26
- 27 **HB12-1021** by Representative(s) Vaad--Concerning coordinated
28 transportation planning for areas of the state that are outside
29 of the jurisdiction of metropolitan planning organizations.
30 Committee on Transportation
31
- 32 **HB12-1022** by Representative(s) Sonnenberg, Baumgardner,
33 Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz,
34 Brophy, Giron, Hodge, Roberts--Concerning the amount of
35 water that permitted mining operations that construct
36 impermeable areas that eliminate preexisting natural
37 evapotranspiration are required to replace.
38 Committee on Agriculture, Livestock, & Natural Resources
39
- 40 **HB12-1023** by Representative(s) Nikkel; also Senator(s) King S.--
41 Concerning the creation of a fallen heroes license plate.
42 Committee on Transportation
43
- 44 **HB12-1024** by Representative(s) Szabo--Concerning a requirement that
45 the ballot title of a statewide measure be written in plain
46 language.
47 Committee on State, Veterans, & Military Affairs
48
- 49 **HB12-1025** by Representative(s) Tyler--Concerning the establishment
50 of a regulator navigator.
51 Committee on State, Veterans, & Military Affairs
52
- 53 **HB12-1026** by Representative(s) Coram; also Senator(s) Roberts--
54 Concerning peace officer status for certain municipality
55 prosecuting attorneys.
56 Committee on Judiciary

- 1 **HB12-1027** by Representative(s) Bradford--Concerning the sale of
2 nonpotentially hazardous food produced in a home kitchen
3 for sale directly to consumers for consumption off
4 premises.
5 Committee on Economic and Business Development
6
- 7 **HB12-1028** by Representative(s) Gerou; also Senator(s) Steadman--
8 Concerning the continuation of energy-related assistance to
9 low-income households from the operational account of the
10 severance tax trust fund.
11 Committee on Finance
12
- 13 **HB12-1029** by Representative(s) Holbert; also Senator(s) Scheffel--
14 Concerning an economic stimulus through a property tax
15 exemption for business personal property, and, in
16 connection therewith, enacting the "Save Colorado Jobs
17 Act".
18 Committee on Finance
19
20
- 21 **HB12-1030** by Representative(s) Looper and Priola, Barker, Brown,
22 Ramirez, Tyler; also Senator(s) Williams S., Hudak--
23 Concerning the repeal of requirements that specified types
24 of information be submitted to legislative committees, and,
25 in connection therewith, repealing certain transportation
26 and energy-related information submission requirements.
27 Committee on Transportation
28
- 29 **HB12-1031** by Representative(s) Peniston, Labuda, Duran, Ramirez,
30 Schafer S.; also Senator(s) Tochtrop, King S., Morse--
31 Concerning the authority of the board of the fire and police
32 pension association to make amendments to plans for the
33 administration of benefits.
34 Committee on Finance
35
- 36 **HB12-1032** by Representative(s) Hamner--Concerning continuation of
37 forestry-related programs.
38 Committee on Agriculture, Livestock, & Natural Resources
39
40
- 41 **HB12-1033** by Representative(s) Swalm; also Senator(s) Newell--
42 Concerning conditions on the authority of the director of
43 the division of workers' compensation to impose
44 administrative fines as a result of compliance audits finding
45 instances of late reporting of injuries under the "Workers'
46 Compensation Act of Colorado".
47 Committee on Economic and Business Development
48
- 49 **HB12-1034** by Representative(s) Looper, Fischer, Hamner, Jones,
50 Ramirez, Tyler, Vaad, Young; also Senator(s) Spence,
51 Hudak, King S., Williams S.--Concerning continuing the
52 processors and end users fund that encourages recycling of
53 waste tires.
54 Committee on Transportation
55
56

- 1 **HB12-1035** by Representative(s) Young, Barker, Fischer, Hamner,
2 Jones, Looper, Ramirez, Vaad; also Senator(s) Spence,
3 Hudak, Williams S.--Concerning the repeal of the fee for
4 the branch of service identifier on Colorado driver's
5 licenses.
6 Committee on State, Veterans, & Military Affairs
7
- 8 **HB12-1036** by Representative(s) Kerr J.--Concerning clarification of
9 the exemption from the "Colorado Open Records Act" for
10 investigative files.
11 Committee on Judiciary
12
- 13 **HB12-1037** by Representative(s) Becker--Concerning the classification
14 of the sales of certain items used in agricultural production
15 as wholesale sales.
16 Committee on Agriculture, Livestock, & Natural Resources
17
- 18 **HB12-1038** by Representative(s) Looper, Barker, Brown, Priola,
19 Ramirez, Scott, Williams A.; also Senator(s) Williams S.--
20 Concerning the creation of a multi-year registration for
21 Class A trailers.
22 Committee on Transportation
23
- 24 **HB12-1039** by Representative(s) Hulinghorst, Ferrandino, Ryden, Kerr
25 A.--Concerning the adoption of pay-as-you-go
26 requirements for certain bills with specified impacts on the
27 state budget.
28 Committee on Finance
29
- 30 **HB12-1040** by Representative(s) Casso--Concerning recognition of
31 September 11 as a state holiday, and, in connection
32 therewith, designating September 11 as "Patriot Day".
33 Committee on State, Veterans, & Military Affairs
34
- 35 **HB12-1041** by Representative(s) Labuda; also Senator(s) Guzman--
36 Concerning the creation of an electronic death registration
37 system in the department of public health and environment.
38 Committee on Health and Environment
39
- 40 **HB12-1042** by Representative(s) Pace--Concerning a state income tax
41 credit related to the portion of Colorado estate taxes paid
42 that are attributable to agricultural land.
43 Committee on Finance
44
- 45 **HB12-1043** by Representative(s) Conti--Concerning concurrent
46 enrollment for students who may complete high school
47 graduation requirements before the end of twelfth grade.
48 Committee on Education
49
- 50 **HB12-1044** by Representative(s) Ferrandino and Young--Concerning
51 the creation of the start-up Colorado technology transfer
52 grant program.
53 Committee on Economic and Business Development
54
55

- 1 **HB12-1045** by Representative(s) Bradford; also Senator(s) King S.--
2 Concerning sales and use tax exemptions for the sale and
3 use of wood from trees harvested in Colorado damaged by
4 beetles.
5 Committee on Finance
6
- 7 **HB12-1046** by Representative(s) Sonnenberg; also Senator(s) Brophy--
8 Concerning requiring drug testing as a condition of
9 eligibility for the Colorado works program.
10 Committee on Health and Environment
11
12
- 13 **HB12-1047** by Representative(s) Kefalas, Gardner B.; also Senator(s)
14 Newell--Concerning the waiver of non-safety licensing
15 standards for kinship foster care.
16 Committee on Health and Environment
17
- 18 **HB12-1048** by Representative(s) Waller--Concerning relieving the
19 Colorado bureau of investigation of its statutory duties as
20 a point of contact for the national instant criminal
21 background check system in cases of firearm transfers.
22 Committee on Judiciary
23
24
- 25 **HB12-1049** by Representative(s) Solano; also Senator(s) Aguilar,
26 Bacon--Concerning prohibiting the imposition of penalties
27 relating to students who do not participate in statewide
28 student assessments.
29 Committee on State, Veterans, & Military Affairs
30
- 31 **HB12-1050** by Representative(s) Wilson; also Senator(s) Nicholson--
32 Concerning the voluntary contribution designation
33 benefiting the nongame and endangered wildlife fund that
34 appears on the state individual income tax return forms,
35 and, in connection therewith, extending the period for the
36 contribution designation.
37 Committee on Finance
38
- 39 **HB12-1051** by Representative(s) Scott, Kerr J., Liston, Priola; also
40 Senator(s) Jahn, Spence, Tochtrop--Concerning a change of
41 the definition of "salvage vehicle" to include motor vehicles
42 currently excluded.
43 Committee on Transportation
44
- 45 **HB12-1052** by Representative(s) Summers; also Senator(s) Boyd and
46 Roberts--Concerning the collection of health care work
47 force data from health care professionals.
48 Committee on Health and Environment
49 Committee on Economic and Business Development
50
- 51 **HB12-1053** by Representative(s) Gardner B.; also Senator(s) Giron--
52 Concerning the victims' rights act.
53 Committee on Judiciary
54
55

- 1 **HB12-1054** by Representative(s) Fields, Summers--Concerning
2 simplification of the procurement process for providers
3 who have previously been approved to participate in health
4 care programs administered by the department of health
5 care policy and financing.
6 Committee on Health and Environment
7
- 8 **HB12-1055** by Representative(s) Schafer S.; also Senator(s) White--
9 Concerning the division of registrations in the department
10 of regulatory agencies, and, in connection therewith,
11 renaming the division as the division of professions and
12 occupations, authorizing the executive director of the
13 department to adopt rules pertaining to the administrative
14 duties of the division, and requiring periodic review of the
15 functions of the division.
16 Committee on Economic and Business Development
17
- 18 **HB12-1056** by Representative(s) Kerr A.; also Senator(s) Hodge--
19 Concerning regional tourism project application
20 requirements under the "Colorado Regional Tourism Act",
21 and, in connection therewith, specifying subjects to be
22 analyzed by a third-party analyst who is required to analyze
23 an application, requiring an applicant to demonstrate that a
24 significant portion of the sales tax revenue to be generated
25 by a project will be attributable to transactions with
26 nonresidents of the state, and requiring the director of the
27 Colorado office of economic development and the
28 Colorado economic development commission to consider
29 input from specified sources when reviewing an
30 application.
31 Committee on Local Government
32
33
- 34 **HB12-1057** by Representative(s) Levy; also Senator(s) Nicholson--
35 Concerning additional protections for purchasers of
36 homeowner's insurance policies in Colorado.
37 Committee on Local Government
38 Committee on State, Veterans, & Military Affairs
39
- 40 **HB12-1058** by Representative(s) Joshi; also Senator(s) Nicholson--
41 Concerning the requirement that the department of public
42 health and environment provide infant eye prophylaxis.
43 Committee on Health and Environment
44
- 45 **HB12-1059** by Representative(s) Looper--Concerning the authority of
46 a person credentialed in another state whose residence is
47 determined by military orders to practice an occupation
48 regulated by Colorado law.
49 Committee on Economic and Business Development
50
- 51 **HB12-1060** by Representative(s) Massey, Ferrandino, Kefalas, Liston,
52 McCann, Swerdfeger; also Senator(s) Boyd, Steadman,
53 Tochtrop--Concerning the regulation of dietitians.
54 Committee on Agriculture, Livestock, & Natural Resources
55

- 1 **HB12-1061** by Representative(s) Kagan--Concerning requiring a report
2 of the correlation between the educational credentials
3 issued and the state's workforce needs.
4 Committee on Education
5
- 6 **HB12-1062** by Representative(s) Barker--Concerning minimum
7 employment protections for Colorado peace officers.
8 Committee on Local Government
9
- 10 **HB12-1063** by Representative(s) Ramirez--Concerning the state
11 veterans nursing home at Homelake, Colorado.
12 Committee on State, Veterans, & Military Affairs
13
- 14 **HB12-1064** by Representative(s) Stephens--Concerning the prohibition
15 of limitations concerning firearms during an official state of
16 emergency.
17 Committee on Judiciary
18
- 19 **HB12-1065** by Representative(s) Lee--Concerning the deadline for an
20 advanced practice nurse who was granted prescriptive
21 authority prior to July 1, 2010, to develop an articulated
22 plan for purposes of retaining prescriptive authority.
23 Committee on Health and Environment
24
- 25 **HB12-1066** by Representative(s) Priola--Concerning the application of
26 vehicle laws to powersports vehicles.
27 Committee on Transportation
28
- 29 **HB12-1067** by Representative(s) McCann and Court; also Senator(s)
30 Aguilar--Concerning the establishment of contribution
31 limits under the "Fair Campaign Practices Act" for
32 candidates for certain elected director positions, and, in
33 connection therewith, establishing contribution limits for
34 candidates for boards of education and the board of the
35 regional transportation district and specifying requirements
36 affecting the disclosure of such contributions.
37 Committee on State, Veterans, & Military Affairs
38
- 39 **HB12-1068** by Representative(s) McKinley--Concerning the
40 administration of a nonprofit cemetery corporation by
41 persons who own the right to bury a deceased person within
42 the cemetery.
43 Committee on Local Government
44
- 45 **HB12-1069** by Representative(s) Miklosi and Pabon--Concerning tax
46 expenditures.
47 Committee on Finance
48
- 49 **HB12-1070** by Representative(s) Peniston--Concerning the
50 modification of statutory provisions governing the ethical
51 conduct of persons involved in government for the purpose
52 of harmonizing such provisions with section 3 (5) of article
53 XXIX of the state constitution.
54 Committee on State, Veterans, & Military Affairs
55
56

- 1 **HB12-1071** by Representative(s) Liston; also Senator(s) Jahn--
2 Concerning portable electronics insurance.
3 Committee on Economic and Business Development
4
- 5 **HB12-1072** by Representative(s) Massey and Fields, Holbert; also
6 Senator(s) Bacon and King K., Hudak--Concerning credit
7 for prior learning in higher education.
8 Committee on Education
9
- 10 **HB12-1073** by Representative(s) Brown; also Senator(s) Roberts--
11 Concerning the transfer of a judgeship from the first
12 judicial district to the sixth judicial district.
13 Committee on Judiciary
14
- 15 **HB12-1074** by Representative(s) Kerr J., Miklosi; also Senator(s) King
16 S., Tochtrop--Concerning access to data to assist the courts
17 in overseeing persons appointed to manage the affairs of
18 persons under disability.
19 Committee on Judiciary
20
- 21 **HB12-1075** by Representative(s) Beezley and DelGrosso; also
22 Senator(s) Brophy--Concerning a limit on total state general
23 fund appropriations.
24 Committee on Finance
25
- 26 **HB12-1076** by Representative(s) Court; also Senator(s) Steadman--
27 Concerning additional voluntary information that may be
28 requested in an initiative or referendum petition.
29 Committee on State, Veterans, & Military Affairs
30
- 31 **HB12-1077** by Representative(s) Gardner B., Barker, Duran, Labuda,
32 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also
33 Senator(s) Tochtrop, King S., White--Concerning
34 modifications to the investment confidentiality provisions
35 related to police officers' and firefighters' pension plans.
36 Committee on Finance
37
- 38 **HB12-1078** by Representative(s) Vigil, Baumgardner, Sonnenberg,
39 Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy,
40 Giron, Hodge, Roberts--Concerning the exemption of
41 drinking water treatment facilities from the requirement to
42 obtain a certificate of designation.
43 Committee on Local Government
44
- 45 **HB12-1079** by Representative(s) Barker; also Senator(s) King S.--
46 Concerning designation of certain positions in the
47 department of public safety.
48 Committee on Judiciary
49 Committee on State, Veterans, & Military Affairs
50
- 51 **HB12-1080** by Representative(s) Vigil; also Senator(s) Schwartz--
52 Concerning changing the name of Adams state college to
53 Adams state university.
54 Committee on State, Veterans, & Military Affairs
55
56

1 **HB12-1081** by Representative(s) Duran; also Senator(s) Steadman--
2 Concerning the operations of the Auraria higher education
3 center.
4 Committee on Education

5
6
7
8 **INTRODUCTION OF RESOLUTIONS**
9

10 The following resolutions were read by title and laid over until January 13,
11 2012 under the rules:

12
13 **HR12-1001** by Representative(s) Massey, Vaad, Court, Williams A.--
14 Concerning employees and positions for the House of
15 Representatives convened in the Second Regular Session of
16 the Sixty-eighth General Assembly.

17
18 **HR12-1002** by Representative(s) Massey, Vaad, Court, Williams A.--
19 Concerning the Chaplain position in the House of
20 Representatives.

21
22
23
24 On motion of Representative Stephens, the House adjourned until
25 9:00 a.m., January 12, 2012.

26
27 Approved:
28 FRANK McNULTY,
29 Speaker

30 Attest:
31 MARILYN EDDINS,
32 Chief Clerk

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

Second Legislative Day

Thursday, January 12, 2012

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

2

3 Prayer by the Reverend Michele Quinn-Miscall, St. Joseph Episcopal
4 Church, Lakewood.

5

6 Pledge of Allegiance led by Rayshun Jennings, Jr., from Trails West
7 Elementary in Aurora, and his father, Staff Sgt. Rayshun Jennings, a
8 soldier stationed at Fort Carson in Colorado Springs.

9

10 The roll was called with the following result:

11

12 Present--64.

13 Vacancy--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Young, the reading of the journal of
19 January 11, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 House in recess for Joint Session.

24

25

26

27

JOINT SESSION

28

29 The Joint Session was called to order by the Speaker of the House, Frank
30 McNulty.

31

32 On motion of Senator Morse, the morning roll call of the Senate was
33 made the roll call of the Joint Session.

34

35 Present--34.

36 Excused-- Senator K. King--1.

37

38 On motion of Representative Stephens, the morning roll call of the
39 House was made the roll call of the Joint Session.

40

41 Present--64.

42 Vacancy--1.

43

1 The Speaker declared a quorum present and as is customary presented the
2 gavel to the President of the Senate to preside over the joint session.

3
4 President Shaffer requested the Joint Committee, composed of Senators
5 Guzman, Hudak, White, and Representatives J. Kerr, Scott, Fields to
6 escort the Honorable John Hickenlooper to the rostrum.

7
8 Chief Sergeant-at-Arms Wallin announced the arrival of the Honorable
9 John Hickenlooper, Governor of the State of Colorado.

10
11 The Joint Committee escorted the Governor to the rostrum where he
12 addressed the Joint Session.

13
14
15 **ADDRESS BY THE HONORABLE**
16 **John Hickenlooper**
17

18 When people think of the West, it's easy to envision wagon trains, Buffalo Bill,
19 the glory days of the Gold Rush. Cowboy hats come to mind ... rocks ... even
20 beer ... but let's talk about hats.

21
22 John B. Stetson left Pennsylvania in the early 1860s, suffering from
23 tuberculosis, and came west. He soon found himself panning for gold in the
24 Colorado Rockies. Fierce storms, without warning, would come up over the
25 mountains and drench the mining camp. Mr. Stetson saw a problem in need of
26 a solution, and he had a unique skill. His father had taught him hatting as a kid,
27 and he made a felt hat that could protect him from wind and cold. The other
28 miners were envious. One fellow bought the hat right off his head for a \$5 gold
29 coin. A business was born.

30
31 By 1906, Mr. Stetson was selling 2 million hats a year.

32
33 Cowboys would sleep on their Stetson or bend it to provide better visibility.
34 They would fill the hat up with water - ever heard of the 10 gallon hat? -
35 because it was water proof on the inside. Cowboys still do this ... and even a
36 smattering of our legislators.

37
38 The story of the Stetson is about one of Colorado's earliest entrepreneurs. Of
39 course, back then almost everyone coming West was an entrepreneur.

40
41 That same spirit is with us today. Indeed, in some way everyone in this room is
42 an entrepreneur.

43
44 You came here because you believe you can come up with solutions. You came
45 here - under a gold dome that is getting a makeover of its own - to be inventive
46 and create a better future.

47
48 President of the Senate, Brandon Shaffer, Speaker of the House Frank McNulty,
49 Senate Minority Leader Bill Cadman and House Minority Leader Mark
50 Ferrandino - it's not easy to lead a room full of creative and imaginative people,
51 is it? But you do it well, thank you.

52
53 Thank you all - every member of the General Assembly - for your service to
54 Colorado. Thank you for your partnership. Thank you for sitting together today.
55 And thank you for the kindness you have shown my family and me this past
56 year.

1 I'd also like to thank the ever cooler Lt. Gov. Joe Garcia and his wife, Claire;
2 Attorney General John Suthers; State Treasurer Walker Stapleton; Secretary of
3 State Scott Gessler; and the distinguished members of the Colorado Supreme
4 Court and Colorado Board of Education here today.
5
6 Speaking of good partners, Denver Mayor Michael Hancock is here as well.
7
8 Our thoughts are with Chairman Jim Newton Jr. from the Southern Ute tribe
9 who was in a minor car accident this morning. We are pleased to have
10 Councilwoman Pathimi representing him. We also have Chairman Gary Hayes
11 from the Ute Mountain Ute tribe here. Your ancestors were here long before the
12 Stetson, and we look forward our continued work together.
13
14 I owe special thanks to my wife, Helen, for her steadfast support, and to our
15 own little entrepreneur, 9-year-old Teddy, who continues to inspire us both.
16
17 A final word of appreciation to the talented people we have been fortunate to
18 lure into public service as Cabinet members and the Governor's Office staff.
19
20 Thanks as well to Colorado's state employees. Because of this recession, you
21 have worked for four years without a raise ... yet you continue to try and find
22 opportunities to make our state more efficient.
23
24 This legislative session is not expected to be easy.
25
26 Cynics say it's an election year and partisan fights will drown out any hope for
27 success. We believe the cynics are wrong.
28
29 The desire to solve problems that drives every entrepreneur is alive and well in
30 this room. We can work together.
31
32 We proved it when you passed a budget last year with 80 votes.
33
34 We proved it when we worked together to help secure the state's financial
35 health by creating a 4 percent reserve.
36
37 We proved it when you passed a health exchange bill that is now a model for
38 other states.
39
40 Coloradans have little patience for partisan gridlock.
41
42 Unlike Washington D.C., we have shown the rest of the country that Colorado
43 is a place where things get done.
44
45 The U.S. Congress could learn a thing or two from this General Assembly ...
46 and I know a few of you are eager to move to Washington to prove it.
47
48 Working together, we have made significant progress stabilizing the state
49 budget. We didn't postpone hard decisions. We made difficult cuts. We put
50 Colorado on a sustainable path going forward. We face the current budget
51 challenge in a stronger position today than a year ago. We are moving in the
52 right direction, but we are still in rough water.
53
54 If you account for inflation, the state's general fund revenue is \$1 billion less
55 than it was five years ago when the state had fewer people and was
56 economically stronger. ... \$1 billion ... and demand for government services has

1 surged.
2
3 The number of children enrolled in public schools has increased significantly
4 and more people are enrolled in Medicaid.
5
6 These facts are why we want to focus property tax relief on the seniors most in
7 need, until we can restore the full senior homestead exemption.
8
9 We are proving that we can do more with less and live within our means like
10 all working families in Colorado ... even as the pressures on the state budget
11 continue.
12
13 For example, in the Lobato case, a district court judge has ruled that the state
14 is deficient in meeting school funding requirements under the state Constitution.
15 We will appeal the decision to secure a final resolution of the constitutional
16 issues raised in the case, but the question of finding additional revenue for
17 education is one of our greatest budget pressures.
18 Colorado voters, nevertheless, rejected a proposed tax increase to fund schools.
19
20 That is one reason job growth is so critical.
21
22 If there were ever a time when Colorado needed to spur greater support for
23 entrepreneurship to create and attract new business, it is now. One indelible fact
24 is that small business and entrepreneurs thrive in proximity to large
25 corporations. They depend on each other.
26
27 Large corporations, just like small business, want to be in places that are pro-
28 business.
29
30 They want to be in states where partisanship gives way to partnership.
31
32 For too long Colorado has been losing large corporate headquarters to other
33 states. That trend is changing.
34
35 A couple of years ago DaVita, a Fortune 500 company, moved its corporate
36 headquarters to Colorado for all of the right reasons.
37
38 Last year was unprecedented with two new Fortune 500 companies claiming
39 Colorado as their home base.
40
41 Recently, Arrow Electronics announced it is relocating its global headquarters
42 to Colorado from New York.
43
44 This is the largest corporate headquarters to move into Colorado in the state's
45 history. It will involve the creation of thousands of jobs. A number of
46 associated businesses will follow Arrow and a number of electronic businesses
47 already here, of which there are many, will gain an advantage by being close to
48 one of the largest electronics suppliers in the world.
49
50 The CEO of Arrow, Mike Long, is here today with his wife, Karen. We are very
51 proud they are with us, so please join me in thanking Arrow for their
52 commitment to Colorado.
53
54 As good as attracting a Fortune 500 company to Colorado is the organic growth
55 of a local company.
56

1 In October, Level 3 Communications completed a merger with Global Crossing,
2 becoming a Fortune 500 company overnight. This time, the consolidation of
3 operations from around the country will bring jobs into Colorado instead of
4 taking them out of Colorado. John Ryan, general counsel from Level 3, and his
5 wife, Beth, are here as well.
6
7 On the heels of the Level 3 merger and the good news about Arrow, GE
8 announced it would expand its investment in Primestar Solar by more than \$300
9 million and build a thin-film solar manufacturing facility in Aurora. This
10 facility, one of the largest of its kind in the world, will create 350 jobs and
11 produce enough panels each year to power 80,000 homes. Jeff Wyatt, the
12 general manager of Primestar Solar, and one of the original founders of the
13 company, Russell Black, are here with us today.
14
15 We know that economic development comes in smaller packages, too.
16
17 The inaugural USA Pro Cycling Challenge last summer was viewed by a
18 worldwide audience of more than 20 million people and generated more than
19 \$80 million in economic activity in Colorado.
20
21 USA Pro Cycling Challenge CEO Shawn Hunter is here today - we can hardly
22 wait for the race to return in August.
23 We will follow it a month later with "Pedal the Plains" - a bike tour for the rest
24 of us.
25
26 We think a bike tour across the Eastern Plains will not only be great for the
27 sport of cycling, it will also give folks an opportunity to see where our food
28 comes from.
29
30 It is worth noting that Colorado agriculture is leading the state out of this
31 recession. Agriculture exports have grown more than 20 percent - I'll say that
32 again, 20 percent ... which really makes us Colorado Proud!
33
34 Whether it's world-class biking, or world-class skiing, or world-class fly
35 fishing, our extraordinary outdoor opportunities are a critical component of our
36 economy.
37
38 We are working with Mayor Hancock and an exploratory committee to consider
39 the feasibility of hosting the Olympic Winter Games in 2022. Any pursuit of the
40 Olympics, if that happens, should be done in an entrepreneurial way and with
41 an eye on making Colorado the healthiest state in the nation. Let's use sport as
42 a way to promote better health.
43
44 Speaking of sport, please indulge me as I use 15 words of this speech (that
45 would be in honor of Tim Tebow, folks) - to talk a little football: Good luck to
46 the resilient Denver Broncos, beat those New England Patriots on Saturday
47 night.
48
49 We know that the core business of government is not to create private sector
50 jobs - entrepreneurs do that.
51
52 But we can help. What we do here and how we do it matters.
53
54 A commitment to partnership and collaboration can overcome the dysfunction
55 of partisan gridlock.
56

1 We need to make government work better. Part of that means making
2 government efficient, effective and of course elegant.

3
4 Last year we began a rigorous review of state rules and asked for examples of
5 unnecessary regulation from Coloradans across the state.

6
7 We are scrubbing every state agency to eliminate red tape. Our plan is outlined
8 in the report we issued this week called "Pits and Peeves."

9
10 The Colorado Department of Transportation, for example, found rules that were
11 out of date decades ago. The Department of Human Services recommended the
12 repeal of 850 unnecessary rules.

13
14 This streamlining will help nonprofit organizations, as well as businesses, hire
15 the next worker.

16
17 In addition to eliminating red tape, we are continuing to consolidate state
18 services and programs where appropriate.

19
20 Thanks to your support, the state will see efficiencies from the merger of the
21 Division of State Parks with the Division of Wildlife ... the Supportive Housing
22 and Homeless Program merged into the Department of Local Affairs ... and
23 we've assigned one manager to oversee the Divisions of Banking and Securities.

24
25 We will continue to work with you to identify other opportunities for
26 consolidation.

27
28 We understand that government is not a business. Still, we need to apply best
29 practices from successful companies where they make sense.

30
31 That is why we initiated the LEAN program in almost every state agency, where
32 employee teams are now actively identifying waste and inefficiency to create
33 savings.

34
35 Another way we can make state government more effective and realize cost
36 savings is to bring the state's antiquated personnel system into the 21st century.

37
38 The state Constitution is riddled with personnel rules and administrative
39 procedures that are obsolete and should be reformed.

40
41 We are working with state employees on a package of reforms, but we need
42 your help to go to the ballot this year with a proposal that will improve the way
43 we manage state personnel.

44 And while we are not immediately seeking legislative changes to the state's
45 retirement program, we are mindful of the obligation we have to Colorado's
46 taxpayers and state retirees, to ensure that PERA is both stable and sustainable.

47
48 Another attraction to entrepreneurship is a climate of innovation.

49
50 We established the Colorado Innovation Network (COIN) to foster
51 collaboration and idea-sharing across private sector, academic and public lines,
52 including the 29 research laboratories in Colorado. This will multiply
53 occurrences like Primestar Solar, where an innovation at the National
54 Renewable Energy Lab translated into more than 400 jobs in Colorado.

55
56 COIN gives us a unique opportunity to incubate entrepreneurship and facilitate

1 the transfer of new ideas to the marketplace. Ajay Menon, our Chief Innovation
2 Officer and driving force behind COIN, is here today. Thank you for your work.
3
4 While COIN is privately funded, we are asking for a modest public investment
5 to continue the success we had with Arrow and GE.
6
7 We are requesting \$6 million to support the work of the Colorado Economic
8 Development Commission ... and \$3 million for a revolving loan fund to
9 provide low-risk gap financing so Colorado can compete with other states for
10 film, video gaming and electronic media productions.
11
12 These investments will repay the state many, many times over.
13
14 Making Colorado the best place for entrepreneurship also means we must have
15 good schools, a reliable transportation system and health care that is both
16 affordable and accessible.
17 Even in difficult times, we need to right by our kids.
18
19 We seek your support in consolidating early childhood services under one roof
20 to more efficiently and effectively aid children and parents. Currently, there are
21 23 separate funding streams administered through five different state agencies,
22 each playing a role in early childhood support and services.
23
24 Together, we are proposing a state-local strategy that integrates prevention and
25 intervention, quality early learning and family support and engagement. Our
26 plan will consolidate early childhood services in a new office in the Department
27 of Human Services.
28
29 The lieutenant governor is leading an effort to promote early childhood literacy,
30 and in February his office will release a report detailing findings from his recent
31 state-wide literacy tour.
32
33 Abundant research demonstrates that if a child fails to learn how to read by the
34 third grade, that child is more likely to drop out of high school and faces an
35 enormous uphill battle for the rest of his or her life.
36
37 We must develop intervention strategies with parents and teachers to identify
38 failing students long before they reach the third grade and keep them from an
39 illiterate future.
40
41 We are working on bipartisan legislation to make Colorado a national model for
42 early literacy and ask for your support to get this bill passed.
43
44 Thanks to your work in passing SB 191 two years ago, Colorado is a nationally-
45 recognized model for teacher effectiveness.
46 The Colorado Board of Education unanimously approved rules implementing
47 SB 191, and we need your support to pass legislation approving these rules and
48 authorizing \$7.7 million to continue the implementation of these critical
49 reforms.
50
51 Being a great teacher is hard work. ... We thank you.
52
53 As many of you know, we have been thoughtfully exploring the potential
54 benefit to businesses, injured workers and the state of Colorado from the
55 separation of Pinnacol Assurance from the state. Done properly, and with the
56 support of policy holders, a restructuring of Pinnacol could provide Colorado

1 with a security interest that has the potential of funding economic development
2 and higher education scholarships.

3
4 We asked a diverse task force of civic leaders and stakeholders with expertise
5 in workers compensation to review this proposal. We look forward to sharing
6 our recommendation with you before we move forward with a specific
7 legislative request.

8
9 The link between higher education and economic development is very clear.
10 They go hand in glove. So if we agree on a new future for Pinnacol, we hope
11 you will also agree that funding for scholarships makes sense.

12
13 Fostering education, unleashing entrepreneurship, building a strong business
14 climate and putting more Coloradans to work is at the core of our mission. But
15 completing this mission would be hollow indeed if the cost of doing so ruined
16 the very place we love.

17
18 So we mean to encourage the development of state resources to create jobs, but
19 at the same time hold businesses accountable to the highest ethical and
20 environmental standards.

21
22 Colorado's energy sector holds tremendous promise.
23 We continue to build on the state's reputation as a leader in promoting solar,
24 wind and renewable energies and developing cleaner fossil fuels.

25
26 Colorado is blessed with abundant reserves of natural gas. With new
27 discoveries in the Niobrara formation and technologies for extracting shale oil,
28 we are poised to be a leader in unconventional energy technology as well.

29
30 The country is noticing what is happening in Colorado.

31
32 Earlier this year, we partnered with Oklahoma to draft a multi-state RFP to
33 create a broad-based market for compressed natural gas vehicles we can use to
34 replace existing state fleets. When we launched this effort we had no idea how
35 many other states would join us. We are now up to eight and counting.

36
37 Because the vehicles are cheaper to operate, many local municipalities are
38 interested in joining us, too.

39
40 Now with the attention of automobile manufacturers, we are well on our way
41 to putting cleaner-burning vehicles on Colorado roadways.

42
43 This effort was made possible only because we have a Governor's Energy
44 Office (GEO) with the staff and expertise in this area.

45
46 Colorado is a state with resources and a national reputation for developing clean
47 energy.

48
49 We also start the year with the country's strongest and fairest rule disclosing the
50 ingredients in the "fracking" process.

51
52 The old geologist in me is champing at the bit to go into detail about this
53 process, but I won't. Of course, the brewer in me would like to talk about it over
54 a beer.

55
56 Suffice it to say that this is a drilling procedure that has opened the door to a

1 whole new era of energy development that can lead to more jobs, cleaner air
2 and energy security for our country and the world. The ideas and innovations
3 that created this revolution all occurred in Colorado.
4
5 When the Environmental Defense Fund and Halliburton stood together in
6 Colorado in support of the state's new "fracking" disclosure rule, other states
7 took notice.
8
9 It's another reason why we believe so passionately in the power of partnership
10 and collaboration.
11
12 In that same spirit, we intend to work with counties and municipalities to make
13 sure we have appropriate regulation on oil and gas development, but recognize
14 the state can't have 64 or even more different sets of rules.
15
16 Likewise, costly litigation and endless court battles have characterized the
17 state's water policy over many years - the Interbasin Water Roundtable Process
18 represents a better way forward. The process created a historic agreement
19 announced last year between Denver and the Western Slope.
20
21 We are forging similar collaborative agreements to ensure all Coloradans will
22 have access to good health care.
23
24 As a result of the bipartisan legislation passed last year, we are well on our way
25 to establishing a Colorado Health Benefits Exchange. We are doing it
26 Colorado's way and it will be ready at the end of 2013 to support small
27 businesses and provide health insurance for 300,000 Coloradans who presently
28 do not have it.
29
30 While making progress on the Colorado Health Benefits Exchange represents
31 good news, the challenge is the economic downturn has meant a greater number
32 of Coloradans are enrolling in Medicaid - and the costs of Medicaid are not
33 sustainable for the state budget.
34
35 We are absolutely committed to bending the Medicaid cost curve and pursuing
36 strategies that will cut Medicaid costs. We are tackling fraud, over-payments
37 and eligibility.
38
39 We want to move away from the expensive fee-for-service system to one that
40 drives toward value and rewards healthier outcomes. We have already started
41 to make progress by focusing on preventive care, reducing obesity rates and
42 improving the technology that links people to services.
43
44 These efforts will all result in important cost savings.
45
46 We are very proud of the work we have been doing with local governments to
47 bring the Colorado Benefits Management System (CBMS) into the 21st century.
48 This has been no small task. We need your support to fund the rebuilding of the
49 system to ensure that eligible Coloradans can access benefits in a timely
50 manner.
51
52 We are also proud of our work with communities along the I-70 corridor. We
53 are moving forward to implement the most critical congestion relief projects:
54 widening of the eastbound Twin Tunnel in Idaho Springs, and the continuation
55 of a new eastbound third lane to Floyd Hill.
56

1 The Transportation Commission set aside \$60 million to build the project by the
2 end of 2013. It will be the first project to provide additional capacity since I-70
3 was built in the 1960s. Finally.
4
5 As we strive to make Colorado healthier, we believe in equal rights for all
6 regardless of race, creed, gender or sexual orientation.
7
8 We don't believe we should legislate what happens inside a church or place of
9 worship, but government should treat all people equally.
10
11 It's time to pass civil unions.
12
13 We owe a special debt of gratitude to those Americans who wear - or have worn
14 - the nation's uniform.
15
16 We are joined today by Maj. Isaac Martinez, a member of the Colorado
17 National Guard who recently returned from Afghanistan, his second deployment
18 overseas.
19
20 His company was part of 16 major initiatives and traversed more than 1.1
21 million miles of enemy terrain without any serious incidents.
22
23 Maj. Martinez is a native of La Junta and has degrees from UNC and CSU. We
24 want Maj. Martinez and his wife, Michelle, to know that he is returning to a
25 state that honors our men and women in uniform, supports their families and
26 offers practical and useful assistance as they re-enter civilian life.
27
28 We ask every community and every employer to embrace our returning service
29 members!
30
31 We will pursue legislation this year that will make it easier for military spouses
32 to use their licenses and credentials and work in Colorado if they are already
33 licensed in another state.
34
35 We also aim to reward veterans for their service by upgrading the state
36 personnel system, and expanding their ability to use preference points when
37 seeking employment.
38
39 When veterans - and when all Coloradans - have work they are more likely to
40 have homes. We must continue efforts to end homelessness in Colorado.
41
42 Michael George, who joins us today, is also a veteran who found himself out
43 of a job and homeless. He worked with Mile High United Way and moved off
44 the streets; he's now a peer manager for a transitional housing program ... and
45 I understand he is a heckuva softball player - not to mention today is his 50th
46 birthday.
47
48 Ensuring that all Coloradans have a place to call home is not only the right
49 thing to do, it also impacts the health of our communities.
50
51 Together, we must create an economic environment where choosing between
52 rent or groceries or medicine is unacceptable.
53
54 Our vision for Colorado includes successfully branding the state as a place that
55 embraces entrepreneurship, supports a strong business climate, creates jobs,
56 educates its kids, supports working families and protects an unparalleled quality

1 of life.
2
3 The truth is our prosperity as a people depends on a great deal more than
4 economic metrics.
5
6 Colorado kids must be educated, not just so they can find a job, but because the
7 gift of education will last a lifetime.
8
9 We must preserve Colorado's great landscapes, protect the state's water and
10 keep the air clean. Not just because this will attract businesses, but also because
11 it is part of our moral obligation to future generations.
12
13 We obviously want entrepreneurship to flourish here because it creates
14 opportunity.
15
16 We envision a Colorado where everyone has the opportunity to pursue their
17 passions, secure personal prosperity and contribute to their community.
18
19 Ladies and Gentleman of the General Assembly, we have important work to do
20 together in this building ... and we must also do an even better job of listening
21 to and engaging the people of Colorado.
22
23 As Abraham Lincoln said, "With public sentiment, nothing can fail; without it
24 nothing can succeed."
25
26 In the coming weeks you will hear details about a privately funded and non-
27 partisan process of civic engagement called "TBD Colorado."
28
29 Really, we tried to come up with a catchy name but TBD truly captures the
30 intended outcome - it's to be determined.
31
32 Like the Colorado Blueprint, TBD Colorado will focus on listening and not
33 imposing top-down, government-driven solutions. Coloradans will be invited
34 to share their vision and priorities for our state. In the sense that entrepreneurs
35 try to find solutions to the needs and challenges of society, TBD Colorado will
36 seek to tap that same spirit that exists, in part, in all of us in Colorado.
37
38 We look forward to working with you because everyone here - in fact, everyone
39 in Colorado - is in some way an entrepreneur.
40 The soldier from Montrose who leaves active duty and learns new skills to re-
41 enter the workforce is an entrepreneur.
42
43 The single mother from Fort Collins who creates a babysitting co-op to help
44 with childcare is an entrepreneur.
45
46 The farmer in Holyoke who works 18-hour days and still finds time to teach
47 FFA and 4-H kids is an entrepreneur.
48
49 The steel worker in Pueblo who coaches youth soccer and figures out ways to
50 fund trips to weekend tournaments is an entrepreneur.
51
52 We all have the capacity for creativity and personal reinvention. We all have the
53 capacity to contribute to our communities ... and to make Colorado the best
54 state in the nation.
55
56 Simply, we all have the capacity to make a good hat.

1 A few month ago, I was invited by Western Union to speak to 120 company
2 executives from all over the world. After the event, a small group gathered and
3 a young man from Indonesia spoke up.

4
5 He said the world is waiting for America to lead again. The world looks to us.

6
7 These past couple of years there have been few places in America where people
8 have been able to resolve their conflicts with successful compromise. Imagine
9 if Colorado, could somehow, through hard work and entrepreneurial will, be
10 such a place.

11
12 Other states might copy us, and then still more states might copy them.
13 Eventually, perhaps, even our Congress in Washington might be compelled to
14 rediscover the glory of working together.

15
16 I believe that Colorado, by striving to be the healthiest state, the most
17 entrepreneurial state, the greatest state, might better help this country, and,
18 perhaps in some admittedly small way, help move the world forward.

19
20 As the young Indonesian man said, the world awaits.

21
22 God bless you, and God bless Colorado.

23
24
25 The Joint Committee escorted the Governor from the Chambers.

26
27
28 On motion of Representative Stephens, the Governor's message was
29 ordered printed in the House Journal.

30
31
32 On motion of Senator Morse, the Joint Session was dissolved.

33
34
35 House reconvened.

36
37
38
39 On motion of Representative Nikkel, the House adjourned until
40 9:00 a.m., January 13, 2012.

41
42
43
44
45
46
47
Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Third Legislative Day

Friday, January 13, 2012

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

2

3 Prayer by the Reverend Leon Kelly, Director of Youth Gang Alternatives,
4 Denver.

5

6 Pledge of Allegiance led by Estefan Hernandez, Arrupe Jesuit High
7 School, Denver.

8

9 The roll was called with the following result:

10

11 Present--61.

12 Excused--Representative(s) Joshi, Priola, Scott--3.

13 Vacancy--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Young, the reading of the journal of
19 January 12, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

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

25

26 The Senate has adopted and transmits herewith: SJR12-001.

27

28

29 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

30

31 On motion of Representative Waller, the rules were suspended and the
32 following resolution was given immediate consideration.

33

34 **SJR12-001** by Senator(s) Morse, Shaffer B., Cadman; also
35 Representative(s) Massey, Vaad, Court, Williams A.--
36 Concerning the officers and employees of the Second
37 Regular Session of the Sixty-eighth General Assembly.

38

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

40

41 On motion of Representative Massey, the resolution was **adopted** by
42 **viva voce** vote.

43

CONSIDERATION OF RESOLUTION(S)

HR12-1001 by Representative(s) Massey, Vaad, Court, Williams A.--
Concerning employees and positions for the House of
Representatives convened in the Second Regular Session
of the Sixty-eighth General Assembly.

(Printed and placed in member's file).

On motion of Representative Massey, the resolution was **adopted** by the
following roll call vote:

YES	61	NO	0	EXCUSED	3	ABSENT	0	VACANCY	1
Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
Barker		Y	Gardner D.	V	Massey	Y	Soper	Y	
Baumgardner		Y	Gerou	Y	McCann	Y	Stephens	Y	
Becker		Y	Hamner	Y	McKinley	Y	Summers	Y	
Beezley		Y	Holbert	Y	Miklosi	Y	Swalm	Y	
Bradford		Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y	
Brown		Y	Jones	Y	Nikkel	Y	Szabo	Y	
Casso		Y	Joshi	E	Pabon	Y	Todd	Y	
Conti		Y	Kagan	Y	Pace	Y	Tyler	Y	
Coram		Y	Kefalas	Y	Peniston	Y	Vaad	Y	
Court		Y	Kerr A.	Y	Priola	E	Vigil	Y	
DelGrosso		Y	Kerr J.	Y	Ramirez	Y	Waller	Y	
Duran		Y	Labuda	Y	Ryden	Y	Williams A.	Y	
Ferrandino		Y	Lee	Y	Schafer S.	Y	Wilson	Y	
Fields		Y	Levy	Y	Scott	E	Young	Y	
							Speaker	Y	

Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
Beezley, Bradford, Brown, Casso, Coram, DelGrosso, Duran, Ferrandino,
Fields, Fischer, Gerou, Hamner, Holbert, Hullinghorst, Kagan, Kefalas, Kerr A.,
Kerr J., Labuda, Lee, Levy, Liston, McKinley, Miklosi, Murray, Nikkel, Pace,
Peniston, Ramirez, Ryden, Schafer S., Solano, Sonnenberg, Soper, Stephens,
Swalm, Swerdfeger, Szabo, Todd, Tyler, Vigil, Waller, Wilson, Young,
Speaker.

HR12-1002 by Representative(s) Massey, Vaad, Court, Williams A.--
Concerning the Chaplain position in the House of
Representatives.

(Printed and placed in member's file.)

On motion of Representative Massey, the resolution was **adopted** by **viva**
voce vote.

Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
Beezley, Brown, Conti, Coram, DelGrosso, Ferrandino, Fields, Fischer,
Gardner B., Gerou, Hamner, Holbert, Kagan, Kefalas, Kerr A., Kerr J., Looper,
McKinley, Miklosi, Murray, Pace, Peniston, Schafer S., Solano, Sonnenberg,
Soper, Stephens, Summers, Swerdfeger, Szabo, Tyler, Waller, Wilson, Young,
Speaker.

House in recess. House reconvened.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB12-1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069,
1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080,
1081.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1001.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR12-1001.**

On motion of Representative Waller, the House adjourned until
10:00 a.m., January 17, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Seventh Legislative Day

Tuesday, January 17, 2012

1 The Speaker called the House to order at 10:00 a.m.
2
3 Prayer by Father Drew Kirschman, Arrupe Jesuit High School.
4
5 Pledge of Allegiance led by Owen Miller, Kingdom Academy, Littleton.
6
7 The roll was called with the following result:
8
9 Present--64.
10 Vacancy--1.

11
12 The Speaker declared a quorum present.
13
14

15 On motion of Representative Wilson, the reading of the journal of
16 January 13, 2012, was declared dispensed with and approved as corrected
17 by the Chief Clerk.
18
19
20

PRINTING REPORT

21
22
23 The Chief Clerk reports the following bills have been correctly printed:
24 **HB12-1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091,**
25 **1092, 1093, 1094, 1095.**
26
27

INTRODUCTION OF BILLS
First Reading

28
29
30
31 The following bills were read by title and referred to the committees
32 indicated:
33

34 **HB12-1082** by Representative(s) Soper--Concerning the payment of
35 prevailing compensation for workers on public works.
36 Committee on Local Government
37

38 **HB12-1083** by Representative(s) Sonnenberg; also Senator(s)
39 Schwartz--Concerning maintenance of the current fee
40 structure on certain feeding operations under the
41 "Colorado Water Quality Control Act".
42 Committee on Agriculture, Livestock, & Natural Resources
43

- 1 **HB12-1084** by Representative(s) Fields and Conti; also Senator(s)
2 Jahn and King S.--Concerning increasing the punishment
3 for leaving the scene of a traffic accident that resulted in
4 serious bodily injury to any person.
5 Committee on Judiciary
6
- 7 **HB12-1085** by Representative(s) Fields--Concerning an exception to
8 the hearsay rule to allow testimony from persons with
9 developmental disabilities.
10 Committee on Judiciary
11
- 12 **HB12-1086** by Representative(s) Gardner B., Labuda, Levy, Murray,
13 Waller; also Senator(s) Morse, Brophy, Guzman, Roberts,
14 Schwartz--Concerning implementation of
15 recommendations of the committee on legal services in
16 connection with legislative review of rules and regulations
17 of state agencies.
18 Committee on Legal Services
19
20
- 21 **HB12-1087** by Representative(s) Labuda--Concerning an on-line
22 registry of persons who are convicted of certain crimes
23 against animals.
24 Committee on Agriculture, Livestock, & Natural Resources
25
- 26 **HB12-1088** by Representative(s) Holbert and Becker, Baumgardner,
27 Sonnenberg, McKinley, Scott, Balmer, Looper, Liston,
28 Coram, Stephens, Acree, Barker, Beezley, Brown, Joshi,
29 McNulty, Priola, Ramirez, Swalm; also Senator(s)
30 Grantham--Concerning the use of deadly physical force
31 against a person who makes an illegal entry into a place of
32 business.
33 Committee on Judiciary
34
- 35 **HB12-1089** by Representative(s) Court; also Senator(s) Steadman--
36 Concerning the specific wording related to a statewide
37 ballot title.
38 Committee on State, Veterans, & Military Affairs
39
40
- 41 **HB12-1090** by Representative(s) Pace--Concerning the annual date for
42 establishing the total pupil enrollment of each public
43 school.
44 Committee on Education
45
- 46 **HB12-1091** by Representative(s) Solano; also Senator(s) Bacon--
47 Concerning reducing the requirements of statewide
48 student assessments to not exceed federal testing
49 requirements, and, in connection therewith, providing
50 funding for the Colorado preschool program.
51 Committee on State, Veterans, & Military Affairs
52
53
- 54 **HB12-1092** by Representative(s) Priola, McKinley, Holbert, Balmer,
55 Barker, Baumgardner, DelGrosso, Kerr J., Liston,
56 McNulty, Murray, Sonnenberg, Stephens, Swalm; also

- 1 Senator(s) Brophy--Concerning the authority of a law-
2 abiding person to carry a concealed handgun without a
3 permit.
4 Committee on Judiciary
5
6 **HB12-1093** by Representative(s) Soper--Concerning the right of an
7 insured homeowner to have a defective appliance replaced
8 as part of an insurance subrogation action to recover
9 damages to a dwelling unit caused by a defective
10 appliance.
11 Committee on Economic and Business Development
12
13 **HB12-1094** by Representative(s) Kerr A.--Concerning increasing the
14 fine for parking in front of a fire hydrant in an
15 unincorporated area of a county.
16 Committee on Local Government
17
18 **HB12-1095** by Representative(s) Waller--Concerning electronic court
19 documents.
20 Committee on Judiciary
21
22
23

INTRODUCTION OF RESOLUTION

- 24
25
26 The following resolution was read by title and laid over two days under
27 the rules:
28
29 **HR12-1003** by Representative(s) Balmer--Concerning an application
30 under Article V of the United States Constitution to the
31 Congress of the United States to call a convention for
32 proposing an amendment to the United States Constitution
33 to repeal the "Patient Protection and Affordable Care Act".
34
35
36

APPOINTMENT

- 37
38
39 The Speaker announced the temporary appointment of Representative
40 Court to the Committee on Economic & Business Development.
41
42
43
44
45 On motion of Representative Stephens, the House adjourned until
46 9:00 a.m., January 18, 2012.
47

Approved:
FRANK McNULTY,
Speaker

51 Attest:
52 MARILYN EDDINS,
53 Chief Clerk

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

Eighth Legislative Day

Wednesday, January 18, 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 Rachel Magnusson, Erin Sellers, Benjamin
7 VanNoy, and Dylan Reyes, Home Schooled.

8

9 The roll was called with the following result:

10

11 Present--64.

12 Vacancy--1.

13

14 The Speaker declared a quorum present.

15

16

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

20

21

22

23

PRINTING REPORT

24

25 The Chief Clerk reports the following bills have been correctly printed:
26 **HB12-1096, 1097, 1098, 1099, 1100, 1101.**

27

28

29

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

30

31 The Speaker has signed: **SJR12-001.**

32

33

34

35

INTRODUCTION OF BILLS

36

First Reading

37

38 The following bills were read by title and referred to the committees
39 indicated:

40

41 **HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti,
42 DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda,
43 McCann, Pabon, Swalm, Swerdfeger; also Senator(s)

1 Brophy--Concerning an extension of the period for which
2 the voluntary contribution designation line benefiting the
3 Make-A-Wish Foundation of Colorado fund appears on
4 state individual income tax return forms.

5 Committee on Finance

6
7 **HB12-1097** by Representative(s) Summers; also Senator(s) Jahn--
8 Concerning civil penalties for retail food establishments.

9 Committee on Health and Environment

10
11 **HB12-1098** by Representative(s) Balmer, Liston; also Senator(s) Jahn--
12 -Concerning the sale of motor vehicles that have been
13 damaged to such an extent that the cost of the repairs
14 exceeds the fair market value of the vehicle.

15 Committee on Transportation

16
17 **HB12-1099** by Representative(s) McKinley, Sonnenberg--Concerning
18 the establishment of an industrial hemp remediation pilot
19 program to study phytoremediation through the growth of
20 hemp on contaminated soil.

21 Committee on Local Government

22
23 **HB12-1100** by Representative(s) Summers; also Senator(s) Aguilar--
24 Concerning the admissibility in criminal proceedings of
25 the results of a prenatal screening for illegal substances.

26 Committee on Judiciary

27
28 **HB12-1101** by Representative(s) Barker--Concerning the culpable
29 mental state for identity theft.

30 Committee on Judiciary

31

32

33

34 On motion of Representative Stephens, the House adjourned until
35 9:00 a.m., January 19, 2012.

36

37

38

39

40

41

42

Chief Clerk

Approved:
FRANK McNULTY,
Speaker

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

Ninth Legislative Day

Thursday, January 19, 2012

1 The Speaker called the House to order at 9:00 a.m.
2
3 Prayer by Rabbi Joe Black, Temple Emanuel, Denver.
4
5 Pledge of Allegiance led by Matthew Baumgardner, Grandby Elementary.
6
7 The roll was called with the following result:
8
9 Present--63.
10 Excused--Representative(s) Miklosi--1.
11 Present after roll call--Representative(s) Miklosi.
12 Vacancy--1.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Wilson, the reading of the journal of
18 January 18, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

CONSIDERATION OF RESOLUTION(S)

22
23
24 **HR12-1003** by Representative(s) Balmer--Concerning an application
25 under Article V of the United States Constitution to the
26 Congress of the United States to call a convention for
27 proposing an amendment to the United States Constitution
28 to repeal the "Patient Protection and Affordable Care
29 Act".
30
31 (Printed and placed in member's file.)
32
33 Representative Balmer moved that the resolution be adopted.
34
35 Amendment No. 1, moved by Representative Ferrandino.
36
37 Amend printed resolution, page 2, strike lines 3 through 6 and substitute:
38
39 "WHEREAS, If a constitutional convention is called that results
40 in the repeal of the Act, according to a February 2011 estimate prepared
41 by the nonpartisan Congressional budget office, the federal budget deficit
42 will increase by over two hundred ten billion dollars between 2012 and
43 2021; and".

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

	YES	30	NO	33	EXCUSED	1	ABSENT	0	VACANCY	1
4	Acree		N	Fischer	Y	Liston	N	Solano	Y	
5	Balmer		N	Gardner	N	Looper	N	Sonnenberg	N	
6	Barker		N		V	Massey	N	Soper	Y	
7	Baumgardner	N	Gerou	N	McCann	Y	Stephens	N		
8	Becker	N	Hamner	Y	McKinley	Y	Summers	N		
9	Beezley	N	Holbert	N	Miklosi	E	Swalm	N		
10	Bradford	N	Hullinghorst	Y	Murray	N	Swerdfeger	N		
11	Brown	N	Jones	Y	Nikkel	N	Szabo	N		
12	Casso	Y	Joshi	N	Pabon	Y	Todd	Y		
13	Conti	N	Kagan	Y	Pace	Y	Tyler	Y		
14	Coram	N	Kefalas	Y	Peniston	Y	Vaad	N		
15	Court	Y	Kerr A.	Y	Priola	N	Vigil	Y		
16	DelGrosso	N	Kerr J.	N	Ramirez	N	Waller	N		
17	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
18	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
19	Fields	Y	Levy	Y	Scott	N	Young	Y		
20							Speaker	N		

21
22 Amendment No. 2, moved by Representative Ferrandino.

23
24 Amend printed resolution, page 2, strike lines 1 and 2 and substitute:

25
26 "WHEREAS, If a constitutional convention is called that results
27 in the repeal of the Act, the state of Colorado will lose the benefits of
28 almost \$30 million in therapeutic discovery project program tax credits
29 and grants that will support groundbreaking biomedical research to
30 produce new therapies, address unmet needs, reduce the long-term growth
31 of health care costs, and advance the goal of curing cancer within the next
32 30 years; and".

33
34 The amendment was declared **lost** by the following roll call vote:

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

54
55

1 Amendment No. 3, moved by Representative Gardner.

2
3 Amend printed resolution, page 2, after line 2, insert:

4
5 "WHEREAS, The Act will increase the cost of health care for
6 Colorado families, add trillions to the national debt, stifle innovation,
7 result in the rationing of health care, and force millions of Americans to
8 lose their current health care coverage; and".

9
10 The amendment was declared **passed** by the following roll call vote:

11	12	YES	33	NO	31	EXCUSED	0	ABSENT	0	VACANCY	1
13	Acree	N	Fischer	Y	Liston	N	Solano	Y			
14	Balmer	N	Gardner	N	Looper	N	Sonnenberg	N			
15	Barker	N		V	Massey	N	Soper	Y			
16	Baumgardner	N	Gerou	N	McCann	Y	Stephens	N			
17	Becker	N	Hamner	Y	McKinley	Y	Summers	N			
18	Beezley	N	Holbert	N	Miklosi	E	Swalm	N			
19	Bradford	N	Hullinghorst	Y	Murray	N	Swerdfeger	N			
20	Brown	N	Jones	Y	Nikkel	N	Szabo	N			
21	Casso	Y	Joshi	N	Pabon	Y	Todd	Y			
22	Conti	N	Kagan	Y	Pace	Y	Tyler	Y			
23	Coram	N	Kefalas	Y	Peniston	Y	Vaad	N			
24	Court	Y	Kerr A.	Y	Priola	N	Vigil	Y			
25	DelGrosso	N	Kerr J.	N	Ramirez	N	Waller	N			
26	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y			
27	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y			
28	Fields	Y	Levy	Y	Scott	N	Young	Y			
29							Speaker	N			

30
31 Amendment No. 4, moved by Representative Fischer.

32
33 Amend printed resolution, page 1, strike lines 9 through 12 and substitute:

34
35 "WHEREAS, If a constitutional convention is called that results
36 in the repeal of the Act, seniors who are now enjoying a significant
37 discount on covered brand name prescription drugs under the Medicare
38 prescription drug coverage known as the "donut hole" will lose this
39 benefit; and".

40
41 The amendment was declared **lost** by the following roll call vote:

42	43	YES	31	NO	33	EXCUSED	0	ABSENT	0	VACANCY	1
44	Acree	N	Fischer	Y	Liston	N	Solano	Y			
45	Balmer	N	Gardner.	N	Looper	N	Sonnenberg	N			
46	Barker	N		V	Massey	N	Soper	Y			
47	Baumgardner	N	Gerou	N	McCann	Y	Stephens	N			
48	Becker	N	Hamner	Y	McKinley	Y	Summers	N			
49	Beezley	N	Holbert	N	Miklosi	Y	Swalm	N			
50	Bradford	N	Hullinghorst	Y	Murray	N	Swerdfeger	N			
51	Brown	N	Jones	Y	Nikkel	N	Szabo	N			
52	Casso	Y	Joshi	N	Pabon	Y	Todd	Y			
53	Conti	N	Kagan	Y	Pace	Y	Tyler	Y			
54	Coram	N	Kefalas	Y	Peniston	Y	Vaad	N			
55	Court	Y	Kerr A.	Y	Priola	N	Vigil	Y			
56	DelGrosso	N	Kerr J.	N	Ramirez	N	Waller	N			

1	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y
2	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y
3	Fields	Y	Levy	Y	Scott	N	Young	Y
4							Speaker	N

7 Amendment No. 5, moved by Representative Duran.

9 Amend printed resolution, page 2, strike lines 1 and 2 and substitute:

11 "WHEREAS, If a constitutional convention is called that results
12 in the repeal of the Act, according to a study cited by the Colorado Trust,
13 economic activity across the state will be obstructed and the state will
14 lose approximately 19,000 new jobs by 2019; and".

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

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

38 Amendment No. 6, moved by Representative Gardner.

40 Amend printed resolution, page 2, after line 13, insert:

42 "WHEREAS, The Act, for the first time, extends the commerce
43 power of the United States to mandating individual conduct, and the Act
44 depends upon this unconstitutional mandate for its funding; and".

46 Amendment No. 7, moved by Representative Ferrandino, amending the
47 above amendment No. 6, by Representative Gardner.

49 Amend, Amendment No. 6, by Representative Gardner (printed in House
50 Journal January 19, page 52 line 37), strike "unconstitutional" and strike
51 "funding; and" and substitute "funding; the Act is currently under review
52 by the United States Supreme Court; and".

54 Representative Ferrandino's amendment was declared **passed** by **viva**
55 **voce** vote:

Representative Gardner's amendment, as amended, by Amendment No. 7 by Representative Ferrandino, was declared **passed** by **viva voce** vote:

On motion of Representative Balmer, the resolution, as amended, was **adopted** by the following roll call vote:

YES 33	NO 31	EXCUSED 0	ABSENT 0	VACANCY 1			
Acree	Y	Fischer	N	Liston	Y	Solano	N
Balmer	Y	Gardner	Y	Looper	Y	Sonnenberg	Y
Barker	Y		V	Massey	Y	Soper	N
Baumgardner	Y	Gerou	Y	McCann	N	Stephens	Y
Becker	Y	Hamner	N	McKinley	Y	Summers	Y
Beezley	Y	Holbert	Y	Miklosi	N	Swalm	Y
Bradford	N	Hullinghorst	N	Murray	Y	Swerdfeger	Y
Brown	Y	Jones	N	Nikkel	Y	Szabo	Y
Casso	N	Joshi	Y	Pabon	N	Todd	N
Conti	Y	Kagan	N	Pace	N	Tyler	N
Coram	Y	Kefalas	N	Peniston	N	Vaad	Y
Court	N	Kerr A.	N	Priola	Y	Vigil	N
DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y
Duran	N	Labuda	N	Ryden	N	Williams A.	N
Ferrandino	N	Lee	N	Schafer S.	N	Wilson	N
Fields	N	Levy	N	Scott	Y	Young	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker, Brown, Coram, Gardner B., Gerou, Joshi, Kerr J., Looper, Massey, Murray, Nikkel, Priola, Scott, Sonnenberg, Stephens, Summers, Swalm, Waller, Speaker.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

TRANSPORTATION

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

HB12-1034 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, after line 1 insert:

"SECTION 1. In Colorado Revised Statutes, 25-17-202, **amend** (1) (c) as follows:

25-17-202. Waste tire fees - definitions - repeal. (1) As used in this part 2, unless the context otherwise requires:

(c) "End user" means a person who uses ~~processed waste tires~~ A TIRE-DERIVED PRODUCT for a commercial or industrial purpose.".

Renumber succeeding sections accordingly.

Page 2, strike lines 16 through 21 and substitute "fund. ~~Any moneys in the fund not expended or encumbered from any appropriation at the end of~~

1 ~~any fiscal year shall remain available, without further appropriation, for~~
2 ~~expenditure in the next fiscal year by the department to be used~~ THE
3 GENERAL ASSEMBLY SHALL APPROPRIATE MONEYS IN THE FUND for
4 monthly partial reimbursement to processors and end users, up to a
5 maximum of sixty-five dollars for each ton of raw Colorado waste tires
6 that are processed or used. The purpose of ~~such~~ THE".
7

8 Page 2, line 25, after the period add "THE DEPARTMENT SHALL NOT
9 REIMBURSE A PROCESSOR FOR PROCESSING WASTE TIRES UNLESS THE
10 PROCESSOR HAS END USED THE TIRE-DERIVED PRODUCT OR IF THE
11 TIRE-DERIVED PRODUCT HAS BEEN SOLD FOR AN END USE AND MOVED
12 OFF-SITE."
13

14 15 16 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

17
18 The Speaker has signed: **HR12-1001, 1002.**
19
20

21 22 **INTRODUCTION OF BILLS** 23 **First Reading**

24
25 The following bills were read by title and referred to the committees
26 indicated:
27

28 **HB12-1102** by Representative(s) Swalm, Balmer, Holbert, Soper; also
29 Senator(s) Tochtrop--Concerning a cap on increases in
30 electrical utility rates arising from implementation of the
31 "Clean Air - Clean Jobs Act".
32

33
34 Committee on Transportation

35 **HB12-1103** by Representative(s) Vaad--Concerning an authorization
36 for a board of county commissioners to exclude its county
37 from the enhanced automobile inspection and readjustment
38 emissions program area if the excluded county does not
39 violate applicable national ambient air quality standards.
40

41 Committee on Health and Environment

42 **HB12-1104** by Representative(s) Swerdfeger, Acree, Conti,
43 Hullinghorst, Kagan, Kefalas, Pabon, Swalm; also
44 Senator(s) Giron--Concerning a change to the voluntary
45 contribution designation benefiting the Colorado breast
46 and women's reproductive cancers fund, and, in
47 connection therewith, changing the name of the fund to the
48 Colorado cancer fund and expanding the purpose of the
49 fund to include furtherance of the Colorado Cancer
50 Coalition's work on behalf of the cancer community.
51

52 Committee on Finance

53 **HB12-1105** by Representative(s) Becker--Concerning wind energy
54 property rights.
55

56 Committee on Agriculture, Livestock, & Natural Resources

INTRODUCTION OF RESOLUTION

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

HJR12-1002 by Representative(s) Baumgardner; also Senator(s) Nicholson, White--Concerning the recognition of the 100th anniversary of the Grand Winter Sports Carnival and celebrating a century of skiing in Colorado.

On motion of Representative Stephens, the House adjourned until 9:00 a.m., January 20, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Tenth Legislative Day

Friday, January 20, 2012

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

2

3 Prayer by Pastor Danielle Reeves, Waterstone Community Church,
4 Littleton.

5

6 Pledge of Allegiance led by Aubrey Reeves, Annie Whipple, Ethan
7 Lehrke, Charlie Offerdahl, Red Rocks Elementary, Morrison.

8

9 The roll was called with the following result:

10

11 Present--62.

12 Excused--Representative(s) Brown, Duran--2.

13 Vacancy--1.

14

15 The Speaker declared a quorum present.

16

17

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

21

22

23 House in recess. House reconvened.

24

25

26

27 **CONSIDERATION OF RESOLUTION(S)**

28

29 **HJR12-1002** by Representative(s) Baumgardner; also Senator(s)
30 Nicholson, White--Concerning the recognition of the
31 100th anniversary of the Grand Winter Sports Carnival
32 and celebrating a century of skiing in Colorado.

33

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

35

36 Representative Baumgardner moved that the resolution be adopted and
37 requested that it be read at length.

38

39 Amendment No. 1, by Representative(s) A. Kerr.

40

41 Amend printed resolution, page 2, line 13, strike "skiing," and substitute
42 "skiing and snowboarding,".

43

1 Page 2, line 15, after "ski" insert "and snowboarding".

2
3 Page 2, line 19, after "skiing" insert "and snowboarding".

4
5 Page 2, line 20, strike "community;" and substitute "communities;".

6
7 The amendment was declared **lost** by **viva voce** vote.

8
9 On motion of Representative Baumgardner, the resolution was **adopted**
10 by **viva voce** vote.

11
12 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
13 Barker, Becker, Beezley, Bradford, Casso, Conti, Coram, Court, DelGrosso,
14 Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert, Hullinghorst,
15 Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
16 Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace,
17 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper,
18 Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil,
19 Waller, Williams A., Wilson, Young, Speaker.

20
21
22
23 House in recess. House reconvened.
24
25

26 27 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

28 29 **ECONOMIC & BUSINESS DEVELOPMENT**

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

32
33 **HB12-1015** be referred to the Committee of the Whole with favorable
34 recommendation.

35
36
37 **HB12-1033** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend printed bill, page 2, line 16, strike "EMPLOYER," and substitute
42 "POOL,".

43
44 Page 2, line 19, strike "EMPLOYER" and substitute "POOL".

45
46 Page 3, line 9, strike "AND" and substitute "OR".

47
48 Page 3, line 12, strike "EMPLOYER'S" and substitute "POOL'S".

49
50 Page 4, line 2, strike "employers" and substitute "pools".

51
52
53
54
55

1 **FINANCE**

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

4
5 **HB12-1028** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB12-1050** be referred to the Committee of the Whole with favorable
10 recommendation.
11

12
13
14
15 **LOCAL GOVERNMENT**

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

18
19 **HB12-1068** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:
22

23 Amend printed bill, page, 2, line 14, after "MAKE" insert "BYLAWS,".
24 Page 2, line 15, strike the first "RECORDS" and substitute "RECORDS,".
25

26
27
28 **HB12-1078** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31
32
33 **PRINTING REPORT**

34
35 The Chief Clerk reports the following bills have been correctly printed:
36 **HB12-1102, 1103, 1104, 1105.**
37

38
39
40 **INTRODUCTION OF BILLS**
41 **First Reading**
42

43 The following bills were read by title and referred to the committees
44 indicated:
45

46 **HB12-1106** by Representative(s) Peniston--Concerning the evaluation
47 of a driver improvement school used by a court for a
48 traffic violation.

49 Committee on Transportation
50

51 **HB12-1107** by Representative(s) Scott--Concerning an exemption
52 from the excavation requirements for the grand valley
53 drainage district.

54 Committee on Agriculture, Livestock, & Natural Resources
55
56

- 1 **HB12-1108** by Representative(s) Kagan, Brown, Holbert; also
2 Senator(s) Scheffel--Concerning the authority of the
3 Colorado department of transportation to have signs within
4 rights-of-way on the highway system.
5 Committee on Transportation
6
- 7 **HB12-1109** by Representative(s) McKinley--Concerning budget cuts
8 to provide more funding for public schools.
9 Committee on Appropriations
10
- 11 **HB12-1110** by Representative(s) Williams A.; also Senator(s) Carroll--
12 Concerning the regulation of appraisal management
13 companies.
14 Committee on Economic and Business Development
15
- 16
- 17 **HB12-1111** by Representative(s) Szabo and Summers--Concerning the
18 definition of identification for election-related purposes.
19 Committee on State, Veterans, & Military Affairs
20
- 21 **HB12-1112** by Representative(s) Ryden, Court, Fischer, Hulinghorst,
22 Kerr A., Lee, McCann, Williams A., Young, Ferrandino,
23 Fields, Pabon, Pace, Schafer S., Tyler--Concerning a state
24 economic impact rating as an evaluation factor in
25 awarding a state procurement contract.
26 Committee on State, Veterans, & Military Affairs
27
- 28 **HB12-1113** by Representative(s) Lee--Concerning the creation of
29 certain procurement preferences to be applied in the state
30 procurement process.
31 Committee on State, Veterans, & Military Affairs
32
- 33
- 34 **HB12-1114** by Representative(s) Hamner; also Senator(s) Schwartz--
35 Concerning the crime of stalking.
36 Committee on Judiciary
37
- 38 **HB12-1115** by Representative(s) Liston; also Senator(s) Jahn--
39 Concerning business fiscal impact statements.
40 Committee on Economic and Business Development
41
- 42 **HB12-1116** by Representative(s) Murray, Summers, Barker,
43 Baumgardner, Brown, Casso, Holbert, McCann, Miklosi,
44 Williams A.; also Senator(s) Nicholson--Concerning
45 deceptive trade practices related to time share resale
46 transactions.
47 Committee on Economic and Business Development
48
- 49 **HB12-1117** by Representative(s) Balmer; also Senator(s) Nicholson--
50 Concerning the ability of a local government to permit, in
51 its discretion, the collection of charitable solicitations from
52 motorists on a certain number of days per calendar year.
53 Committee on Local Government
54
55

- 1 **HB12-1118** by Representative(s) Conti, Becker, Beezley, DelGrosso,
2 Gerou, Holbert, Murray, Nikkel, Ramirez, Scott,
3 Summers, Szabo--Concerning ensuring transparency in
4 collective bargaining negotiations between school district
5 boards of education and school employees.
6 Committee on State, Veterans, & Military Affairs
7
- 8 **HB12-1119** by Representative(s) Coram; also Senator(s) Giron and
9 King S.--Concerning limitations on the imposition of fines
10 by state agencies for minor violations, and, in connection
11 therewith, defining a minor violation as an inspection-
12 related or paperwork violation of state law or state agency
13 rule that does not harm or threaten public health or safety
14 and requiring a state agency to provide a violator with
15 notice and an opportunity to cure a minor violation before
16 imposing a fine.
17 Committee on Economic and Business Development
18
- 19 **HB12-1120** by Representative(s) Swerdfeger, Brown, Duran, Liston,
20 Massey, Pabon, Pace, Williams A.; also Senator(s)
21 Tochtrop--Concerning the creation of the division of
22 unemployment insurance in the department of labor and
23 employment to administer the unemployment insurance
24 program.
25 Committee on Economic and Business Development
26
- 27 **HB12-1121** by Representative(s) Scott--Concerning enactment of the
28 utility ratepayers' bill of rights for customers of investor-
29 owned utilities in Colorado.
30 Committee on Transportation
31
- 32 **HB12-1122** by Representative(s) Wilson, Hulinghorst, Lee, Levy,
33 Vigil--Concerning incentives to minimize the disposal of
34 medications in water, and, in connection therewith,
35 requiring a post-enactment review of the implementation
36 of this act.
37 Committee on Agriculture, Livestock, & Natural Resources
38
- 39 **HB12-1123** by Representative(s) Conti, Becker, Brown, DelGrosso,
40 Holbert, Murray, Nikkel, Ramirez, Scott, Summers,
41 Swalm, Szabo--Concerning an increase in the transparency
42 of proceedings before the public utilities commission by
43 requiring the commission to report annually to the general
44 assembly regarding matters discussed on the record in
45 energy rate case hearings.
46 Committee on Transportation
47
- 48 **HB12-1124** by Representative(s) Massey, Fields, Hamner, Holbert,
49 Levy, Peniston--Concerning a study of digital learning in
50 Colorado.
51 Committee on Education
52
- 53 **HB12-1125** by Representative(s) Ramirez, Sonnenberg, Looper; also
54 Senator(s) Steadman--Concerning procedures related to
55 the costs of impounded animals.
56 Committee on Agriculture, Livestock, & Natural Resources

- 1 **HB12-1126** by Representative(s) Gerou--Concerning on-site
2 wastewater treatment systems.
3 Committee on Health and Environment
4
- 5 **HB12-1127** by Representative(s) Liston, Priola, Holbert, Swalm,
6 Swerdfeger, Szabo--Concerning elimination of an increase
7 in the unemployment insurance premium rate for new
8 employers.
9 Committee on Economic and Business Development
10
- 11 **HB12-1128** by Representative(s) Miklosi--Concerning a prohibition on
12 discrimination in places of public accommodation that is
13 based on unconventional attire.
14 Committee on State, Veterans, & Military Affairs
15
- 16 **HB12-1129** by Representative(s) Tyler, Court, Duran, Fischer,
17 Hullinghorst, Kefalas, Kerr A., Lee, McCann, Pabon,
18 Ryden, Williams A., Young, Solano; also Senator(s) Jahn-
19 -Concerning appropriations to match federal funds for
20 small business development centers.
21 Committee on Economic and Business Development
22
- 23 **HB12-1130** by Representative(s) Joshi, Holbert, Acree, Baumgardner,
24 Bradford, Brown, Murray; also Senator(s) Mitchell--
25 Concerning offenses against an unborn child.
26 Committee on Judiciary
27
- 28 **HB12-1131** by Representative(s) Labuda--Concerning the creation of
29 a child loss awareness license plate.
30 Committee on Transportation
31
- 32 **HB12-1132** by Representative(s) Miklosi, Todd; also Senator(s)
33 Williams S.--Concerning creative district tax incentives,
34 and, in connection therewith, allowing a state income tax
35 credit for income derived from creative business activities
36 conducted within a creative district and reducing the rate
37 of the state sales tax imposed on sales made within a
38 creative district.
39 Committee on Finance
40
- 41 **HB12-1133** by Representative(s) Lee and Hullinghorst, Court, Duran,
42 Fischer, Jones, Kefalas, Kerr A., Labuda, Levy, McCann,
43 Pabon, Ryden, Schafer S., Tyler, Williams A., Young,
44 Casso, Ferrandino, Fields, Hamner, Todd, Vigil--
45 Concerning the creation of the economic gardening pilot
46 program in the Colorado office of economic development.
47 Committee on Economic and Business Development
48
- 49 **HB12-1134** by Representative(s) Pabon, Casso, Court, Duran,
50 Ferrandino, Fields, Fischer, Hamner, Hullinghorst, Jones,
51 Kagan, Kefalas, Kerr A., Labuda, Lee, Levy, McCann,
52 McKinley, Miklosi, Pace, Peniston, Ryden, Schafer S.,
53 Todd, Tyler, Vigil, Williams A., Young--Concerning a
54 prohibition against advertising a job vacancy that requires
55 an applicant to be currently employed.
56 Committee on Economic and Business Development

- 1 **HB12-1135** by Representative(s) Murray--Concerning teachers with
2 whom a teacher candidate in a teacher preparation
3 program spends his or her hours of field work.
4 Committee on Education
5
- 6 **HB12-1136** by Representative(s) Ramirez; also Senator(s) Roberts--
7 Concerning a prohibition on the use of public land for
8 retail sales.
9 Committee on State, Veterans, & Military Affairs
10
- 11 **HB12-1137** by Representative(s) Todd, Kefalas, McCann, Solano; also
12 Senator(s) Boyd--Concerning the regulation of music
13 therapists.
14 Committee on State, Veterans, & Military Affairs
15
- 16
17 **HB12-1138** by Representative(s) Kefalas, Kagan; also Senator(s)
18 Hudak, Boyd, Guzman--Concerning the request of poverty
19 impact statements regarding legislative measures
20 introduced by the general assembly.
21 Committee on State, Veterans, & Military Affairs
22
- 23 **HB12-1139** by Representative(s) Levy, Fields, Barker, Court, Kagan,
24 Massey, McCann, McKinley, Nikkel, Solano, Young; also
25 Senator(s) Guzman--Concerning pretrial detention of
26 children prosecuted as adults.
27 Committee on Judiciary
28
- 29 **HB12-1140** by Representative(s) Jones; also Senator(s) Newell--
30 Concerning the duties of the department of public health
31 and environment as coordinator for suicide prevention
32 programs throughout the state.
33 Committee on Health and Environment
34
- 35
36 **HB12-1141** by Representative(s) Levy; also Senator(s) Nicholson--
37 Concerning the expansion of the scope of practice of
38 additional trained health care professionals to include five-
39 point auricular acudetox.
40 Committee on Health and Environment
41
- 42 **HB12-1142** by Representative(s) DelGrosso--Concerning the choice of
43 all members of the public employees' retirement
44 association to participate in a defined contribution plan
45 established by the association.
46 Committee on Finance
47
- 48 **HB12-1143** by Representative(s) Ferrandino--Concerning an
49 adjustment in the reimbursement rates the state pays
50 county governments for costs associated with elections
51 involving statewide ballot measures.
52 Committee on State, Veterans, & Military Affairs
53
- 54 **HB12-1144** by Representative(s) Fischer, Duran, Hamner,
55 Hullinghorst, Kefalas, Kerr A., Peniston, Ryden,
56 Schafer S., Solano, Tyler, Young; also Senator(s) Bacon--

- 1 Concerning authorizing institutions of higher education to
2 enter into employment contracts for non-tenure-track
3 classroom teachers.
4 Committee on State, Veterans, & Military Affairs
5
- 6 **HB12-1145** by Representative(s) Bradford--Concerning the
7 modification of state personnel total compensation
8 policies.
9 Committee on Economic and Business Development
10
- 11 **HB12-1146** by Representative(s) Nikkel, Todd, Massey, Beezley,
12 Murray, Solano, Summers; also Senator(s) Giron--
13 Concerning programs to allow students to enroll in
14 postsecondary institutions to complete high school
15 graduation requirements.
16 Committee on Education
17
- 18 **HB12-1147** by Representative(s) Williams A., Court, Fields,
19 Hullinghorst, Kerr A., McCann, Schafer S., Solano, Todd,
20 Wilson, Brown, Casso, Fischer, Hamner, Holbert, Kagan,
21 Labuda, Miklosi, Pabon, Ryden, Swalm, Szabo, Tyler,
22 Vigil, Young; also Senator(s) Foster, Guzman, Johnston,
23 Spence, Tochtrop--Concerning the designation of the
24 western tiger salamander as the state amphibian.
25 Committee on Agriculture, Livestock, & Natural Resources
26
- 27 **HB12-1148** by Representative(s) Sonnenberg--Concerning the
28 establishment of neighborhood revitalization areas by local
29 governments.
30 Committee on Local Government
31
- 32 **HB12-1149** by Representative(s) Beezley, Holbert, Acree, Balmer,
33 Becker, Murray, Ramirez, Summers--Concerning parents'
34 authority to request interventions for low-performing
35 schools.
36 Committee on Education
37
- 38 **HB12-1150** by Representative(s) Priola, Holbert, DelGrosso,
39 Gardner B., Becker, Murray, Nikkel, Sonnenberg; also
40 Senator(s) Lambert--Concerning an increase in the number
41 of years used to calculate the highest average salary of a
42 member of the public employees' retirement association
43 for the purpose of determining the amount of the member's
44 retirement benefit.
45 Committee on Finance
46
- 47 **HB12-1151** by Representative(s) McCann, Fields, Lee, Miklosi,
48 Peniston, Schafer S., Vigil, Williams A.; also Senator(s)
49 King S.--Concerning the trafficking of human beings.
50 Committee on Judiciary
51
- 52 **HB12-1152** by Representative(s) Kefalas, Kagan, Summers; also
53 Senator(s) Boyd, Guzman, Hudak--Concerning the
54 economic opportunity poverty reduction task force.
55 Committee on State, Veterans, & Military Affairs
56

- 1 **HB12-1153** by Representative(s) Soper--Concerning the creation of a
2 special license plate commemorating recipients of the
3 distinguished flying cross.
4 Committee on Transportation
5
- 6 **HB12-1154** by Representative(s) Coram and Hamner, Brown, Casso,
7 Ferrandino, Hulinghorst, Kerr J., Labuda, Lee, Scott,
8 Young; also Senator(s) Jahn and White--Concerning a
9 regional approach to economic development.
10 Committee on Appropriations
11
- 12 **HB12-1155** by Representative(s) Massey, Fields, Hamner; also
13 Senator(s) Bacon--Concerning measures to increase the
14 timely completion of postsecondary degrees.
15 Committee on Education
16
- 17 **HB12-1156** by Representative(s) McCann, Duran, Fields, Kefalas,
18 Lee, Vigil; also Senator(s) Johnston--Concerning measures
19 to improve the reliability of information provided in
20 connection with real estate foreclosures.
21 Committee on Economic and Business Development
22
- 23 **HB12-1157** by Representative(s) Vigil; also Senator(s) Guzman--
24 Concerning the court hearing on a petition for the
25 organization of a special district.
26 Committee on Local Government
27
- 28 **HB12-1158** by Representative(s) Baumgardner, Scott, Brown, Joshi;
29 also Senator(s) Giron and Grantham--Concerning the
30 regulation of producers of materials that may be used in
31 commercial livestock feed, and, in connection therewith,
32 repealing the "Colorado Inedible Meat Rendering and
33 Processing Act of 1967" and relocating some of its
34 provisions to the "Colorado Feed Law".
35 Committee on Agriculture, Livestock, & Natural Resources
36
- 37 **HB12-1159** by Representative(s) Brown, Barker, Baumgardner,
38 Beezley, Conti, Court, Holbert, Murray, Ramirez, Vaad;
39 also Senator(s) Nicholson, Cadman, Grantham, King K.,
40 Roberts--Concerning the election of a county
41 commissioner in a county with a population of less than
42 seventy thousand by the voters residing in the district from
43 which the commissioner runs for election.
44 Committee on Local Government
45
- 46 **HB12-1160** by Representative(s) Baumgardner; also Senator(s)
47 Schwartz--Concerning methane gas captured from active
48 and inactive coal mines.
49 Committee on Agriculture, Livestock, & Natural Resources
50
- 51 **HB12-1161** by Representative(s) Looper; also Senator(s) King K.--
52 Concerning scientific review of water quality rules
53 regulating nutrients.
54 Committee on Agriculture, Livestock, & Natural Resources
55

- 1 **HB12-1162** by Representative(s) Todd, Labuda, Looper, Solano,
2 Soper, Ryden, Fields, Hullinghorst, McCann, Young; also
3 Senator(s) Heath, Williams S.--Concerning the creation of
4 an operation desert storm license plate.
5 Committee on Transportation
6
- 7 **HB12-1163** by Representative(s) Waller--Concerning limited peace
8 officer authority designations.
9 Committee on Judiciary
10
- 11 **HB12-1164** by Representative(s) Looper--Concerning a requirement
12 for disclosure regarding severed mineral estates upon the
13 conveyance of real estate.
14 Committee on Judiciary
15
- 16 **HB12-1165** by Representative(s) Schafer S., Tyler; also Senator(s)
17 Jahn and Nicholson--Concerning the disclosure of
18 information about radon hazards in connection with the
19 resale of private residential real property.
20 Committee on State, Veterans, & Military Affairs
21
- 22 **HB12-1166** by Representative(s) Jones; also Senator(s) Bacon--
23 Concerning tracking the utility data of a state-assisted
24 facility that has attained high performance as part of its
25 capital construction project.
26 Committee on Transportation
27
- 28 **HB12-1167** by Representative(s) Fischer--Concerning special fuel.
29 Committee on Agriculture, Livestock, & Natural Resources
30
- 31 **HB12-1168** by Representative(s) Young, Fischer, Kerr A., Levy; also
32 Senator(s) Morse--Concerning clarification of provisions
33 authorizing ignition interlock devices.
34 Committee on Judiciary
35
- 36 **HB12-1169** by Representative(s) Gardner B. and Duran; also
37 Senator(s) Brophy and Morse--Concerning a clarification
38 of the circumstances under which voting to elect
39 leadership of a public body may be held by secret ballot in
40 accordance with the state open meetings law.
41 Committee on State, Veterans, & Military Affairs
42
- 43 **HB12-1170** by Representative(s) Peniston, Fields, Massey, Soper--
44 Concerning restricting access by minors to artificial
45 tanning devices.
46 Committee on Economic and Business Development
47
- 48 **HB12-1171** by Representative(s) Tyler, Levy, Schafer S.--Concerning
49 a limitation on the circumstances in which a public
50 highway authority may enter into a noncompete agreement
51 with a public entity.
52 Committee on Transportation
53
54
55
56
-

INTRODUCTION OF RESOLUTIONS

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

HJR12-1003 by Representative(s) Williams A., Todd, Ramirez, Looper; also Senator(s) Williams S., Newell, Nicholson, Foster, Heath, Spence, Renfroe--Concerning the designation of Interstate 70 across Colorado as a part of a nationwide system of "Tuskegee Airmen Memorial Trails".

The following resolution was read by title and referred to the committee indicated:

HJR12-1004 by Representative(s) Massey and Kerr A., Todd, Summers, Kerr J., Beezley, Hamner, Holbert, Joshi, Murray, Peniston, Ramirez, Ryden, Schafer S., Solano; also Senator(s) Roberts and Johnston--Concerning teen suicide prevention in Colorado.
Committee on Education

House in recess. House reconvened.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1172 by Representative(s) Swalm, Conti--Concerning the rates charged to consumers for electricity, and, in connection therewith, prohibiting the imputation of certain costs associated with reductions in greenhouse gas emissions.
Committee on Agriculture, Livestock, & Natural Resources

HB12-1173 by Representative(s) Wilson--Concerning restrictions on the use of open pits in connection with hydraulic fracturing.
Committee on Local Government

HB12-1174 by Representative(s) Kagan--Concerning a prohibition on children's products that contain bisphenol A.
Committee on Economic and Business Development

HB12-1175 by Representative(s) Stephens; also Senator(s) Cadman--Concerning the encouragement of a state agency to pursue Colorado-specific solutions in lieu of federal regulation whenever possible, and, in connection therewith, requiring a state agency to report annually regarding opportunities for waiver from newly adopted federal regulations.
Committee on Economic and Business Development

1 **HB12-1176** by Representative(s) Ryden, Wilson--Concerning oil and
2 gas, and, in connection therewith, increasing the Colorado
3 oil and gas conservation commission's authority to regulate
4 oil and gas operations and including within the term
5 "surface owner" the owners of land overlying that portion
6 of a geologic formation within which horizontal hydraulic
7 fracturing is conducted.

8 Committee on Local Government
9

10
11
12 **INTRODUCTION OF RESOLUTIONS**
13

14 The following resolutions were read by title and laid over one day under
15 the rules:

16
17 **HJR12-1005** by Representative(s) Todd and Stephens; also Senator(s)
18 Shaffer B.--Concerning recognition of Military, Veterans,
19 and MIA/POW Appreciation Day.
20

21 **HJR12-1006** by Representative(s) Pace and Swerdfeger, Massey, Vigil;
22 also Senator(s) Giron, Grantham--Concerning the U.S.S.
23 Pueblo.
24

25 **HJR12-1007** by Representative(s) Barker and Ryden, Todd; also
26 Senator(s) Neville--Concerning recognition of military
27 personnel from Colorado who died during specific military
28 conflicts, including those killed after September 11, 2001,
29 during the War on Terrorism, including but not limited to
30 those killed in Afghanistan and Iraq.
31

32
33
34 On motion of Representative Todd, the House adjourned until 10:00 a.m.,
35 January 23, 2012.
36

37 Approved:
38 FRANK McNULTY,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

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

Thirteenth Legislative Day

Monday, January 23, 2012

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

2

3 Prayer by Chaplain Colonel Andrew Meverden, Colorado Army National
4 Guard.

5

6 Pledge of Allegiance led by Captain John Harhai, 2nd Lieutenant Alex
7 Axford, Chief Master Sergeant Bryan Fisher, Chief Master Sergeant
8 Daniel Pershing, Colorado Civil Air Patrol.

9

10 The roll was called with the following result:

11

12 Present--63.

13 Excused--Representative(s) Ferrandino--1.

14 Vacancy--1.

15

16 The Speaker declared a quorum present.

17

18

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

22

23

24

25

26 **CONSIDERATION OF RESOLUTION(S)**

27

28 **HJR12-1005** by Representative(s) Todd and Stephens; also Senator(s)
29 Shaffer B.--Concerning recognition of Military, Veterans,
30 and MIA/POW Appreciation Day.

31

32 (Printed and placed in members' file)

33

34 On motion of Representative Stephens, the resolution was read at length.

35

36

37

House in recess to allow Senators to speak.

38

39

House reconvened.

40

41

42 On motion of Stephens, the resolution was **adopted** by **viva voce** vote.

43

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

9
10 **HJR12-1007** by Representative(s) Barker and Ryden, Todd; also
11 Senator(s) Neville--Concerning recognition of military
12 personnel from Colorado who died during specific military
13 conflicts, including those killed after September 11, 2001,
14 during the War on Terrorism, including but not limited to
15 those killed in Afghanistan and Iraq.

16
17 (Printed and placed in members' file)

18
19 On motion of Representative Barker, the resolution was read at length and
20 **adopted by viva voce** vote.

21
22 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
23 Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
24 DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
25 Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
26 Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon,
27 Pace, Peniston, Priola, Ramirez, Schafer S., Scott, Solano, Sonnenberg, Soper,
28 Stephens, Summers, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller,
29 Williams A., Wilson, Young, Speaker.

30
31 **HJR12-1006** by Representative(s) Pace and Swerdfeger, Massey, Vigil;
32 also Senator(s) Giron, Grantham--Concerning the U.S.S.
33 Pueblo.

34
35 (Printed and placed in members' file)

36
37 On motion of Representative Pace, the resolution was read at length and
38 **adopted by viva voce** vote.

39
40 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
41 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
42 Court, DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
43 Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
44 Liston, Looper, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Peniston,
45 Priola, Ramirez, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper,
46 Stephens, Summers, Swalm, Szabo, Todd, Tyler, Vaad, Waller, Williams A.,
47 Wilson, Young, Speaker.

48
49 **HJR12-1003** by Representative(s) Williams A., Todd, Ramirez, Looper;
50 also Senator(s) Williams S., Newell, Nicholson, Foster,
51 Heath, Spence, Renfroe--Concerning the designation of
52 Interstate 70 across Colorado as a part of a nationwide
53 system of "Tuskegee Airmen Memorial Trails".

54
55 (Printed and placed in members' file)

56

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

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

12
13
14 House in recess to allow Senators to speak.

15
16 House reconvened.

17
18
19 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

20
21 On motion of Representative Stephens, the rules were suspended and the
22 following resolution was given immediate consideration.

23
24 **HJR12-1008** by Representative(s) Nikkel and McCann, Conti, Lee; also
25 Senator(s) Aguilar--Concerning recognition of military
26 personnel from Colorado who have served in Operation
27 New Dawn and Operation Enduring Freedom and
28 honoring those who have died while serving their country
29 in Iraq and Afghanistan.

30
31 (Printed and placed in member's file).

32
33 On motion of Representative Nikkel, the resolution was read at length and
34 **adopted** by the following roll call vote:

YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
Acree	Y	Fischer	Y	Liston	Y	Solano	Y		
Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y		
Barker	Y	District	V	Massey	Y	Soper	Y		
Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
Bradford	Y	Hulinghorst	Y	Murray	Y	Swerdfeger	Y		
Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
Conti	Y	Kagan	Y	Pace	Y	Tyler	Y		
Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
Ferrandino	E	Lee	Y	Schafer S.	Y	Wilson	Y		
Fields	Y	Levy	Y	Scott	Y	Young	Y		
						Speaker	Y		

54 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
55 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Coram, Court,
56 DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,

1 Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Levy,
2 Liston, Looper, Massey, McKinley, Miklosi, Murray, Pabon, Pace, Peniston,
3 Priola, Ramirez, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper,
4 Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil,
5 Waller, Williams A., Wilson, Young, Speaker.

6
7
8 House in recess. House reconvened.
9

10
11 **PRINTING REPORT**
12

13 The Chief Clerk reports the following bills have been correctly printed:
14 **HB12-1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115,**
15 **1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126,**
16 **1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137,**
17 **1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148,**
18 **1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159,**
19 **1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170,**
20 **1171, 1172, 1173, 1174, 1175, 1176.**

21
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23
24 On motion of Representative Stephens, the House adjourned until
25 9:00 a.m., January 24, 2012.

26
27 Approved:
28 FRANK McNULTY,
29 Speaker

30 Attest:
31 MARILYN EDDINS,
32 Chief Clerk

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

Fourteenth Legislative Day

Tuesday, January 24, 2012

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

2

3 Prayer by Father Leo Weber, Arrupe Jesuit High School.

4

5 Pledge of Allegiance led by Evelyn Vazquez, Arrupe Jesuit High School,
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) Ferrandino, Liston, Pace--3.

12 Vacancy--1.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative A. Williams, the reading of the journal of
18 January 23, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

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22

23 On motion of Representative Waller, the House resolved itself into
24 Committee of the Whole for consideration of General Orders, and he was
25 called to the Chair to act as Chairman.

26

27

28 **GENERAL ORDERS--SECOND READING OF BILLS**

29

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

34

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

37

38 **HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--
39 Concerning the procedure for the review of a proposal to
40 regulate an unregulated profession or occupation.

41

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

- 1 **HB12-1033** by Representative(s) Swalm; also Senator(s) Newell--
2 Concerning conditions on the authority of the director of
3 the division of workers' compensation to impose
4 administrative fines as a result of compliance audits
5 finding instances of late reporting of injuries under the
6 "Workers' Compensation Act of Colorado".
7
8 Amendment No. 1, Economic & Business Development Report, dated
9 January 19, 2012, and placed in member's bill file; Report also printed in
10 House Journal, January 20, page 58.
11
12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.
14
15
16 **HB12-1028** by Representative(s) Gerou; also Senator(s) Steadman--
17 Concerning the continuation of energy-related assistance
18 to low-income households from the operational account of
19 the severance tax trust fund.
20
21 Laid over until January 26, retaining place on Calendar.
22
23
24 **HB12-1050** by Representative(s) Wilson; also Senator(s) Nicholson--
25 Concerning the voluntary contribution designation
26 benefiting the nongame and endangered wildlife fund that
27 appears on the state individual income tax return forms,
28 and, in connection therewith, extending the period for the
29 contribution designation.
30
31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.
33
34
35 **HB12-1068** by Representative(s) McKinley--Concerning the
36 administration of a nonprofit cemetery corporation by
37 persons who own the right to bury a deceased person
38 within the cemetery.
39
40 Laid over until January 26, retaining place on Calendar.
41
42
43 **HB12-1078** by Representative(s) Vigil, Baumgardner, Sonnenberg,
44 Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy,
45 Giron, Hodge, Roberts--Concerning the exemption of
46 drinking water treatment facilities from the requirement to
47 obtain a certificate of designation.
48
49 Amendment No. 1, by Representative(s) Vigil.
50
51 Amend printed bill, page 4, line 8, strike "shall take" and substitute
52 "takes".
53
54 Page 4, line 10, strike "7," and substitute "8,".
55
56 Page 4, line 14, strike "shall" and substitute "will".

1 Page 4, line 15, strike "shall" and substitute "will".

2
3 Page 4, line 17, strike "shall apply" and substitute "applies".

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7

8

9

10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11

12 Passed Second Reading: **HB12-1015, 1033 amended, 1050, 1078**
13 **amended.**

14

15 Laid over until date indicated retaining place on Calendar: **HB12-1028,**
16 **1068--January 26, 2012.**

17

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

22

23 **YES 61 NO 0 EXCUSED 3 ABSENT 0 VACANCY 1**

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	YES	61	NO	0	EXCUSED	3	ABSENT	0	VACANCY	1
Acree	Y		Fischer	Y	Liston	E	Solano	Y		
Balmer	Y		Gardner B.	Y	Looper	Y	Sonnenberg	Y		
Barker	Y			V	Massey	Y	Soper	Y		
Baumgardner	Y		Gerou	Y	McCann	Y	Stephens	Y		
Becker	Y		Hamner	Y	McKinley	Y	Summers	Y		
Beezley	Y		Holbert	Y	Miklosi	Y	Swalm	Y		
Bradford	Y		Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
Brown	Y		Jones	Y	Nikkel	Y	Szabo	Y		
Casso	Y		Joshi	Y	Pabon	Y	Todd	Y		
Conti	Y		Kagan	Y	Pace	E	Tyler	Y		
Coram	Y		Kefalas	Y	Peniston	Y	Vaad	Y		
Court	Y		Kerr A.	Y	Priola	Y	Vigil	Y		
DelGrosso	Y		Kerr J.	Y	Ramirez	Y	Waller	Y		
Duran	Y		Labuda	Y	Ryden	Y	Williams A.	Y		
Ferrandino	E		Lee	Y	Schafer S.	Y	Wilson	Y		
Fields	Y		Levy	Y	Scott	Y	Young	Y		
							Speaker	Y		

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House in recess. House reconvened.

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

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49 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

53 **HB12-1010** be referred to the Committee of the Whole with favorable
54 recommendation.

1 **HB12-1022** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB12-1032** be referred favorably to the Committee on Appropriations.
6
7

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9
10 **EDUCATION**

11 After consideration on the merits, the Committee recommends the
12 following:
13

14 **HJR12-1004** be referred out for final action.
15
16

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18
19 **LEGAL SERVICES**

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

23 **HB12-1001** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend printed bill, page 2, line 14, strike "12-____," and substitute
28 "12-1001,".
29

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32
33 **MESSAGE(S) FROM THE SENATE**

34
35 The Senate has adopted and transmits herewith: SJR12-002, 004.
36

37
38 The Senate has adopted and returns herewith: HJR12-1002.
39
40

41
42
43 **INTRODUCTION OF BILL**
44 **First Reading**
45

46 The following bill was read by title and referred to the committee
47 indicated:
48

49 **HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s)
50 Hodge, Steadman, Lambert--Concerning a grant program
51 to provide home care allowance benefits to certain eligible
52 individuals.
53

54 Committee on Finance
55
56

1 On motion of Representative Swerdfeger, the House adjourned until
2 9:00 a.m., January 25, 2012.

3

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6

Approved:
FRANK McNULTY,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

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

Fifteenth Legislative Day

Wednesday, January 25, 2012

1 The Speaker *Pro Tempore* 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 Jodie Huapaya, Aruppe Jesuit High School.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) Pace--1.
12 Vacancy--1.

13
14 The Speaker declared a quorum present.
15
16

17 On motion of Representative A. Williams, the reading of the journal of
18 January 24, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

22
23
24
25 The following bill(s) was(were) considered on Third Reading. The
26 title(s) was(were) publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.

28
29 **HB12-1015** by Representative(s) Holbert; also Senator(s) Neville--
30 Concerning the procedure for the review of a proposal to
31 regulate an unregulated profession or occupation.
32

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

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
39	Acree		Y	Fischer	Y	Liston	Y	Solano		Y
40	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg		Y
41	Barker		Y		V	Massey	Y	Soper		Y
42	Baumgardner	Y		Gerou	Y	McCann	Y	Stephens		Y
43	Becker	Y		Hamner	Y	McKinley	Y	Summers		Y

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

13 Co-sponsor(s) added: Representative(s) Beezley, Labuda, Looper, Priola,
14 Ramirez, Scott, Sonnenberg, Wilson.

15
16 **HB12-1033** by Representative(s) Swalm; also Senator(s) Newell--
17 Concerning conditions on the authority of the director of
18 the division of workers' compensation to impose
19 administrative fines as a result of compliance audits
20 finding instances of late reporting of injuries under the
21 "Workers' Compensation Act of Colorado".
22

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

24 A roll call vote was taken. As shown by the following recorded vote, a
25 majority of those elected to the House voted in the affirmative and the bill
26 was declared **passed**.
27

28	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
29	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
30	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
31	Barker		Y		V	Massey	Y	Soper	Y	
32	Baumgardner	Y		Gerou	Y	McCann	Y	Stephens	Y	
33	Becker	Y		Hamner	Y	McKinley	Y	Summers	Y	
34	Beezley	Y		Holbert	Y	Miklosi	Y	Swalm	Y	
35	Bradford	Y		Hullinghorst	Y	Murray	Y	Swerdfeger	Y	
36	Brown	Y		Jones	Y	Nikkel	Y	Szabo	Y	
37	Casso	Y		Joshi	Y	Pabon	Y	Todd	Y	
38	Conti	Y		Kagan	Y	Pace	E	Tyler	Y	
39	Coram	Y		Kefalas	Y	Peniston	Y	Vaad	Y	
40	Court	Y		Kerr A.	Y	Priola	Y	Vigil	Y	
41	DelGrosso	Y		Kerr J.	Y	Ramirez	Y	Waller	Y	
42	Duran	Y		Labuda	Y	Ryden	Y	Williams A.	Y	
43	Ferrandino	Y		Lee	Y	Schafer S.	Y	Wilson	Y	
44	Fields	Y		Levy	Y	Scott	Y	Young	Y	
45								Speaker	Y	

46 Co-sponsor(s) added: Representative(s) Beezley, Brown, DelGrosso, Fields,
47 Hamner, Holbert, Labuda, Liston, Pabon, Todd, Vigil, Wilson.
48
49

50 **HB12-1050** by Representative(s) Wilson; also Senator(s) Nicholson--
51 Concerning the voluntary contribution designation
52 benefiting the nongame and endangered wildlife fund that
53 appears on the state individual income tax return forms,
54 and, in connection therewith, extending the period for the
55 contribution designation.
56

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

24 Co-sponsor(s) added: Representative(s) Fields, Fischer, Hamner, Jones,
 25 Kefalas, Kerr A., Labuda, Lee, Levy, Pabon, Ryden, Schafer S., Solano, Tyler,
 26 Vigil, Young.

27
 28 **HB12-1078** by Representative(s) Vigil, Baumgardner, Sonnenberg,
 29 Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy,
 30 Giron, Hodge, Roberts--Concerning the exemption of
 31 drinking water treatment facilities from the requirement to
 32 obtain a certificate of designation.

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

	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
40	Acree		Y	Fischer	Y	Liston	Y	Solano	Y	
41	Balmer		Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y	
42	Barker		Y		V	Massey	Y	Soper	Y	
43	Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
44	Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
45	Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
46	Bradford	Y	Hullinghorst	Y	Murray	Y	Swerdfeger	Y		
47	Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
48	Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
49	Conti	Y	Kagan	Y	Pace	E	Tyler	Y		
50	Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
51	Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
52	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
53	Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
54	Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
55	Fields	Y	Levy	Y	Scott	Y	Young	Y		
56							Speaker	Y		

Co-sponsor(s) added: Representative(s) Barker, Becker, Brown, DelGrosso, Duran, Fields, Fischer, Hamner, Hulinghorst, Kagan, Labuda, Nikkel, Pabon, Schafer S., Scott, Summers, Todd.

CONSIDERATION OF RESOLUTION(S)

HJR12-1004 by Representative(s) Massey and Kerr A., Todd, Summers, Kerr J., Beezley, Hamner, Holbert, Joshi, Murray, Peniston, Ramirez, Ryden, Schafer S., Solano; also Senator(s) Roberts and Johnston--Concerning teen suicide prevention in Colorado.

(Printed and placed in members' file)

On motion of Representative Massey, the resolution was **adopted** by the following roll call vote:

YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
Acree	Y	Fischer	Y	Liston	Y	Solano	Y		
Balmer	Y	Gardner B.	Y	Looper	Y	Sonnenberg	Y		
Barker	Y		Y	Massey	Y	Soper	Y		
Baumgardner	Y	Gerou	Y	McCann	Y	Stephens	Y		
Becker	Y	Hamner	Y	McKinley	Y	Summers	Y		
Beezley	Y	Holbert	Y	Miklosi	Y	Swalm	Y		
Bradford	Y	Hulinghorst	Y	Murray	Y	Swerdfeger	Y		
Brown	Y	Jones	Y	Nikkel	Y	Szabo	Y		
Casso	Y	Joshi	Y	Pabon	Y	Todd	Y		
Conti	Y	Kagan	Y	Pace	E	Tyler	Y		
Coram	Y	Kefalas	Y	Peniston	Y	Vaad	Y		
Court	Y	Kerr A.	Y	Priola	Y	Vigil	Y		
DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Waller	Y		
Duran	Y	Labuda	Y	Ryden	Y	Williams A.	Y		
Ferrandino	Y	Lee	Y	Schafer S.	Y	Wilson	Y		
Fields	Y	Levy	Y	Scott	Y	Young	Y		
						Speaker	Y		

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hulinghorst, Jones, Kagan, Kefalas, Labuda, Lee, Levy, Liston, Looper, McCann, McKinley, Miklosi, Nikkel, Pabon, Priola, Scott, Sonnenberg, Soper, Stephens, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR12- 008.

1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2
3 On motion of Representative Waller, the rules were suspended and the
4 following resolution was given immediate consideration.

5
6 **SJR12-008** by Senator(s) Shaffer B. and Cadman; also
7 Representative(s) Summers and Kagan, Ferrandino--
8 Concerning the State of Colorado's support for locating a
9 patent office in the Denver metro area.

10
11 (Printed and placed in member's file).

12
13 On motion of Representative Summers, the resolution was **adopted** by
14 the following roll call vote:

16	YES	63	NO	0	EXCUSED	1	ABSENT	0	VACANCY	1
17	Acree		Y		Fischer	Y	Liston	Y	Solano	Y
18	Balmer		Y		Gardner B.	Y	Looper	Y	Sonnenberg	Y
19	Barker		Y			V	Massey	Y	Soper	Y
20	Baumgardner	Y			Gerou	Y	McCann	Y	Stephens	Y
21	Becker	Y			Hamner	Y	McKinley	Y	Summers	Y
22	Beezley	Y			Holbert	Y	Miklosi	Y	Swalm	Y
23	Bradford	Y			Hullinghorst	Y	Murray	Y	Swerdfeger	Y
24	Brown	Y			Jones	Y	Nikkel	Y	Szabo	Y
25	Casso	Y			Joshi	Y	Pabon	Y	Todd	Y
26	Conti	Y			Kagan	Y	Pace	E	Tyler	Y
27	Coram	Y			Kefalas	Y	Peniston	Y	Vaad	Y
28	Court	Y			Kerr A.	Y	Priola	Y	Vigil	Y
29	DelGrosso	Y			Kerr J.	Y	Ramirez	Y	Waller	Y
30	Duran	Y			Labuda	Y	Ryden	Y	Williams A.	Y
31	Ferrandino	Y			Lee	Y	Schafer S.	Y	Wilson	Y
32	Fields	Y			Levy	Y	Scott	Y	Young	Y
33									Speaker	Y

34 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
35 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
36 Court, DelGrosso, Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
37 Hullinghorst, Jones, Joshi, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
38 Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon,
39 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Solano, Sonnenberg, Soper,
40 Stephens, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller,
41 Williams A., Wilson, Young, Speaker.

42
43
44
45
46
47 House in recess. House reconvened.
48
49
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55

REPORT(S) OF COMMITTEE(S) OF REFERENCE**ECONOMIC & BUSINESS DEVELOPMENT**

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

HB12-1008 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, line 10, after "ASSOCIATIONS," insert "LABOR ORGANIZATIONS, ENVIRONMENTAL ADVOCACY GROUPS, CONSUMER ADVOCATES,".

HB12-1055 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 8, strike lines 4 through 7.

Renumber succeeding subsections accordingly.

Page 8, line 21, strike "(17)," and substitute "(16),".

Page 8, line 27, strike "(17)" and substitute "(16)".

Page 11, strike lines 23 through 25 and substitute:

"SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor."

HEALTH & ENVIRONMENT

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

HB12-1052 be referred favorably to the Committee on Economic & Business Development.

HB12-1054 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 4, strike "**exemption from certain**" and
2 substitute "**compliance with**".
3

4 Page 2, strike line 11 and substitute "STATE DEPARTMENT-APPROVED
5 PROVIDER APPLICATION SHALL SERVE TO FULFILL THE REQUIREMENTS OF
6 A COMMITMENT VOUCHER AND THE".
7

8 Page 2, line 14, after "A" insert "PROVIDER WHO PROVIDES SERVICES
9 THROUGH A".
10

11 Page 3, line 18, after "SERVICES" insert "TO RECIPIENTS".
12
13

15 PRINTING REPORT

16
17 The Chief Clerk reports the following bill has been correctly printed:
18 **HB12-1177**.
19

22 MESSAGE(S) FROM THE SENATE

23
24 The Senate has passed on Third Reading and transmits to the Revisor of
25 Statutes: **SB12-014**.
26

29 MESSAGE(S) FROM THE REVISOR

30
31 We herewith transmit:
32 Without comment, SB12-014.
33

36 INTRODUCTION OF BILLS 37 First Reading

38
39 The following bills were read by title and referred to the committees
40 indicated:
41

42 **HB12-1178** by Representative(s) Vigil; also Senator(s) Schwartz--
43 Concerning the deadline for filing notice for
44 reimbursement of tax payments for lost gasoline or special
45 fuel.

46 Committee on Finance
47

48 **SB12-014** by Senator(s) Bacon and Roberts, Morse; also
49 Representative(s) Levy and Gardner B.--Concerning the
50 conformity of the schedule for disclosure of campaign
51 finance information with the date of the primary election.

52 Committee on Judiciary
53
54
55
56

1 On motion of Representative Nikkel, the House adjourned until 9:00 a.m.,
2 January 26, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

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

Sixteenth Legislative Day

Thursday, January 26, 2012

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

2
3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4
5 Pledge of Allegiance led by Christine Chitechi, University of Colorado,
6 Denver.

7
8 The roll was called with the following result:

9
10 Present--64.
11 Vacancy--1.

12
13 The Speaker declared a quorum present.

14
15
16 On motion of Representative A. Williams, the reading of the journal of
17 January 25, 2012, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19
20
21 House in recess. House reconvened.

22
23
24
25 **MESSAGE(S) FROM THE SENATE**

26
27 The Senate has adopted and transmits herewith: SJR12- 010.

28
29
30
31 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

32
33 On motion of Representative Stephens, the rules were suspended and the
34 following resolution was given immediate consideration.

35
36 **SJR12-010** by Senator(s) Scheffel and Harvey; also Representative(s)
37 McNulty and Murray, Holbert--Concerning the tenth
38 anniversary of the Partnership of Douglas County
39 Governments.

40
41 (Printed and placed in member's file).

42
43 On motion of Representative McNulty, the resolution was **adopted** by
44 **viva voce** vote.

45

1 Co-sponsor(s) added: Representative(s) Balmer, Barker, Baumgardner,
2 Bradford, Brown, Conti, Coram, Court, Ferrandino, Fischer, Joshi, Kerr J.,
3 Labuda, Liston, Massey, Miklosi, Pace, Priola, Ryden, Schafer S., Scott,
4 Stephens, Tyler, Vaad, Waller.

5
6
7
8 On motion of Representative DelGrosso, the House resolved itself into
9 Committee of the Whole for consideration of General Orders, and he was
10 called to the Chair to act as Chairman.

11
12
13
14 **GENERAL ORDERS--SECOND READING OF BILLS**

15
16 The Committee of the Whole having risen, the Chairman reported the
17 titles of the following bills had been read (reading at length had been
18 dispensed with by unanimous consent), the bills considered and action
19 taken thereon as follows:

20
21 (Amendments to the committee amendment are to the printed committee
22 report which was printed and placed in the members' bill file.)

23
24 **HB12-1028** by Representative(s) Gerou; also Senator(s) Steadman--
25 Concerning the continuation of energy-related assistance
26 to low-income households from the operational account of
27 the severance tax trust fund.

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

31
32 **HB12-1068** by Representative(s) McKinley--Concerning the
33 administration of a nonprofit cemetery corporation by
34 persons who own the right to bury a deceased person
35 within the cemetery.

36
37 Laid over until January 31, retaining place on Calendar.

38
39 **HB12-1010** by Representative(s) Baumgardner, Sonnenberg,
40 Swerdfeger, Vigil, Wilson; also Senator(s) Giron, Brophy,
41 Hodge, Roberts, Schwartz--Concerning the reissuance of
42 a lost share certificate of a mutual ditch company.

43
44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.

46
47 **HB12-1022** by Representative(s) Sonnenberg, Baumgardner,
48 Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz,
49 Brophy, Giron, Hodge, Roberts--Concerning the amount
50 of water that permitted mining operations that construct
51 impermeable areas that eliminate preexisting natural
52 evapotranspiration are required to replace.

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

1 **HB12-1001** by Representative(s) Murray and Gardner B., Labuda,
 2 Levy, Waller; also Senator(s) Johnston and Spence,
 3 Brophy, Carroll, Morse, Roberts, Schwartz--Concerning
 4 legislative review of rules of the state board of education
 5 to implement the statewide system to evaluate the
 6 effectiveness of licensed educators.
 7

8 Amendment No. 1, Legal Services Report, dated January 23, 2012, and
 9 placed in member's bill file; Report also printed in House Journal,
 10 January 24, page 76.
 11

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

17 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

18
 19 Passed Second Reading: **HB12-1028, 1010, 1022, 1001 amended.**
 20

21 Laid over until date indicated retaining place on Calendar: **HB12-1068--**
 22 January 31, 2012.
 23

24 The Chairman moved the adoption of the Committee of the Whole
 25 Report. As shown by the following roll call vote, a majority of those
 26 elected to the House voted in the affirmative, and the Report was
 27 **adopted.**
 28

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

47
 48
 49
 50
 51 House in recess. House reconvened.
 52
 53
 54
 55

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

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

HB12-1013 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, after line 15, insert:

"(c) IF A SCHOOL DISTRICT BOARD OF EDUCATION ADOPTS PROCEDURES PURSUANT TO THIS SUBSECTION (2), THE SCHOOL DISTRICT SHALL NOTIFY A STUDENT'S PARENTS AS SOON AS POSSIBLE AFTER THE SCHOOL DISTRICT IDENTIFIES THE STUDENT AS BEING AT GREATER RISK OF DROPPING OUT OF SCHOOL. THE SCHOOL DISTRICT SHALL PROVIDE TO THE STUDENT'S PARENTS A DESCRIPTION OF THE INTERVENTIONS THAT THE SCHOOL DISTRICT INTENDS TO IMPLEMENT FOR THE STUDENT, IF ANY. THE PARENT MAY APPROVE OR REJECT THE DESCRIBED INTERVENTIONS. IF THE PARENT REJECTS THE INTERVENTIONS, THE SCHOOL DISTRICT SHALL NOT IMPLEMENT THE INTERVENTIONS. THE PARENT MAY TERMINATE THE INTERVENTIONS AT ANY TIME AFTER THE SCHOOL DISTRICT BEGINS PROVIDING THE INTERVENTIONS.

(d) A PARENT MAY CONTACT THE SCHOOL DISTRICT IN WHICH HIS OR HER STUDENT IS ENROLLED TO REQUEST INTERVENTIONS PURSUANT TO THIS SUBSECTION (2) IF THE PARENT DETERMINES THAT THE STUDENT IS AT GREATER RISK OF DROPPING OUT OF SCHOOL."

Page 4, after line 8, insert:

"(3) IF AN INSTITUTE CHARTER SCHOOL ADOPTS PROCEDURES PURSUANT TO THIS SECTION, THE INSTITUTE CHARTER SCHOOL SHALL NOTIFY A STUDENT'S PARENTS AS SOON AS POSSIBLE AFTER THE INSTITUTE CHARTER SCHOOL IDENTIFIES THE STUDENT AS BEING AT GREATER RISK OF DROPPING OUT OF SCHOOL. THE INSTITUTE CHARTER SCHOOL SHALL PROVIDE TO THE STUDENT'S PARENTS A DESCRIPTION OF THE INTERVENTIONS THAT THE INSTITUTE CHARTER SCHOOL INTENDS TO IMPLEMENT FOR THE STUDENT, IF ANY. THE PARENT MAY APPROVE OR REJECT THE DESCRIBED INTERVENTIONS. IF THE PARENT REJECTS THE INTERVENTIONS, THE INSTITUTE CHARTER SCHOOL SHALL NOT IMPLEMENT THE INTERVENTIONS. THE PARENT MAY TERMINATE THE INTERVENTIONS AT ANY TIME AFTER THE INSTITUTE CHARTER SCHOOL BEGINS PROVIDING THE INTERVENTIONS.

(4) A PARENT MAY CONTACT THE INSTITUTE CHARTER SCHOOL IN WHICH HIS OR HER STUDENT IS ENROLLED TO REQUEST INTERVENTIONS PURSUANT TO THIS SECTION IF THE PARENT DETERMINES THAT THE STUDENT IS AT GREATER RISK OF DROPPING OUT OF SCHOOL."

HB12-1061 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 2, line 7, strike "THE" and substitute "TO THE
2 EXTENT PRACTICABLE WITHIN AVAILABLE RESOURCES AND SUBJECT TO
3 THE AVAILABILITY OF DATA CURRENTLY COLLECTED BY AND ACCESSIBLE
4 TO STATE AGENCIES, THE".

5
6 Page 2, line 12, strike "FOR".

7
8 Page 2, line 13, strike "THE THREE-YEAR PERIOD FOLLOWING THE
9 REPORT".

10
11 Page 2, line 16, strike "AREA VOCATIONAL SCHOOLS, HIGH" and substitute
12 "AND AREA VOCATIONAL SCHOOLS".

13
14 Page 2, strike lines 17 through 19 and substitute "EXPECT TO ISSUE;
15

16 (b) TO THE EXTENT PROVIDED BY SOURCES EXTERNAL TO THE
17 DEPARTMENT, INDICATE THE STATE'S ANTICIPATED NUMBER OF DEGREES,
18 CERTIFICATES, AND OTHER CREDENTIALS THAT HIGH SCHOOL VOCATIONAL
19 PROGRAMS, APPRENTICESHIP PROGRAMS, AND OTHER PUBLIC OR PRIVATE
20 WORKFORCE TRAINING PROGRAMS EXPECT TO ISSUE.".

21
22 Reletter succeeding paragraphs accordingly.

23
24 Page 3, line 1, strike "AND LEVELS OF EXPERIENCE".

25
26 Page 3, line 4, strike "CAN" and substitute "MAY".

27
28 Page 3, strike line 5 and substitute "PROJECTED WORKFORCE NEEDS.".

29
30 Page 3, line 6, strike "BY DEVELOPING NEW PROGRAMS.".

31
32 Page 3, strikes lines 14 through 16 and substitute:
33

34 "(3) THE DEPARTMENT SHALL SEND THE REPORT TO EVERY PUBLIC
35 POSTSECONDARY GOVERNING BOARD IN THE STATE.".

36
37
38
39 **HB12-1081** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:
42

43 Amend printed bill, page 13, line 1, strike "7," and substitute "8,".
44

45

46

47

48 **LOCAL GOVERNMENT**

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

51

52 **HB12-1082** be postponed indefinitely.

53

54

55 **HB12-1159** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **TRANSPORTATION**

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

4
5 **HB12-1016** be postponed indefinitely.

6
7
8 **HB12-1019** 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 5, after line 17 insert:

13
14 "SECTION 5. In Colorado Revised Statutes, 24-60-2502, **amend**
15 section 1 of article 12 as follows:

16
17 **24-60-2502. Execution of agreement.** The general assembly
18 hereby approves and the governor is authorized to enter into an agreement
19 on behalf of this state with any other state or states legally joining therein
20 in the form substantially as follows:

21
22 **ARTICLE 12**

23
24 **Funding**

25
26 SECTION 1. Funds for the administration of this agreement,
27 including participation in the cooperating committee and the actual
28 expenses of the designated representatives, SHALL BE PROVIDED FROM THE
29 FUNDS AVAILABLE TO THE COLORADO STATE PATROL FOR OPERATING
30 EXPENSES AND MOTOR CARRIER SAFETY AND ASSISTANCE PROGRAM
31 GRANTS AND shall be budgeted or expensed TO THE COLORADO STATE
32 PATROL IN FURTHERANCE OF THE ADMINISTRATION OF THIS AGREEMENT
33 as determined appropriate."

34
35 Renumber succeeding sections accordingly.

36
37
38
39 **PRINTING REPORT**

40
41 The Chief Clerk reports the following bills have been correctly printed:
42 **HB12-1178, 1179.**

43
44
45
46 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

47
48 The Speaker has signed: **SJR12-008**

49
50
51
52 **MESSAGE(S) FROM THE SENATE**

53
54 The Senate has adopted and transmits herewith: SJR12-003.

55
56

INTRODUCTION OF BILL
First Reading

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

HB12-1179 by Representative(s) Kerr J.--Concerning modifications to the composition of the board of trustees of the public employees' retirement association to ensure that the board has more diverse representation, and requiring a post-enactment review of the implementation of this act.

Committee on Finance

INTRODUCTION OF RESOLUTION

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

SJR12-002 by Senator(s) Roberts, Giron, Schwartz; also Representative(s) Wilson, Baumgardner, Sonnenberg, Swerdfeger, Vigil--Concerning the adverse effects that the diversion of revenues has had on water infrastructure in Colorado.

On motion of Representative Nikkel, the House adjourned until 9:00 a.m., January 27, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Seventeenth Legislative Day

Friday, January 27, 2012

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

2

3 Prayer by Captain Dell Harlow-Curtis, Warrior Transition Battalion
4 Chaplain, Fort Carson.

5

6 Pledge of Allegiance led by Anthony Martin, Community College of
7 Aurora.

8

9 The roll was called with the following result:

10

11 Present--61.

12 Excused--Representative(s) Becker, Beezley, Scott--3.

13 Vacancy--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative A. Williams, the reading of the journal of
19 January 26, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

24

COMMUNICATIONS

25

26

27

STATE OF COLORADO

28 **Department of**
29 **State**

30

31 **UNITED STATES OF AMERICA** } **SS. Certificate**
32 **STATE OF COLORADO**

33

34

35 I, Scott Gessler, Secretary of State of the State of Colorado, do hereby
36 certify that the attached is a true and exact copy of the Designation of
37 Nomination by Vacancy Committee as filed in this office on the twenty-
38 third day of January, 2012, by the Democratic 11th House District
39 Vacancy Committee, designating the appointment of Jonathan Singer to
40 fill the vacancy in the office of the Colorado State House of
41 Representatives, District 11, for the Sixty-eighth General Assembly of
42 the State of Colorado, caused by the resignation of the Honorable Deb
43 Gardner.

1 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
2 the Great Seal of the State of Colorado, at the City and County of Denver
3 this twenty-sixth day of January, 2012.

4
5 (Signed)
6 Scott Gessler
7 Secretary of State

8
9
10
11 **STATE OF COLORADO**

12
13 **Department of**
14 **State**

15
16 **UNITED STATES OF AMERICA**) **SS. Certificate**
17 **STATE OF COLORADO**)

18
19 I, Scott Gessler, Secretary of State of the State of Colorado, do hereby
20 certify that the attached is a true and exact copy of the Acceptance of
21 Designation by Vacancy Committee as filed in this office on the twenty-
22 third day of January, 2012, by Jonathan Singer, accepting the
23 appointment of the Democratic 11th House District Vacancy Committee
24 to fill the vacancy in the office of Colorado State House of
25 Representatives, District 11, for the Sixty-eighth General Assembly of
26 the State of Colorado, caused by the resignation of the Honorable Deb
27 Gardner.

28
29 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
30 the Great Seal of the State of Colorado, at the City and County of Denver
31 this twenty-sixth day of January, 2012.

32
33 (Signed)
34 Scott Gessler
35 Secretary of State

36
37
38 The Speaker appointed Representatives Stephens, Waller, and Ferrandino
39 as members of the Credentials Committee

40
41
42 Representative Stephens called a meeting of the Credentials Committee.

43
44
45 House in recess. House reconvened.

46
47
48 On request of Representative Stephens, the following report was read:

49
50
51 **REPORT OF THE COMMITTEE ON CREDENTIALS**
52 **January 27, 2012**

53
54 The Committee on Credentials has made examination and finds that the
55 certificate of the Democratic Vacancy Committee for the Eleventh
56 Representative District, State of Colorado, naming Jonathan Singer

1 certified by the Secretary of State of the State of Colorado, is a true,
2 complete and authentic certificate. Jonathan Singer is entitled to
3 membership in this body pursuant to law in such case made and
4 provided.

5
6 (signed)
7 Amy Stephens
8 Mark Waller
9 Mark Ferrandino

10

11

12 On motion of Representative Stephens, the report from the Committee on
13 Credentials was **adopted** by **viva voce** vote.

14

15

16 A committee of three, composed of Representatives Liston, Casso, and
17 Young was appointed by the Speaker to wait upon Justice Rice.

18

19

20 Chief Sergeant-at-Arms Wallin announced the arrival of the Honorable
21 Nancy Rice, Justice of the Supreme Court, State of Colorado.

22

23

24 The Committee escorted Justice Rice to the rostrum where she
25 administered the oath of office to Representative elect Jonathan Singer.

26

27

28 The Committee escorted Justice Rice from the chamber.

29

30 On January 27, 2012, at 9:15 a.m., Jonathan Singer, 2201 14th Avenue,
31 Longmont, 80501, was sworn in as Representative for District 11. Justice
32 Nancy Rice administered the oath of office in the Chamber of the House
33 of Representatives.

34

35

36 Speaker McNulty ordered Representative Singer's name added to the roll
37 call of the House

38

39

Present--Representative Jonathan Singer--1.

40

41

42

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

44

45 **JUDICIARY**

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

48

49 **SB12-014** be referred to the Committee of the Whole with favorable
50 recommendation.

51

52

53 On motion of Representative Stephens, **HB12-1054, SB12-014** were
54 made Special Orders on Friday, January 27, 2012, at 9:23 a.m.

55

56

The hour of 9:23 a.m., having arrived, on motion of Representative Baumgardner, the House resolved itself into Committee of the Whole for consideration of Special Orders and he 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.)

HB12-1054 by Representative(s) Fields, Summers; also Senator(s) Boyd--Concerning simplification of the procurement process for providers who have previously been approved to participate in health care programs administered by the department of health care policy and financing.

Amendment No. 1, Health & Environment Report, dated January 24, 2012, and placed in member's bill file; Report also printed in House Journal, January 25, pages 84-85.

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

SB12-014 by Senator(s) Bacon and Roberts, Morse; also Representative(s) Levy and Gardner B.--Concerning the conformity of the schedule for disclosure of campaign finance information with the date of the primary election.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1054 amended, SB12-014.**

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	61	NO	0	EXCUSED	3	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y	
Becker	E	Holbert	Y	Miklosi	-	Summers	Y	
Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y	

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

REPORT(S) OF COMMITTEE(S) OF REFERENCE

ECONOMIC & BUSINESS DEVELOPMENT

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

HB12-1002 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, strike lines 4 through 21, and substitute:

"REQUIREMENT. IF THE RULES GOVERNING THE AGENCY'S PERMIT PROCESS OR THE REQUIREMENTS TO QUALIFY FOR A PERMIT HAVE BEEN AMENDED, THE AGENCY SHALL PROCESS THE APPLICATION UNDER THE RULES IN EFFECT ON THE DATE OF THE APPLICATION, UNLESS THE AGENCY DETERMINES IN WRITING THAT:

"(I) (A) THE NEW RULES MATERIALLY AFFECT THE HEALTH AND SAFETY OF THE PUBLIC; AND

(B) USE OF THE EXISTING, UNREVISED RULES IS LIKELY TO RESULT IN AN UNSAFE SITUATION IF THE APPLICANT DOES NOT COMPLY WITH THE NEW RULES; OR

(II) NEW RULES OR NEW REQUIREMENTS ARE NECESSARY TO ENSURE THAT THE AGENCY AND THE PERMIT WILL BE IN COMPLIANCE WITH THE REQUIREMENTS OF FEDERAL LAW AND FEDERAL REGULATIONS.

(b) IF THE AGENCY DETERMINES THAT ONE OF THE EXCEPTIONS TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS SUBSECTION (2) WILL OCCUR IF THE APPLICANT DOES NOT COMPLY WITH THE NEW RULES OR NEW REQUIREMENTS, THE AGENCY SHALL:".

Page 3, line 26, strike "STATUTORY OR ADMINISTRATIVE" and substitute "RULES OR NEW".

Page 3, after line 26 insert:

"(3) IF AN AGENCY ADOPTS OR AMENDS RULES THAT GOVERN OR IMPACT THE APPLICATION PROCESS OR ANY PERMIT ELIGIBILITY

1 REQUIREMENTS AFTER A PERSON HAS APPLIED FOR A PERMIT OR RENEWAL
2 OF A PERMIT AND WHILE THE APPLICATION IS PENDING WITH THE AGENCY,
3 THE PERSON SHALL HAVE THE OPTION TO HAVE THE APPLICATION
4 PROCESSED UNDER THE RULES IN EXISTENCE AT THE TIME OF THE FILING
5 OF THE APPLICATION OR UNDER THE NEW RULES."

6
7
8
9 **HB12-1027** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend printed bill, page 2, line 24, strike "A" and insert "THE
14 DEPARTMENT OR A".
15

16 Page 4, strike lines 11 through 20 and substitute:
17

18 "SECTION 3. Safety clause. The general assembly hereby finds,
19 determines, and declares that this act is necessary for the immediate
20 preservation of the public peace, health, and safety."
21

22
23
24 **HB12-1093** be postponed indefinitely.
25
26
27
28

29 **STATE, VETERANS, & MILITARY AFFAIRS**

30 After consideration on the merits, the Committee recommends the
31 following:
32

33 **HB12-1035** be amended as follows, and as so amended, be referred to
34 the Committee on Appropriations with favorable
35 recommendation:
36

37 Amend printed bill, page 2, after line 15 insert:
38

39 "SECTION 2. In Colorado Revised Statutes, 42-2-303, **repeal**
40 (4) (b) as follows:
41

42 **42-2-303. Contents of identification card.** (4) (b) ~~To be issued~~
43 ~~an identification card bearing a branch of service identifier, or to have~~
44 ~~such license renewed, the applicant shall pay a fee of fifteen dollars to~~
45 ~~the department, which shall be in addition to any other fee for an~~
46 ~~identification card. The department shall transfer the fee to the state~~
47 ~~treasurer, who shall credit the fee to the highway users tax fund."~~
48

49 Renumber succeeding section accordingly.
50
51
52

53 **HB12-1040** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:
56

1 Amend printed bill, page 3, line 12, strike "recognized" and substitute
2 "periodically observed".
3

4 Page 3, line 24, strike "(3);" and substitute "(2);".
5

6 Page 4, strike lines 21 through 27.
7

8 Page 5, strike lines 1 through 10.
9

10 Page 5, line 11, strike "(3)" and substitute "(2)".
11

12 Page 1, line 101, strike "HOLIDAY," and substitute "HOLIDAY IN CERTAIN
13 YEARS,".
14
15
16

17 **HB12-1067** be postponed indefinitely.
18
19
20

21 **APPOINTMENT**

22
23 The Speaker announced the appointment of Representative Singer to
24 replace Representative Court on the Committee on Economic & Business
25 Development Committee.
26
27

28 **LAY OVER OF CALENDAR ITEM(S)**

29
30
31 On motion of Representative Stephens, the following item(s) on the
32 Calendar (was)were laid over until January 30, retaining place on
33 Calendar:
34

35 Consideration of Third Reading--**HB12-1028, 1010, 1022, 1001.**

36 Consideration of General Orders--**HB12-1055.**

37 Consideration of Resolution(s)--**SJR12-002.**
38
39
40

41 On motion of Representative Stephens, the House adjourned until
42 10:00 a.m., January 30, 2012.
43

44 Approved:
45 FRANK McNULTY,
46 Speaker

47 Attest:
48 MARILYN EDDINS,
49 Chief Clerk

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

Twentieth Legislative Day

Monday, January 30, 2012

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

2

3 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

4

5 Pledge of Allegiance led by Wyatt Lehmann, Gunnison High School.

6

7 The roll was called with the following result:

8

9 Present--65.

10

11 The Speaker declared a quorum present.

12

13

14 On motion of Representative Szabo, the reading of the journal of
 15 January 27, 2012, was declared dispensed with and approved as corrected
 16 by the Chief Clerk.

17

18

19

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

21

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

25

26 **HB12-1028** by Representative(s) Gerou; also Senator(s) Steadman--
 27 Concerning the continuation of energy-related assistance
 28 to low-income households from the operational account of
 29 the severance tax trust fund.

30

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

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

35

	YES	49	NO	16	EXCUSED	0	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	N	Solano	Y
38	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
42	Beezley	N	Hullingshorst	Y	Murray	N	Swalm	N
43	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y

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

11 Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Fields,
 12 Fischer, Hamner, Hullinghorst, Jones, Kefalas, Kerr A., Labuda, Lee, Levy,
 13 Massey, McCann, Miklosi, Pabon, Pace, Peniston, Ryden, Schafer S., Singer,
 14 Solano, Todd, Tyler, Vigil, Williams A., Wilson, Young.

15
 16 **HB12-1010** by Representative(s) Baumgardner, Sonnenberg,
 17 Swerdfeger, Vigil, Wilson; also Senator(s) Giron, Brophy,
 18 Hodge, Roberts, Schwartz--Concerning the reissuance of
 19 a lost share certificate of a mutual ditch company.

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

25	YES	65	NO	0	EXCUSED	0	ABSENT	0
26								
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Barker, Becker, Brown, DelGrosso,
 45 Fischer, Gardner B., Hamner, Holbert, Jones, Kerr J., Massey, Nikkel, Pace,
 46 Ramirez, Scott, Young.

47
 48 **HB12-1022** by Representative(s) Sonnenberg, Baumgardner,
 49 Swerdfeger, Vigil, Wilson; also Senator(s) Schwartz,
 50 Brophy, Giron, Hodge, Roberts--Concerning the amount
 51 of water that permitted mining operations that construct
 52 impermeable areas that eliminate preexisting natural
 53 evapotranspiration are required to replace.

54
 55 The question being "Shall the bill pass?".
 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**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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) Becker, Beezley, Brown, Conti, Coram, Fischer, Hamner, Holbert, Kerr J., Liston, Murray, Nikkel, Pace, Priola, Scott, Summers, Vaad.

HB12-1001 by Representative(s) Murray and Gardner B., Labuda, Levy, Waller; also Senator(s) Johnston and Spence, Brophy, Carroll, Morse, Roberts, Schwartz--Concerning legislative review of rules of the state board of education to implement the statewide system to evaluate the effectiveness of licensed educators.

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	1	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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	N	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) Baumgardner, Beezley, Conti,

1 DelGrosso, Fields, Gerou, Hamner, Holbert, Kerr A., Kerr J., Massey, McCann,
 2 Nikkel, Pabon, Pace, Priola, Ramirez, Stephens, Summers, Swerdfeger, Todd,
 3 Vaad, Vigil, Young, Speaker.

4
 5 **HB12-1054** by Representative(s) Fields, Summers; also Senator(s)
 6 Boyd--Concerning simplification of the procurement
 7 process for providers who have previously been approved
 8 to participate in health care programs administered by the
 9 department of health care policy and financing.

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**.

YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
21 Becker	Y	Holbert	Y	Miklosi	Y	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) Brown, Fischer, Gerou, Hullinghorst,
 35 Joshi, Kefalas, Labuda, Lee, Levy, Massey, Pabon, Pace, Ryden, Schafer S.,
 36 Singer, Todd, Tyler, Vigil, Williams A., Wilson, Young.

37
 38 **SB12-014** by Senator(s) Bacon and Roberts, Morse; also
 39 Representative(s) Levy and Gardner B.--Concerning the
 40 conformity of the schedule for disclosure of campaign
 41 finance information with the date of the primary election.

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**.

YES	64	NO	1	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
53 Becker	Y	Holbert	Y	Miklosi	Y	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	N	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) Hamner, Labuda, Todd, Waller.

14 CONSIDERATION OF RESOLUTION(S)

16 **SJR12-002** by Senator(s) Roberts, Giron, Schwartz; also
 17 Representative(s) Wilson, Baumgardner, Sonnenberg,
 18 Swerdfeger, Vigil--Concerning the adverse effects that the
 19 diversion of revenues has had on water infrastructure in
 20 Colorado.

22 (Printed and placed in members' file)

24 On motion of Representative Wilson, the resolution was **adopted** by the
 25 following roll call vote:

27	YES	65	NO	0	EXCUSED	0	ABSENT	0
28	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	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	Y	Singer	Y	Young	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Becker, Beezley, Bradford, Brown,
 46 Coram, Hamner, Holbert, Kerr J., Labuda, Liston, Looper, Massey, Nikkel,
 47 Pace, Peniston, Ramirez, Schafer S., Scott, Vaad, Young, Speaker.

51 MESSAGE(S) FROM THE SENATE

53 The Senate has adopted and transmits herewith: SJR12-005.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

SJR12-005 by Senator(s) Schwartz; also Representative(s) Todd--
Concerning the designation of January 30, 2012, as
"Colorado 4-H Day".

(Printed and placed in member's file).

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

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

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB12-1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189,
1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1007.

INTRODUCTION OF BILLS
First Reading

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

HB12-1180 by Representative(s) Gerou, Becker, Levy; also Senator(s)
Hodge, Steadman, Lambert--Concerning a supplemental
appropriation to the department of agriculture.
Committee on Appropriations

HB12-1181 by Representative(s) Gerou, Becker, Levy; also Senator(s)
Hodge, Steadman, Lambert--Concerning a supplemental
appropriation to the department of corrections.
Committee on Appropriations

- 1 **HB12-1182** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the department of education.
4 Committee on Appropriations
5
- 6 **HB12-1183** by Representative(s) Gerou, Becker, Levy; also Senator(s)
7 Hodge, Steadman, Lambert--Concerning a supplemental
8 appropriation to the offices of the governor, lieutenant
9 governor, and state planning and budgeting.
10 Committee on Appropriations
11
- 12 **HB12-1184** by Representative(s) Gerou, Becker, Levy; also Senator(s)
13 Hodge, Steadman, Lambert--Concerning a supplemental
14 appropriation to the department of health care policy and
15 financing.
16 Committee on Appropriations
17
- 18
19 **HB12-1185** by Representative(s) Gerou, Becker, Levy; also Senator(s)
20 Hodge, Steadman, Lambert--Concerning a supplemental
21 appropriation to the department of higher education.
22 Committee on Appropriations
23
- 24 **HB12-1186** by Representative(s) Gerou, Becker, Levy; also Senator(s)
25 Hodge, Steadman, Lambert--Concerning a supplemental
26 appropriation to the department of human services.
27 Committee on Appropriations
28
- 29 **HB12-1187** by Representative(s) Gerou, Becker, Levy; also Senator(s)
30 Hodge, Steadman, Lambert--Concerning a supplemental
31 appropriation to the judicial department.
32 Committee on Appropriations
33
- 34
35 **HB12-1188** by Representative(s) Gerou, Becker, Levy; also Senator(s)
36 Hodge, Steadman, Lambert--Concerning a supplemental
37 appropriation to the department of labor and employment.
38 Committee on Appropriations
39
- 40 **HB12-1189** by Representative(s) Gerou, Becker, Levy; also Senator(s)
41 Hodge, Steadman, Lambert--Concerning a supplemental
42 appropriation to the department of law.
43 Committee on Appropriations
44
- 45 **HB12-1190** by Representative(s) Gerou, Becker, Levy; also Senator(s)
46 Hodge, Steadman, Lambert--Concerning supplemental
47 appropriation to the department of local affairs.
48 Committee on Appropriations
49
- 50
51 **HB12-1191** by Representative(s) Gerou, Becker, Levy; also Senator(s)
52 Hodge, Steadman, Lambert--Concerning a supplemental
53 appropriation to the department of military and veterans
54 affairs.
55 Committee on Appropriations
56

- 1 **HB12-1192** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the department of natural resources.
4 Committee on Appropriations
5
- 6 **HB12-1193** by Representative(s) Gerou, Becker, Levy; also Senator(s)
7 Hodge, Steadman, Lambert--Concerning a supplemental
8 appropriation to the department of personnel and
9 administration.
10 Committee on Appropriations
11
- 12 **HB12-1194** by Representative(s) Gerou, Becker, Levy; also Senator(s)
13 Hodge, Steadman, Lambert--Concerning a supplemental
14 appropriation to the department of public health and
15 environment.
16 Committee on Appropriations
17
- 18 **HB12-1195** by Representative(s) Gerou, Becker, Levy; also Senator(s)
19 Hodge, Steadman, Lambert--Concerning a supplemental
20 appropriation to the department of public safety.
21 Committee on Appropriations
22
- 23 **HB12-1196** by Representative(s) Gerou, Becker, Levy; also Senator(s)
24 Hodge, Steadman, Lambert--Concerning a supplemental
25 appropriation to the department of regulatory agencies.
26 Committee on Appropriations
27
- 28 **HB12-1197** by Representative(s) Gerou, Becker, Levy; also Senator(s)
29 Hodge, Steadman, Lambert--Concerning a supplemental
30 appropriation to the department of revenue.
31 Committee on Appropriations
32
- 33 **HB12-1198** by Representative(s) Gerou, Becker, Levy; also Senator(s)
34 Hodge, Steadman, Lambert--Concerning a supplemental
35 appropriation to the department of state.
36 Committee on Appropriations
37
- 38 **HB12-1199** by Representative(s) Gerou, Becker, Levy; also Senator(s)
39 Hodge, Steadman, Lambert--Concerning a supplemental
40 appropriation to the department of the treasury.
41 Committee on Appropriations
42
- 43 **HB12-1200** by Representative(s) Gerou, Becker, Levy; also Senator(s)
44 Hodge, Steadman, Lambert--Concerning funding for
45 capital construction, and making supplemental
46 appropriations in connection therewith.
47 Committee on Appropriations
48
49
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APPOINTMENT

The Speaker announced the following temporary appointments:
Local Government--Representative Szabo, Chairman, Representative Balmer, Vice-Chairman.
Representative J. Kerr to replace Representative Bradford as a member.

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB12-014**.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1201 by Representative(s) Gerou, Becker, Levy; also Senator(s) Steadman, Hodge, Lambert--Concerning adjustments in the amount of total program funding for public schools for the 2011-12 budget year, and, in connection therewith, making and reducing appropriations.
Committee on Appropriations

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.
Committee on Appropriations

HB12-1203 by Representative(s) Gerou, Becker, Levy; also Senator(s) Steadman, Hodge, Lambert--Concerning the reenactment of the statutes that authorize grants from the primary care fund for comprehensive primary care services.
Committee on Appropriations

HB12-1204 by Representative(s) McCann, Kefalas, Young; also Senator(s) Boyd--Concerning the continuation of the regulation of hemodialysis technicians, and, in connection therewith, implementing the sunset review recommendations of the department of regulatory agencies.
Committee on Health and Environment

HB12-1205 by Representative(s) Fields, Labuda, Soper; also Senator(s) Tochtrop--Concerning the regulation of persons who engage in business related to persons with hearing

- 1 impairments, and, in connection therewith, implementing
2 the department of regulatory agencies' sunset review
3 recommendations for audiologists and hearing aid
4 providers.
5 Committee on Local Government
6
7 **HB12-1206** by Representative(s) Acree, Baumgardner, Becker,
8 Ramirez, Scott, Solano; also Senator(s) Morse--
9 Concerning the implementation of sunset review of the
10 cold case task force.
11 Committee on Judiciary
12
13 **HB12-1207** by Representative(s) Labuda, Bradford, Fields, Gardner
14 B., Lee, Swerdfeger, Szabo; also Senator(s) Aguilar--
15 Concerning the repeal of the advisory committee on
16 covering all children in Colorado.
17 Committee on Local Government
18
19
20 **HB12-1208** by Representative(s) Lee--Concerning a method of
21 achieving the technical recodification of the Colorado
22 Revised Statutes over a period of time.
23 Committee on Judiciary
24
25 **HB12-1209** by Representative(s) Gardner B.; also Senator(s) Carroll--
26 Concerning the "Uniform Electronic Legal Material Act".
27 Committee on Judiciary
28
29
30 **HB12-1210** by Representative(s) Beezley, Holbert, Becker, Joshi,
31 Kagan, Liston, Miklosi, Szabo; also Senator(s) Jahn--
32 Concerning the recognition of professionals in good
33 standing from other states to practice in Colorado.
34 Committee on Economic and Business Development
35
36 **HB12-1211** by Representative(s) Jones; also Senator(s) Nicholson--
37 Concerning the requirement that a title insurance agent
38 doing business in this state maintain an office within this
39 state that is staffed by the designated responsible producer.
40 Committee on State, Veterans, & Military Affairs
41
42
43 **HB12-1212** by Representative(s) Becker, Gerou, Levy; also Senator(s)
44 Hodge, Steadman, Lambert--Concerning the designation
45 of an on-line education program as a multi-district
46 program if the program is authorized by a board of
47 cooperative services.
48 Committee on Education
49
50 **HB12-1213** by Representative(s) Fields; also Senator(s) King S.--
51 Concerning the penalty for a person who escapes from a
52 place of confinement other than a county jail or
53 correctional facility.
54 Committee on Judiciary
55

1 **HB12-1214** by Representative(s) Becker, Todd; also Senator(s)
2 Nicholson and Spence--Concerning community college
3 two-year degree programs in certain health care fields
4 without a student transfer agreement.
5 Committee on Education

6
7
8
9 **INTRODUCTION OF RESOLUTION**

10
11 The following resolution was read by title and referred to the committee
12 indicated:

13
14 **SJR12-003** by Senator(s) Schwartz, Brophy, Carroll, Giron,
15 Grantham, Guzman, Harvey, Jahn, Tochtrop; also
16 Representative(s) Sonnenberg, Vigil--Concerning approval
17 of water project revolving fund eligibility lists
18 administered by the Colorado water resources and power
19 development authority.
20 Committee on Agriculture, Livestock, & Natural Resources

21
22
23
24 **LAY OVER OF CALENDAR ITEM(S)**

25
26 On motion of Representative Balmer, the following item(s) on the
27 Calendar (was)were laid over until January 31, retaining place on
28 Calendar:

29
30 Consideration of General Orders--**HB12-1055, 1013, 1061, 1081, 1159.**

31
32
33
34 On motion of Representative Balmer, the House adjourned until
35 9:00 a.m., January 31, 2012.

36
37 Approved:
38 FRANK McNULTY,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

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

Twenty-first Legislative Day

Tuesday, January 31, 2012

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

2

3 Prayer by Father Gary Menard, Arrupe Jesuit High School.

4

5 Pledge of Allegiance led by Kayla and Brooke Hunsaker, Benning Lewis
6 Ranch Academy, Colorado Springs.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Gardner, Stephens--2.

12 Present after roll call--Representative(s) Gardner.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Szabo, the reading of the journal of
18 January 30, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22 House in recess. House reconvened.

23

24

25

26 On motion of Representative Balmer, the House resolved itself into
27 Committee of the Whole for consideration of General Orders, and he was
28 called to the Chair to act as Chairman.

29

30

31 **GENERAL ORDERS--SECOND READING OF BILLS**

32

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

37

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

40

41 **HB12-1055** by Representative(s) Schafer S.; also Senator(s) White--
42 Concerning the division of registrations in the department
43 of regulatory agencies, and, in connection therewith,

renaming the division as the division of professions and occupations, authorizing the executive director of the department to adopt rules pertaining to the administrative duties of the division, and requiring periodic review of the functions of the division.

Amendment No. 1, Economic & Business Development Report, dated January 24, 2012, and placed in member's bill file; Report also printed in House Journal, January 25, page 84.

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

HB12-1013 by Representative(s) Fields and Holbert, Massey; also Senator(s) Hudak and King K., Bacon--Concerning intervention services for middle-grade students.

Amendment No. 1, Education Report, dated January 25, 2012, and placed in member's bill file; Report also printed in House Journal, January 26, page 90.

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

HB12-1061 by Representative(s) Kagan--Concerning requiring a report of the correlation between the educational credentials issued and the state's workforce needs.

Amendment No. 1, Education Report, dated January 25, 2012, and placed in member's bill file; Report also printed in House Journal, January 26, pages 90-91.

Amendment No. 2, by Representative(s) Todd.

Amend the Education Committee report, dated January 25, 2012, page 2, line 6, strike "STATE." and substitute "STATE AND SHALL WORK WITH THE DEPARTMENT OF EDUCATION TO PROVIDE THE REPORT TO THE STATE'S PUBLIC SCHOOL DISTRICTS, THE COLORADO CHARTER SCHOOL INSTITUTE, AND COLORADO PRIVATE ELEMENTARY, MIDDLE, AND HIGH SCHOOLS."

As amended, laid over until February 1, retaining place on Calendar.

HB12-1081 by Representative(s) Duran; also Senator(s) Steadman--Concerning the operations of the Auraria higher education center.

Amendment No. 1, Education Report, dated January 25, 2012, and placed in member's bill file; Report also printed in House Journal, January 26, page 91.

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

HB12-1159 by Representative(s) Brown, Barker, Baumgardner, Beezley, Conti, Court, Holbert, Murray, Ramirez, Vaad; also Senator(s) Nicholson, Cadman, Grantham, King K.,

1 Roberts--Concerning the election of a county
2 commissioner in a county with a population of less than
3 seventy thousand by the voters residing in the district from
4 which the commissioner runs for election.
5

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

9 **HB12-1068** by Representative(s) McKinley--Concerning the
10 administration of a nonprofit cemetery corporation by
11 persons who own the right to bury a deceased person
12 within the cemetery.
13

14 Laid over until February 1, retaining place on Calendar.
15

16 **HB12-1002** by Representative(s) Sonnenberg; also Senator(s) Jahn--
17 Concerning the rules of state agencies applicable to
18 applications for permits.
19

20 Laid over until February 1, retaining place on Calendar.
21

22 **HB12-1040** by Representative(s) Casso--Concerning recognition of
23 September 11 as a state holiday, and, in connection
24 therewith, designating September 11 as "Patriot Day".
25

26 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
27 January 27, 2012, and placed in member's bill file; Report also printed in
28 House Journal, January 27, pages 100-101.
29

30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.
32

33 **HB12-1027** by Representative(s) Bradford--Concerning the sale of
34 nonpotentially hazardous food produced in a home
35 kitchen for sale directly to consumers for consumption off
36 premises.
37

38 Amendment No. 1, Economic & Business Development Report, dated
39 January 26, 2012, and placed in member's bill file; Report also printed in
40 House Journal, January 27, page 100.
41

42 Amendment No. 2, by Representative(s) Bradford.
43

44 Amend the Economic and Business Development Committee Report,
45 dated January 26, 2012, page 1, line 1, after "line" insert "14, after
46 "PREMISES." insert ""HOME KITCHEN" MEANS THE PERSON'S OWN
47 KITCHEN, NOT A KITCHEN OWNED BY ANOTHER PERSON, BUSINESS, OR
48 ORGANIZATION."
49

50 Page 2 of the bill, line 21, before "FOR"insert "OWNED BY THE
51 PRODUCER".
52

53 Page 2 of the bill, line".
54

55 Page 1 of the committee report, before line 3 insert:
56

Page 4 of the bill, after line 10 insert:

"(7) "NONPOTENTIALLY HAZARDOUS" HAS THE MEANING SET FORTH IN SECTION 25-4-1602 (12) AND DOES NOT INCLUDE LOW-ACID, ACIDIFIED FOODS, OR CANNED FOODS.

(8) A PERSON WHO SELLS FOOD PURSUANT TO THIS SECTION MUST HAVE A CERTIFICATE OF COMPLETION FROM A FOOD SAFETY TRAINING COURSE.

(9) A PERSON WHO SELLS FOOD PURSUANT TO THIS SECTION MUST KEEP RECORDS REGARDING RECIPES AND THE PROCUREMENT OF INGREDIENTS."."

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

Passed Second Reading: HB12-1055 amended, 1013 amended, 1081 amended, 1159, 1040 amended, 1027 amended.

Laid over until date indicated retaining place on Calendar: **HB12-1061 amended, 1068, 1002**--February 1, 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	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	E
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 Speaker	Y Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB12-1037 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 3, line 16, after "COMPOUNDS" insert "AND SPRAY ADJUVANTS".

Page 3, strike lines 26 and 27.

Page 4, strike lines 1 through 5.

Reletter succeeding sub-subparagraph.

Page 4, after line 7 insert:

"(III) FOR PURPOSES OF THIS PARAGRAPH (c), "SPRAY ADJUVANTS" MEANS PRODUCTS THAT ARE USED TO INCREASE THE EFFECTIVENESS OF A PESTICIDE.".

Page 5, after line 17 insert:

"SECTION 3. Effective date. This act takes effect upon passage; except that section 2 of this act takes effect July 1, 2012.".

Renumber succeeding section accordingly.

HB12-1083 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 2, line 19, strike "July 1, 2012" and substitute "~~July 1, 2012~~ JUNE 30,".

Page 3, line 4, strike "July 1, 2012" and substitute "~~July 1, 2012~~ JUNE 30,".

Page 3, line 15, strike "July 1, 2012" and substitute "~~July 1, 2012~~ JUNE 30,".

HB12-1087 be postponed indefinitely.

1 **HB12-1105** 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 4, line 18, strike "NEITHER A WIND ENERGY
6 RIGHT NOR A".
7

8 Page 4, strike line 19.
9

10 Page 4, line 20, strike "COLORADO OR ANY LOCAL GOVERNMENT."
11
12
13
14

15 **LOCAL GOVERNMENT**

16 After consideration on the merits, the Committee recommends the
17 following:
18

19 **HB12-1017** be referred to the Committee of the Whole with favorable
20 recommendation.
21
22

23
24 **PRINTING REPORT**
25

26 The Chief Clerk reports the following bills have been correctly printed:
27 **HB12-1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210,**
28 **1211, 1212, 1213, 1214.**
29
30

31 **MESSAGE(S) FROM THE SENATE**
32

33 The Senate has passed on Third Reading and transmits to the Revisor of
34 Statutes: **SB12-007, SB12-008, SB12-024, SB12-029, SB12-043, and**
35 **SB12-094.**
36
37

38 **MESSAGE(S) FROM THE REVISOR**
39

40 We herewith transmit:
41 Without comment, SB12-007, 008, 024, 029, 043, and 094.
42
43

44
45 **INTRODUCTION OF BILLS**
46 **First Reading**
47

48 The following bills were read by title and referred to the committees
49 indicated:
50

51 **HB12-1215** by Representative(s) Gerou, Becker, Levy; also Senator(s)
52 Hodge, Steadman, Lambert--Concerning changes to the
53 "Nonadmitted Insurance Act" to conform it to the
54 requirements of the federal "Nonadmitted and Reinsurance
55 Reform Act of 2010".
56 Committee on Finance

- 1 **HB12-1216** by Representative(s) Becker, Gerou, Levy; also Senator(s)
2 Lambert, Hodge, Steadman--Concerning the financing of
3 the division of motor vehicles in the department of
4 revenue.
5 Committee on Appropriations
6
7 **HB12-1217** by Representative(s) Tyler--Concerning the authority of an
8 organization that maintains a regularly established
9 inspection department to conduct inspections of its own
10 pressure-retaining items.
11 Committee on Economic and Business Development
12
13 **HB12-1218** by Representative(s) Peniston, Massey, Hamner, Solano;
14 also Senator(s) Hudak, King K., Hodge, Steadman,
15 Williams S.--Concerning extending the early childhood
16 and school readiness legislative commission.
17 Committee on Education
18 Committee on Appropriations
19
20 **HB12-1219** by Representative(s) Miklosi, Todd; also Senator(s)
21 Williams S.--Concerning funding for emerging medical
22 discoveries at the health sciences center, and, in
23 connection therewith, making an appropriation.
24 Committee on State, Veterans, & Military Affairs
25 Committee on Appropriations
26
27 **HB12-1220** by Representative(s) Becker; also Senator(s) Bacon--
28 Concerning changes to the governance structure of the
29 board of governors of the Colorado state university
30 system, and, in connection therewith, establishing the
31 governance structure for Colorado state university - global
32 campus.
33 Committee on Education

INTRODUCTION OF RESOLUTION

38
39 The following resolution was read by title and laid over one day under
40 the rules:

- 41
42 **HJR12-1009** by Representative(s) Massey; also Senator(s) Jahn--
43 Concerning the benefits of homeownership.
44
45

46
47 On motion of Representative Baumgardner, the House adjourned until
48 9:00 a.m., February 1, 2012.
49

50 Approved:
51 FRANK McNULTY,
52 Speaker

53 Attest:
54 MARILYN EDDINS,
55 Chief Clerk

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

Twenty-second Legislative Day

Wednesday, February 1, 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 Genesis Najera, Jenny Vigil, Desirae Strain,
7 Mountain Valley High School, Saguache.

8

9 The roll was called with the following result:

10

11 Present--65.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Szabo, the reading of the journal of
17 January 31, 2012, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19

20

21

22

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

24

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

28

29 **HB12-1055** by Representative(s) Schafer S.; also Senator(s) White--
30 Concerning the division of registrations in the department
31 of regulatory agencies, and, in connection therewith,
32 renaming the division as the division of professions and
33 occupations, authorizing the executive director of the
34 department to adopt rules pertaining to the administrative
35 duties of the division, and requiring periodic review of the
36 functions of the division.

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
41 bill was declared **passed**.

42

	YES	41	NO	23	EXCUSED	0	ABSENT	1
1	Acree	N	Fischer	Y	Looper	N	Solano	Y
2	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
3	Barker	N	Gerou	N	McCann	Y	Soper	Y
4	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
5	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
6	Beezley	N	Hullinghorst	-	Murray	Y	Swalm	Y
7	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
8	Brown	N	Joshi	N	Pabon	Y	Szabo	Y
9	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
10	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
11	Coram	N	Kerr A.	Y	Priola	Y	Vaad	N
12	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
13	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
14	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
15	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
16	Fields	Y	Liston	Y	Singer	Y	Young	Y
17							Speaker	N

18
19 Co-sponsor(s) added: Representative(s) Casso, Court, Fields, Fischer, Labuda,
20 Solano, Todd, Tyler, Vigil, Wilson, Young.

21
22 **HB12-1013** by Representative(s) Fields and Holbert, Massey; also
23 Senator(s) Hudak and King K., Bacon--Concerning
24 intervention services for middle-grade students.
25

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
32	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
33	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
34	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
35	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
36	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
37	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
38	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
39	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
40	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
41	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
42	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
43	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
44	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
45	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
46	Fields	Y	Liston	Y	Singer	Y	Young	Y
47							Speaker	Y

48
49 Co-sponsor(s) added: Representative(s) Casso, Court, Fischer, Gerou, Hamner,
50 Kerr A., Labuda, Miklosi, Murray, Pace, Schafer S., Singer, Solano, Stephens,
51 Summers, Todd, Tyler, Vigil, Williams A., Young.
52

53 **HB12-1081** by Representative(s) Duran; also Senator(s) Steadman--
54 Concerning the operations of the Auraria higher education
55 center.
56

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	65	NO	0	EXCUSED	0	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	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

24 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Labuda,
 25 Schafer S., Solano, Todd, Tyler, Williams A., Young.

26
 27
 28
 29 **HB12-1159** by Representative(s) Brown, Barker, Baumgardner,
 30 Beezley, Conti, Court, Holbert, Murray, Ramirez, Vaad;
 31 also Senator(s) Nicholson, Cadman, Grantham, King K.,
 32 Roberts--Concerning the election of a county
 33 commissioner in a county with a population of less than
 34 seventy thousand by the voters residing in the district from
 35 which the commissioner runs for election.

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

	YES	61	NO	4	EXCUSED	0	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	Y	Soper	Y
46	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
47	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
48	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
49	Bradford	Y	Jones	N	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

1	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	N

4 Co-sponsor(s) added: Representative(s) Becker, Bradford, Casso, Coram,
5 Fields, Pace, Sonnenberg.

6
7 **HB12-1040** by Representative(s) Casso--Concerning recognition of
8 September 11 as a state holiday, in certain years, and in
9 connection therewith, designating September 11 as
10 "Patriot Day".

11
12 Laid over until February 2, retaining place on Calendar.

13
14 **HB12-1027** by Representative(s) Bradford also Senator(s) Spence--
15 Concerning the sale of nonpotentially hazardous food
16 produced in a home kitchen for sale directly to consumers
17 for consumption off premises.

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

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

24	YES	65	NO	0	EXCUSED	0	ABSENT	0
25	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
26	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
31	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
33	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
34	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
36	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
38	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
39	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
40	Fields	Y	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
43 Beezley, Brown, Conti, Court, DelGrosso, Ferrandino, Fischer, Gardner B.,
44 Gerou, Hamner, Holbert, Hullinghorst, Jones, Kerr J., Labuda, Levy, Liston,
45 Massey, Murray, Pabon, Pace, Priola, Ramirez, Schafer S., Scott, Singer,
46 Summers, Szabo, Todd, Tyler, Waller, Williams A., Wilson.

47
48
49
50
51 On motion of Representative J. Kerr, the House resolved itself into
52 Committee of the Whole for consideration of General Orders, and he was
53 called to the Chair to act as Chairman.

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.)

HB12-1061 by Representative(s) Kagan--Concerning requiring a report of the correlation between the educational credentials issued and the state's workforce needs.

(Previously amended as printed in House Journal, January 31, page 116.)

As amended, laid over until February 2, retaining place on Calendar.

HB12-1068 by Representative(s) McKinley--Concerning the administration of a nonprofit cemetery corporation by persons who own the right to bury a deceased person within the cemetery.

Amendment No. 1, Local Government Report, dated January 18, 2012, and placed in member's bill file; Report also printed in House Journal, January 20, page 59.

Amendment No. 2, by Representative(s) McKinley.

Amend printed bill, page 3, line 1, strike "IF SUCCESSFUL, THE".

Page 3, strike lines 2 and 3.

As amended, laid over until February 2, retaining place on Calendar.

HB12-1002 by Representative(s) Sonnenberg; also Senator(s) Jahn--Concerning the rules of state agencies applicable to applications for permits.

Amendment No. 1, Economic & Business Development Report, dated January 26, 2012, and placed in member's bill file; Report also printed in House Journal, January 27, pages 99-100.

Amendment No. 2, by Representative(s) Sonnenberg.

Amend the Economic and Business Development Committee Report, dated, January 26, 2012, page 1, before line 1 insert:

"Amend printed bill, page 3, line 1, after "RULES" insert "AND ANY WRITTEN STATEMENTS OF AGENCY INTERPRETATION OF THE STATUTES".

Page 1 of the committee report, line 2, after "RULES" insert "OR ANY WRITTEN STATEMENTS OF AGENCY INTERPRETATION OF THE STATUTES".

Page 1 of the committee report, line 4, after "RULES" insert "AND ANY WRITTEN STATEMENTS OF AGENCY INTERPRETATION OF THE STATUTES".

Amendment No. 3, by Representative(s) Sonnenberg.

Amend Economic and Business Development Committee Report, dated January 26, 2012, page 1, line 14, strike "REGULATIONS." and substitute "REGULATIONS; OR".

Page 1, after line 14 insert:

"(III) NEW RULES OR NEW REQUIREMENTS ARE NECESSARY TO ENSURE THAT THE AGENCY AND THE PERMIT WILL BE IN COMPLIANCE WITH THE REQUIREMENTS OF A COURT ORDER."

Amendment No. 4, by Representative(s) Sonnenberg.

Amend printed bill, page 2, line 14, after the period add "'PERMIT" DOES NOT INCLUDE A REGISTRATION OR CERTIFICATION ISSUED BY A BOARD OR STATE AGENCY TO AN INDIVIDUAL TO PURSUE A PROFESSION, PRACTICE, OR OCCUPATION."

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1002 amended.**

Laid over until date indicated retaining place on Calendar: **HB12-1061 amended, 1068 amended**--February 2, 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	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

REPORT(S) OF COMMITTEE(S) OF REFERENCE**ECONOMIC & BUSINESS DEVELOPMENT**

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

HB12-1007 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, strike line 3 and substitute "(4.5) (a) introductory portion, (4.5) (a) (V), (4.5) (a) (VI), (4.5) (d), (4.5) (e), and (6) (a); **repeal** (4.5) (c); and **add**".

Page 2, line 4, after "(VII)," insert "(4.5) (a) (VIII),".

Page 2, line 6, strike "fifteen" and substitute "~~fifteen~~ THIRTY".

Page 2, line 7, after "issue" insert "AND MAKE AVAILABLE TO THE PUBLIC".

Page 2, line 8, strike "shall" and substitute "~~shall~~ MUST".

Page 2, line 13, strike "AND".

Page 3, line 2, strike "RULE." and substitute "RULE; AND".

Page 3, after line 2 insert:

"(VIII) THE NAME, PHONE NUMBER, E-MAIL ADDRESS, AND POSTAL MAILING ADDRESS OF A POINT OF CONTACT IN THE AGENCY TO AND FROM WHOM A MEMBER OF THE PUBLIC MAY DIRECT QUESTIONS OR COMMENTS AND RECEIVE COMMUNICATION CONCERNING THE REGULATORY ANALYSIS.

(c) ~~The regulatory analysis shall be available to the public at least five days prior to the rule-making hearing.~~

(d) If the agency has made a good faith effort to comply with the requirements of paragraphs (a) ~~to (c)~~ AND (b) of this subsection (4.5), the rule shall not be invalidated on the ground that the contents of the regulatory analysis are insufficient or inaccurate.

(e) Nothing in paragraphs (a) ~~to (c)~~ AND (b) of this subsection (4.5) shall limit an agency's discretionary authority to adopt or amend rules."

Page 3, line 3, after "(g)" insert "(I)".

Page 3, after line 8 insert:

"(II) THIS SUBSECTION (4.5) DOES NOT REQUIRE THE DIVISION OF PARKS AND WILDLIFE TO ISSUE A REGULATORY ANALYSIS FOR RULES REGULATING HUNTING AND FISHING LICENSES."

Page 3, after line 16 insert:

"(6) (a) AN AGENCY MAY ADOPT a temporary or emergency rule

1 ~~may be adopted~~ without compliance with the procedures prescribed in
2 subsection (4) of this section and with less than the twenty days' notice
3 prescribed in subsection (3) of this section, or where circumstances
4 imperatively require, without notice, only if the agency finds that
5 immediate adoption of the rule is imperatively necessary to comply with
6 a state or federal law or federal regulation or for the preservation of
7 public health, safety, or welfare and compliance with the requirements of
8 this section would be contrary to the public interest and makes ~~such a~~
9 ~~THIS finding on the record. Such findings and a statement of the reasons~~
10 ~~for the action shall be published with the rule~~ THE AGENCY SHALL
11 PUBLISH THESE FINDINGS AND A STATEMENT OF THE REASONS FOR THE
12 ACTION WITH THE RULE. AN AGENCY MAY ADOPT a temporary or
13 emergency rule ~~may be adopted~~ without compliance with subsection
14 SUBSECTIONS (2.5) AND (4.5) of this section, but ~~shall not become~~ THE
15 AGENCY SHALL NOT MAKE A TEMPORARY OR EMERGENCY RULE permanent
16 without compliance with ~~such subsection~~ SUBSECTIONS (2.5) AND (4.5) OF
17 THIS SECTION. A temporary or emergency rule ~~shall become~~ BECOMES
18 effective on adoption or on ~~such later~~ A date as is stated in the rule, ~~shall~~
19 MUST be published promptly, and ~~shall have effect~~ IS EFFECTIVE for not
20 more than one hundred twenty days after its adoption or for ~~such~~ A shorter
21 period as ~~may be specifically~~ provided by the statute governing ~~such~~ THE
22 agency, unless made permanent by compliance with subsections (3) and
23 (4) of this section."

24
25
26
27 **HB12-1044** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:
30

31 Amend printed bill, page 4, strike lines 20 and 21 and substitute "CREATE
32 JOBS IN COLORADO."

33
34
35
36 **HB12-1059** be amended as follows, and as so amended, be referred to
37 the Committee on Appropriations with favorable
38 recommendation:
39

40 Amend printed bill, page 3, line 8, strike "TITLE, OTHER THAN ARTICLE 61
41 OF THIS TITLE," and substitute "TITLE".

42
43 Page 3, after line 20 insert:

44
45 "(3) THIS SECTION DOES NOT APPLY TO AUTHORITY TO PRACTICE
46 UNDER ARTICLE 25, 28, 36, OR 61 OF THIS TITLE."

47
48 Page 4, strike lines 9 through 19 and substitute:

49
50 **"12-71-104. Continuing education - regulated service members**
51 **- rules.** (1) AN AGENCY MAY ACCEPT, FROM".

52
53 Page 4, line 26, strike "(b)" and substitute "(2)".

54
55 Page 5, strike line 1 and substitute "THIS SECTION."

1 Page 20, line 21, strike "including ~~but not limited to~~" and substitute
2 "including, but not limited to,".

3
4 Page 21, line 7, strike "including ~~but not limited to~~" and substitute
5 "including, but not limited to,".

6
7
8
9 **HB12-1127** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend printed bill, page 2, line 3, after "(a)" insert "and (4) (a)".

14
15 Page 6, before line 1 insert:

16
17 "(4) (a) THE DIVISION SHALL DETERMINE EMPLOYER PREMIUM
18 RATES FOR EMPLOYERS NEWLY SUBJECT TO ARTICLES 70 TO 82 OF THIS
19 TITLE EACH YEAR AS OF THE COMPUTATION DATE IN ACCORDANCE WITH
20 SUBSECTION (3) OF THIS SECTION. New employers pay the same premiums
21 as unrated employers as prescribed in subsection (3) of this section OR AT
22 THE COMPUTED RATE, WHICHEVER IS HIGHER, unless there have been
23 twelve consecutive calendar months immediately preceding the
24 computation date during which an employer's account has been
25 chargeable with benefit payments.".

26
27
28
29
30 **HEALTH & ENVIRONMENT**

31 After consideration on the merits, the Committee recommends the
32 following:
33

34 **HB12-1041** be amended as follows, and as so amended, be referred to
35 the Committee on Finance with favorable
36 recommendation:
37

38 Amend printed bill, page 2, line 4, strike "**death.**" and substitute "**death -**
39 **repeal.**".

40
41 Page 2, line 17, after "(b)" insert "(I)".

42
43 Page 3, after line 2 insert:

44
45 "(II) NO LATER THAN TWO YEARS AFTER THE EFFECTIVE DATE OF
46 THIS PARAGRAPH (b), THE DEPARTMENT SHALL REPORT TO THE HEALTH
47 AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR
48 ITS SUCCESSOR COMMITTEE, ON THE DEVELOPMENT AND IMPLEMENTATION
49 OF THE ELECTRONIC DEATH REGISTRATION SYSTEM. THE DEPARTMENT
50 SHALL INCLUDE IN THE REPORT INFORMATION REGARDING WHETHER THE
51 DEPARTMENT HAS MODIFIED STAFFING LEVELS AND FEES SINCE THE
52 IMPLEMENTATION OF THE SYSTEM. THIS SUBPARAGRAPH (II) IS REPEALED,
53 EFFECTIVE SEPTEMBER 1, 2014.".

54
55
56

1 **HB12-1058** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4

5
6 **PRINTING REPORT**
7

8 The Chief Clerk reports the following bills have been correctly printed:
9 **HB12-1215, 1216, 1217, 1218, 1219, 1220.**
10

11
12
13 **MESSAGE(S) FROM THE SENATE**
14

15 The Senate has adopted and returns herewith: HJR12-1003, HJR12-1005,
16 HJR12-1006, and HJR12-1008.
17

18
19
20 **LAY OVER OF CALENDAR ITEM(S)**
21

22 On motion of Representative Waller, the following item(s) on the
23 Calendar (was)were laid over until February 2, retaining place on
24 Calendar:
25

26 Consideration of Resolution(s)--**HJR12-1009.**
27

28
29
30 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
31 February 2, 2012.
32

33
34
35
36
37
38

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Twenty-third Legislative Day

Thursday, February 2, 2012

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

2

3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4

5 Pledge of Allegiance led by Tyler Steele, Home Schooled, Bayfield.

6

7 The roll was called with the following result:

8

9 Present--65.

10

11 The Speaker declared a quorum present.

12

13

14 On motion of Representative Szabo, the reading of the journal of
 15 February 1, 2012, was declared dispensed with and approved as corrected
 16 by the Chief Clerk.

17

18

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

20

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

24

25 **HB12-1040** by Representative(s) Casso--Concerning recognition of
 26 September 11 as a state holiday, in certain years, and in
 27 connection therewith, designating September 11 as
 28 "Patriot Day".

29

30 As amended, laid over until February 6, retaining place on Calendar.

31

32 **HB12-1002** by Representative(s) Sonnenberg; also Senator(s) Jahn--
 33 Concerning the rules of state agencies applicable to
 34 applications for permits.

35

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

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

40

	YES	48	NO	17	EXCUSED	0	ABSENT	0
42	Acree	Y	Fischer	N	Looper	Y	Solano	N
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

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

16 Co-sponsor(s) added: Representative(s) Baumgardner, Becker, Beezley, Brown,
 17 Coram, DelGrosso, Gerou, Holbert, Joshi, Liston, Pace, Priola, Ramirez, Scott,
 18 Swalm, Speaker.

23 CONSIDERATION OF RESOLUTION(S)

25 **HJR12-1009** by Representative(s) Massey; also Senator(s) Jahn--
 26 Concerning the benefits of homeownership.

28 (Printed and placed in members' file)

30 On motion of Representative Massey, the resolution was read at length
 31 and **adopted** by **viva voce** vote.

33 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
 34 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
 35 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
 36 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
 37 Labuda, Lee, Levy, Liston, Looper, McCann, McKinley, Miklosi, Murray,
 38 Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott,
 39 Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
 40 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

44 MESSAGE(S) FROM THE SENATE

46 The Senate has adopted and transmits herewith: SJR12-011, 012.

49 INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

51 On motion of Representative Stephens, the rules were suspended and the
 52 following resolutions were given immediate consideration.

54 **SJR12-012** by Senator(s) Nicholson; also Representative(s) DelGrosso
 55 and Lee--Concerning recognition of community behavioral
 56 health providers in Colorado.

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

2
3 On motion of Representative DelGrosso, the resolution was **adopted** by
4 **viva voce** vote.

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

14
15 **SJR12-011** by Senator(s) Schwartz; also Representative(s)
16 Sonnenberg--Concerning the recognition of Colorado
17 Centennial Farms.

18
19 On motion of Representative Sonnenberg, the resolution was read at
20 length and **adopted** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
23	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
24	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
25	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
26	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
27	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
28	Beezley	Y	Hulinghorst	Y	Murray	Y	Swalm	Y
29	Bradford	Y	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	Y	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	Y
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
37	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
38	Fields	Y	Liston	Y	Singer	Y	Young	Y
39							Speaker	Y

40 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
41 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
42 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
43 Hamner, Holbert, Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
44 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi,
45 Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S.,
46 Scott, Singer, Solano, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo,
47 Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

48
49
50
51 House in recess. House reconvened.
52
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54
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56

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

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

HB12-1090 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 12, line 11, strike "(9.5) (b) (II),".

Page 12, line 12, strike "(10) (a) (IV), (10) (b) (I),".

Page 13, strike lines 20 through 25.

Page 14, strike lines 20 through 27.

Page 15, strike lines 1 through 20.

FINANCE

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

HB12-1011 be postponed indefinitely.

HB12-1018 be referred to the Committee of the Whole with favorable recommendation.

HB12-1031 be referred to the Committee of the Whole with favorable recommendation.

HB12-1037 be referred favorably to the Committee on Appropriations.

HB12-1077 be referred to the Committee of the Whole with favorable recommendation.

HB12-1096 be referred to the Committee of the Whole with favorable recommendation.

HB12-1104 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, line 5, strike "January 1, 2020," and substitute "~~January 1, 2020~~ JANUARY 1, 2017,".

1 Page 5, line 4, strike "January 1, 2021," and substitute "~~January 1, 2021~~
2 JANUARY 1, 2018,".

3
4
5
6 **HB12-1177** be amended as follows, and as so amended, be referred to
7 the Committee on Appropriations with favorable
8 recommendation:
9

10 Amend printed bill, page 2, line 12, strike "ON DECEMBER 31, 2011;" and
11 substitute "IN DECEMBER 2011;".
12

13 Page 2, line 18, strike "ON DECEMBER 31," and substitute "IN DECEMBER".
14

15 Page 3, line 13, after "PROGRAM." insert "FOR ELIGIBLE INDIVIDUALS, THE
16 GRANTS MAY BE MADE RETROACTIVE TO JANUARY 1, 2012.".
17

18
19
20
21 **JUDICIARY**

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

25 **HB12-1053** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:
28

29 Amend printed bill, page 4, line 7, strike "SENTENCE." and substitute
30 "SENTENCE PURSUANT TO RULE 35 (a) OR (b) OF THE COLORADO RULES OF
31 CRIMINAL PROCEDURE.".
32

33 Page 6, line 6, strike "ALLOW OTHER ARRANGEMENTS" and substitute
34 "ARRANGE AND PROVIDE THE MEANS".
35

36 Page 6, line 7, strike "OR" and substitute "AND".
37

38 Page 6, line 21, strike "OTHER ARRANGEMENTS," and substitute "THE
39 COURT TO ARRANGE FOR AND PROVIDE THE MEANS TO ADDRESS THE
40 COURT,".
41

42 Page 6, line 22, strike "TECHNOLOGY, TO" and substitute "TECHNOLOGY.".
43

44 Page 6, line 23, strike "ADDRESS THE COURT.".
45

46 Page 6, line 26, strike "DOES NOT APPLY" and substitute "APPLIES".
47

48 Page 7, line 1, strike "CORRECTIONS." and substitute "CORRECTIONS, BUT
49 IS LIMITED TO PARTICIPATION BY TELEPHONE.".
50

51 Page 7, line 24, after "RECORD," insert "OR THE DEFENSE ATTORNEY'S
52 AGENT,".
53

54 Page 7, strike lines 26 and 27.
55

56 Page 8, strike lines 1 through 8 and substitute:

1 "(x) THE RIGHT TO BE NOTIFIED OF HOW TO REQUEST PROTECTION
2 OF THEIR ADDRESS PURSUANT TO THE COLORADO RULES OF CRIMINAL
3 PROCEDURE."

4
5 Page 8, line 25, after "(11) (h)," insert "(11) (i),".

6
7 Page 10, line 7, strike "AND".

8
9 Page 10, line 12, strike "STATEMENT." and substitute "STATEMENT;".

10
11 Page 10, after line 12 insert:

12
13 "(i) THE AVAILABILITY OF THE DISTRICT ATTORNEY TO SEEK A
14 COURT ORDER TO PROTECT A VICTIM'S RESIDENTIAL ADDRESS."

15
16 Page 13, line 12, after "NOTICE" insert "FROM THE DISTRICT ATTORNEY'S
17 OFFICE".

18
19 Page 14, line 2, after the period add "THE VICTIM SHALL HAVE THE RIGHT
20 AND BE GIVEN THE OPTION TO INDICATE IN WRITING OR ELECTRONICALLY
21 HIS OR HER DESIRE TO NOT BE CONTACTED BY THE DISTRICT ATTORNEY OR
22 ANY JUDICIAL PERSONNEL AND OPT OUT OF THE VICTIM RIGHTS PROCESS."

23
24 Page 15, line 10, strike "OR ADDRESS".

25
26 Page 15, line 11, strike "OR ADDRESS".

27
28 Page 15, line 16, strike "THE DEFENDANT'S ATTORNEY SHALL NOT SHARE
29 A".

30
31 Page 15, strike lines 17 and 18.

32
33
34
35 **HB12-1073** be referred to the Committee of the Whole with favorable
36 recommendation.

37
38
39 **HB12-1100** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:

42
43 Amend printed bill, page 3, line 16, strike "UNDER CIRCUMSTANCES NOT"
44 and substitute "THROUGH METHODS OTHER THAN THE SCREENING OR
45 TESTING".

46
47
48
49
50 **STATE, VETERANS, & MILITARY AFFAIRS**
51 After consideration on the merits, the Committee recommends the
52 following:

53
54 **HB12-1003** be postponed indefinitely.

55
56

TRANSPORTATION

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

HB12-1023 be referred favorably to the Committee on Appropriations.

HB12-1066 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 16, line 1, strike "and (52.7)".

Page 16, line 5, strike "OR A MINIATURE TRUCK".

Page 16, strike lines 10 through 14.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1009.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1221 by Representative(s) Liston, Kerr J., Balmer, Miklosi, Summers, Swalm, Williams A.; also Senator(s) Tochtrop, Boyd, Morse--Concerning billing for anatomic pathology services.

Committee on Economic and Business Development

SB12-043 by Senator(s) King K.; also Representative(s) Stephens--Concerning clarification of the ages of children who may attend a children's resident camp.

Committee on Education

SB12-094 by Senator(s) Hodge, Carroll, Aguilar, Boyd, Giron, Guzman, Harvey, Hudak, Jahn, Mitchell, Neville, Newell, Nicholson, Schwartz, Steadman, Tochtrop, White; also Representative(s) Szabo, Acree, Balmer, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, DelGrosso, Ferrandino, Gardner B., Holbert, Hulinghorst, Jones, Joshi, Kerr J., Liston, Looper, Murray, Nikkel, Pabon, Priola, Ramirez, Scott, Swalm, Swerdfeger, Todd, Tyler, Waller, Williams A.--Concerning clarification of the definition of food used in state sales tax laws to ensure that the treatment for sales tax purposes of a food product sold for domestic home consumption by a grocery store, supermarket, or convenience store does not change solely

1 because the store sells the food product or markets the
2 food product for sale as a convenience food.
3 Committee on Local Government

4
5
6
7 **APPOINTMENTS**
8

9 Pursuant to House rule 49, the Speaker announced the appointments of
10 Representatives Massey, Chairman, Levy, Vice-Chairman, DelGrosso,
11 Solano, and Sonnenberg, to the Committee on Ethics.

12
13
14
15 **LAY OVER OF CALENDAR ITEM(S)**
16

17 On motion of Representative Stephens, the following item(s) on the
18 Calendar (was)were laid over until February 6, retaining place on
19 Calendar:

20
21 Consideration of General Orders--**HB1061 amended, 1068 amended,**
22 **1105, 1017.**

23
24
25
26 On motion of Representative Stephens, the House adjourned until
27 10:00 a.m., February 6, 2012.

28
29 Approved:
30 FRANK McNULTY,
31 Speaker

32 Attest:
33 MARILYN EDDINS,
34 Chief Clerk

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

Twenty-seventh Legislative Day

Monday, February 6, 2012

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

2

3 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

4

5 Pledge of Allegiance led by Mary Askham, Mountain View High School,
6 Loveland.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Casso, Miklosi--2.

12 Absent--Representative(s) Labuda--1.

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

14

15 The Speaker declared a quorum present.

16

17 _____

18 On motion of Representative Swerdfeger, the reading of the journal of
19 February 2, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22 _____

23

24

25

MESSAGE(S) FROM THE SENATE

26

27 The Senate has adopted and transmits herewith: SJR12- 009, 013.

28

29 _____

30

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

31

32
33 On motion of Representative Stephens, the rules were suspended and the
34 following resolutions were given immediate consideration.

35

36 **SJR12-013** by Senator(s) Steadman, Shaffer B., Bacon, Heath,
37 Hodge, Hudak, Johnston, King K., Renfroe, Spence; also
38 Representative(s) Massey--Concerning the designation of
39 February 6 through 10, 2012, as "National School
40 Counseling Week".

41

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

43

1 On motion of Representative Massey, the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
5 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, 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, McCann, McKinley, Murray, Nikkel, Pabon, Pace,
9 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
10 Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd,
11 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

12
13 **SJR12-009** by Senator(s) Heath; also Representative(s) Summers and
14 Miklosi--Concerning recognition of career and technical
15 education month.

16
17 (Printed and placed in member's file).

18
19 On motion of Representative Summers, the resolution was read at length
20 and **adopted** by **viva voce** vote.

21
22 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
23 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Conti, Coram, Court,
24 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner,
25 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
26 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Murray, Nikkel,
27 Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer,
28 Solano, Sonnenberg, Soper, Stephens, Swalm, Swerdfeger, Szabo, Todd, Tyler,
29 Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

30
31
32 House in recess. House reconvened.
33
34

35 36 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

37 **APPROPRIATIONS**

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

40
41
42 **HB12-1008** be referred to the Committee of the Whole with favorable
43 recommendation.

44
45
46 **HB12-1009** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:

49
50 Amend printed bill, page 2, line 10, strike "FOR" and substitute "EXCEPT
51 AS SET FORTH IN PARAGRAPH (d) OF THIS SUBSECTION (1), FOR".

52
53 Page 3, after line 9 insert:

54
55 "(d) A STATE INSTITUTION OF HIGHER EDUCATION IS NOT REQUIRED
56 TO INCLUDE THE INFORMATION REQUIRED BY SUBPARAGRAPHS (IV) AND

1 (V) OF PARAGRAPH (a) OR PARAGRAPH (b) OF THIS SUBSECTION (1) IN ITS
2 REPORT TO THE CONTROLLER."

3

4 Page 3, after line 24, insert:

5

6 "SECTION 3. No appropriation. The general assembly has
7 determined that this act can be implemented within existing
8 appropriations, and therefore no separate appropriation of state moneys
9 is necessary to carry out the purposes of this act."

10

11 Renumber succeeding section accordingly.

12

13

14

15 **HB12-1032** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18

19 Amend printed bill, page 5, after line 1 insert:

20

21 "SECTION 5. Appropriation. In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 wildland-urban interface training fund created in section 24-33.5-1212 (5)
24 (a), Colorado Revised Statutes, not otherwise appropriated, to the
25 department of public safety, for the fiscal year beginning July 1, 2012, the
26 sum of \$50,000, or so much thereof as may be necessary, for allocation
27 to the office of preparedness, security, and fire safety for personal
28 services and operating expenses.

29

30 Renumber succeeding sections accordingly.

31

32 Page 1, line 101, strike "PROGRAMS." and substitute "PROGRAMS, AND,
33 IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

34

35

36

37 **HB12-1034** be referred to the Committee of the Whole with favorable
38 recommendation.

39

40

41 **HB12-1177** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:

44

45 Amend printed bill, page 4 after line 6, insert:

46

47

48

49

50

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53

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	"SECTION 2. Appropriation to the department of human services for the fiscal year beginning July 1, 2011. In Session Laws of Colorado 2011, section						
2	2 of chapter 335, (SB 11-209), amend Part VII (10) (C); and add Part VII (10) (C) footnote 28a, as follows:						
3	Section 2. Appropriation.						
4							
5	PART VII						
6	DEPARTMENT OF HUMAN SERVICES						
7	(10) ADULT ASSISTANCE PROGRAMS						
8	(C) Other Grant Programs						
9	Administration - Home Care Allowance						
10	SEP Contract	1,063,259	1,063,259				
11	Aid to the Needy Disabled Programs	17,428,495	11,421,471		6,007,024 ^a		
12	Burial Reimbursements	508,000	402,985		105,015(L) ^b		
13	Home Care Allowance	10,543,757	9,999,736		544,021(L) ^b		
14	HOME CARE ALLOWANCE GRANT	10,074,145	9,530,124				
15	PROGRAM ^{28a}	469,612	469,612				
16	Adult Foster Care	157,469	149,596		7,873(L) ^b		
17	SSI Stabilization Fund Programs	1,000,000			1,000,000 ^c		
18		30,700,980					

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	° This amount shall be from the State Supplemental Security Income Stabilization Fund, created pursuant to Section 26-2-210, C.R.S. This amount is shown for						
2	informational purposes only, as the State Supplemental Security Income Stabilization Fund is continuously appropriated to the Department of Human Services for						
3	qualified expenditures.						
4	TOTALS PART VII						
5	(HUMAN SERVICES)	\$2,091,045,838	\$618,764,498		\$331,395,230 ^a	\$450,969,434	\$689,916,676

8 **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.
9 28a DEPARTMENT OF HUMAN SERVICES, ADULT ASSISTANCE PROGRAMS, OTHER GRANT PROGRAMS, HOME CARE ALLOWANCE; AND HOME CARE
10 ALLOWANCE GRANT PROGRAM -- PURSUANT TO SECTION 26-2-122.4 (3), C.R.S., ANY AMOUNT IN THE HOME CARE ALLOWANCE GRANT
11 PROGRAM LINE ITEM THAT IS NOT REQUIRED TO OPERATE THE GRANT PROGRAM MAY BE TRANSFERRED TO THE HOME CARE ALLOWANCE
12 PROGRAM LINE ITEM AND USED TO PROVIDE ADDITIONAL BENEFITS UNDER THAT PROGRAM.

Section 2. **Appropriation.**

PART VII
DEPARTMENT OF HUMAN SERVICES

21	Administration - Home Care Allowance			
22	SEP Contract	1,063,259	1,063,259	
23	Aid to the Needy Disabled Programs	17,428,495	11,421,471	6,007,024 ^a
24	Burial Reimbursements	508,000	402,985	105,015 (L) ^b

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Home Care Allowance ALLOWANCE ^{28a}	10,543,757		9,999,736		544,021	(L) ^b	
2	10,074,145		9,530,124				
3 HOME CARE ALLOWANCE GRANT							
4 PROGRAM ^{28a}	469,612		469,612				
5 Adult Foster Care	157,469		149,596		7,873	(L) ^b	
6 SSI Stabilization Fund Programs	<u>1,000,000</u>				1,000,000 ^c		
7	30,700,980						
8 ^a Of this amount, it is estimated that \$3,413,687(L) shall be from local funds, \$2,279,944 shall be from federal interim assistance reimbursement payments, and \$313,393 shall							
9 be from other refunds and state revenue intercepts.							
10 ^b These estimated amounts shall be from local funds.							
11 ^c This amount shall be from the State Supplemental Security Income Stabilization Fund, created pursuant to Section 26-2-210, C.R.S. This amount is shown for informational							
12 purposes only, as the State Supplemental Security Income Stabilization Fund is continuously appropriated to the Department of Human Services for qualified expenditures.							
13 TOTALS PART VII							
14 (HUMAN SERVICES)	<u>\$2,079,353,036</u>		<u>\$619,875,097</u>		<u>\$332,780,723^a</u>	<u>\$452,550,757</u>	<u>\$674,146,459</u>

15 ^a Of this amount, \$117,836,940 contains an (L) notation.

16
17 **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

18 28a DEPARTMENT OF HUMAN SERVICES, ADULT ASSISTANCE PROGRAMS, OTHER GRANT PROGRAMS, HOME CARE ALLOWANCE; AND HOME CARE
19 ALLOWANCE GRANT PROGRAM -- PURSUANT TO SECTION 26-2-122.4 (3), C.R.S, ANY AMOUNT IN THE HOME CARE ALLOWANCE GRANT
20 PROGRAM LINE ITEM THAT IS NOT REQUIRED TO OPERATE THE GRANT PROGRAM MAY BE TRANSFERRED TO THE HOME CARE ALLOWANCE
21 PROGRAM LINE ITEM AND USED TO PROVIDE ADDITIONAL BENEFITS UNDER THAT PROGRAM.

22

APPROPRIATION FROM							
ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	
\$	\$	\$	\$	\$	\$	\$	

1 **SECTION 4. Effective date.** (1) Except as otherwise provided in this section, this act takes effect upon passage.
2 (2) Section 2 of this act takes effect only if House Bill 12-1186 does not becomes law.
3 (3) Section 3 of this act takes effect only if House Bill 12-1186 becomes law and takes effect either upon the effective date of this act or House Bill 12-1186,
4 whichever is later."
5 Renumber succeeding section accordingly.
6 Page 1, line 102, strike "**INDIVIDUALS.**" and substitute "**INDIVIDUALS, AND, IN CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**".
7

- 1 **HB12-1180** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **HB12-1181** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **HB12-1182** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
- 13 **HB12-1183** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
- 17 **HB12-1184** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20
- 21 Amend printed bill, page 13, line 8, in the TOTAL column strike
22 "3,517,360,117" and substitute "3,523,622,209", in the GENERAL
23 FUND column strike "986,596,227(M)" and substitute "985,981,237(M)",
24 in the CASH FUNDS column strike "510,742,466^b" and substitute
25 "513,383,953^b", and in the FEDERAL FUNDS column strike
26 "1,732,744,299" and substitute "1,736,979,894".
27
- 28 Page 14, line 3, strike "\$7,629,150" and substitute "~~\$7,629,150~~
29 \$10,270,637".
30
- 31 Page 15, line 12, in the ITEM & SUBTOTAL column strike
32 "309,825,106" and substitute "~~309,825,106~~", in the CASH FUNDS
33 column strike "154,912,553^a" and substitute "~~154,912,553^a~~", and in the
34 FEDERAL FUNDS column strike "154,912,553" and substitute
35 "~~154,912,553~~".
36
- 37 Page 15, after line 12 in the ITEM & SUBTOTAL column insert
38 "293,928,866", in the CASH FUNDS column insert "146,964,433^a", and
39 in the FEDERAL FUNDS column insert "146,964,433".
40
- 41 Adjust affected totals accordingly.
42
- 43 Page 17, line 4, strike "\$10,225,900" and substitute "~~\$10,225,900~~
44 \$2,277,780".
45
46
47
- 48 **HB12-1185** be referred to the Committee of the Whole with favorable
49 recommendation.
50
51
- 52 **HB12-1186** be referred to the Committee of the Whole with favorable
53 recommendation.
54
55
56

- 1 **HB12-1187** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **HB12-1188** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **HB12-1189** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
- 13 **HB12-1190** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
- 17 **HB12-1191** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20
- 21 **HB12-1192** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24
- 25 **HB12-1193** be referred to the Committee of the Whole with favorable
26 recommendation.
27
28
- 29 **HB12-1194** be referred to the Committee of the Whole with favorable
30 recommendation.
31
32
- 33 **HB12-1195** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36
- 37 **HB12-1196** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
- 41 **HB12-1197** be referred to the Committee of the Whole with favorable
42 recommendation.
43
44
- 45 **HB12-1198** be referred to the Committee of the Whole with favorable
46 recommendation.
47
48
- 49 **HB12-1199** be referred to the Committee of the Whole with favorable
50 recommendation.
51
52
- 53 **HB12-1200** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **HB12-1201** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB12-1202** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend print bill, page 11, after line 3, insert the following: "b THIS
10 AMOUNT SHALL BE TRANSFERRED FROM THE MEDICAL SERVICES
11 PREMIUMS LINE ITEM IN THE DEPARTMENT OF HEALTH CARE POLICY AND
12 FINANCING FOR THE COLORADO QUITLINE."
13

14 Page 11, line 9, in the GENERAL FUND EXEMPT column, strike
15 "\$466,100" and substitute "\$446,100".
16
17

18
19 **HB12-1203** be referred to the Committee of the Whole with favorable
20 recommendation.
21
22
23
24

25 **ECONOMIC & BUSINESS DEVELOPMENT**

26 After consideration on the merits, the Committee recommends the
27 following:
28

29 **HB12-1052** be amended as follows, and as so amended, be referred to
30 the Committee on Finance with favorable
31 recommendation:
32
33

34 Amend printed bill, page 2, line 20, strike "REQUIRE" and substitute
35 "REQUEST".
36

37 Page 3, line 10, strike "DATE" and substitute "YEAR".
38
39
40

41 **HB12-1071** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:
44

45 Amend printed bill, strike everything below the enacting clause and
46 substitute:
47

48 "SECTION 1. In Colorado Revised Statutes, **add** part 15 to
49 article 4 of title 10 as follows:
50

51 **PART 15**

52
53 **PORTABLE ELECTRONICS INSURANCE**

54
55 **10-4-1501. Definitions.** AS USED IN THIS PART 15, UNLESS THE
56 CONTEXT OTHERWISE REQUIRES:

1 (1) "CUSTOMER" MEANS A PERSON WHO PURCHASES PORTABLE
2 ELECTRONICS OR SERVICES.

3
4 (2) "ENROLLED CUSTOMER" MEANS A CUSTOMER WHO ELECTS
5 COVERAGE UNDER A PORTABLE ELECTRONICS INSURANCE POLICY ISSUED
6 TO A VENDOR OF PORTABLE ELECTRONICS.

7
8 (3) "INSURER" MEANS ANY ADMITTED COMPANY OR AUTHORIZED
9 COMPANY, AS DEFINED IN SECTION 10-1-102 (3), APPROVED TO TRANSACT
10 INSURANCE IN THIS STATE.

11
12 (4) "LOCATION" MEANS ANY PHYSICAL LOCATION IN THIS STATE OR
13 ANY WEB SITE, CALL CENTER SITE, OR SIMILAR LOCATION DIRECTED TO
14 RESIDENTS OF THIS STATE.

15
16 (5) "PORTABLE ELECTRONICS" MEANS PERSONAL,
17 SELF-CONTAINED, EASILY CARRIED BY AN INDIVIDUAL,
18 BATTERY-OPERATED ELECTRONIC COMMUNICATION, VIEWING, LISTENING,
19 RECORDING, GAMING, COMPUTING, OR GLOBAL POSITIONING DEVICES,
20 INCLUDING CELL OR SATELLITE PHONES, PAGERS, PERSONAL GLOBAL
21 POSITIONING SATELLITE UNITS, PORTABLE COMPUTERS, PORTABLE AUDIO
22 LISTENING, WIRELESS DEVICES, VIDEO VIEWING OR RECORDING DEVICES,
23 DIGITAL CAMERAS, VIDEO CAMCORDERS, PORTABLE GAMING SYSTEMS,
24 DOCKING STATIONS, AUTOMATIC ANSWERING DEVICES, AND OTHER
25 SIMILAR DEVICES AND THEIR ACCESSORIES, AND SERVICE RELATED TO THE
26 USE OF SUCH DEVICES.

27
28 (6) (a) "PORTABLE ELECTRONICS INSURANCE" MEANS INSURANCE
29 THAT PROVIDES COVERAGE FOR THE REPAIR OR REPLACEMENT OF
30 PORTABLE ELECTRONICS THAT MAY PROVIDE COVERAGE FOR PORTABLE
31 ELECTRONICS AGAINST ANY ONE OR MORE OF THE FOLLOWING CAUSES OF
32 LOSS:

33
34 (I) LOSS;

35
36 (II) THEFT;

37
38 (III) INOPERABILITY DUE TO MECHANICAL FAILURE OR
39 MALFUNCTION;

40
41 (IV) DAMAGE; OR

42
43 (V) OTHER SIMILAR CAUSES OF LOSS.

44
45 (b) "PORTABLE ELECTRONICS INSURANCE" DOES NOT INCLUDE:

46
47 (I) A SERVICE CONTRACT OR EXTENDED WARRANTY THAT
48 PROVIDES COVERAGE LIMITED TO THE REPAIR, REPLACEMENT, OR
49 MAINTENANCE OF PROPERTY FOR THE OPERATIONAL OR STRUCTURAL
50 FAILURE OF PROPERTY DUE TO A DEFECT IN MATERIALS, WORKMANSHIP,
51 ACCIDENTAL DAMAGE FROM HANDLING, POWER SURGES, OR NORMAL
52 WEAR AND TEAR;

53
54 (II) A SERVICE CONTRACT THAT IS IN EFFECT AS OF THE EFFECTIVE
55 DATE OF THIS PART 15 THAT PROVIDES COVERAGE FOR THE LOSS OF
56 PORTABLE ELECTRONICS ASSOCIATED WITH AN ONGOING SERVICE

1 RELATIONSHIP BETWEEN A VENDOR AND A CONSUMER OR THAT IS
2 OTHERWISE REGULATED PURSUANT TO RULES PROMULGATED BY THE
3 COMMISSIONER;

4
5 (III) A POLICY OF INSURANCE COVERING A SELLER'S OR
6 MANUFACTURER'S OBLIGATIONS UNDER A WARRANTY; OR

7
8 (IV) A HOMEOWNER'S, RENTER'S, PRIVATE PASSENGER
9 AUTOMOBILE, COMMERCIAL MULTI-PERIL, OR SIMILAR POLICY.

10
11 (7) "PORTABLE ELECTRONICS TRANSACTION" MEANS:

12
13 (a) THE SALE OR LEASE OF PORTABLE ELECTRONICS BY A VENDOR
14 TO A CUSTOMER; OR

15
16 (b) THE SALE OF A SERVICE RELATED TO THE USE OF PORTABLE
17 ELECTRONICS BY A VENDOR TO A CUSTOMER.

18
19 (8) "SUPERVISING ENTITY" MEANS A BUSINESS ENTITY THAT IS A
20 LICENSED INSURER OR INSURANCE PRODUCER THAT IS AUTHORIZED BY AN
21 INSURER TO SUPERVISE THE ADMINISTRATION OF A PORTABLE
22 ELECTRONICS INSURANCE PROGRAM.

23
24 (9) "VENDOR" MEANS A PERSON IN THE BUSINESS OF ENGAGING IN
25 PORTABLE ELECTRONICS TRANSACTIONS DIRECTLY OR INDIRECTLY.

26
27 **10-4-1502. Licensure of vendors.** (1) A VENDOR SHALL HOLD A
28 LIMITED LINES PRODUCER LICENSE ISSUED BY THE DIVISION IN
29 ACCORDANCE WITH PART 4 OF ARTICLE 2 OF THIS TITLE IN ORDER TO SELL
30 OR OFFER COVERAGE UNDER A POLICY OF PORTABLE ELECTRONICS
31 INSURANCE.

32
33 (2) A LIMITED LINES PRODUCER LICENSE ISSUED FOR THE PURPOSES
34 OF THIS PART 15 AUTHORIZES AN EMPLOYEE OR AUTHORIZED
35 REPRESENTATIVE OF THE VENDOR TO SELL OR OFFER COVERAGE UNDER A
36 POLICY OF PORTABLE ELECTRONICS INSURANCE TO A CUSTOMER AT EACH
37 LOCATION AT WHICH THE VENDOR ENGAGES IN PORTABLE ELECTRONICS
38 TRANSACTIONS.

39
40 (3) THE SUPERVISING ENTITY SHALL MAINTAIN A REGISTRY OF
41 VENDOR LOCATIONS THAT ARE AUTHORIZED TO SELL OR SOLICIT PORTABLE
42 ELECTRONICS INSURANCE COVERAGE IN THIS STATE. UPON REQUEST BY
43 THE COMMISSIONER AND WITH TEN DAYS' NOTICE TO THE SUPERVISING
44 ENTITY, THE SUPERVISING ENTITY SHALL MAKE THE REGISTRY OPEN TO
45 INSPECTION AND EXAMINATION BY THE COMMISSIONER DURING REGULAR
46 BUSINESS HOURS OF THE SUPERVISING ENTITY.

47
48 (4) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A LICENSE
49 ISSUED PURSUANT TO THIS PART 15 AUTHORIZES THE LICENSEE AND ITS
50 EMPLOYEES OR AUTHORIZED REPRESENTATIVES TO ENGAGE IN THOSE
51 ACTIVITIES THAT ARE PERMITTED IN THIS PART 15.

52
53 **10-4-1503. Requirements for sale of portable electronics**
54 **insurance.** (1) AT EVERY LOCATION WHERE PORTABLE ELECTRONICS
55 INSURANCE IS OFFERED TO CUSTOMERS, THE VENDOR SHALL MAKE
56 BROCHURES OR OTHER WRITTEN MATERIALS AVAILABLE TO A PROSPECTIVE

1 CUSTOMER THAT:

2
3 (a) DISCLOSE THAT PORTABLE ELECTRONICS INSURANCE MAY
4 PROVIDE A DUPLICATION OF COVERAGE ALREADY PROVIDED BY A
5 CUSTOMER'S HOMEOWNER'S INSURANCE POLICY, RENTER'S INSURANCE
6 POLICY, OR OTHER SOURCE OF COVERAGE;

7
8 (b) STATE THAT THE ENROLLMENT BY THE CUSTOMER IN A
9 PORTABLE ELECTRONICS INSURANCE PROGRAM IS NOT REQUIRED IN ORDER
10 TO PURCHASE OR LEASE PORTABLE ELECTRONICS OR SERVICES;

11
12 (c) SUMMARIZE THE MATERIAL TERMS OF THE INSURANCE
13 COVERAGE, INCLUDING:

14
15 (I) THE IDENTITY OF THE INSURER;

16
17 (II) THE IDENTITY OF THE SUPERVISING ENTITY;

18
19 (III) THE AMOUNT OF ANY APPLICABLE DEDUCTIBLE AND HOW IT
20 IS TO BE PAID;

21
22 (IV) BENEFITS OF THE COVERAGE; AND

23
24 (V) KEY TERMS AND CONDITIONS OF COVERAGE, SUCH AS
25 WHETHER PORTABLE ELECTRONICS MAY BE REPAIRED OR REPLACED WITH
26 SIMILAR MAKE AND MODEL RECONDITIONED OR NONORIGINAL
27 MANUFACTURER PARTS OR EQUIPMENT;

28
29 (d) SUMMARIZE THE PROCESS FOR FILING A CLAIM, INCLUDING A
30 DESCRIPTION OF HOW TO RETURN PORTABLE ELECTRONICS AND THE
31 MAXIMUM FEE APPLICABLE IF THE CUSTOMER FAILS TO COMPLY WITH ANY
32 EQUIPMENT RETURN REQUIREMENTS; AND

33
34 (e) STATE THAT AN ENROLLED CUSTOMER MAY CANCEL
35 ENROLLMENT FOR COVERAGE UNDER A PORTABLE ELECTRONICS
36 INSURANCE POLICY AT ANY TIME, AND THAT THE PERSON PAYING THE
37 PREMIUM WILL RECEIVE A REFUND OF ANY APPLICABLE UNEARNED
38 PREMIUM.

39
40 (2) AN INSURER MAY OFFER PORTABLE ELECTRONICS INSURANCE
41 ON A MONTH-TO-MONTH OR OTHER PERIODIC BASIS AS A GROUP OR
42 MASTER COMMERCIAL INLAND MARINE POLICY ISSUED TO A VENDOR OF
43 PORTABLE ELECTRONICS FOR ITS ENROLLED CUSTOMERS.

44
45 (3) A POLICY OF INSURANCE PROVIDES PRIMARY COVERAGE IN THE
46 EVENT OF A COVERED LOSS UNDER MORE THAN ONE POLICY.

47
48 (4) EACH INSURER SHALL ESTABLISH ELIGIBILITY AND
49 UNDERWRITING STANDARDS FOR CUSTOMERS ELECTING TO ENROLL IN
50 COVERAGE FOR EACH PORTABLE ELECTRONICS INSURANCE PROGRAM.

51
52 **10-4-1504. Authority of vendors of portable electronics.**

53 (1) THE EMPLOYEES AND AUTHORIZED REPRESENTATIVES OF VENDORS
54 MAY SELL OR OFFER PORTABLE ELECTRONICS INSURANCE TO CUSTOMERS
55 AND ARE NOT SUBJECT TO LICENSURE AS AN INSURANCE PRODUCER UNDER
56 THIS TITLE IF:

1 (a) THE VENDOR OBTAINS A LIMITED LINES PRODUCER LICENSE TO
2 AUTHORIZE ITS EMPLOYEES OR AUTHORIZED REPRESENTATIVES TO SELL OR
3 OFFER PORTABLE ELECTRONICS INSURANCE PURSUANT TO THIS SECTION;
4

5 (b) THE INSURER ISSUING THE PORTABLE ELECTRONICS INSURANCE
6 EITHER DIRECTLY SUPERVISES, AUTHORIZES, OR APPOINTS A SUPERVISING
7 ENTITY TO SUPERVISE THE ADMINISTRATION OF THE PROGRAM, INCLUDING
8 DEVELOPMENT OF A TRAINING PROGRAM FOR EMPLOYEES AND
9 AUTHORIZED REPRESENTATIVES OF THE VENDORS. THE SUPERVISING
10 ENTITY SHALL INCLUDE THE FOLLOWING IN THE TRAINING PROGRAM,
11 WHICH MUST INCLUDE EMPLOYEES AND AUTHORIZED REPRESENTATIVES
12 OF VENDORS WHO ARE DIRECTLY ENGAGED IN THE ACTIVITY OF SELLING
13 OR OFFERING PORTABLE ELECTRONICS INSURANCE:
14

15 (I) A SUPPLEMENTAL EDUCATION PROGRAM REGARDING THE
16 PORTABLE ELECTRONICS INSURANCE PRODUCT THAT IS CONDUCTED AND
17 OVERSEEN BY LICENSED EMPLOYEES OF THE SUPERVISING ENTITY IF THE
18 TRAINING PROGRAM IS PROVIDED IN ELECTRONIC FORMAT; AND
19

20 (II) INSTRUCTION TO EACH EMPLOYEE OR AUTHORIZED
21 REPRESENTATIVE ABOUT THE PORTABLE ELECTRONICS INSURANCE
22 OFFERED TO CUSTOMERS AND THE DISCLOSURES REQUIRED UNDER
23 SECTION 10-4-1503; AND
24

25 (c) THE EMPLOYEE OR AUTHORIZED REPRESENTATIVE OF A VENDOR
26 DOES NOT ADVERTISE, REPRESENT, OR OTHERWISE HOLD HIMSELF OR
27 HERSELF OUT AS A NONLIMITED LINES LICENSED INSURANCE PRODUCER.
28

29 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A VENDOR
30 SHALL NOT COMPENSATE EMPLOYEES OR AUTHORIZED REPRESENTATIVES
31 OF A VENDOR BASED PRIMARILY ON THE NUMBER OF CUSTOMERS
32 ENROLLED FOR PORTABLE ELECTRONICS INSURANCE COVERAGE, BUT THE
33 VENDOR MAY COMPENSATE EMPLOYEES OR AUTHORIZED
34 REPRESENTATIVES FOR ACTIVITIES UNDER THE LIMITED LINES LICENSE AS
35 LONG AS THE COMPENSATION IS INCIDENTAL TO THE EMPLOYEE'S OR
36 AUTHORIZED REPRESENTATIVE'S OVERALL COMPENSATION.
37

38 (3) A VENDOR MAY BILL AND COLLECT CHARGES FOR PORTABLE
39 ELECTRONICS INSURANCE COVERAGE. A VENDOR SHALL SEPARATELY
40 ITEMIZE ANY CHARGE TO THE ENROLLED CUSTOMER FOR COVERAGE THAT
41 IS NOT INCLUDED IN THE COST ASSOCIATED WITH THE PURCHASE OR LEASE
42 OF PORTABLE ELECTRONICS AND ANY RELATED SERVICES. IF THE
43 PORTABLE ELECTRONICS INSURANCE COVERAGE IS INCLUDED WITH THE
44 PURCHASE OR LEASE OF PORTABLE ELECTRONICS OR RELATED SERVICES,
45 THE VENDOR SHALL CLEARLY AND CONSPICUOUSLY DISCLOSE TO THE
46 ENROLLED CUSTOMER THAT THE PORTABLE ELECTRONICS INSURANCE
47 COVERAGE IS INCLUDED WITH THE PORTABLE ELECTRONICS OR RELATED
48 SERVICES. VENDORS BILLING AND COLLECTING THE CHARGES ARE NOT
49 REQUIRED TO MAINTAIN THE CHARGES IN A SEGREGATED ACCOUNT IF THE
50 VENDOR IS AUTHORIZED BY THE INSURER TO HOLD THE CHARGES IN AN
51 ALTERNATIVE MANNER AND REMITS THE CHARGES TO THE SUPERVISING
52 ENTITY WITHIN SIXTY DAYS AFTER RECEIPT. ALL CHARGES RECEIVED BY
53 A VENDOR FROM AN ENROLLED CUSTOMER FOR THE SALE OF PORTABLE
54 ELECTRONICS INSURANCE ARE HELD IN TRUST BY THE VENDOR IN A
55 FIDUCIARY CAPACITY FOR THE BENEFIT OF THE INSURER. VENDORS MAY
56 RECEIVE COMPENSATION FOR BILLING AND COLLECTION SERVICES.

1 **10-4-1505. Suspension or revocation of license.** (1) IF A
2 VENDOR OF PORTABLE ELECTRONICS OR ITS EMPLOYEE OR AUTHORIZED
3 REPRESENTATIVE VIOLATES THIS PART 15, THE COMMISSIONER MAY TAKE
4 DISCIPLINARY ACTION AGAINST THE VENDOR IN ACCORDANCE WITH PART
5 8 OF ARTICLE 2 OF THIS TITLE. A FINE IMPOSED AS DISCIPLINARY ACTION
6 SHALL NOT EXCEED FIVE THOUSAND DOLLARS IN THE AGGREGATE FOR
7 MULTIPLE VIOLATIONS ARISING FROM THE SAME OR SIMILAR CONDUCT.

8
9 (2) IN ADDITION TO OTHER PENALTIES AUTHORIZED BY PART 8 OF
10 ARTICLE 2 OF THIS TITLE, THE COMMISSIONER MAY:

11
12 (a) SUSPEND THE PRIVILEGE OF TRANSACTING PORTABLE
13 ELECTRONICS INSURANCE PURSUANT TO THIS PART 15 AT SPECIFIC
14 BUSINESS LOCATIONS WHERE VIOLATIONS HAVE OCCURRED; AND

15
16 (b) SUSPEND OR REVOKE THE ABILITY OF INDIVIDUAL EMPLOYEES
17 OR AUTHORIZED REPRESENTATIVES TO ACT UNDER THE LICENSE.

18
19 **10-4-1506. Termination of portable electronics insurance.**
20 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW:

21
22 (a) (I) EXCEPT AS SPECIFIED IN SUBPARAGRAPHS (II) AND (III) OF
23 THIS PARAGRAPH (a), AN INSURER MAY TERMINATE OR OTHERWISE
24 CHANGE THE TERMS AND CONDITIONS OF A POLICY OF PORTABLE
25 ELECTRONICS INSURANCE ONLY UPON PROVIDING THE VENDOR AND
26 ENROLLED CUSTOMERS WITH AT LEAST THIRTY DAYS' NOTICE;

27
28 (II) AN INSURER MAY TERMINATE AN ENROLLED CUSTOMER'S
29 ENROLLMENT UNDER A PORTABLE ELECTRONICS INSURANCE POLICY UPON
30 FIFTEEN DAYS' NOTICE FOR NONPAYMENT OF PREMIUM OR FOR DISCOVERY
31 OFFRAUD OR MATERIAL MISREPRESENTATION IN OBTAINING COVERAGE OR
32 IN THE PRESENTATION OF A CLAIM UNDER THE POLICY;

33
34 (III) AN INSURER MAY IMMEDIATELY TERMINATE AN ENROLLED
35 CUSTOMER'S ENROLLMENT UNDER A PORTABLE ELECTRONICS INSURANCE
36 POLICY;

37
38 (A) IF THE ENROLLED CUSTOMER CEASES TO HAVE AN ACTIVE
39 SERVICE WITH THE VENDOR OF PORTABLE ELECTRONICS; OR

40
41 (B) IF AN ENROLLED CUSTOMER EXHAUSTS THE AGGREGATE LIMIT
42 OF LIABILITY, IF ANY, UNDER THE TERMS OF THE PORTABLE ELECTRONICS
43 INSURANCE POLICY AND THE INSURER SENDS NOTICE OF TERMINATION TO
44 THE ENROLLED CUSTOMER WITHIN THIRTY CALENDAR DAYS AFTER
45 EXHAUSTION OF THE LIMIT. IF NOTICE IS NOT TIMELY SENT, ENROLLMENT
46 CONTINUES NOTWITHSTANDING THE AGGREGATE LIMIT OF LIABILITY UNTIL
47 THE INSURER SENDS NOTICE OF TERMINATION TO THE ENROLLED
48 CUSTOMER.

49
50 (b) IF THE INSURER CHANGES THE TERMS AND CONDITIONS, THEN
51 THE INSURER SHALL PROVIDE THE VENDOR WITH A REVISED POLICY OR
52 ENDORSEMENT AND SHALL PROVIDE EACH ENROLLED CUSTOMER WITH A
53 REVISED CERTIFICATE, ENDORSEMENT, UPDATED BROCHURE, OR OTHER
54 EVIDENCE INDICATING THAT A CHANGE IN THE TERMS AND CONDITIONS
55 HAS OCCURRED AND A SUMMARY OF THE MATERIAL CHANGES;

56

1 (c) WHEN A VENDOR TERMINATES A PORTABLE ELECTRONICS
2 INSURANCE POLICY, THE VENDOR SHALL MAIL OR DELIVER WRITTEN
3 NOTICE TO EACH ENROLLED CUSTOMER ADVISING THE ENROLLED
4 CUSTOMER OF THE TERMINATION OF THE POLICY AND THE EFFECTIVE DATE
5 OF TERMINATION. THE INSURER SHALL MAIL OR DELIVER WRITTEN NOTICE
6 TO THE ENROLLED CUSTOMER AT LEAST THIRTY DAYS BEFORE THE
7 TERMINATION.

8
9 (d) (I) WHENEVER NOTICE OR CORRESPONDENCE WITH RESPECT TO
10 A POLICY OF PORTABLE ELECTRONICS INSURANCE IS REQUIRED PURSUANT
11 TO THIS PART 15 OR IS OTHERWISE REQUIRED BY LAW, THE INSURER,
12 VENDOR, OR OTHER PERSON SHALL SEND IT IN WRITING WITHIN THE NOTICE
13 PERIOD, IF ANY, SPECIFIED WITHIN THE STATUTE OR RULE REQUIRING THE
14 NOTICE OR CORRESPONDENCE. NOTWITHSTANDING ANY OTHER PROVISION
15 OF LAW, AN INSURER, VENDOR, OR OTHER PERSON MAY SEND NOTICES AND
16 CORRESPONDENCE BY EITHER MAIL OR ELECTRONIC MEANS.

17
18 (II) IF THE NOTICE OR CORRESPONDENCE IS MAILED, THE INSURER
19 SHALL SEND IT TO THE VENDOR AT THE VENDOR'S MAILING ADDRESS
20 SPECIFIED FOR SUCH PURPOSE AND TO ITS AFFECTED ENROLLED
21 CUSTOMERS' LAST-KNOWN MAILING ADDRESSES ON FILE WITH THE
22 INSURER. THE INSURER OR VENDOR SHALL MAINTAIN PROOF OF MAILING
23 IN A FORM AUTHORIZED OR ACCEPTED BY THE UNITED STATES POSTAL
24 SERVICE OR OTHER COMMERCIAL MAIL DELIVERY SERVICE.

25
26 (III) IF THE NOTICE OR CORRESPONDENCE IS SENT BY ELECTRONIC
27 MEANS, THE INSURER SHALL SEND IT TO THE VENDOR AT THE VENDOR'S
28 ELECTRONIC MAIL ADDRESS SPECIFIED FOR SUCH PURPOSE AND TO ITS
29 AFFECTED ENROLLED CUSTOMERS' LAST-KNOWN ELECTRONIC MAIL
30 ADDRESS AS PROVIDED BY EACH ENROLLED CUSTOMER TO THE INSURER OR
31 VENDOR. THE INSURER OR VENDOR SHALL MAINTAIN PROOF THAT THE
32 NOTICE OR CORRESPONDENCE WAS SENT.

33
34 (IV) FOR PURPOSES OF THIS PARAGRAPH (d), AN ENROLLED
35 CUSTOMER'S PROVISION OF AN ELECTRONIC MAIL ADDRESS TO THE
36 INSURER OR VENDOR IS CONSENT TO RECEIVE NOTICES AND
37 CORRESPONDENCE BY ELECTRONIC MEANS.

38
39 (e) THE SUPERVISING ENTITY APPOINTED BY THE INSURER MAY
40 SEND NOTICE OR CORRESPONDENCE REQUIRED BY THIS SECTION OR
41 OTHERWISE REQUIRED BY LAW ON BEHALF OF AN INSURER OR VENDOR.

42
43 **10-4-1507. Application for license - fees.** (1) AN APPLICANT FOR
44 A LICENSE UNDER THIS PART 15 SHALL APPLY FOR A LICENSE IN
45 ACCORDANCE WITH SECTION 10-2-404; EXCEPT THAT, IN LIEU OF
46 PROVIDING INFORMATION FOR ALL OFFICERS, PARTNERS, AND DIRECTORS
47 AS REQUIRED BY SECTION 10-2-404 (2), THE REQUIRED INFORMATION TO
48 BE SUBMITTED FOR A LICENSE PURSUANT TO THIS PART 15 IS LIMITED TO
49 THE INFORMATION PERTAINING TO AN EMPLOYEE OR OFFICER OF THE
50 VENDOR THAT IS DESIGNATED BY THE APPLICANT AS THE PERSON
51 RESPONSIBLE FOR THE VENDOR'S COMPLIANCE WITH THIS PART 15. IF THE
52 VENDOR DERIVES MORE THAN FIFTY PERCENT OF ITS REVENUE FROM THE
53 SALE OF PORTABLE ELECTRONICS INSURANCE, THE VENDOR SHALL
54 PROVIDE THE LOCATION OF THE HOME OFFICE, NAME, RESIDENCE ADDRESS,
55 AND OTHER INFORMATION REQUIRED BY THE COMMISSIONER FOR ALL
56 OFFICERS, DIRECTORS, AND SHAREHOLDERS OF RECORD HAVING

1 BENEFICIAL OWNERSHIP OF TEN PERCENT OR MORE OF ANY CLASS OF
2 SECURITIES REGISTERED UNDER THE FEDERAL SECURITIES LAWS.

3
4 (2) FOR PURPOSES OF COMPLYING WITH SECTION 10-2-404 (2) (d),
5 THE LICENSED PRODUCER DESIGNATED BY AN APPLICANT IS NOT REQUIRED
6 TO BE AN OFFICER, PARTNER, EMPLOYEE, OR DIRECTOR OF THE APPLICANT.

7
8 (3) AN APPLICANT FOR A LICENSE PURSUANT TO THIS PART 15 IS
9 EXEMPT FROM THE REQUIREMENTS OF SECTIONS 10-2-404 (2) (f) AND
10 10-2-406.

11
12 (4) ANY VENDOR ENGAGING IN PORTABLE ELECTRONICS
13 INSURANCE TRANSACTIONS ON OR BEFORE THE EFFECTIVE DATE OF THIS
14 PART 15 SHALL APPLY FOR LICENSURE WITHIN NINETY DAYS AFTER THE
15 EFFECTIVE DATE OF THIS PART 15. ANY APPLICANT COMMENCING
16 OPERATIONS AFTER THE EFFECTIVE DATE OF THIS PART 15 SHALL OBTAIN
17 A LICENSE BEFORE OFFERING PORTABLE ELECTRONICS INSURANCE.

18
19 **SECTION 2. Act subject to petition - effective date.** This act
20 takes effect January 1, 2013; except that, if a referendum petition is filed
21 pursuant to section 1 (3) of article V of the state constitution against this
22 act or an item, section, or part of this act within the ninety-day period
23 after final adjournment of the general assembly, then the act, item,
24 section, or part will not take effect unless approved by the people at the
25 general election to be held in November 2012 and, in such case, will take
26 effect on January 1, 2013, or on the date of the official declaration of the
27 vote thereon by the governor, whichever is later."

28
29
30
31
32 **FINANCE**

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

35
36 **HB12-1005** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend printed bill, page 3, line 11, after "(m)." add "NO SECURITY
41 ISSUED BY A CORPORATION OR BANK THAT IS NOT ORGANIZED AND
42 OPERATED WITHIN THE UNITED STATES MAY BE PURCHASED PURSUANT TO
43 THIS PARAGRAPH (m) UNLESS THE GOVERNING BODY OF THE PUBLIC
44 ENTITY AUTHORIZES INVESTMENT IN SUCH SECURITIES."

45
46
47
48
49 **HEALTH & ENVIRONMENT**

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

52
53 **HB12-1047** be referred to the Committee of the Whole with favorable
54 recommendation.

55
56

1 **HB12-1065** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend printed bill, page 3, line 8, strike "BOARD, ON A CASE-BY-CASE
6 BASIS, MAY" and substitute "BOARD SHALL".
7

8 Page 3, line 10, strike "PLAN," and substitute "PLAN IF THE ADVANCED
9 PRACTICE NURSE SATISFIES THE REQUIREMENTS OF THIS
10 SUB-SUBPARAGRAPH (B),".
11

12 Page 3, line 11, strike "JULY 1, 2012." and substitute "SEPTEMBER 30,
13 2012." and strike "JULY 1, 2012," and substitute "SEPTEMBER 30, 2012,".
14

15 Page 3, line 13, before "SIGNED" strike "THE" and substitute "A".
16

17 Page 3, line 14, strike "PLAN BY JULY 1, 2011, AS" and substitute "PLAN
18 BY, OR HAD AN EXISTING COLLABORATIVE AGREEMENT WITH A PHYSICIAN
19 ON, JULY 1, 2011, AND".
20

21 Page 3, strike line 15.
22

23 Page 3, strike lines 17 through 19.
24
25
26
27

28 **JUDICIARY**

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

32 **HB12-1026** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:
35

36 Amend printed bill, page 2, line 14, after "OFFICER" insert "ONLY".
37

38 Page 2, line 25, strike "ATTORNEY." and substitute "ATTORNEY OR AN
39 ATTORNEY WHO CONTRACTS WITH A MUNICIPALITY, CITY, TOWN,
40 STATUTORY CITY OR TOWN, OR CITY AND COUNTY, LOCAL GOVERNMENT
41 TO SERVE AS A CITY ATTORNEY, TOWN ATTORNEY, SENIOR ASSISTANT CITY
42 ATTORNEY, ASSISTANT CITY ATTORNEY, CHIEF DEPUTY CITY ATTORNEY,
43 DEPUTY CITY ATTORNEY, SPECIAL DEPUTY CITY ATTORNEY, PROSECUTING
44 ATTORNEY, SENIOR PROSECUTING ATTORNEY, SENIOR PROSECUTOR, OR
45 SPECIAL PROSECUTOR ON A LESS THAN A FULL-TIME BASIS".
46
47
48

49 **HB12-1079** be referred favorably to the Committee on State, Veterans,
50 & Military Affairs.
51

52
53 **HB12-1088** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **HB12-1101** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 4, after "(1.5)" insert "and (1.7)".

6
7 Page 2, line 6, strike "she KNOWINGLY:" and substitute "she:".
8

9 Page 2, after line 6, insert:
10

11 "(a) KNOWINGLY:".
12

13 Page 2, line 7, strike "(a)" and substitute "~~(a)~~ (I)".
14

15 Page 2, strike line 11, and substitute "payment;".
16

17 Page 2, line 12, strike "(b)" and substitute "~~(b)~~ (II)".
18

19 Page 2, strike line 17, and substitute "financial payment;".
20

21 Page 2, line 18, strike "(c)" and substitute "~~(c)~~ (III)".
22

23 Page 2, line 21, strike "DEFRAUD, IF THE DEVICE OR INFORMATION IS
24 THAT" and substitute "DEFRAUD;".
25

26 Page 2, strike line 22.
27

28 Page 2, line 23, strike "(d)" and substitute "~~(d)~~ (IV)".
29

30 Page 3, strike line 1, and substitute "credit; OR".
31

32 Page 3, line 2, strike "(e)" and substitute "~~(e)~~ (V)".
33

34 Page 3, line 4, strike "document," and substitute "document;".
35

36 Page 3, strike line 5, and substitute "~~or~~ AND".
37

38 Page 3, after line 5, insert:
39

40 "(b) THE INFORMATION OR DEVICE IS THAT OF ANOTHER."
41

42 Page 3, strike lines 6 through 10 and substitute:
43

44 "(1.5) THE ELEMENT SET FORTH IN PARAGRAPH (b) OF SUBSECTION
45 (1) IS ONE OF STRICT LIABILITY.
46

47 (1.7) THIS SECTION SHALL NOT APPLY TO USE OR POSSESSION IN
48 COMPLIANCE WITH OR IN CONNECTION WITH A PURPOSE PERMITTED UNDER
49 THE FEDERAL "FAIR CREDIT REPORTING ACT", AS AMENDED, 15 U.S.C.
50 1681 ET SEQ.; THE FEDERAL "FAIR AND ACCURATE CREDIT TRANSACTIONS
51 ACT OF 2003", 15 U.S.C. 1601; THE FEDERAL "DRIVER'S PRIVACY
52 PROTECTION ACT OF 1994", 18 U.S.C. 2721, ET SEQ.; THE FEDERAL
53 "GRAMM-LEACH-BLILEY ACT", 15 U.S.C. 6801; OR THE FEDERAL
54 "HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996",
55 42 U.S.C. 201."
56

1 Page 3, line 14, strike "10, 2011, if adjournment sine die is on May 11,
2 2011);" and substitute "8, 2012, if adjournment sine die is on May 9,
3 2012);".
4
5
6
7

8 **STATE, VETERANS, & MILITARY AFFAIRS**

9 After consideration on the merits, the Committee recommends the
10 following:
11

12 **HB12-1020** be postponed indefinitely.
13
14

15 **HB12-1024** be referred to the Committee of the Whole with favorable
16 recommendation.
17

18
19 **HB12-1070** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:
22

23 Amend printed bill, page 2, line 3, strike "(1) (b) (II) (E),".
24

25 Page 2, line 4, after "**repeal**" insert "(1) (b) (II) (E) and".
26

27 Page 2, strike lines 15 and 16 and substitute:
28

29 "AND COUNTY, SCHOOL DISTRICT, OR ANY ELECTIVE OFFICE WITHIN A
30 SPECIAL DISTRICT FOR WHICH THE ANNUAL COMPENSATION EXCEEDS
31 SIXTEEN HUNDRED DOLLARS."
32

33 Page 2, strike lines 18 and 19 and substitute:
34

35 "(E) ~~Any elective office within a special district for which the~~
36 ~~annual compensation is less than twelve hundred dollars.~~"
37

38 Page 5, strike lines 1 through 4 and substitute:
39

40 ~~"event; or a series of tickets to sporting events of a specific team~~
41 ~~scheduled during a season with a total value of one hundred dollars or~~
42 ~~more, or a series of tickets to cultural events of a specific performing~~
43 ~~company or organization with a total value of one hundred dollars or~~
44 ~~more;".~~
45

46 Page 5, line 14, after "GOVERNMENT" insert "IN THE CASE OF AN
47 INCUMBENT OR ELECTED CANDIDATE SUBJECT TO THE PROVISIONS OF SAID
48 ARTICLE".
49

50 Page 5, strike lines 16 through 19 and substitute:
51

52 "candidate's office or the governmental entity in which such office is
53 held;".
54

55 Page 7, line 22, after "GOVERNMENT" insert "IN THE CASE OF AN
56 INCUMBENT OR ELECTED CANDIDATE SUBJECT TO THE PROVISIONS OF SAID

1 ARTICLE".

2
3 Page 7, strike lines 24 through 27 and substitute:

4
5 "candidate's office or the governmental entity in which such office is
6 held;".

7
8 Page 13, line 3, strike "7," and substitute "8,".

9
10
11
12 **HB12-1089** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16
17
18 **TRANSPORTATION**

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

21
22 **HB12-1012** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:

25
26 Amend printed bill, page 2, line 11, strike "than ~~ten thousand~~ FIFTY
27 THOUSAND dollars." and substitute "than: ~~ten thousand dollars~~."

28
29 (I) FOR A DEPARTMENT OF TRANSPORTATION PROJECT OR A
30 PROJECT WITH DEPARTMENT OF TRANSPORTATION OVERSIGHT, THE LESSER
31 OF THE AMOUNT ELIGIBLE FOR FEDERAL FUNDING PARTICIPATION IN ANY
32 FEDERALLY FUNDED PROJECT OR FIFTY THOUSAND DOLLARS;

33
34 (II) FOR ANY OTHER PROJECT, TEN THOUSAND DOLLARS."

35
36 Page 1, line 105, strike "THE AGENCY." and substitute "A DEPARTMENT
37 OF TRANSPORTATION PROJECT OR A PROJECT WITH DEPARTMENT OF
38 TRANSPORTATION OVERSIGHT."

39
40
41
42 **HB12-1014** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:

45
46 Amend printed bill, page 2, line 3, strike "and (1.5) (b)".

47
48 Page 2, line 11, after "registered." add "IN BOTH ITS ANNUAL
49 PERFORMANCE REPORT PUBLISHED PURSUANT TO SECTION 2-7-205, C.R.S.,
50 AND ITS ANNUAL PRESENTATION TO HOUSE OF REPRESENTATIVES AND
51 SENATE COMMITTEES OF REFERENCE MADE PURSUANT TO SECTION
52 2-7-203, C.R.S., THE DEPARTMENT OF TRANSPORTATION SHALL IDENTIFY
53 ANY DEPARTMENT PROJECTS THAT HAVE BEEN DELAYED FOR A YEAR OR
54 MORE DUE TO A LACK OF FUNDING RESULTING FROM THE LATE FEE
55 REDUCTION ENACTED BY HOUSE BILL 12-1014, ENACTED IN 2012."

56

1 Page 2, strike lines 22 through 25.

2
3 Page 3, strike lines 1 through 12.

4
5
6
7 **PRINTING REPORT**

8
9 The Chief Clerk reports the following bill has been correctly printed:
10 **HB12-1221.**

11
12
13
14 **INTRODUCTION OF BILLS**
15 **First Reading**

16
17 The following bills were read by title and referred to the committees
18 indicated:

19
20 **HB12-1222** by Representative(s) Becker, Gerou, Levy; also Senator(s)
21 Hodge, Steadman, Lambert--Concerning the recreation of
22 the department of transportation renovation fund to be
23 used for transportation-related purposes.
24 Committee on Transportation

25
26 **HB12-1223** by Representative(s) Levy, Becker, Gerou; also Senator(s)
27 Steadman, Hodge, Lambert--Concerning earned time for
28 inmates.
29 Committee on Judiciary

30
31 **HB12-1224** by Representative(s) Becker, Gerou, Levy; also Senator(s)
32 Lambert, Hodge, Steadman--Concerning the creation of a
33 consolidated communications system authority.
34 Committee on Transportation

35
36 **HB12-1225** by Representative(s) Ramirez; also Senator(s) Steadman--
37 Concerning designation as a model charter school
38 authorizer.
39 Committee on Education

40
41 **HB12-1226** by Representative(s) Barker; also Senator(s) Aguilar--
42 Concerning a surcharge on persons convicted of crimes
43 against at-risk persons.
44 Committee on Judiciary
45 Committee on Appropriations

46
47 **HB12-1227** by Representative(s) Young--Concerning postsecondary
48 certificate programs that combine basic education course
49 work with skills training.
50 Committee on State, Veterans, & Military Affairs

51
52 **HB12-1228** by Representative(s) DelGrosso, McCann; also Senator(s)
53 Steadman--Concerning criminal background checks for
54 neighborhood youth organizations seeking to obtain a
55 license.
56 Committee on Economic and Business Development

- 1 **HB12-1229** by Representative(s) Murray; also Senator(s) Scheffel--
2 Concerning publication requirements for a newspaper in
3 which a legal notice or advertisement is printed.
4 Committee on Local Government
5
- 6 **HB12-1230** by Representative(s) Young; also Senator(s) Aguilar--
7 Concerning studies of the redesign of long-term services
8 for persons with developmental disabilities.
9 Committee on State, Veterans, & Military Affairs
10 Committee on Appropriations
11
- 12 **HB12-1231** by Representative(s) Ryden, Gardner B., Kagan, Pabon,
13 Singer, Wilson; also Senator(s) Spence--Concerning the
14 authority of the department of revenue to allow licensed
15 private investigators access to certain motor vehicle
16 records for specified purposes.
17 Committee on Judiciary
18
- 19 **HB12-1232** by Representative(s) Gardner B.; also Senator(s)
20 Nicholson--Concerning a limitation on liability for the
21 treatment costs of specified health care conditions of a
22 person in custody.
23 Committee on Judiciary
24
- 25 **HB12-1233** by Representative(s) Labuda, Barker, Casso, Gardner B.,
26 Pabon; also Senator(s) Carroll--Concerning the ability of
27 a court to enter a decree of legal separation in certain
28 circumstances without the appearance of the parties.
29 Committee on Judiciary
30
- 31 **HB12-1234** by Representative(s) Tyler, Fischer, Hulinghorst, Solano--
32 Concerning a right to participate in proceedings before the
33 public utilities commission by customers of regulated
34 businesses.
35 Committee on State, Veterans, & Military Affairs
36
- 37 **HB12-1235** by Representative(s) Kerr A.; also Senator(s) Johnston--
38 Concerning a requirement that public school structures
39 satisfy minimum energy-efficient design standards.
40 Committee on State, Veterans, & Military Affairs
41
- 42 **HB12-1236** by Representative(s) Summers, Holbert; also Senator(s)
43 Jahn, Boyd--Concerning the regulation of charitable
44 solicitations.
45 Committee on Finance
46
- 47 **HB12-1237** by Representative(s) Williams A.--Concerning the records
48 kept by the unit owners' association of a common interest
49 community.
50 Committee on Local Government
51
- 52 **SB12-007** by Senator(s) Hudak and Spence, Williams S.; also
53 Representative(s) Hamner--Concerning the standardization
54 of the procedural requirements for the issuance of special
55 license plates.
56 Committee on Transportation

1 **SB12-008** by Senator(s) Brophy, Giron, Hodge, Roberts, Schwartz;
2 also Representative(s) Sonnenberg, Baumgardner,
3 Swerdfeger, Vigil, Wilson--Concerning postponement of
4 the repeal of requirements to replace well depletions to the
5 Denver basin aquifers.

6 Committee on Agriculture, Livestock, & Natural Resources

7
8 **SB12-024** by Senator(s) Harvey; also Representative(s) Holbert--
9 Concerning the obligations of a residential nonprofit
10 corporation to its residential members, and, in connection
11 therewith, clarifying open meeting provisions and limiting
12 the conditions under which the corporation must refund
13 moneys paid by a residential member.

14 Committee on Economic and Business Development

15
16 **SB12-029** by Senator(s) Morse, Brophy, Guzman, Roberts, Schwartz;
17 also Representative(s) Gardner B., Labuda, Levy, Murray,
18 Waller--Concerning the enactment of Colorado Revised
19 Statutes 2011 as the positive and statutory law of the state
20 of Colorado.

21 Committee on Judiciary

25 LAY OVER OF CALENDAR ITEM(S)

26
27 On motion of Representative Waller, the following item(s) on the
28 Calendar was (were) laid over until February 7, retaining place on
29 Calendar:

30
31 Consideration of Third Reading--**HB12-1040**.
32 Consideration of General Orders--**HB12-1061 amended, 1068 amended,**
33 **1105, 1017, 1127, 1058, 1090, 1018, 1031, 1077, 1096, 1104, 1053,**
34 **1073, 1100.**

35
36
37
38 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
39 February 7, 2012.

40
41
42
43
44 Approved:
45 FRANK McNULTY,
46 Speaker

44 Attest:
45 MARILYN EDDINS,
46 Chief Clerk

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

Twenty-eighth Legislative Day

Tuesday, February 7, 2012

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

2

3 Prayer by Father Timothy McMahon, Arrupe Jesuit High School.

4

5 Pledge of Allegiance led by Julian Bravo, Metro State College, Denver.

6

7 The roll was called with the following result:

8

9 Present--59.

10 Excused--Representative(s) DelGrosso, Holbert, Singer, Stephens,
11 Swalm, Wilson--6.

12 Present after roll call--Representative(s) DelGrosso, Holbert,
13 Singer, Stephens, Swalm, Wilson.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Swerdfeger, the reading of the journal of
19 February 6, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 On motion of Representative Waller, **HB12-1180, 1181, 1182, 1183,**
24 **1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194,**
25 **1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1068 amended**
26 were made Special Orders on Tuesday, February 7, 2011, at 9:30 a.m.

27

28

29 The hour of 9:30 a.m., having arrived, on motion of Representative
30 Massey, the House resolved itself into Committee of the Whole for
31 consideration of Special Orders and he was called to the Chair to act as
32 Chairman.

33

34

SPECIAL ORDERS--SECOND READING OF BILLS

35

36
37 The Committee of the Whole having risen, the Chairman reported the
38 titles of the following bills had been read (reading at length had been
39 dispensed with by unanimous consent), the bills considered and action
40 taken thereon as follows:

41

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

1 **HB12-1180** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the department of agriculture.
4

5 Ordered engrossed and placed on the Calendar for Third Reading and
6 Final Passage.
7

8 **HB12-1181** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Hodge, Steadman, Lambert--Concerning a supplemental
10 appropriation to the department of corrections.
11

12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14

15 **HB12-1182** by Representative(s) Gerou, Becker, Levy; also Senator(s)
16 Hodge, Steadman, Lambert--Concerning a supplemental
17 appropriation to the department of education.
18

19 Ordered engrossed and placed on the Calendar for Third Reading and
20 Final Passage.
21

22 **HB12-1183** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning a supplemental
24 appropriation to the offices of the governor, lieutenant
25 governor, and state planning and budgeting.
26

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

30 **HB12-1184** by Representative(s) Gerou, Becker, Levy; also Senator(s)
31 Hodge, Steadman, Lambert--Concerning a supplemental
32 appropriation to the department of health care policy and
33 financing.
34

35 Amendment No. 1, Appropriations Report, dated February 6, 2012, and
36 placed in member's bill file; Report also printed in House Journal,
37 February 6, page 148.
38

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

42 **HB12-1185** by Representative(s) Gerou, Becker, Levy; also Senator(s)
43 Hodge, Steadman, Lambert--Concerning a supplemental
44 appropriation to the department of higher education.
45

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

49 **HB12-1186** by Representative(s) Gerou, Becker, Levy; also Senator(s)
50 Hodge, Steadman, Lambert--Concerning a supplemental
51 appropriation to the department of human services.
52

53 Ordered engrossed and placed on the Calendar for Third Reading and
54 Final Passage.
55
56

1 **HB12-1187** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the judicial department.
4

5 Ordered engrossed and placed on the Calendar for Third Reading and
6 Final Passage.
7

8 **HB12-1188** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Hodge, Steadman, Lambert--Concerning a supplemental
10 appropriation to the department of labor and employment.
11

12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14

15 **HB12-1189** by Representative(s) Gerou, Becker, Levy; also Senator(s)
16 Hodge, Steadman, Lambert--Concerning a supplemental
17 appropriation to the department of law.
18

19 Ordered engrossed and placed on the Calendar for Third Reading and
20 Final Passage.
21

22 **HB12-1190** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning supplemental
24 appropriation to the department of local affairs.
25

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

29 **HB12-1191** by Representative(s) Gerou, Becker, Levy; also Senator(s)
30 Hodge, Steadman, Lambert--Concerning a supplemental
31 appropriation to the department of military and veterans
32 affairs.
33

34 Ordered engrossed and placed on the Calendar for Third Reading and
35 Final Passage.
36

37 **HB12-1200** by Representative(s) Gerou, Becker, Levy; also Senator(s)
38 Hodge, Steadman, Lambert--Concerning funding for
39 capital construction, and making supplemental
40 appropriations in connection therewith.
41

42 Amendment No. 1, by Representative(s) Sonnenberg.
43

44 Amend printed bill, page 31, line 7, in the ITEM & SUBTOTAL column
45 strike "2,000,000" and substitute "2,000,000" and in the CAPITAL
46 CONSTRUCTION FUND column strike "2,000,000" and substitute
47 "2,000,000".
48

49 Page 31, after line 7, in the ITEM & SUBTOTAL column insert
50 "2,451,384" and in the CAPITAL CONSTRUCTION FUND column
51 insert "2,451,384".
52

53 Page 31, line 12, in the TOTAL column strike "3,018,104" and substitute
54 "3,018,104".
55

56 Page 31, after line 12, in the TOTAL column insert "3,469,488".

1 Page 32, line 9, in the TOTAL column strike "\$6,665,417" and substitute
2 "~~\$6,665,417~~" and in the CAPITAL CONSTRUCTION FUND column
3 strike "\$3,018,104" and substitute "~~\$3,018,104~~".
4

5 Page 32, after line 9, in the TOTAL column insert "\$7,116,801" and in
6 the CAPITAL CONSTRUCTION FUND column insert "\$3,469,488".
7

8 Adjust affected totals accordingly.
9

10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.
12

13 **HB12-1192** by Representative(s) Gerou, Becker, Levy; also Senator(s)
14 Hodge, Steadman, Lambert--Concerning a supplemental
15 appropriation to the department of natural resources.
16

17 Ordered engrossed and placed on the Calendar for Third Reading and
18 Final Passage.
19

20 **HB12-1193** by Representative(s) Gerou, Becker, Levy; also Senator(s)
21 Hodge, Steadman, Lambert--Concerning a supplemental
22 appropriation to the department of personnel and
23 administration.
24

25 Ordered engrossed and placed on the Calendar for Third Reading and
26 Final Passage.
27

28 **HB12-1194** by Representative(s) Gerou, Becker, Levy; also Senator(s)
29 Hodge, Steadman, Lambert--Concerning a supplemental
30 appropriation to the department of public health and
31 environment.
32

33 Ordered engrossed and placed on the Calendar for Third Reading and
34 Final Passage.
35

36
37
38 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
39

40 Representative Pace moved to amend the Report of the Committee of the
41 Whole to reverse the action taken by the Committee in adopting
42 Amendment No. 1 by Representative Sonnenberg (printed in House
43 Journal page 167, lines 42-56 and page 168, lines 1-8) to show that said
44 amendment lost, that the following Pace amendment to **HB12-1200** did
45 pass and that HB12-1200, as amended, did pass:
46

47 Amend printed bill, page 16, after line 6 insert:
48

49	TOTAL	CAPITAL
50		CONSTRUCTION
51		FUND
52	\$	\$

53
54 **"PART 0.5**
55 **DEPARTMENT OF AGRICULTURE**
56

1 **(1) CAPITAL CONSTRUCTION**

2 NAVAL AND MARINE

3 CORPS RESERVE

4 BUILDINGS ABATEMENT

5 AND DEMOLITION 451,384 451,384

6

7 **TOTALS PART 0.5**8 **(AGRICULTURE)** \$451,384 \$451,384".

9

10 Page 36, line 1, in the CAPITAL CONSTRUCTION FUND column
11 strike "\$48,891,749" and substitute "~~\$48,891,749~~".

12

13 Page 36, line 2, in the TOTAL column strike "\$188,760,046" and
14 substitute "\$189,211,430" and in the CAPITAL CONSTRUCTION
15 FUND column insert "\$49,343,133".

16

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

18

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

37

38

39

40

41 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

42

43 Passed Second Reading: **HB12-1180, 1181, 1182, 1183, 1184 amended,**
44 **1185, 1186, 1187, 1188, 1189, 1190, 1191, 1200 amended, 1192, 1193,**
45 **1194.**

46

47 Laid over until later in the day retaining place on Calendar: **HB12-1195,**
48 **1196, 1197, 1198, 1199, 1201, 1202, 1203, 1068 amended.**

49

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

54

55

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

On motion of Representative Massey, the House resolved itself into Committee of the Whole for continuation of consideration of Special Orders and he 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.)

HB12-1195 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the department of public safety.

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

HB12-1196 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the department of regulatory agencies.

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

HB12-1197 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the department of revenue.

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

1 **HB12-1198** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a supplemental
3 appropriation to the department of state.
4

5 Ordered engrossed and placed on the Calendar for Third Reading and
6 Final Passage.
7

8 **HB12-1199** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Hodge, Steadman, Lambert--Concerning a supplemental
10 appropriation to the department of the treasury.
11

12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14

15 **HB12-1201** by Representative(s) Gerou, Becker, Levy; also Senator(s)
16 Steadman, Hodge, Lambert--Concerning adjustments in
17 the amount of total program funding for public schools for
18 the 2011-12 budget year, and, in connection therewith,
19 making and reducing appropriations.
20

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

24 **HB12-1202** by Representative(s) Levy, Becker, Gerou; also Senator(s)
25 Lambert, Hodge, Steadman--Concerning authorization for
26 the appropriation of tobacco education program fund
27 moneys to the department of health care policy and
28 financing in order to obtain federal matching funds for the
29 Colorado quitline program.
30

31 Amendment No. 1, Appropriations Report, dated February 6, 2012, and
32 placed in member's bill file; Report also printed in House Journal,
33 February 6, page 150.
34

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

38 **HB12-1203** by Representative(s) Gerou, Becker, Levy; also Senator(s)
39 Steadman, Hodge, Lambert--Concerning the reenactment
40 of the statutes that authorize grants from the primary care
41 fund for comprehensive primary care services.
42

43 Ordered engrossed and placed on the Calendar for Third Reading and
44 Final Passage.
45

46 On motion of Representative Waller, the remainder of the Special Orders
47 Calendar (**HB12-1068 amended**) was laid over until February 8,
48 retaining place on Calendar.
49

50

51

52 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

53

54 Passed Second Reading: **HB12-1195, 1196, 1197, 1198, 1199, 1201,**
55 **1202 amended, 1203.**
56

1 Laid over until date indicated retaining place on Calendar: **HB12-1068**
 2 **amended**--February 8, 2012.

3
 4 The Chairman moved the adoption of the Committee of the Whole
 5 Report. As shown by the following roll call vote, a majority of those
 6 elected to the House voted in the affirmative, and the Report was
 7 **adopted**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
10	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
11	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
12	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
13	Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
14	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
15	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
16	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
17	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
18	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
19	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
20	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
21	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
22	DelGrosso	Y	Labuda	Y	Ryden	E	Waller	Y
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
24	Ferrandino	Y	Levy	Y	Scott	E	Wilson	Y
25	Fields	Y	Liston	Y	Singer	Y	Young	Y
26							Speaker	Y

27
 28
 29 House in recess. House reconvened.

30 31 32 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

33 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

36
 37
 38 **HB12-1060** be postponed indefinitely.

39
 40
 41 **HB12-1125** be referred favorably to the Committee on Appropriations.

42 .
 43
 44 **HB12-1147** be amended as follows, and as so amended, be referred to
 45 the Committee of the Whole with favorable
 46 recommendation:

47
 48 Amend printed bill, page 1, after line 1 insert:

49
 50 "SECTION 1. Legislative declaration. The general assembly
 51 hereby finds and declares that the designation of the western tiger
 52 salamander as state amphibian of the state of Colorado shall not stop,
 53 delay, otherwise impede a public or private construction project or
 54 agriculture activity from proceeding."

55
 56 Renumber succeeding sections according.

1 **HB12-1158** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **EDUCATION**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **HB12-1149** be amended as follows, and as so amended, be referred to
12 the Committee on Appropriations with favorable
13 recommendation:
14

15 Amend printed bill, page 3, line 2, strike "EFFECT." and substitute
16 "EFFECT, OR BY JANUARY 15 OF THE CALENDAR YEAR IN WHICH THE
17 DIRECTED ACTION WOULD TAKE EFFECT IF THE SCHOOL DISTRICT OR THE
18 INSTITUTE APPEALS THE DETERMINATION OF THE PLAN THE PUBLIC
19 SCHOOL IS REQUIRED TO ADOPT."
20
21
22

23 **HB12-1212** be referred to the Committee of the Whole with favorable
24 recommendation.
25
26
27
28

29 **LOCAL GOVERNMENT**

30 After consideration on the merits, the Committee recommends the
31 following:
32

33 **HB12-1173** be postponed indefinitely.
34
35

36 **HB12-1176** be postponed indefinitely.
37
38
39

40 **PRINTING REPORT**

41
42 The Chief Clerk reports the following bills have been correctly printed:
43 **HB12-1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231,**
44 **1232, 1233, 1234, 1235, 1236, 1237.**
45
46
47

48 **INTRODUCTION OF BILLS**
49 **First Reading**
50

51 The following bills were read by title and referred to the committees
52 indicated:
53

54 **HB12-1238** by Representative(s) Massey and Hamner, Fields, Pabon,
55 Priola, Casso, Gerou, Lee, Murray, Pace, Sonnenberg,
56 Swerdfeger; also Senator(s) Johnston and Spence, Bacon,

1 Giron, Jahn, Newell--Concerning literacy education for
2 students enrolled in kindergarten through third grade, and,
3 in connection therewith, creating the "Colorado Early
4 Literacy Act".

5 Committee on Education
6

7 **HB12-1239** by Representative(s) Vaad--Concerning the amount of
8 approval required for certain special district actions, and,
9 in connection therewith, allowing persons who own
10 property that is outside the boundaries of a special district
11 but within the existing or proposed service area of the
12 special district to vote in special district elections,
13 allowing a special district to expand its service area into a
14 new county only with the approval of the board of county
15 commissioners of the county, and increasing the
16 percentage of the taxpaying electors of a proposed
17 metropolitan district who must sign a petition for
18 organization of the district.

19 Committee on Local Government
20

21 **HB12-1240** by Representative(s) Kerr A.--Concerning statutory
22 changes to K-12 education.

23 Committee on Education

24 Committee on Finance

25 Committee on Appropriations
26

27 **HB12-1241** by Representative(s) Ferrandino, Hullinghorst, Court,
28 Fischer, Labuda, Levy, Pabon, Singer--Concerning
29 enterprise zone designations.

30 Committee on Finance
31

32 **HB12-1242** by Representative(s) Massey, Kefalas, Summers; also
33 Senator(s) Boyd--Concerning the creation of an electronic
34 biometric prescribing system using biometric identifiers to
35 transmit information pertaining to the distribution of
36 certain medications.

37 Committee on Health and Environment

38 Committee on Economic and Business Development
39

40 **HB12-1243** by Representative(s) Todd, Ferrandino, Lee--Concerning
41 the review of processes used to make appointments to state
42 boards and commissions.

43 Committee on State, Veterans, & Military Affairs
44

45 **HB12-1244** by Representative(s) Scott; also Senator(s) Foster--
46 Concerning an inventory of local governmental entities
47 created by the secretary of state, and, in connection
48 therewith, specifying the information that must be
49 included in the inventory.

50 Committee on Local Government
51

52 **HB12-1245** by Representative(s) Fields, Ferrandino--Concerning
53 options regarding health care coverage for government
54 employees.

55 Committee on State, Veterans, & Military Affairs
56

- 1 **HB12-1246** by Representative(s) Becker, Gerou, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a reversal of the
3 annual payday shift as it applies to state employees paid on
4 a biweekly basis, and making an appropriation in
5 connection therewith.
6 Committee on Finance
7
- 8 **HB12-1247** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Steadman, Hodge, Lambert--Concerning annual reductions
10 in the amount of tobacco litigation settlement moneys that
11 are allocated in the fiscal year in which the state receives
12 them, and, in connection therewith, offsetting the
13 reductions with tobacco litigation settlement cash fund
14 moneys made available by the repeal of the short-term
15 innovative health program grant fund.
16 Committee on Appropriations
17
- 18 **HB12-1248** by Representative(s) Gerou, Becker, Levy; also Senator(s)
19 Lambert, Hodge, Steadman--Concerning the receipt of
20 certain moneys by the department of law.
21 Committee on Appropriations
22
- 23 **HB12-1249** by Representative(s) Gerou, Becker, Levy; also Senator(s)
24 Steadman, Hodge, Lambert--Concerning the manner in
25 which tobacco litigation settlement moneys are allocated
26 to the state auditor's office for the costs of conducting
27 program reviews and evaluations of the performance of
28 tobacco settlement programs.
29 Committee on Appropriations
30
- 31 **HB12-1250** by Representative(s) Holbert; also Senator(s) Harvey--
32 Concerning the premium subsidy provided by public
33 employers to the health care benefits program
34 administered by the public employees' retirement
35 association.
36 Committee on Finance
37 Committee on Appropriations
38
- 39 **HB12-1251** by Representative(s) Hullinghorst, Ferrandino; also
40 Senator(s) Heath--Concerning reforms to the "Urban and
41 Rural Enterprise Zone Act".
42 Committee on Finance
43
- 44 **HB12-1252** by Representative(s) Nikkel; also Senator(s) Spence--
45 Concerning the creation of an on-line database for a state
46 institution of higher education's financial information.
47 Committee on Education
48
- 49 **HB12-1253** by Representative(s) Kefalas; also Senator(s) Johnston--
50 Concerning the real property expense assistance grants for
51 low-income seniors and disabled individuals, and, in
52 connection therewith, modifying grant amounts and
53 increasing maximum income limits for grant qualification.
54 Committee on Finance
55

- 1 **HB12-1254** by Representative(s) Swerdfeger; also Senator(s) Giron--
2 Concerning the reallocation of the conservation trust fund
3 to a metropolitan district that provides parks and recreation
4 services within the unincorporated area of a county only.
5 Committee on Local Government
6
- 7 **HB12-1255** by Representative(s) Baumgardner, Acree, Becker, Brown,
8 Conti, Ferrandino, Holbert, Joshi, Kerr J., Looper,
9 McNulty, Murray, Priola, Scott; also Senator(s) None,
10 Cadman, Grantham, Neville--Concerning ending the
11 continuous appropriation of state moneys.
12 Committee on Appropriations
13
14
- 15 **HB12-1256** by Representative(s) McCann, Pabon; also Senator(s)
16 Mitchell--Concerning a formula for spousal maintenance
17 awarded at permanent orders.
18 Committee on Judiciary
19
- 20 **HB12-1257** by Representative(s) Kefalas; also Senator(s) Boyd--
21 Concerning transparency in the delivery of health care
22 services.
23 Committee on State, Veterans, & Military Affairs
24
25
- 26 **HB12-1258** by Representative(s) DelGrosso; also Senator(s) Jahn--
27 Concerning regulation of public utilities in terms of
28 alternative fuel vehicles.
29 Committee on Transportation
30
- 31 **HB12-1259** by Representative(s) Miklosi--Concerning the right of a
32 person, including a veteran, to waive confidentiality
33 requirements protecting personal work information
34 obtained by the department of labor and employment for
35 unemployment benefit claims to permit the department to
36 forward certain information to potential employers.
37 Committee on State, Veterans, & Military Affairs
38
- 39 **HB12-1260** by Representative(s) Labuda, Court, Ferrandino, Soper,
40 Wilson--Concerning the cap on the amount of an income
41 tax credit that may be claimed in an income tax year for
42 qualified investments in an enterprise zone.
43 Committee on Finance
44
- 45 **HB12-1261** by Representative(s) Solano, Massey, Todd--Concerning
46 effective educators in low-performing, high-needs schools.
47 Committee on Education
48 Committee on Appropriations
49
50
- 51 **HB12-1262** by Representative(s) Gardner B.; also Senator(s) Roberts--
52 Concerning enactment of amendments to the secured
53 transactions provisions of the "Uniform Commercial
54 Code".
55 Committee on Judiciary
56

- 1 **HB12-1263** by Representative(s) Levy; also Senator(s) Steadman--
2 Concerning reducing barriers to employment for people
3 with criminal records.
4 Committee on State, Veterans, & Military Affairs
5
- 6 **HB12-1264** by Representative(s) Solano--Concerning measures to
7 facilitate the process of distributed generation
8 interconnection.
9 Committee on Agriculture, Livestock, & Natural Resources
10
- 11
- 12 **HB12-1265** by Representative(s) Pace, Ferrandino, Lee, Singer; also
13 Senator(s) Giron--Concerning a requirement that the state
14 treasurer invest a specified amount of state moneys in
15 domestic fixed income securities issued for the purpose of
16 raising capital for Colorado businesses so long as the state
17 treasurer can do so without violating the state treasurer's
18 existing duty to use prudence and care to preserve the
19 principal and to secure the maximum rate of interest
20 consistent with safety and liquidity when investing state
21 moneys.
22 Committee on Finance
23
- 24 **HB12-1266** by Representative(s) Sonnenberg, Gardner B.; also
25 Senator(s) Morse--Concerning the continuation of the
26 licensing of persons who furnish bail for compensation.
27 Committee on Judiciary
28
29
- 30 **HB12-1267** by Representative(s) Coram; also Senator(s) Grantham--
31 Concerning the simplification of certain preelection
32 procedures in order to reduce the cost of administering
33 elections.
34 Committee on State, Veterans, & Military Affairs
35
- 36 **HB12-1268** by Representative(s) Acree, Beezley, Joshi, Kerr J.,
37 McCann, Ramirez--Concerning a transfer of functions
38 pertaining to health facility compliance with certain
39 building safety standards from the department of public
40 health and environment to the division of fire safety in the
41 office of preparedness, security, and fire safety within the
42 department of public safety, and, in connection therewith,
43 renaming the public school construction and inspection
44 section in the division of fire safety.
45 Committee on Health and Environment
46
47
- 48 **HB12-1269** by Representative(s) Kerr J.--Concerning the threshold
49 amount of campaign activity by a candidate committee in
50 connection with a special district election that triggers
51 disclosure requirements under the "Fair Campaign
52 Practices Act".
53 Committee on State, Veterans, & Military Affairs
54
55

- 1 **HB12-1270** by Representative(s) Ryden, Jones, Liston, Miklosi, Tyler,
2 Wilson--Concerning an increase in the limit on the amount
3 of alcohol beverages a person licensed to sell alcohol
4 beverages for on-premises consumption may purchase
5 from a licensed alcohol beverage retailer.
6 Committee on Economic and Business Development
7
- 8 **HB12-1271** by Representative(s) Nikkel and McCann, Levy; also
9 Senator(s) Giron--Concerning charging of juveniles by
10 direct file of information or indictment in district court.
11 Committee on Judiciary
12
- 13 **HB12-1272** by Representative(s) Duran, Fields, Tyler, Casso,
14 Ferrandino, Hullinghorst, Miklosi, Singer, Solano, Soper,
15 Vigil--Concerning continuation of enhanced
16 unemployment insurance benefits for unemployed
17 individuals participating in approved training programs.
18 Committee on Economic and Business Development
19 Committee on Appropriations
20
- 21 **HB12-1273** by Representative(s) Pabon, Conti, McCann, Swerdfeger;
22 also Senator(s) Steadman--Concerning the inclusion of
23 approved facility schools affiliated with a hospital to the
24 definition of child care facility for purposes of the child
25 care contribution income tax credit.
26 Committee on Finance
27
- 28 **HB12-1274** by Representative(s) Swerdfeger; also Senator(s) Jahn--
29 Concerning the regulation of notaries public.
30 Committee on State, Veterans, & Military Affairs
31
- 32 **HB12-1275** by Representative(s) Pace; also Senator(s) White--
33 Concerning the encouragement of outdoor recreational
34 opportunities, and, in connection therewith, creating the
35 wildlife sporting license plate.
36 Committee on Transportation
37
- 38 **HB12-1276** by Representative(s) Duran, Summers, Fields, McCann,
39 Casso, Hullinghorst, Massey, Swerdfeger, Vigil--
40 Concerning child care licensure waivers for materials
41 related to a child care center's curriculum.
42 Committee on Health and Environment
43
- 44 **HB12-1277** by Representative(s) Jones, Fischer, Ryden, Singer,
45 Solano; also Senator(s) Bacon--Concerning strengthening
46 local governments' regulation of oil and gas operations,
47 and, in connection therewith, strengthening local
48 governments' zoning and land use authority over oil and
49 gas operations.
50 Committee on Local Government
51
- 52 **HB12-1278** by Representative(s) Fischer--Concerning groundwater in
53 the South Platte river basin.
54 Committee on Agriculture, Livestock, & Natural Resources
55

- 1 **HB12-1279** by Representative(s) Lee, Court, Kefalas--Concerning the
2 public financing of elections to the general assembly.
3 Committee on State, Veterans, & Military Affairs
4
- 5 **HB12-1280** by Representative(s) Coram and Sonnenberg, Becker,
6 Casso, Massey, McKinley, Scott; also Senator(s) Tochtrop
7 and Spence, Hodge--Concerning regulation of the state
8 lottery by the state lottery division in the department of
9 revenue, and, in connection therewith, authorizing the
10 installation of video lottery terminals under the control of
11 the division.
12 Committee on Agriculture, Livestock, & Natural Resources
13 Committee on Appropriations
14
15
- 16 **HB12-1281** by Representative(s) Young, Ferrandino, Fields, Kefalas,
17 Kerr A., McCann, Peniston, Schafer S.--Concerning a
18 pilot program establishing new payment methodologies in
19 medicaid.
20 Committee on Health and Environment
21
- 22 **HB12-1282** by Representative(s) Ramirez; also Senator(s) Nicholson--
23 Concerning the ability of the Colorado geological survey
24 to exempt review of the geologic factors of a preliminary
25 subdivision plan upon request from the board of county
26 commissioners of a county.
27 Committee on Local Government
28
29
- 30 **HB12-1283** by Representative(s) Barker; also Senator(s) Giron--
31 Concerning the department of public safety, and, in
32 connection therewith, renaming and reorganizing certain
33 existing entities.
34 Committee on Judiciary
35
- 36 **HB12-1284** by Representative(s) Wilson, Hamner, Kefalas, Lee,
37 Pabon, Ryden, Tyler; also Senator(s) Heath, Schwartz--
38 Concerning the creation of a legislative interim committee
39 to study small business financing in Colorado.
40 Committee on Economic and Business Development
41
- 42 **HB12-1285** by Representative(s) Gerou; also Senator(s) Jahn--
43 Concerning modifications to statutory provisions
44 governing intergovernmental cooperation to address
45 wildland fire mitigation where a municipality owns land
46 inside a county for utility purposes.
47 Committee on Local Government
48
- 49 **HB12-1286** by Representative(s) Massey and Ferrandino, Todd,
50 Brown, Casso, Coram, Court, Duran, Fields, Fischer,
51 Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J.,
52 Liston, McCann, Miklosi, Pabon, Pace, Peniston, Priola,
53 Ryden, Schafer S., Singer, Soper, Summers, Swerdfeger,
54 Vigil, Williams A., Wilson, Young; also Senator(s) Newell
55 and White, Aguilar, Bacon, Boyd, Foster, Heath, Jahn,
56 Morse, Nicholson, Shaffer B., Steadman, Williams S.--

- 1 Concerning film production activities in Colorado, and, in
2 connection therewith, making an appropriation.
3 Committee on Economic and Business Development
4
- 5 **HB12-1287** by Representative(s) Pabon--Concerning the amount of the
6 actual value of residential real property that qualifies for
7 the senior property tax exemption to be exempted from
8 property taxation for any property tax year commencing on
9 or after January 1, 2012.
10 Committee on Finance
11 Committee on Appropriations
12
- 13 **HB12-1288** by Representative(s) Murray; also Senator(s) Bacon--
14 Concerning the administration of information technology
15 projects in state government.
16 Committee on Economic and Business Development
17
- 18 **HB12-1289** by Representative(s) Nikkel, DelGrosso; also Senator(s)
19 Jahn, Cadman--Concerning complaints to the division of
20 insurance on certain adverse actions of auto insurers.
21 Committee on Economic and Business Development
22
- 23 **HB12-1290** by Representative(s) Brown; also Senator(s) Tochtrop--
24 Concerning the voluntary contribution designation
25 benefiting the Colorado for Healthy Landscapes fund that
26 appears on the state individual income tax return forms.
27 Committee on Finance
28
- 29 **HB12-1291** by Representative(s) Wilson, Court, Miklosi, Ryden,
30 Sonnenberg, Soper, Todd--Concerning an exemption from
31 the late fee for motor vehicle registration for collector
32 vehicles.
33 Committee on Transportation
34
- 35 **HB12-1292** by Representative(s) Murray--Concerning technical
36 modifications to laws relating to the administration of
37 elections, and, in connection therewith, harmonizing
38 current laws with federal law, altering the time periods
39 within which certain actions must be taken, raising certain
40 fees, and deleting obsolete references.
41 Committee on State, Veterans, & Military Affairs
42
- 43 **HB12-1293** by Representative(s) Todd, Court, Ferrandino, Liston,
44 Murray--Concerning modifications to procedures that
45 govern recall elections.
46 Committee on State, Veterans, & Military Affairs
47
- 48 **HB12-1294** by Representative(s) Liston, Todd, Acree, Baumgardner,
49 Gardner B., Kerr J., Massey, Miklosi, Murray, Priola,
50 Ramirez, Soper, Swalm, Swerdfeger, Szabo; also
51 Senator(s) Tochtrop, Boyd, Mitchell, Neville, White--
52 Concerning modifications to the system of regulation of
53 health facilities currently regulated by the department of
54 public health and environment.
55 Committee on Economic and Business Development
56
-

INTRODUCTION OF RESOLUTION

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

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

APPOINTMENT

The Minority Leader announced the temporary appointment of Representative Pabon to replace Representative Lee to the Committee on Local Government for February 8-10, 2012.

Correction

H.J. page 164, strike lines 22 through 30.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Swerdfeger, the following item(s) on the Calendar was (were) laid over until February 8, retaining place on Calendar:

Consideration of Third Reading--**HB12-1040**.
Consideration of General Orders--**HB12-1061 amended, 1105, 1017, 1127, 1058, 1090, 1018, 1031, 1077, 1096, 1104, 1053, 1073, 1100**.

On motion of Representative Swerdfeger, the House adjourned until 10:00 a.m., February 8, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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.

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.

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

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

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

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

MESSAGE(S) FROM THE SENATE

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

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

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

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

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

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

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

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

LAY OVER OF CALENDAR ITEM(S)

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

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

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

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

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

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

Thirtieth Legislative Day

Thursday, February 9, 2012

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

2

3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4

5 Pledge of Allegiance led by Jenny Tamariz, Arrupe High School, Denver.

6

7 The roll was called with the following result:

8

9 Present--61.

10 Excused--Representative(s) Lee, McKinley, McNulty--3.

11 Absent--Representative(s) Singer--1.

12 Present after roll call--Representative(s) McNulty, Singer.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Swerdfeger, the reading of the journal of
18 February 8, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

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

24

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

28

29 **HB12-1040** by Representative(s) Casso--Concerning recognition of
30 September 11 as a state holiday, in certain years, and in
31 connection therewith, designating September 11 as
32 "Patriot Day".

33

34 Laid over until February 10, retaining place on Calendar.

35

36 **HB12-1180** by Representative(s) Gerou, Becker, Levy; also Senator(s)
37 Hodge, Steadman, Lambert--Concerning a supplemental
38 appropriation to the department of agriculture.

39

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

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

	YES	61	NO	0	EXCUSED	3	ABSENT	1
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	-	Young	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Jones, Labuda, Priola, Ryden,
20 Schafer S., Vigil, Wilson.

21
22 **HB12-1181** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning a supplemental
24 appropriation to the department of corrections.
25

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

	YES	40	NO	21	EXCUSED	3	ABSENT	1
31								
32	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
33	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
34	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
35	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
36	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
37	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
38	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
39	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
40	Casso	N	Kagan	Y	Pace	Y	Todd	Y
41	Conti	N	Kefalas	N	Peniston	Y	Tyler	Y
42	Coram	Y	Kerr A.	N	Priola	N	Vaad	Y
43	Court	Y	Kerr J.	N	Ramirez	N	Vigil	N
44	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
45	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
46	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
47	Fields	N	Liston	N	Singer	-	Young	N
48							Speaker	E

49 Co-sponsor(s) added: Representative(s) Labuda, Ryden, Schafer S.
50

51 **HB12-1182** by Representative(s) Gerou, Becker, Levy; also Senator(s)
52 Hodge, Steadman, Lambert--Concerning a supplemental
53 appropriation to the department of education.
54

55 The question being "Shall the bill pass?".
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**.

YES	61	NO	0	EXCUSED	3	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	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	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	-	Young	Y
						Speaker	E

Co-sponsor(s) added: Representative(s) Casso, Fields, Hamner, Kerr A., Labuda, Peniston, Todd, Young.

HB12-1183 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning a supplemental appropriation to the offices of the governor, lieutenant governor, and state planning and budgeting.

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	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	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	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	E

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

1 **HB12-1184** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 2 Hodge, Steadman, Lambert--Concerning a supplemental
 3 appropriation to the department of health care policy and
 4 financing.
 5

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

	YES	48	NO	15	EXCUSED	2	ABSENT	0
12	Acree	Y	Fischer	Y	Looper	N	Solano	Y
13	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	Y
14	Barker	N	Gerou	Y	McCann	Y	Soper	Y
15	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
16	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
17	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
18	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
19	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
20	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
21	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
22	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
23	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
24	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
25	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
26	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
27	Fields	Y	Liston	N	Singer	Y	Young	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Wilson, Young.
 30
 31

32 **HB12-1185** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 33 Hodge, Steadman, Lambert--Concerning a supplemental
 34 appropriation to the department of higher education.
 35

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
42	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
44	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
46	Becker	Y	Holbert	Y	Miklosi	Y	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	E	Schafer S.	Y	Williams A.	Y
56	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y

1 Fields Y Liston Y Singer Y Young Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Casso, Fields, Hamner, Labuda,
 4 Peniston, Solano, Todd, Vigil, Williams A., Wilson, Young.

5
 6 **HB12-1186** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 7 Hodge, Steadman, Lambert--Concerning a supplemental
 8 appropriation to the department of human services.
 9

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

	YES	60	NO	3	EXCUSED	2	ABSENT	0
16 Acree	Y		Fischer	Y	Looper	Y	Solano	Y
17 Balmer	Y		Gardner B.	Y	Massey	Y	Sonnenberg	N
18 Barker	Y		Gerou	Y	McCann	Y	Soper	Y
19 Baumgardner	Y		Hamner	Y	McKinley	E	Stephens	Y
20 Becker	Y		Holbert	Y	Miklosi	Y	Summers	Y
21 Beezley	Y		Hullinghorst	Y	Murray	Y	Swalm	Y
22 Bradford	Y		Jones	Y	Nikkel	Y	Swerdfeger	Y
23 Brown	Y		Joshi	Y	Pabon	Y	Szabo	Y
24 Casso	Y		Kagan	Y	Pace	Y	Todd	Y
25 Conti	Y		Kefalas	Y	Peniston	Y	Tyler	Y
26 Coram	Y		Kerr A.	Y	Priola	N	Vaad	Y
27 Court	Y		Kerr J.	Y	Ramirez	Y	Vigil	Y
28 DelGrosso	Y		Labuda	Y	Ryden	Y	Waller	Y
29 Duran	Y		Lee	E	Schafer S.	Y	Williams A.	Y
30 Ferrandino	Y		Levy	Y	Scott	Y	Wilson	Y
31 Fields	Y		Liston	N	Singer	Y	Young	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Casso, Labuda, Solano, Wilson, Young.
 34

35 **HB12-1187** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 36 Hodge, Steadman, Lambert--Concerning a supplemental
 37 appropriation to the judicial department.
 38

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

	YES	57	NO	6	EXCUSED	2	ABSENT	0
45 Acree	Y		Fischer	Y	Looper	Y	Solano	Y
46 Balmer	N		Gardner B.	Y	Massey	Y	Sonnenberg	Y
47 Barker	Y		Gerou	Y	McCann	Y	Soper	Y
48 Baumgardner	Y		Hamner	Y	McKinley	E	Stephens	Y
49 Becker	Y		Holbert	Y	Miklosi	Y	Summers	Y
50 Beezley	N		Hullinghorst	Y	Murray	Y	Swalm	N
51 Bradford	Y		Jones	Y	Nikkel	Y	Swerdfeger	Y
52 Brown	Y		Joshi	Y	Pabon	Y	Szabo	Y
53 Casso	Y		Kagan	Y	Pace	Y	Todd	Y
54 Conti	N		Kefalas	Y	Peniston	Y	Tyler	Y
55 Coram	Y		Kerr A.	Y	Priola	N	Vaad	Y
56 Court	Y		Kerr J.	Y	Ramirez	Y	Vigil	Y

1	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
2	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
3	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
4	Fields	Y	Liston	Y	Singer	Y	Young	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Labuda, Ryden.

7
8 **HB12-1188** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Hodge, Steadman, Lambert--Concerning a supplemental
10 appropriation to the department of labor and employment.

11
12 The question being "Shall the bill pass?".

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

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

35 Co-sponsor(s) added: Representative(s) Casso, Fields, Williams A., Young.

36
37 **HB12-1189** by Representative(s) Gerou, Becker, Levy; also Senator(s)
38 Hodge, Steadman, Lambert--Concerning a supplemental
39 appropriation to the department of law.

40
41 The question being "Shall the bill pass?".

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

46	YES	63	NO	0	EXCUSED	2	ABSENT	0
47	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
48	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
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.	Y	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) McCann, Ryden.

9
10 **HB12-1190** by Representative(s) Gerou, Becker, Levy; also Senator(s)
11 Hodge, Steadman, Lambert--Concerning supplemental
12 appropriation to the department of local affairs.

13
14 The question being "Shall the bill pass?".

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

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

37 Co-sponsor(s) added: Representative(s) Labuda, Ryden, Vigil.

38
39 **HB12-1191** by Representative(s) Gerou, Becker, Levy; also Senator(s)
40 Hodge, Steadman, Lambert--Concerning a supplemental
41 appropriation to the department of military and veterans
42 affairs.

43
44 The question being "Shall the bill pass?".

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

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

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

11 Co-sponsor(s) added: Representative(s) Casso, Ferrandino, Fields, Hamner,
12 Kerr A., Labuda, Ryden, Summers, Todd, Young.

13
14 **HB12-1200** by Representative(s) Gerou, Becker, Levy; also Senator(s)
15 Hodge, Steadman, Lambert--Concerning funding for
16 capital construction, and making supplemental
17 appropriations in connection therewith.

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

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

23	YES	51	NO	12	EXCUSED	2	ABSENT	0
24								
25	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
26	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
29	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
31	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
33	Casso	N	Kagan	Y	Pace	N	Todd	Y
34	Conti	Y	Kefalas	N	Peniston	Y	Tyler	N
35	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
36	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
38	Duran	N	Lee	E	Schafer S.	N	Williams A.	N
39	Ferrandino	N	Levy	Y	Scott	Y	Wilson	Y
40	Fields	N	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Holbert, Liston.

43
44 **HB12-1192** by Representative(s) Gerou, Becker, Levy; also Senator(s)
45 Hodge, Steadman, Lambert--Concerning a supplemental
46 appropriation to the department of natural resources.

47
48 The question being "Shall the bill pass?".

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

52	YES	63	NO	0	EXCUSED	2	ABSENT	0
53								
54	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
55	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
56	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

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

15 Co-sponsor(s) added: Representative(s) Brown, Hamner, Labuda, Wilson,
16 Young.

17
18 **HB12-1193** by Representative(s) Gerou, Becker, Levy; also Senator(s)
19 Hodge, Steadman, Lambert--Concerning a supplemental
20 appropriation to the department of personnel and
21 administration.
22

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

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

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

46 Co-sponsor(s) added: Representative(s) Labuda, Ramirez, Swerdfeger,
47 Williams A.

48
49
50 **HB12-1194** by Representative(s) Gerou, Becker, Levy; also Senator(s)
51 Hodge, Steadman, Lambert--Concerning a supplemental
52 appropriation to the department of public health and
53 environment.
54

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

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	38	NO	25	EXCUSED	2	ABSENT	0
5	Acree	N	Fischer	Y	Looper	N	Solano	Y
6	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
7	Barker	N	Gerou	Y	McCann	Y	Soper	Y
8	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
9	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
10	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
11	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
12	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
13	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
14	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
15	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
16	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
17	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
18	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
19	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
20	Fields	Y	Liston	N	Singer	Y	Young	Y
21							Speaker	N

22 Co-sponsor(s) added: Representative(s) Casso, Fischer, Hamner, Jones, Kerr A.,
23 Labuda, Young.

24
25 **HB12-1195** by Representative(s) Gerou, Becker, Levy; also Senator(s)
26 Hodge, Steadman, Lambert--Concerning a supplemental
27 appropriation to the department of public safety.

28
29 The question being "Shall the bill pass?".

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

	YES	52	NO	11	EXCUSED	2	ABSENT	0
35	Acree	N	Fischer	Y	Looper	Y	Solano	Y
36	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
37	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
38	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
39	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
40	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
41	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
42	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
43	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
44	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
45	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
46	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
47	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
48	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
49	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
50	Fields	Y	Liston	Y	Singer	Y	Young	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Labuda, Ryden, Wilson, Young.

53
54 **HB12-1196** by Representative(s) Gerou, Becker, Levy; also Senator(s)
55 Hodge, Steadman, Lambert--Concerning a supplemental
56 appropriation to the department of regulatory agencies.

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	36	NO	27	EXCUSED	2	ABSENT	0
7	Acree	N	Fischer	Y	Looper	N	Solano	Y
8	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
9	Barker	N	Gerou	Y	McCann	Y	Soper	Y
10	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
11	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
12	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
13	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
14	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
15	Casso	N	Kagan	Y	Pace	Y	Todd	Y
16	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
17	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
18	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	N
19	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
20	Duran	Y	Lee	E	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

24 Co-sponsor(s) added: Representative(s) Fischer, Labuda.

25
 26 **HB12-1197** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 27 Hodge, Steadman, Lambert--Concerning a supplemental
 28 appropriation to the department of revenue.

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

	YES	38	NO	25	EXCUSED	2	ABSENT	0
36	Acree	Y	Fischer	Y	Looper	N	Solano	Y
37	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
38	Barker	N	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
40	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
41	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
42	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
43	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
44	Casso	Y	Kagan	Y	Pace	N	Todd	Y
45	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
47	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
48	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
49	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
51	Fields	Y	Liston	N	Singer	Y	Young	Y
52							Speaker	Y

53
 54 **HB12-1198** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 55 Hodge, Steadman, Lambert--Concerning a supplemental
 56 appropriation to the department of state.

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

24 Co-sponsor(s) added: Representative(s) Holbert.

25
 26 **HB12-1199** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 27 Hodge, Steadman, Lambert--Concerning a supplemental
 28 appropriation to the department of the treasury.

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

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

53 Co-sponsor(s) added: Representative(s) Holbert.

54
 55 **HB12-1201** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 56 Steadman, Hodge, Lambert--Concerning adjustments in

the amount of total program funding for public schools for the 2011-12 budget year, and, in connection therewith, making and reducing appropriations.

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	61	NO	2	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	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	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Casso, Hamner, Jones, Kerr A., Solano, Todd, Williams A., Young.

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.

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	38	NO	25	EXCUSED	2	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	N	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
Becker	Y	Holbert	N	Miklosi	Y	Summers	N
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
Brown	Y	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N

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

5 Co-sponsor(s) added: Representative(s) Kerr A., Labuda, Ryden, Todd.

6
7 **HB12-1203** by Representative(s) Gerou, Becker, Levy; also Senator(s)
8 Steadman, Hodge, Lambert--Concerning the reenactment
9 of the statutes that authorize grants from the primary care
10 fund for comprehensive primary care services.

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**.

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

35 Co-sponsor(s) added: Representative(s) Labuda, Summers, Todd, Young.

36
37 **HB12-1127** by Representative(s) Liston, Priola, Holbert, Swalm,
38 Swerdfeger, Szabo; also Senator(s) S.Williams--
39 Concerning elimination of an increase in the
40 unemployment insurance premium rate for new employers.

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

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

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

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

9 Co-sponsor(s) added: Representative(s) Acree, Brown, Conti, Kerr A., Kerr J.,
10 Labuda, Pabon, Pace, Soper, Stephens, Summers, Todd, Williams A.

11
12 **HB12-1058** by Representative(s) Joshi; also Senator(s) Nicholson--
13 Concerning the requirement that the department of public
14 health and environment provide infant eye prophylaxis.

15
16 The question being "Shall the bill pass?".

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

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

39 Co-sponsor(s) added: Representative(s) Acree, Barker, Bradford, Brown,
40 Fields, Kerr A., Labuda, Schafer S., Soper, Todd, Young.

41
42 **HB12-1090** by Representative(s) Pace; also Senator(s) Newell--
43 Concerning the annual date for establishing the total pupil
44 enrollment of each public school.

45
46 As shown by the following roll call vote, a majority of all members
47 elected to the House voted in the affirmative, and Representative Pace
48 was given permission to offer a Third Reading amendment:

50	YES	62	NO	1	EXCUSED	2	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

Third Reading amendment No. 1, by Representative Pace.

Amend the engrossed bill, page 12, line 11, strike "(9.5) (a) (II)," and substitute "(9.5) (a),".

Page 13, strike line 11 and substitute:

"(9.5) (a) (I) "Preschool program enrollment" means the number of pupils enrolled in a district preschool program pursuant to article 28 of this title on ~~October 1~~ THE PUPIL ENROLLMENT COUNT DAY within the applicable budget year. ~~or the school date nearest said date.~~ A pupil enrolled in a district preschool program pursuant to article 28 of this title shall be counted as a half-day pupil.

(II) Notwithstanding the provisions of subparagraph (I)".

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

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Court, Fields, Hamner, Schafer S.,
 20 Todd, Wilson.

21
 22
 23 **HB12-1018** by Representative(s) Labuda, Barker, Duran, Gardner B.,
 24 Liston, Peniston, Ramirez, Schafer S., Scott, Waller; also
 25 Senator(s) Tochtrop, Morse, King S., White--Concerning
 26 modifications to available affiliation by social security
 27 employers with the fire and police pension association.

28
 29 The question being "Shall the bill pass?".

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

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

52 Co-sponsor(s) added: Representative(s) Fields, Kerr A., Wilson, Young.

53
 54 **HB12-1031** by Representative(s) Peniston, Labuda, Duran, Ramirez,
 55 Schafer S.; also Senator(s) Tochtrop, King S., Morse--
 56 Concerning the authority of the board of the fire and police

pension association to make amendments to plans for the administration of benefits.

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	59	NO	4	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
Barker	N	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	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	N	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	E	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) Todd, Williams A., Wilson, Young.

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

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	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	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	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y

1 Fields Y Liston Y Singer Y Young Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Kerr A., Kerr J., Todd, Wilson, Young.
 4

5 **HB12-1096** by Representative(s) Kerr A., Acree, Beezley, Conti,
 6 DelGrosso, Hullinghorst, Joshi, Kagan, Kefalas, Labuda,
 7 McCann, Pabon, Swalm, Swerdfeger; also Senator(s)
 8 Brophy--Concerning an extension of the period for which
 9 the voluntary contribution designation line benefiting the
 10 Make-A-Wish Foundation of Colorado fund appears on
 11 state individual income tax return forms.
 12

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

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

36 Co-sponsor(s) added: Representative(s) Casso, Fischer, Kerr J., Priola,
 37 Schafer S., Summers, Todd, Wilson, Young.
 38

39 **HB12-1104** by Representative(s) Swerdfeger, Acree, Conti,
 40 Hullinghorst, Kagan, Kefalas, Pabon, Swalm; also
 41 Senator(s) Giron--Concerning a change to the voluntary
 42 contribution designation benefiting the Colorado breast
 43 and women's reproductive cancers fund, and, in
 44 connection therewith, changing the name of the fund to the
 45 Colorado cancer fund and expanding the purpose of the
 46 fund to include furtherance of the Colorado Cancer
 47 Coalition's work on behalf of the cancer community.
 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	63	NO	0	EXCUSED	2	ABSENT	0
55 Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
56 Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	

1	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	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	E	Schafer S.	Y	Williams A.	Y
13	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
14	Fields	Y	Liston	Y	Singer	Y	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Barker, Brown, Fischer, Jones, Kerr A.,
 17 Kerr J., Labuda, Massey, Pace, Solano, Todd, Vigil, Williams A., Wilson,
 18 Young.

19
 20 **HB12-1053** by Representative(s) Gardner B.; also Senator(s) Giron--
 21 Concerning the victims' rights act.

22
 23 The question being "Shall the bill pass?".

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

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

46 Co-sponsor(s) added: Representative(s) Barker, Brown, Fields, Kefalas, Kerr J.,
 47 Labuda, Liston, Nikkel, Pace, Ryden, Schafer S., Solano, Summers, Todd,
 48 Young.

49
 50
 51 **HB12-1073** by Representative(s) Brown; also Senator(s) Roberts--
 52 Concerning the transfer of a judgeship from the first
 53 judicial district to the sixth judicial district.

54
 55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

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

22 Co-sponsor(s) added: Representative(s) Barker, Bradford, Coram, Holbert,
23 Joshi, Kerr J., Pace, Summers.

24
25 **HB12-1100** by Representative(s) Summers; also Senator(s) Aguilar--
26 Concerning the admissibility in criminal proceedings of
27 the results of a prenatal screening for illegal substances.

28
29 The question being "Shall the bill pass?".

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
35	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
36	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
37	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
38	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
39	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
40	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
41	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
42	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
43	Casso	N	Kagan	Y	Pace	Y	Todd	Y
44	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
45	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
46	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
47	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
48	Duran	Y	Lee	E	Schafer S.	Y	Williams A.	Y
49	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
50	Fields	Y	Liston	Y	Singer	Y	Young	Y
51							Speaker	Y

52 Co-sponsor(s) added: Representative(s) Barker, Brown, Court, Fields, Fischer,
53 Jones, Kagan, Kerr A., Kerr J., Labuda, Liston, Massey, Nikkel, Pabon, Pace,
54 Ramirez, Ryden, Solano, Stephens, Todd, Vigil, Wilson, Young.

55

1 **HB12-1008** by Representative(s) Acree; also Senator(s) Jahn--
 2 Concerning additional methods for providing input to
 3 executive branch agencies about proposed rules, and, in
 4 connection therewith, directing agencies to establish
 5 representative groups to evaluate and comment on
 6 proposed rules, requiring agencies to notify the general
 7 assembly of any rule-making that results in increases in
 8 fees or fines, and requiring agencies to submit
 9 departmental regulatory agendas to the general assembly.

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**.

	YES	40	NO	23	EXCUSED	2	ABSENT	0
17	Acree	Y	Fischer	N	Looper	Y	Solano	N
18	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
19	Barker	Y	Gerou	Y	McCann	Y	Soper	N
20	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
22	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
23	Bradford	N	Jones	N	Nikkel	Y	Swerdfeger	Y
24	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
25	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
26	Conti	Y	Kefalas	N	Peniston	N	Tyler	Y
27	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
28	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
29	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
30	Duran	N	Lee	E	Schafer S.	N	Williams A.	N
31	Ferrandino	N	Levy	N	Scott	N	Wilson	N
32	Fields	N	Liston	Y	Singer	N	Young	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Barker, Brown, Kerr J., Liston.

35
 36 **HB12-1032** by Representative(s) Hamner; also Senator(s) Nicholson--
 37 Concerning continuation of forestry-related programs, and,
 38 in connection therewith, making an appropriation.

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

	YES	57	NO	6	EXCUSED	2	ABSENT	0
46	Acree	Y	Fischer	Y	Looper	N	Solano	Y
47	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
48	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
49	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
50	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
51	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
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	N	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	E	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							Speaker	N

7 Co-sponsor(s) added: Representative(s) Fields, Fischer, Gerou, Hulinghorst,
8 Kerr A., Kerr J., Pace, Todd, Wilson, Young.

9
10 **HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s)
11 Hodge, Steadman, Lambert--Concerning a grant program
12 to provide home care allowance benefits to certain eligible
13 individuals, and, in connection therewith, making an
14 appropriation.
15

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

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

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

39 Co-sponsor(s) added: Representative(s) Barker, Brown, Conti, DelGrosso,
40 Fields, Fischer, Hamner, Hulinghorst, Kerr A., Kerr J., Pabon, Pace,
41 Schafer S., Solano, Summers, Todd, Vigil, Wilson, Young.
42
43
44

45 On motion of Representative DelGrosso, the House resolved itself into
46 Committee of the Whole for consideration of General Orders, and he was
47 called to the Chair to act as Chairman.
48
49

50 GENERAL ORDERS--SECOND READING OF BILLS

51
52 The Committee of the Whole having risen, the Chairman reported the
53 titles of the following bills had been read (reading at length had been
54 dispensed with by unanimous consent), the bills considered and action
55 taken thereon as follows:
56

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

3
4 **HB12-1061** by Representative(s) Kagan; also Senator(s) Newell--
5 Concerning requiring a report of the correlation between
6 the educational credentials issued and the state's workforce
7 needs.

8
9 (Previously amended as printed in House Journal, January 31, page 116.)

10
11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.

13
14 **HB12-1034** by Representative(s) Looper, Fischer, Hamner, Jones,
15 Ramirez, Tyler, Vaad, Young; also Senator(s) Spence,
16 Hudak, King S., Williams S.--Concerning continuing the
17 processors and end users fund that encourages recycling of
18 waste tires.

19
20 Amendment No. 1, Transportation & Energy Report, dated
21 January 18, 2012, and placed in member's bill file; Report also printed in
22 House Journal, January 19, pages 53-54.

23
24 Amendment No. 2, by Representative(s) Gardner.

25
26 Amend printed bill, page 3, line 3, after "~~fund.~~" insert "THE STATE
27 DEPARTMENT SHALL IDENTIFY OTHER MARKETS IN THE STATE THAT ARE
28 ABLE, WITHOUT TAXPAYER OR WASTE TIRE CLEAN UP FUNDS, TO
29 ELIMINATE ILLEGAL TIRE DUMPING AND TO RECYCLE OR REUSE WASTE
30 TIRES IN NEWER TECHNOLOGIES."

31
32 Page 3, line 4, strike "2020." and substitute "2015."

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

36
37 **HB12-1071** by Representative(s) Liston; also Senator(s) Jahn--
38 Concerning portable electronics insurance.

39
40 Amendment No. 1, Economic & Business Development Report, dated
41 February 2, 2012, and placed in member's bill file; Report also printed in
42 House Journal, February 6, pages 150-157.

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

46
47 **HB12-1047** by Representative(s) Kefalas, Gardner B.; also Senator(s)
48 Newell--Concerning the waiver of non-safety licensing
49 standards for kinship foster care.

50
51 Ordered engrossed and placed on the Calendar for Third Reading and
52 Final Passage.

53
54 **HB12-1088** by Representative(s) Holbert and Becker, Baumgardner,
55 Sonnenberg, McKinley, Scott, Balmer, Looper, Liston,
56 Coram, Stephens, Acree, Barker, Beezley, Brown, Joshi,

McNulty, Priola, Ramirez, Swalm; also Senator(s) Grantham--Concerning the use of deadly physical force against a person who makes an illegal entry into a place of business.

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

HB12-1024 by Representative(s) Szabo--Concerning a requirement that the ballot title of a statewide measure be written in plain language.

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

On motion of Representative Stephens, the following bills on the General Orders Calendar (**HB12-1105, 1017, 1009 amended, 1005, 1026**) were laid over until February 10, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1061 amended, 1034 amended, 1071 amended, 1047, 1088, 1024.**

Laid over until date indicated retaining place on Calendar: **HB12-1105, 1017, 1009 amended, 1005, 1026**--February 10, 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	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	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	E	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

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

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

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

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

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

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

(nn) To ensure that each student who enrolls in the sixth grade in a public school of the school district, including but not limited to a district charter school, on the day of enrollment is registered with the state-provided, free on-line college planning and preparation resource, commonly referred to as "CollegeInColorado.org". The school district, the department of education, and the department of higher education shall collaborate to monitor the implementation of this paragraph (nn) and to ensure optimal interactivity between the various data bases and student record systems employed by school districts and college in Colorado. Each public school shall assist each student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan no later than the beginning of ninth grade but may assist the student and his or her parent or legal guardian to develop and maintain the student's individual career and academic plan in any grade prior to ninth grade. AT A MINIMUM, EACH PUBLIC SCHOOL SHALL ENSURE THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER EXPLAINS TO THE STUDENT AND THE STUDENT'S PARENT OR LEGAL GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS ACT", ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE COUNSELOR OR TEACHER SHALL ASSIST THE STUDENT IN COURSE PLANNING TO ENABLE THE STUDENT TO CONCURRENTLY ENROLL IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION.

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

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

1 (f) Ensure that each student who enrolls in the sixth grade in an
2 institute charter school, on the day of enrollment, is registered with the
3 state-provided, free on-line college planning and preparation resource,
4 commonly referred to as "CollegeInColorado.org". The institute, the
5 department, and the department of higher education shall collaborate to
6 monitor the implementation of this paragraph (f) and to ensure optimal
7 interactivity between the various data bases and student record systems
8 employed by institute charter schools and college in Colorado. Each
9 institute charter school shall assist each student and his or her parent or
10 legal guardian to develop and maintain the student's individual career and
11 academic plan no later than the beginning of ninth grade but may assist
12 the student and his or her parent or legal guardian to develop and
13 maintain the student's individual career and academic plan in any grade
14 prior to ninth grade. AT A MINIMUM, EACH INSTITUTE CHARTER SCHOOL
15 SHALL ENSURE THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S
16 INDIVIDUAL CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER
17 EXPLAINS TO THE STUDENT AND THE STUDENT'S PARENT OR LEGAL
18 GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY
19 ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION
20 PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS ACT",
21 ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE STUDENT OR
22 THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE COUNSELOR OR
23 TEACHER SHALL ASSIST THE STUDENT IN COURSE PLANNING TO ENABLE
24 THE STUDENT TO CONCURRENTLY ENROLL IN COURSES WITH AN
25 INSTITUTION OF HIGHER EDUCATION.

26
27 **SECTION 3.** In Colorado Revised Statutes, **add** 22-35-104.5 as
28 follows:

29
30 **22-35-104.5. Concurrent enrollment - early completion of high**
31 **school graduation requirements.** (1) AS USED IN THIS SECTION,
32 "ELIGIBLE QUALIFIED STUDENT" MEANS:

33
34 (a) A QUALIFIED STUDENT ENROLLED IN TWELFTH GRADE WHO
35 REQUIRES LESS THAN FULL-TIME ENROLLMENT TO COMPLETE THE
36 GRADUATION REQUIREMENTS ESTABLISHED BY THE LOCAL EDUCATION
37 PROVIDER AND IS APPROVED FOR ENROLLMENT IN POSTSECONDARY
38 COURSES BY THE COUNSELOR OR TEACHER WHO ASSISTS THE STUDENT IN
39 MAINTAINING THE STUDENT'S INDIVIDUAL CAREER AND ACADEMIC PLAN;
40 OR

41
42 (b) A QUALIFIED STUDENT WHO COMPLETES THE GRADUATION
43 REQUIREMENTS ESTABLISHED BY THE LOCAL EDUCATION PROVIDER BY THE
44 END OF THE FIRST SEMESTER OF THE QUALIFIED STUDENT'S
45 TWELFTH-GRADE YEAR AND IS APPROVED FOR ENROLLMENT IN
46 POSTSECONDARY COURSES BY THE COUNSELOR OR TEACHER WHO ASSISTS
47 THE STUDENT IN MAINTAINING THE STUDENT'S INDIVIDUAL CAREER AND
48 ACADEMIC PLAN.

49
50 (2) AT LEAST NINETY DAYS BEFORE THE END OF THE ACADEMIC
51 TERM THAT IMMEDIATELY PRECEDES THE INTENDED TERM OF
52 CONCURRENT ENROLLMENT, AN ELIGIBLE QUALIFIED STUDENT WHO
53 CHOOSES TO CONCURRENTLY ENROLL IN AN INSTITUTION OF HIGHER
54 EDUCATION SHALL SUBMIT TO THE SUPERINTENDENT OF THE STUDENT'S
55 SCHOOL DISTRICT OR THE SUPERINTENDENT'S DESIGNEE, OR, IF THE
56 ELIGIBLE QUALIFIED STUDENT IS ENROLLED IN A CHARTER SCHOOL OR A

1 SCHOOL OF A BOCES, TO THE CHIEF SCHOOL ADMINISTRATOR:

2
3 (a) AN APPLICATION TO CONCURRENTLY ENROLL IN AN
4 INSTITUTION OF HIGHER EDUCATION AND EVIDENCE THAT THE ELIGIBLE
5 QUALIFIED STUDENT MEETS OR, BY THE BEGINNING OF THE INTENDED
6 TERM OF CONCURRENT ENROLLMENT, WILL MEET THE REQUIREMENTS
7 SPECIFIED IN SUBSECTION (1) OF THIS SECTION;

8
9 (b) THE NAME OF THE INSTITUTION OF HIGHER EDUCATION THAT
10 THE ELIGIBLE QUALIFIED STUDENT HAS SELECTED; AND

11
12 (c) WRITTEN EVIDENCE THAT THE SELECTED INSTITUTION OF
13 HIGHER EDUCATION HAS AGREED TO CONCURRENTLY ENROLL THE
14 ELIGIBLE QUALIFIED STUDENT.

15
16 (3) NOTWITHSTANDING ANY PROVISION OF SECTION 22-35-104 TO
17 THE CONTRARY, THE SUPERINTENDENT, THE SUPERINTENDENT'S DESIGNEE,
18 OR THE CHIEF SCHOOL ADMINISTRATOR, WHICHEVER IS APPLICABLE, SHALL
19 AUTHORIZE AN ELIGIBLE QUALIFIED STUDENT WHO COMPLIES WITH THE
20 PROVISIONS OF SUBSECTION (2) OF THIS SECTION TO ENROLL
21 CONCURRENTLY.

22
23 (4) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
24 THIS SUBSECTION (4), IF THE LOCAL EDUCATION PROVIDER DOES NOT HAVE
25 A COOPERATIVE AGREEMENT WITH THE ELIGIBLE QUALIFIED STUDENT'S
26 SELECTED INSTITUTION OF HIGHER EDUCATION, THE LOCAL EDUCATION
27 PROVIDER SHALL ATTEMPT TO ENTER INTO A COOPERATIVE AGREEMENT
28 WITH THE SELECTED INSTITUTION.

29
30 (b) THE LOCAL EDUCATION PROVIDER IS NOT REQUIRED TO ENTER
31 INTO A COOPERATIVE AGREEMENT WITH THE ELIGIBLE QUALIFIED
32 STUDENT'S SELECTED INSTITUTION OF HIGHER EDUCATION IF:

33
34 (I) THE LOCAL EDUCATION PROVIDER HAS ATTEMPTED AND BEEN
35 UNABLE TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE SELECTED
36 INSTITUTION OF HIGHER EDUCATION DURING THE SAME ACADEMIC YEAR,
37 IN WHICH CASE THE ELIGIBLE QUALIFIED STUDENT MAY SELECT A
38 DIFFERENT INSTITUTION OF HIGHER EDUCATION THAT HAS AGREED TO
39 CONCURRENTLY ENROLL THE ELIGIBLE QUALIFIED STUDENT, AND THE
40 LOCAL EDUCATION PROVIDER SHALL ATTEMPT TO ENTER INTO A
41 COOPERATIVE AGREEMENT WITH THE SELECTED INSTITUTION UNLESS THE
42 PROVISIONS OF THIS SUBPARAGRAPH (I) APPLY; OR

43
44 (II) THE LOCAL EDUCATION PROVIDER IS A PARTY TO AT LEAST
45 THREE COOPERATIVE AGREEMENTS; OR

46
47 (III) THE LOCAL EDUCATION PROVIDER IS A SCHOOL DISTRICT THAT
48 HAS A PUPIL ENROLLMENT OF FEWER THAN ONE THOUSAND STUDENTS AS
49 OF THE PUPIL ENROLLMENT COUNT DATE OF THE SCHOOL YEAR IN WHICH
50 THE ELIGIBLE QUALIFIED STUDENT SUBMITS THE INFORMATION SPECIFIED
51 IN SUBSECTION (2) OF THIS SECTION.

52
53 (c) IF THE LOCAL EDUCATION PROVIDER IS UNABLE OR IS NOT
54 REQUIRED PURSUANT TO THE PROVISIONS OF PARAGRAPH (b) OF THIS
55 SUBSECTION (4) TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE
56 SELECTED INSTITUTION OF HIGHER EDUCATION, THE ELIGIBLE QUALIFIED

1 STUDENT MAY CHOOSE TO CONCURRENTLY ENROLL IN ANY OTHER
2 INSTITUTION OF HIGHER EDUCATION WITH WHICH THE LOCAL EDUCATION
3 PROVIDER HAS A COOPERATIVE AGREEMENT. IF THE LOCAL EDUCATION
4 PROVIDER DOES NOT HAVE A COOPERATIVE AGREEMENT WITH AN
5 INSTITUTION OF HIGHER EDUCATION, IT SHALL ENTER INTO ONE.

6
7 (5) AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY
8 ENROLLS IN AN INSTITUTION OF HIGHER EDUCATION MAY CONTINUE TO
9 CONCURRENTLY ENROLL FULL-TIME UNTIL THE ELIGIBLE QUALIFIED
10 STUDENT COMPLETES HIS OR HER TWELFTH-GRADE YEAR; EXCEPT THAT
11 THE ELIGIBLE QUALIFIED STUDENT'S LOCAL EDUCATION PROVIDER MAY
12 RESTRICT THE NUMBER OF CREDIT HOURS IN WHICH THE ELIGIBLE
13 QUALIFIED STUDENT ENROLLS IF NECESSARY TO ENSURE THAT THE LOCAL
14 EDUCATION PROVIDER DOES NOT INCUR TUITION COSTS FOR THE ELIGIBLE
15 QUALIFIED STUDENT IN AN AMOUNT THAT EXCEEDS FORTY PERCENT OF
16 THE LOCAL EDUCATION PROVIDER'S PER PUPIL REVENUE FOR THE
17 APPLICABLE BUDGET YEAR.

18
19 (6) EACH LOCAL EDUCATION PROVIDER THAT ENROLLS QUALIFIED
20 STUDENTS SHALL ANNUALLY NOTIFY ALL QUALIFIED STUDENTS AND
21 PARENTS OR LEGAL GUARDIANS OF QUALIFIED STUDENTS OF THE
22 OPPORTUNITIES AND REQUIREMENTS FOR CONCURRENT ENROLLMENT
23 SPECIFIED IN THIS SECTION.

24
25 **SECTION 4. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety."

28
29
30
31 **HB12-1072** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34
35 Amend printed bill, page 2, strike lines 21 through 24 and substitute "to
36 develop a policy or program to recognize a student's college-level
37 learning that takes place outside of the classroom."

38
39 Page 2, strike line 25 and substitute:

40 "SECTION 2. In Colorado Revised Statutes, 23-1-125, amend
41 (5) (e) (III); and add (4.5)".

42
43 Page 3, strike lines 4 through 17 and substitute "**prior learning.**
44 (4.5) **Prior learning.** BEGINNING IN THE 2013-14 ACADEMIC YEAR, EACH
45 PUBLIC INSTITUTION OF HIGHER EDUCATION SHALL ADOPT AND MAKE
46 PUBLIC A POLICY OR PROGRAM TO DETERMINE ACADEMIC CREDIT FOR
47 PRIOR LEARNING."

48
49 Page 3, after line 17 insert:

50 "(5) **Nonpublic institutions of higher education.** (e) As used in
51 this subsection (5), "nonpublic institution of higher education" means an
52 educational institution operating in this state that:

53
54 (III) Is accredited by ~~a regional~~ AN accrediting agency or
55 association APPROVED BY THE UNITED STATES DEPARTMENT OF
56 EDUCATION;"

1 **FINANCE**

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

4
5 **HB12-1039** be postponed indefinitely.

6
7
8 **HB12-1041** be referred favorably to the Committee on Appropriations.

9
10
11 **HB12-1042** be referred favorably to the Committee on Appropriations.

12
13
14 **HB12-1045** be referred favorably to the Committee on Appropriations.

15
16
17 **HB12-1052** be referred favorably to the Committee on Appropriations.

18
19
20 **HB12-1069** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation:

23
24 Amend printed bill, page 3, after line 4 insert:

25 "(d) "COMPUTER" MEANS AN ELECTRONIC DEVICE THAT ACCEPTS
26 INFORMATION IN DIGITAL OR SIMILAR FORM AND MANIPULATES IT FOR A
27 RESULT BASED ON A SEQUENCE OF INSTRUCTIONS.".

28
29 Reletter succeeding paragraphs accordingly.

30
31 Page 3, line 25, strike "ONE HUNDRED" and substitute "SEVENTY-FIVE".

32
33 Page 3, line 26, strike "FIVE HUNDRED".
34
35
36
37

38 **LEGAL SERVICES**

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

41
42 **HB12-1086** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 3, line 26, strike "except that the following rule
47 of the".

48 Page 3, strike line 27.

49
50 Page 4, strike lines 1 through 5.
51
52
53
54
55

LOCAL GOVERNMENT

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

HB12-1057 be postponed indefinitely.

STATE, VETERANS, & MILITARY AFFAIRS

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

HB12-1025 be postponed indefinitely.

HB12-1079 be referred to the Committee of the Whole with favorable recommendation.

HB12-1143 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, line 12, strike "ONE DOLLAR" and substitute "NINETY CENTS".

Page 2, line 15, strike "NINETY CENTS" and substitute "EIGHTY CENTS".

TRANSPORTATION

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

HB12-1021 be postponed indefinitely.

HB12-1098 be postponed indefinitely.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB12-1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294.

INTRODUCTION OF BILL
First Reading

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

HB12-1295 by Representative(s) Priola; also Senator(s) Tochtrop--
Concerning the creation of a Colorado Rockies license
plate.
Committee on Transportation

INTRODUCTION OF RESOLUTION

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

HJR12-1011 by Representative(s) Nikkel, Fischer, Kefalas; also
Senator(s) Bacon, Lundberg--Concerning recognition of
and appreciation for 142 years of education, research, and
service by the Colorado state university system.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until February 10, retaining place on Calendar:

Consideration of Special Orders--**HB1068 amended.**

Consideration of General Orders--**HB12-1070, 1089, 1147, 1158, 1212.**

On motion of Representative Holbert, the House adjourned until 9:00 a.m., February 10, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Thirty-first Legislative Day

Friday, February 10, 2012

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

2

3 Prayer by the Reverend Karen Paschal, New Dawn Center for Spiritual
4 Living, Aurora.

5

6 Pledge of Allegiance led by Mike Burns, Andrew Buck, Jarrett Loughrey,
7 Chris Reel-Vining, Dillon Clothier, Travis Loughrey, Boy Scout
8 Troop 24, Pueblo West.

9

10 The roll was called with the following result:

11

12 Present--64.

13 Excused--Representative(s) McKinley--1.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Swerdfeger, the reading of the journal of
19 February 9, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

CONSIDERATION OF RESOLUTION(S)

24

25 **HJR12-1011** by Representative(s) Nikkel, Fischer, Kefalas; also
26 Senator(s) Bacon, Lundberg--Concerning recognition of
27 and appreciation for 142 years of education, research, and
28 service by the Colorado state university system.

29

30 (Printed and placed in members' file)

31

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

34

35 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
36 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
37 Court, DelGrosso, Duran, Ferrandino, Fields, Gardner B., Gerou, Hamner,
38 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kerr A., Kerr J., Labuda, Lee, Levy,
39 Liston, Looper, Massey, McCann, Miklosi, Murray, Pabon, Pace, Peniston,
40 Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Sonnenberg, Soper,
41 Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil,
42 Waller, Williams A., Wilson, Young, Speaker.

43

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.

HB12-1061 by Representative(s) Kagan; also Senator(s) Newell--Concerning requiring a report of the correlation between the educational credentials issued and the state's workforce needs.

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

Co-sponsor(s) added: Representative(s) Casso, Court, Duran, Ferrandino, Fields, Hamner, Hullinghorst, Jones, Kefalas, Kerr A., Labuda, Lee, Levy, Miklosi, Pabon, Pace, Peniston, Ryden, Schafer S., Singer, Solano, Todd, Tyler, Vigil, Williams A., Wilson, Young.

HB12-1034 by Representative(s) Looper, Fischer, Hamner, Jones, Ramirez, Tyler, Vaad, Young; also Senator(s) Spence, Hudak, King S., Williams S.--Concerning continuing the processors and end users fund that encourages recycling of waste tires.

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	45	NO	19	EXCUSED	1	ABSENT	0
Acree	N	Fischer	Y	Looper	Y	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	E	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	N

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

13 Co-sponsor(s) added: Representative(s) Casso, Labuda, Ryden, Solano, Wilson.

14
15 **HB12-1071** by Representative(s) Liston; also Senator(s) Jahn--
16 Concerning portable electronics insurance.

17
18 The question being "Shall the bill pass?".

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

22	YES	48	NO	16	EXCUSED	1	ABSENT	0
23								
24	Acree	N	Fischer	Y	Looper	N	Solano	Y
25	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
26	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
27	Baumgardner	N	Hamner	Y	McKinley	E	Stephens	Y
28	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
29	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
30	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
31	Brown	N	Joshi	Y	Pabon	Y	Szabo	Y
32	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
33	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
34	Coram	N	Kerr A.	Y	Priola	Y	Vaad	N
35	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
36	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
37	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
38	Ferrandino	N	Levy	Y	Scott	N	Wilson	Y
39	Fields	Y	Liston	Y	Singer	Y	Young	Y
40							Speaker	N

41 Co-sponsor(s) added: Representative(s) Schafer S., Wilson.

42
43 **HB12-1047** by Representative(s) Kefalas, Gardner B.; also Senator(s)
44 Newell--Concerning the waiver of non-safety licensing
45 standards for kinship foster care.

46
47 The question being "Shall the bill pass?".

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

51	YES	64	NO	0	EXCUSED	1	ABSENT	0
52								
53	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
54	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
55	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
56	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y

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

14 Co-sponsor(s) added: Representative(s) Brown, Casso, Court, Fields, Fischer,
 15 Hamner, Hullinghorst, Kerr A., Labuda, Massey, Peniston, Ryden, Schafer S.,
 16 Singer, Summers, Todd, Vigil, Wilson, Young.

17
 18 **HB12-1024** by Representative(s) Szabo; also Senator(s) Spence--
 19 Concerning a requirement that the ballot title of a
 20 statewide measure be written in plain language.

21
 22 The question being "Shall the bill pass?".
 23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

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

45 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Beezley, Brown,
 46 Conti, Coram, Court, Gardner B., Holbert, Joshi, Kerr J., Liston, Looper,
 47 Massey, Murray, Nikkel, Priola, Ramirez, Scott, Stephens, Summers,
 48 Swerdfeger, Vaad, Waller, Speaker.

49
 50
 51
 52
 53 On motion of Representative Barker, the House resolved itself into
 54 Committee of the Whole for consideration of General Orders, and he was
 55 called to the Chair to act as Chairman.

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.)

HB12-1089 by Representative(s) Court; also Senator(s) Steadman--Concerning the specific wording related to a statewide ballot title.

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

HB12-1147 by Representative(s) Williams A., Court, Fields, Hullinghorst, Kerr A., McCann, Schafer S., Solano, Todd, Wilson, Brown, Casso, Fischer, Hamner, Holbert, Kagan, Labuda, Miklosi, Pabon, Ryden, Swalm, Szabo, Tyler, Vigil, Young; also Senator(s) Foster, Guzman, Johnston, Spence, Tochtrop--Concerning the designation of the western tiger salamander as the state amphibian.

Amendment No. 1, Agriculture, Livestock, & Natural Resources Report, dated February 6, 2012, and placed in member's bill file; Report also printed in House Journal, February 7, page 172.

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

HB12-1158 by Representative(s) Baumgardner, Scott, Brown, Joshi; also Senator(s) Giron and Grantham--Concerning the regulation of producers of materials that may be used in commercial livestock feed, and, in connection therewith, repealing the "Colorado Inedible Meat Rendering and Processing Act of 1967" and relocating some of its provisions to the "Colorado Feed Law".

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

HB12-1212 by Representative(s) Becker, Gerou, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the designation of an on-line education program as a multi-district program if the program is authorized by a board of cooperative services.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1089, 1147 amended, 1158, 1212.**

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	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	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

REPORT(S) OF COMMITTEE(S) OF REFERENCE

ECONOMIC & BUSINESS DEVELOPMENT

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

HB12-1120 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 50, line 27, strike "training," and substitute "training OR THE DIRECTOR OF THE DIVISION OF UNEMPLOYMENT INSURANCE, AS APPROPRIATE,".

Page 53, line 1, strike "COMPENSATION" and substitute "INSURANCE".

HB12-1221 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, strike lines 22 through 27.

Strike page 5 and substitute:

1 **"SECTION 2. Act subject to petition - effective date.** This act
2 takes effect January 1, 2013; except that, if a referendum petition is filed
3 pursuant to section 1 (3) of article V of the state constitution against this
4 act or an item, section, or part of this act within the ninety-day period
5 after final adjournment of the general assembly, then the act, item,
6 section, or part will not take effect unless approved by the people at the
7 general election to be held in November 2012 and, in such case, will take
8 effect on January 1, 2013, or on the date of the official declaration of the
9 vote thereon by the governor, whichever is later."

10

11

12

13

14 **FINANCE**

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

17

18 **HB12-1006** be referred favorably to the Committee on Appropriations.

19

20

21 **HB12-1066** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24

25 Amend printed bill, page 15, strike lines 22 through 26 and substitute
26 "TRANSFERRED BEFORE APRIL 1, 2014, AND IS BEING ISSUED ITS FIRST
27 CERTIFICATE OF TITLE OR REGISTERED FOR THE FIRST TIME AFTER SAID
28 DATE, THE DEPARTMENT SHALL NOT VERIFY THAT THE PERSON PAID ANY
29 TAX DUE ON THE VEHICLE."

30

31 Page 22, after line 27 insert:

32 "(b) REGISTERING AN OFF-HIGHWAY VEHICLE UNDER THIS ARTICLE
33 DOES NOT SUPERCEDE OR CHANGE THE REQUIREMENT TO REGISTER AN
34 OFF-HIGHWAY VEHICLE UNDER ARTICLE 14.5 OF TITLE 33, C.R.S."

35

36 Reletter succeeding paragraphs accordingly.

37

38 Page 26, after line 17 insert:

39

40 **"SECTION 29.** In Colorado Revised Statutes, 42-3-203, **amend**
41 (3) (a) (I) and (3) (b) as follows:

42

43 **42-3-203. Standardized plates - rules.** (3) (a) (I) The department
44 may issue individual temporary registration number plates, tags, or
45 certificates good for a period not to exceed sixty days upon application by
46 an owner of a motor OR OFF-HIGHWAY vehicle or the owner's agent and
47 the payment of a registration fee of two dollars, one dollar and sixty cents
48 to be retained by the authorized agent or department issuing the plates,
49 tags, or certificates and the remainder to be remitted monthly to the
50 department to be transmitted to the state treasurer for credit to the
51 highway users tax fund.

52

53 (b) The department may issue to licensed motor vehicle dealers
54 AND POWERSPORTS VEHICLE DEALERS temporary registration number
55 plates, tags, or certificates in blocks of twenty-five upon payment of a fee
56 of twelve dollars and fifty cents for each block of twenty-five, fifty

1 percent thereof to be retained by the county clerk and recorder and the
 2 remainder to be remitted monthly to the department to be transmitted to
 3 the state treasurer for credit to the highway users tax fund and allocation
 4 and expenditure as specified in section 43-4-205 (5.5) (b), C.R.S.".

5
 6 Renumber succeeding sections accordingly.

7
 8 Page 38, strike lines 8 through 13 and substitute "motor OR OFF-HIGHWAY
 9 vehicle upon the streets and highways and elsewhere throughout this state
 10 ~~shall be~~ IS deemed to have expressed ~~such~~ THE person's consent to the
 11 provisions of this section.

12
 13 (2) (a) (I) A person who drives a motor OR OFF-HIGHWAY vehicle
 14 upon the streets and highways and elsewhere throughout this state ~~shall~~
 15 ~~be~~ IS required to take and complete,".

16
 17 Page 39, strike lines 2 through 4 and substitute:

18
 19 "(b) (I) ~~Any~~ A person who drives ~~any~~ A motor OR OFF-HIGHWAY
 20 vehicle upon the streets and highways and elsewhere throughout this state
 21 ~~shall be~~ IS required to submit to and to".

22
 23 Page 39, line 22, strike "bicycle" and substitute "bicycle, EPAMD,".

24
 25 Page 40, line 5, strike "bicycle" and substitute "bicycle, EPAMD,".

26
 27 Page 71, line 7, strike "VEHICLE." and substitute "VEHICLE; EXCEPT IF THE
 28 VEHICLE DOES NOT HAVE A CONFORMING IDENTIFICATION NUMBER OR IS
 29 A DUPLICATE, THE DEPARTMENT SHALL ASSIGN A SPECIAL IDENTIFICATION
 30 NUMBER FOR THE CERTIFICATE OF TITLE OR REGISTRATION AND REQUIRE
 31 THE OWNER TO PLACE THE NUMBER ON THE VEHICLE.".

32
 33 Page 73, line 1, strike "and (4) (a) (I) (B)" and substitute "(4) (a) (I) (B),
 34 and (4) (a) (I) (L)".

35
 36 Page 74, after line 23 insert:

37
 38 "(L) **Speeding violations:**

39
 40 42-4-1101 (1) or (8) (b) (1 to 4 miles
 41 per hour over the reasonable and
 42 prudent speed or over the maximum
 43 lawful speed limit of 75 miles
 44 per hour) \$30.00 \$6.00
 45
 46 42-4-1101 (1) or (8) (b) (5 to 9 miles
 47 per hour over the reasonable and
 48 prudent speed or over the maximum
 49 lawful speed limit of 75 miles
 50 per hour) 70.00 10.00
 51
 52 42-4-1101 (1) or (8) (b) (10 to 19 miles
 53 per hour over the reasonable and
 54 prudent speed or over the maximum
 55 lawful speed limit of 75 miles
 56 per hour) 135.00 16.00

1	42-4-1101 (1) or (8) (b) (20 to 24 miles		
2	per hour over the reasonable and		
3	prudent speed or over the maximum		
4	lawful speed limit of 75 miles		
5	per hour)	200.00	32.00
6			
7	42-4-1101 (8) (g) (1 to 4 miles per		
8	hour over the maximum lawful		
9	speed limit of 40 miles per hour		
10	driving a low-power scooter)	50.00	6.00
11			
12	42-4-1101 (8) (g) (5 to 9 miles per		
13	hour over the maximum lawful		
14	speed limit of 40 miles per hour		
15	driving a low-power scooter)	75.00	10.00
16			
17	42-4-1101 (8) (g) (greater than 9		
18	miles per hour over the maximum		
19	lawful speed limit of 40 miles per		
20	hour driving a low-power scooter)	100.00	16.00
21			
22	42-4-1101 (3)	100.00	10.00
23			
24	42-4-1101 (8) (h)	25.00	3.00
25			
26	42-4-1103	50.00	6.00
27			
28	42-4-1104	30.00	6.00".
29			
30			
31			
32			

HEALTH & ENVIRONMENT

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

HB12-1046 be referred favorably to the Committee on Appropriations.

HB12-1103 be referred favorably to the Committee on Appropriations.

JUDICIARY

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

HB12-1048 be referred favorably to the Committee on Finance.

HB12-1064 be referred to the Committee of the Whole with favorable recommendation.

1 **HB12-1074** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend page 2, line 5, strike "**records for investigation.**" and substitute
6 "**records.**".
7

8 Page 3, strike lines 20 through 22 and substitute:
9

10 "GUARDIAN SHOULD NOT BE HELD IN CONTEMPT OF COURT, THE CLERK OF
11 THE COURT OR HIS OR HER DESIGNEE MAY RESEARCH THE WHEREABOUTS
12 AND CONTACT INFORMATION OF THE GUARDIAN AND THE WARD. TO
13 FACILITATE THIS RESEARCH, THE CLERK OF THE COURT OR HIS OR HER
14 DESIGNEE SHALL HAVE ACCESS TO DATA MAINTAINED".
15

16 Page 4, line 7, after "DATA." insert "THE JUDICIAL DEPARTMENT AND THE
17 COURTS SHALL NOT ACCESS DATA MAINTAINED PURSUANT TO THE
18 "ADDRESS CONFIDENTIALITY PROGRAM ACT", PART 21 OF ARTICLE 30 OF
19 TITLE 24, C.R.S.".
20

21 Page 4, line 10, strike "OF CONDUCTING AN INVESTIGATION PURSUANT TO"
22 and substitute "SET FORTH IN".
23

24 Page 4, line 15, strike "CAUSE." and substitute "CAUSE, EXCEPT TO THE
25 EXTENT THEY WOULD OTHERWISE BE OPEN TO INSPECTION FROM THE
26 PROVIDING STATE AGENCY.".
27

28 Page 4, line 23, strike "**records for investigation.**" and substitute
29 "**records.**".
30

31 Page 6, strike lines 3 through 5 and substitute:
32

33 "CONSERVATOR SHOULD NOT BE HELD IN CONTEMPT OF COURT, THE CLERK
34 OF THE COURT OR HIS OR HER DESIGNEE MAY RESEARCH THE
35 WHEREABOUTS AND CONTACT INFORMATION OF THE CONSERVATOR AND
36 THE PROTECTED PERSON. TO FACILITATE THIS RESEARCH, THE CLERK OF
37 THE COURT OR HIS OR HER DESIGNEE SHALL HAVE ACCESS TO".
38

39 Page 6, line 18, after "DATA." insert "THE JUDICIAL DEPARTMENT AND THE
40 COURTS SHALL NOT ACCESS DATA MAINTAINED PURSUANT TO THE
41 "ADDRESS CONFIDENTIALITY PROGRAM ACT", PART 21 OF ARTICLE 30 OF
42 TITLE 24, C.R.S.".
43

44 Page 6, line 21, strike "OF CONDUCTING AN INVESTIGATION PURSUANT".
45

46 Page 6, line 22, strike "TO" and substitute "SET FORTH IN".
47

48 Page 6, line 26, strike "CAUSE." and substitute "CAUSE, EXCEPT TO THE
49 EXTENT THEY WOULD OTHERWISE BE OPEN TO INSPECTION FROM THE
50 PROVIDING STATE AGENCY.".
51

52
53 **HB12-1092** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HB12-1049** be postponed indefinitely.

6
7
8 **HB12-1063** be amended as follows, and as so amended, be referred to
9 the Committee on Finance with favorable
10 recommendation:

11
12 Amend printed bill, page 2, strike lines 17 and 18 and substitute "THE
13 STATE DEPARTMENT SHALL MAINTAIN THE CEMETERY."

14
15 Page 2, line 23, strike "DURING ANY WAR OF THE".

16
17 Page 3, strike lines 1 and 2 and substitute "AND WHO, AT THE TIME OF HIS
18 OR HER DEATH, WAS".

19
20 Page 3, strike lines 8 through 10 and substitute "FORCES OF THE UNITED
21 STATES WHEN SUCH SPOUSE, SURVIVING SPOUSE, OR DEPENDENT PARENT".

22
23 Page 4, line 2, strike "(4)" and substitute "(4), ANY REVENUE GENERATED
24 FROM ACTIVITIES ASSOCIATED WITH THE CEMETERY AND ITS
25 OPERATIONS,".

26
27 Page 5, after line 11, insert the following:

28
29 "(7) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE STATE
30 DEPARTMENT WILL IMPLEMENT THE PROVISIONS OF THIS SECTION BY
31 ASSIGNING TO THE CEMETERY ONE-HALF OF A FULL-TIME EMPLOYEE FROM
32 WITHIN THE EXISTING PERSONNEL RESOURCES OF THE STATE
33 DEPARTMENT.".

34
35
36
37 **PRINTING REPORT**

38
39 The Chief Clerk reports the following bill has been correctly printed:
40 **HB12-1295.**

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

45
46 On motion of Representative Stephens, the following item(s) on the
47 Calendar was (were) laid over until February 13, retaining place on
48 Calendar:

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

51 Consideration of Third Reading--**HB12-1040, 1088.**

52 Consideration of General Orders--**HB12-1105, 1017, 1009 amended,**
53 **1005, 1026, 1070.**

1 On motion of Representative Stephens, the House adjourned until
2 10:00 a.m., February 13, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

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

Thirty-fourth Legislative Day

Monday, February 13, 2012

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

2

3 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

4

5 Pledge of Allegiance led by Michael Ramires, Lawrence West, Marcus
6 Minty, and Jose Hernandez, Cheltenham Elementary, Denver.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Bradford, Massey, Miklosi--3.

12 Present after roll call--Representative(s) Massey.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Singer, the reading of the journal of
18 February 10, 2012, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

20

21

22

23 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

24

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

27

28 **HJR12-1012** by Representative(s) Acree; also Senator(s) Nicholson--
29 Concerning the designation of February 13, 2012, as "One
30 Voice Against Cancer Day", and, in connection therewith,
31 honoring cancer patients, survivors, and their families and
32 remembering those people who have been lost to cancer.

33

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

35

36 On motion of Representative Acree, the resolution was **adopted by viva**
37 **voce** vote.

38

39 Current Roll Call added as co-sponsor(s): Representative(s) Balmer, Barker,
40 Baumgardner, Becker, Beezley, Brown, Casso, Conti, Coram, Court,
41 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner,
42 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
43 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Murray, Nikkel,

Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

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.

HB12-1088 by Representative(s) Holbert and Becker, Baumgardner, Sonnenberg, McKinley, Scott, Balmer, Looper, Liston, Coram, Stephens, Acree, Barker, Beezley, Brown, Joshi, McNulty, Priola, Ramirez, Swalm; also Senator(s) Grantham--Concerning the use of deadly physical force against a person who makes an illegal entry into a place of business.

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	35	NO	26	EXCUSED	4	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	N	Soper	Y
Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
Becker	N	Holbert	Y	Miklosi	E	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	E	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	Y	Kagan	N	Pace	Y	Todd	N
Conti	Y	Kefalas	N	Peniston	N	Tyler	N
Coram	Y	Kerr A.	N	Priola	E	Vaad	Y
Court	N	Kerr J.	E	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
Duran	N	Lee	N	Schafer S.	N	Williams A.	N
Ferrandino	N	Levy	N	Scott	Y	Wilson	N
Fields	N	Liston	Y	Singer	N	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Gardner B., Murray, Pace, Swerdfeger, Vaad, Vigil.

HB12-1089 by Representative(s) Court; also Senator(s) Steadman--Concerning the specific wording related to a statewide ballot title.

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	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Duran, Fields, Fischer, Kerr J., Labuda,
20 Murray, Singer, Todd, Wilson.

21
22 **HB12-1147** by Representative(s) Williams A., Court, Fields,
23 Hullinghorst, Kerr A., McCann, Schafer S., Solano, Todd,
24 Wilson, Brown, Casso, Fischer, Hamner, Holbert, Kagan,
25 Labuda, Miklosi, Pabon, Ryden, Swalm, Szabo, Tyler,
26 Vigil, Young; also Senator(s) Foster, Guzman, Johnston,
27 Spence, Tochtrop--Concerning the designation of the
28 western tiger salamander as the state amphibian.

29
30 The question being "Shall the bill pass?".

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

	YES	51	NO	12	EXCUSED	2	ABSENT	0
35								
36	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
37	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
38	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
40	Becker	N	Holbert	N	Miklosi	E	Summers	Y
41	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
42	Bradford	E	Jones	Y	Nikkel	N	Swerdfeger	Y
43	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
47	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
48	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
49	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
51	Fields	Y	Liston	N	Singer	Y	Young	Y
52							Speaker	Y

53 Representatives Holbert, Swalm requested there names be removed as
54 sponsors.

55 Co-sponsor(s) added: Representative(s) Duran, McKinley, Pace, Peniston.

56

1 **HB12-1158** by Representative(s) Baumgardner, Scott, Brown, Joshi;
 2 also Senator(s) Giron and Grantham--Concerning the
 3 regulation of producers of materials that may be used in
 4 commercial livestock feed, and, in connection therewith,
 5 repealing the "Colorado Inedible Meat Rendering and
 6 Processing Act of 1967" and relocating some of its
 7 provisions to the "Colorado Feed Law".
 8

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

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

32 Co-sponsor(s) added: Representative(s) Coram, Pace, Sonnenberg, Vigil.
 33

34 **HB12-1212** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 35 Hodge, Steadman, Lambert--Concerning the designation
 36 of an on-line education program as a multi-district
 37 program if the program is authorized by a board of
 38 cooperative services.
 39

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

	YES	63	NO	0	EXCUSED	2	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	Y	Soper	Y
49	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
50	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
51	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
52	Bradford	E	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							Speaker	Y

7 Co-sponsor(s) added: Representative(s) DelGrosso, Fields, Fischer, Gardner B.,
 8 Kerr A., Kerr J., Labuda, Pace, Sonnenberg, Todd, Vigil, Young.

12 On motion of Representative Stephens, **HB12-1070, 1072, 1079, 1086**
 13 were added to the Special Orders Calendar on Monday,
 14 February 13, 2012.

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

22 SPECIAL ORDERS--SECOND READING OF BILLS

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

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

32 **HB12-1068** by Representative(s) McKinley--Concerning the
 33 administration of a nonprofit cemetery corporation by
 34 persons who own the right to bury a deceased person
 35 within the cemetery.

37 (Previously amended as printed in House Journal, February 1, page 127.)

39 Amendment No. 3, by Representative(s) Stephens.

41 Amend printed bill, page 3, after line 3 insert:

43 "SECTION 3. In Colorado Revised Statutes, **add** 7-47-110 as
 44 follows:

46 **7-47-110. Enforcement - attorney general.** IF A PERSON
 47 PROVIDES INFORMATION THAT A CEMETERY CORPORATION MAY NOT BE
 48 FULFILLING THE DUTIES REQUIRED BY THIS ARTICLE, THE ATTORNEY
 49 GENERAL SHALL HOLD A HEARING AFTER SIXTY DAYS' NOTICE TO THE
 50 CEMETERY AND THE PERSON PROVIDING THE INFORMATION. IF THE
 51 ATTORNEY GENERAL FINDS PROBABLE CAUSE TO BELIEVE THAT A
 52 CEMETERY CORPORATION HAS NOT FULFILLED ITS OBLIGATIONS UNDER
 53 THIS ARTICLE, THE ATTORNEY GENERAL SHALL ENFORCE THIS ARTICLE IN
 54 DISTRICT COURT TO REQUIRE CORRECTIVE ACTION. IF THE COURT FINDS
 55 THAT A CEMETERY CORPORATION HAS FAILED TO FULFILL THE DUTIES
 56 REQUIRED BY THIS ARTICLE, THE COURT SHALL REQUIRE THE

1 CORPORATION TO PAY THE ATTORNEY GENERAL REASONABLE ATTORNEY
2 FEES. THE ATTORNEY GENERAL RETAINS OVERSIGHT OF THE CORRECTIVE
3 ACTION FOR AS LONG AS NECESSARY TO ENSURE COMPLIANCE."

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1070** by Representative(s) Peniston; also senator(s) Hodge--
9 Concerning the modification of statutory provisions
10 governing the ethical conduct of persons involved in
11 government for the purpose of harmonizing such
12 provisions with section 3 (5) of article XXIX of the state
13 constitution.

14
15 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
16 February 1 , 2012, and placed in member's bill file; Report also printed in
17 House Journal, February 6, pages 160-161.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **HB12-1072** by Representative(s) Massey and Fields, Holbert; also
23 Senator(s) Bacon and King K., Hudak--Concerning credit
24 for prior learning in higher education.

25
26 Amendment No. 1, Education Report, dated February 8 , 2012, and
27 placed in member's bill file; Report also printed in House Journal,
28 February 9, page 219.

29
30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32
33 **HB12-1079** by Representative(s) Barker; also Senator(s) King S.--
34 Concerning designation of certain positions in the
35 department of public safety.

36
37 Ordered engrossed and placed on the Calendar for Third Reading and
38 Final Passage.

39
40 **HB12-1086** by Representative(s) Gardner B., Labuda, Levy, Murray,
41 Waller; also Senator(s) Morse, Brophy, Guzman, Roberts,
42 Schwartz--Concerning implementation of
43 recommendations of the committee on legal services in
44 connection with legislative review of rules and regulations
45 of state agencies.

46
47 Amendment No. 1, Legal Services Report, dated February 8, 2012, and
48 placed in member's bill file; Report also printed in House Journal,
49 February 9, page 220.

50
51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.

53
54
55
56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1068 amended, 1070 amended, 1072 amended, 1079, 1086 amended.**

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	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	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

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1011.

INTRODUCTION OF BILLS First Reading

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

HB12-1296 by Representative(s) Singer--Concerning the "Income Protection Act".
Committee on Judiciary

HB12-1297 by Representative(s) Gardner B., Barker, Ryden, Waller; also Senator(s) Tochtrop--Concerning the committee on anticompetitive conduct, and, in connection therewith, implementing the department of regulatory agencies' sunset review recommendations by allowing the committee's statutory authorization to terminate.
Committee on Judiciary

HB12-1298 by Representative(s) Singer--Concerning the ability of a person who has reached sixteen years of age but who will not be eighteen years of age by the date of the next

- 1 election to preregister to vote, and, in connection
2 therewith, allowing a preregistered person to change his or
3 her information on the secretary of state's official web site.
4 Committee on State, Veterans, & Military Affairs
5
- 6 **HB12-1299** by Representative(s) Singer--Concerning the specification
7 that a motor vehicle lessee is entitled to claim the
8 innovative motor vehicle tax credit.
9 Committee on Finance
10
- 11 **HB12-1300** by Representative(s) Gardner B., Barker, Ryden, Waller;
12 also Senator(s) Aguilar--Concerning professional review
13 committees, and, in connection therewith, implementing
14 the sunset review recommendations of the department of
15 regulatory agencies.
16 Committee on Judiciary
17
- 18 **SB12-009** by Senator(s) Hodge, Brophy, Giron, Roberts, Schwartz;
19 also Representative(s) Swerdfeger, Baumgardner,
20 Sonnenberg, Vigil, Wilson--Concerning the consolidation
21 of cash funds administered by the division of water
22 resources.
23 Committee on Agriculture, Livestock, & Natural Resources
24
- 25 **SB12-010** by Senator(s) Hodge; also Representative(s) Ferrandino--
26 Concerning the authority of the department of public
27 safety to use gifts, grants, and donations for the purpose of
28 funding the activities of the Colorado bureau of
29 investigation.
30 Committee on Judiciary
31 Committee on Appropriations
32
- 33 **SB12-013** by Senator(s) Schwartz; also Representative(s) Jones--
34 Concerning low-speed electric vehicles.
35 Committee on Transportation
36
- 37 **SB12-033** by Senator(s) Guzman; also Representative(s) Massey--
38 Concerning adding near fatalities to the responsibilities of
39 the department of human services child fatality review
40 team.
41 Committee on Health and Environment
42
- 43 **SB12-048** by Senator(s) Schwartz; also Representative(s) Coram--
44 Concerning the creation of the "Colorado Cottage Foods
45 Act" for locally produced home foods sold directly to
46 consumers.
47 Committee on Agriculture, Livestock, & Natural Resources
48
- 49 **SB12-066** by Senator(s) Nicholson; also Representative(s) Gardner
50 B.--Concerning expanding those persons eligible as
51 guardians in the guardianship assistance program to
52 include persons ascribed by the family as having a family-
53 like relationship with the child.
54 Committee on Judiciary
55
56
-

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1012.

The Senate has passed on Third Reading and transmits to the Revisor of Statutes: **SB12-037, SB12-055, SB12-096, SB12-064, SB12-111, SB12-112, SB12-113 and SB12-114.**

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

SB12-074 As amended in General Orders as printed in Senate Journal, February 10, 2012, page 120.

SB12-012 As amended in General Orders as printed in Senate Journal, February 10, 2012, page 121.

SB12-030 As amended in General Orders as printed in Senate Journal, February 6, 2012, page 91 and amended on Third Reading, February 13, 2012, as printed in the Senate Journal.

SB12-040 As amended in General Orders as printed in Senate Journal, February 10, 2012, page 120 and amended on Third Reading, February 13, 2012, as printed in the Senate Journal.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB12-037, 055, 064, 096, 111, 112, 113 and 114.

Without comment, as amended, SB12-012, 074, 030, and 040.

INTRODUCTION OF BILL
First Reading

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

HB12-1301 by Representative(s) McNulty, Ferrandino; also Senator(s) Morse, Shaffer B., Cadman--Concerning payment of expenses of the legislative department.
Committee on Appropriations

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Becker, the following item(s) on the Calendar was (were) laid over until February 14, retaining place on Calendar:

Consideration of Third Reading--**HB12-1040.**

Consideration of General Orders--**HB12-1105, 1017, 1009 amended, 1005, 1026, 1043.**

1 On motion of Representative Becker, the House adjourned until
2 9:00 a.m., February 14, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

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

Thirty-fifth Legislative Day

Tuesday, February 14, 2012

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

2

3 Prayer by Father Timothy McMahon, Arrupe Jesuit High School,
4 Denver.

5

6 Pledge of Allegiance led by Kelly Edwards, Colorado State University,
7 Fort Collins.

8

9 The roll was called with the following result:

10

11 Present--63.

12 Excused--Representative(s) Bradford, Miklosi--2.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Singer, the reading of the journal of
18 February 13, 2012, was declared dispensed with and approved as
19 corrected by the Chief Clerk.

20

21

22 House in recess. House reconvened.

23

24

25

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

27

28 The Senate has adopted and transmits herewith: SJR12-007.

29

30

31

32 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

33

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

36

37 **SJR12-007** by Senator(s) Giron; also Representative(s) Stephens--
38 Concerning awareness of heart disease, and, in connection
39 therewith, declaring February 2012 as "American Heart
40 Month" and February 3, 2012, as "National Wear Red
41 Day".

42

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

1 On motion of Representative Stephens, the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
5 Barker, Baumgardner, Becker, Beezley, 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, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler,
11 Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

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

16
17 The following bill(s) was(were) considered on Third Reading. The
18 title(s) was(were) publicly read. Reading of the bill at length was
19 dispensed with by unanimous consent.

20
21 **HB12-1040** by Representative(s) Casso--Concerning recognition of
22 September 11 as a state holiday in certain years, and, in
23 connection therewith, designating September 11 as
24 "Patriot Day".

25
26 Laid over until February 15, retaining place on Calendar.

27
28 **HB12-1068** by Representative(s) McKinley; also Senator(s) Grantham--
29 -Concerning the administration of a nonprofit cemetery
30 corporation by persons who own the right to bury a
31 deceased person within the cemetery.

32
33 Laid over until February 15, retaining place on Calendar.

34
35 **HB12-1070** by Representative(s) Peniston; also Senator(s) Hodge--
36 Concerning the modification of statutory provisions
37 governing the ethical conduct of persons involved in
38 government for the purpose of harmonizing such
39 provisions with section 3 (5) of article XXIX of the state
40 constitution.

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

47	YES	58	NO	5	EXCUSED	2	ABSENT	0
48	Acree	N	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	N	Holbert	Y	Miklosi	E	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

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

9 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Hullinghorst,
10 Labuda, Schafer S., Wilson.

11
12 **HB12-1072** by Representative(s) Massey and Fields, Holbert; also
13 Senator(s) Bacon and King K., Hudak--Concerning credit
14 for prior learning in higher education.

15
16 The question being "Shall the bill pass?".

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

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

39 Co-sponsor(s) added: Representative(s) Becker, Beezley, Casso, Court, Duran,
40 Fischer, Gerou, Hamner, Jones, Kefalas, Kerr A., Labuda, Looper, Murray,
41 Nikkel, Pabon, Pace, Schafer S., Solano, Stephens, Summers, Todd,
42 Williams A., Wilson, Young.

43
44 **HB12-1079** by Representative(s) Barker; also Senator(s) King S.--
45 Concerning designation of certain positions in the
46 department of public safety.

47
48 The question being "Shall the bill pass?".

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

53	YES	59	NO	4	EXCUSED	2	ABSENT	0
54	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
55	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
56	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

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

15 Co-sponsor(s) added: Representative(s) Fields, Kerr J., Pace, Schafer S., Todd,
16 Vigil.

17
18 **HB12-1086** by Representative(s) Gardner B., Labuda, Levy, Murray,
19 Waller; also Senator(s) Morse, Brophy, Guzman, Roberts,
20 Schwartz--Concerning implementation of
21 recommendations of the committee on legal services in
22 connection with legislative review of rules and regulations
23 of state agencies.

24
25 The question being "Shall the bill pass?".

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

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

48 Co-sponsor(s) added: Representative(s) Barker, Fields, Liston.

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

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

HB12-1301 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 4, strike "\$34,369,754," and substitute "\$34,326,736,".

Page 2, line 5, strike "\$33,280,373" and substitute "\$33,237,355".

Page 2, line 10, strike \$ 11,790,902 ¹/_" and substitute "\$ 11,783,625 ¹/_".

Page 2, line 12, strike "7,975,308 ²/_" and substitute "7,963,562 ²/_".

Page 2, line 14, strike "1,483,429" and substitute "1,480,365".

Page 2, line 16, strike "6,617,879" and substitute "6,606,338".

Page 2, line 18, strike "5,244,650 ³/_" and substitute "5,235,260 ³/_".

Page 2, line 23, strike "\$ 34,369,754" and substitute "\$ 34,326,736".

Page 3, line 5, strike "\$11,697,086" and substitute "\$11,689,809".

Page 3, line 6, strike "\$6,979,743" and substitute "\$6,967,997".

On motion of Representative Waller, **HB12-1009 amended, 1043, 1120, 1221, 1064, 1301, 1074, 1092** were made Special Orders on Tuesday, February 14, 2012, at 9:56 a.m.

The hour of 9:56 a.m., having arrived, on motion of Representative Sonnenberg, the House resolved itself into Committee of the Whole for consideration of Special Orders and he 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.)

1 **HB12-1009** by Representative(s) Gerou; also Senator(s) Lambert--
2 Concerning a report related to the federal moneys received
3 by the executive branch.
4

5 (Previously amended as printed in House Journal, February 8,
6 pages 186-187.)
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB12-1043** by Representative(s) Conti--Concerning concurrent
12 enrollment for students who may complete high school
13 graduation requirements before the end of twelfth grade.
14

15 Laid over until February 15, retaining place on Calendar.
16

17 **HB12-1120** by Representative(s) Swerdfeger, Brown, Duran, Liston,
18 Massey, Pabon, Pace, Williams A.; also Senator(s)
19 Tochtrop--Concerning the creation of the division of
20 unemployment insurance in the department of labor and
21 employment to administer the unemployment insurance
22 program.
23

24 Amendment No. 1, Economic & Business Development Report, dated
25 February 9, 2012, and placed in member's bill file; Report also printed in
26 House Journal, February 10, page 228.
27

28 As amended, ordered engrossed and placed on the Calendar for Third
29 Reading and Final Passage.
30

31 **HB12-1221** by Representative(s) Liston, Kerr J., Balmer, Miklosi,
32 Summers, Swalm, Williams A.; also Senator(s) Tochtrop,
33 Boyd, Morse--Concerning billing for anatomic pathology
34 services.
35

36 Amendment No. 1, Economic & Business Development Report, dated
37 February 9, 2012, and placed in member's bill file; Report also printed in
38 House Journal, February 10, pages 228-229.
39

40 Amendment No. 2, by Representative(s) Liston.
41

42 Amend printed bill, page 3, strike lines 14 and 15 and substitute:
43

44 "(4) NOTHING IN THIS SECTION:
45

46 (a) MANDATES THE ASSIGNMENT OF BENEFITS FOR ANATOMIC
47 PATHOLOGY SERVICES; OR
48

49 (b) PROHIBITS A GROUP PRACTICE, AS DEFINED IN 42 U.S.C. SEC.
50 1395, FROM BILLING FOR ANATOMIC PATHOLOGY SERVICES WHEN A
51 PHYSICIAN MEMBER OF THE GROUP PRACTICE PERFORMS OR SUPERVISES
52 ANATOMIC PATHOLOGY SERVICES IN A LABORATORY THAT IS OWNED AND
53 OPERATED BY THE GROUP PRACTICE."
54

55 Page 4, after line 21, insert:
56

1 "(7) A PERSON WHO RECEIVES A BILL FOR AN ANATOMIC
2 PATHOLOGY SERVICE MADE IN KNOWING AND WILLFUL VIOLATION OF THIS
3 SECTION MAY MAINTAIN AN ACTION TO RECOVER THE ACTUAL AMOUNT
4 PAID FOR THE BILL."

5
6 As amended, ordered engrossed and placed on the Calendar for Third
7 Reading and Final Passage.

8
9 **HB12-1064** by Representative(s) Stephens; also Senator(s) S. King--
10 Concerning the prohibition of limitations concerning
11 firearms during an official state of emergency.

12
13 Ordered engrossed and placed on the Calendar for Third Reading and
14 Final Passage.

15
16 **HB12-1301** by Representative(s) McNulty, Ferrandino; also Senator(s)
17 Morse, Shaffer B., Cadman--Concerning payment of
18 expenses of the legislative department.

19
20 Amendment No. 1, Appropriations Report, dated February 14, 2012, and
21 placed in member's bill file; Report also printed in House Journal,
22 February 14, page 249.

23
24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.

26
27 **HB12-1074** by Representative(s) Kerr J., Miklosi; also Senator(s)
28 King S., Tochtrop--Concerning access to data to assist the
29 courts in overseeing persons appointed to manage the
30 affairs of persons under disability.

31
32 Amendment No. 1, Judiciary Report, dated February 9, 2012, and placed
33 in member's bill file; Report also printed in House Journal, February 10,
34 page 232.

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

38
39 **HB12-1092** by Representative(s) Priola, McKinley, Holbert, Balmer,
40 Barker, Baumgardner, DelGrosso, Kerr J., Liston,
41 McNulty, Murray, Sonnenberg, Stephens, Swalm; also
42 Senator(s) Brophy--Concerning the authority of a law-
43 abiding person to carry a concealed handgun without a
44 permit.

45
46 Ordered engrossed and placed on the Calendar for Third Reading and
47 Final Passage.

48 (For change in action, see Amendments to Report, page 252.)
49
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55

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

2
3 Representative Hamner moved to amend the Report of the Committee of
4 the Whole to reverse the action taken by the Committee in not adopting
5 the following Hamner amendment, to HB12-1092, to show that said
6 amendment passed, and that **HB12-1092**, as amended, passed.

7
8 Amend printed bill, page 3, line 27, after "SCHOOL." add "A PERSON WHO
9 CARRIES A CONCEALED HANDGUN PURSUANT TO THE PROVISIONS OF THIS
10 SUBPARAGRAPH (i) IS NOT ENTITLED TO CARRY A CONCEALED HANDGUN
11 ON THE REAL PROPERTY OF ANY PUBLIC SCHOOL DISTRICT.".

12
13 The amendment was declared **passed** by the following roll call vote:

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

33
34
35
36
37 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

38
39 Passed Second Reading: **HB12-1009 amended, 1120 amended, 1221**
40 **amended, 1064, 1301 amended, 1074 amended, 1092amended.**

41
42 Laid over until date indicated retaining place on Calendar: **HB12-1043--**
43 **February 15, 2012.**

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB12-1122 be postponed indefinitely.

HB12-1160 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 3, strike "(C)" and substitute "(C); and **add** (1) (a) (I.5)".

Page 2, line 26, strike "METHANE CAPTURED FROM ACTIVE AND INACTIVE COAL MINES," and substitute "COAL MINE METHANE GAS,".

Page 3, before line 5, insert:

"(I.5) "COAL MINE METHANE GAS" MEANS THE GREENHOUSE GAS METHANE CAPTURED FROM ACTIVE AND INACTIVE COAL MINES, WHERE IT IS DETERMINED THAT THE METHANE IS ESCAPING TO THE ATMOSPHERE AND UNDER THESE CIRCUMSTANCES FOR THE PURPOSES OF THIS PARAGRAPH (a) IS AN ELIGIBLE ENERGY RESOURCE.".

SB12-008 be referred to the Committee of the Whole with favorable recommendation.

SJR12-003 be referred out for final action.

1 **EDUCATION**

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

4
5 **HB12-1124** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 5, line 9, strike "(FUNDING)" and substitute
10 "THE FINANCIAL BENEFITS AND IMPACTS TO SCHOOL DISTRICTS,
11 INCLUDING FUNDING".
12

13 Page 5, strike line 20.

14
15 Page 5, line 26, strike "SCHOOLS." and substitute "SCHOOLS; AND".
16

17 Page 5, after line 26, insert:
18

19 "(XIII) PROTOCOLS FOR TRANSFERRING THE CREDITS THAT A
20 STUDENT EARNs BY COMPLETING A SUPPLEMENTAL ON-LINE COURSE OR
21 WHILE ENROLLED IN A FULL-TIME ON-LINE SCHOOL TO A SCHOOL DISTRICT
22 OR PUBLIC SCHOOL IN WHICH THE STUDENT SUBSEQUENTLY ENROLLS."
23
24
25

26 **HB12-1146** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:
29

30 Amend printed bill, page 2, line 9, strike "C.R.S." and substitute "C.R.S.,
31 OR A JUNIOR COLLEGE, AS DEFINED IN SECTION 23-71-102, C.R.S., THAT
32 OPERATES PURSUANT TO ARTICLE 71 OF TITLE 23, C.R.S."
33

34 Page 4, line 27, strike "PROGRAM, AND THE" and substitute "PROGRAM;".
35

36 Page 5, strike lines 1 and 2.
37

38 Page 5, line 14, after the semi-colon, add "AND".
39

40 Page 5, strike lines 15 through 18.
41

42 Reletter succeeding paragraph.
43

44 Page 5, line 22, strike "COLLEGE," and substitute "COLLEGE. THE LOCAL
45 EDUCATION PROVIDER AND THE COMMUNITY COLLEGE MAY AGREE TO
46 ADDITIONAL FINANCIAL PROVISIONS THAT ARE NOT INCONSISTENT WITH
47 THE PROVISIONS OF SECTION 22-35-105."
48

49 Page 5, strike lines 23 through 27.
50

51 Strike page 6.
52

53 Page 7, strike lines 1 through 4.
54

55 Renumber succeeding section accordingly.
56

1 **LOCAL GOVERNMENT**

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

4
5 **HB12-1099** be referred favorably to the Committee on Appropriations.
6

7
8 **HB12-1117** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:
11

12 Amend printed bill, page 3, line 25, strike "YEAR." and substitute "YEAR
13 PER CHARITABLE ORGANIZATION."
14
15
16

17 **HB12-1157** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20

21 Amend printed bill, page 2, after line 1 insert:
22

23 "SECTION 1. In Colorado Revised Statutes, 32-1-203, **amend**
24 (3.5) (a) as follows:
25

26 **32-1-203. Action on service plan - criteria.** (3.5) (a) The board
27 of county commissioners may exclude territory from a proposed special
28 district prior to approval of the service plan submitted by the petitioners
29 of a proposed special district. The petitioners shall have the burden of
30 proving that the exclusion of the property is not in the best interests of the
31 proposed special district. Any person owning property in the proposed
32 special district who requests that his or her property be excluded from the
33 special district prior to approval of the service plan shall submit the
34 request to the board of county commissioners no later than ten days prior
35 to the hearing held under section 32-1-204, but the board of county
36 commissioners shall not be limited in its action with respect to exclusion
37 of territory based upon the request. Any request for exclusion SHALL
38 INCLUDE A LEGAL DESCRIPTION OF THE PROPERTY SOUGHT TO BE
39 EXCLUDED AND shall be acted upon before final action of the county
40 commissioners under section 32-1-205."
41

42 Renumber succeeding sections accordingly.
43

44 Page 2, strike lines 6 through 9 and substitute "section 32-1-204 (1), if
45 ~~such party had appeared and presented its objections before the board of~~
46 ~~county commissioners~~ WHO IS EITHER A TAXPAYER OF THE PROPOSED
47 SPECIAL DISTRICT OR AN ELIGIBLE ELECTOR OF THE PROPOSED SPECIAL
48 DISTRICT shall be given".
49

50 Page 3, after line 10 insert:
51

52 "SECTION 4. In Colorado Revised Statutes, 32-1-305, **amend** (3)
53 as follows:
54

55 **32-1-305. Court hearing - election - declaration of**
56 **organization.** (3) Except as otherwise provided in section 32-1-304.5,

1 anytime after the filing of the petition for the organization of a special
2 district but no later than ten days before the day fixed for the hearing
3 thereon, the owner of any real property within the proposed special
4 district may file a petition with the court stating reasons why said property
5 should not be included therein and requesting that said real property be
6 excluded therefrom. The petition shall be duly verified and shall describe
7 INCLUDE A LEGAL DESCRIPTION OF the property sought to be excluded.
8 The court shall hear the petition and all objections thereto at the time of
9 the hearing on the petition for organization and shall determine whether,
10 in the best public interest, the property should be excluded or included in
11 the proposed special district. The court shall exclude property located in
12 any home rule municipality in respect to which a petition for exclusion
13 has been filed by the municipality.".

14
15 Renumber succeeding sections accordingly.

16
17
18
19 **HB12-1207** be referred to the Committee of the Whole with favorable
20 recommendation.

21
22
23
24 **PRINTING REPORT**

25
26 The Chief Clerk reports the following bills have been correctly printed:
27 **HB12-1296, 1297, 1298, 1299, 1300, 1301.**

28
29
30
31 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

32
33 The Speaker has signed: **HB12-1001.**

34
35
36
37 **DELIVERY OF BILL TO GOVERNOR**

38
39 The Chief Clerk of the House of Representatives reports the following
40 bill has been delivered to the Office of the Governor: **HB12-1001** at
41 2:34 p.m. on February 14, 2012.

42
43
44
45 **MESSAGE(S) FROM THE SENATE**

46
47 The Senate has passed on Third Reading and returns herewith:
48 **HB12-1001.**

49
50
51 The Senate has passed on Third Reading and transmits to the Revisor of
52 Statutes: **SB12-042.**

53
54 The Senate has passed on Third Reading and transmits to the Revisor of
55 Statutes:
56

- 1 **SB12-145** As amended in General Orders as printed in Senate Journal,
2 February 13, 2012, pages 139-140.
3 **SB12-079** As amended in General Orders as printed in Senate Journal,
4 February 13, 2012, page 140.
5 **SB12-020** As amended in General Orders as printed in Senate Journal,
6 February 13, 2012, pages 140-141.
7 **SB12-097** As amended in General Orders as printed in Senate Journal,
8 February 13, 2012, page 141.
9 **SB12-035** As amended in General Orders as printed in Senate Journal,
10 February 13, 2012, page 141.
11 **SB12-110** As amended in General Orders as printed in Senate Journal,
12 February 13, 2012, page 142.
13 **SB12-115** As amended in General Orders as printed in Senate Journal,
14 February 13, 2012, page 142.
15

16
17
18 **MESSAGE(S) FROM THE REVISOR**
19

20 We herewith transmit:
21 Without comment, SB12-042.
22 With comment, as amended, SB12-020, 035, 079, 097, 110, 115 and 145.
23

24
25
26 **INTRODUCTION OF RESOLUTION**
27

28 The following resolution was read by title and laid over one day under the
29 rules:
30

31 **HJR12-1013** by Representative(s) Gardner B.; also Senator(s) Newell--
32 Concerning Awareness Day for Individuals with
33 Developmental Disabilities.
34

35
36
37 **LAY OVER OF CALENDAR ITEM(S)**
38

39 On motion of Representative Szabo, the following item(s) on the
40 Calendar was (were) laid over until February 15, retaining place on
41 Calendar:
42

43 Consideration of General Orders--**HB12-1105, 1017, 1005, 1026.**
44

45
46
47 On motion of Representative Szabo, the House adjourned until 9:00 a.m.,
48 February 15, 2012.
49

50 Approved:
51 FRANK McNULTY,
52 Speaker

53 Attest:
54 MARILYN EDDINS,
55 Chief Clerk

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

Thirty-sixth Legislative Day

Wednesday, February 15, 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 Paul Schroeder, Laradon's Community
7 Participation Vocational Program, Denver.

8

9 The roll was called with the following result:

10

11 Present--61.

12 Excused--Representative(s) Bradford, Kagan, Levy, Stephens--4.

13

14 Present after roll call--Representative(s) Levy.

15

16 The Speaker declared a quorum present.

17

18 On motion of Representative Singer, the reading of the journal of
19 February 14, 2012, was declared dispensed with and approved as
20 corrected by the Chief Clerk.

21

22

23

24

CONSIDERATION OF RESOLUTION(S)

25

26 **HJR12-1013** by Representative(s) Gardner B.; also Senator(s) Newell--
27 Concerning Awareness Day for Individuals with
28 Developmental Disabilities.

29

30 (Printed and placed in members' file)

31

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

34

35 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
36 Barker, Baumgardner, Becker, Beezley, Brown, Casso, Conti, Coram, Court,
37 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gerou, Hamner, Holbert,
38 Hulinghorst, Jones, Joshi, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
39 Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace,
40 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
41 Sonnenberg, Soper, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad,
42 Vigil, Waller, Williams A., Wilson, Young, Speaker.

43

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR12- 014.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

SJR12-014 by Senator(s) Aguilar, Steadman, Boyd, Foster, Guzman, Johnston, Mitchell, Nicholson, Roberts, Spence, White; also Representative(s) Gardner B., Swalm, Szabo, Jones, Kefalas, Kerr A., Todd--Concerning Colorado's community health centers.

(Printed and placed in member's file).

On motion of Representative B. Gardner, the resolution was read at length and **adopted by viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gerou, Hamner, Holbert, Hulinghorst, Joshi, Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Sonnenberg, Soper, Summers, Swerdfeger, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

CONSIDERATION OF RESOLUTION(S)

SJR12-003 by Senator(s) Schwartz, Brophy, Carroll, Giron, Grantham, Guzman, Harvey, Jahn, Tochtrop; also Representative(s) Sonnenberg, Vigil--Concerning approval of water project revolving fund eligibility lists administered by the Colorado water resources and power development authority.

(Printed and placed in members' file)

On motion of Representative Sonnenberg, the resolution was **adopted by viva voce** vote.

Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Brown, Casso, Coram, Court, DelGrosso, Fields, Fischer, Gardner B., Gerou, Holbert, Jones, Joshi, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey, Miklosi, Murray, Nikkel, Pace, Priola, Ramirez, Ryden, Scott, Singer, Soper, Swalm, Szabo, Todd, Vaad, Waller, Williams A., Wilson, Young.

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.

HB12-1040 by Representative(s) Casso--Concerning recognition of September 11 as a state holiday in certain years, and, in connection therewith, designating September 11 as "Patriot Day".

Laid over until February 16, retaining place on Calendar.

HB12-1068 by Representative(s) McKinley; also Senator(s) Grantham--Concerning the administration of a nonprofit cemetery corporation by persons who own the right to bury a deceased person within the cemetery.

Laid over until February 16, retaining place on Calendar.

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

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	54	NO	8	EXCUSED	3	ABSENT	0
Acree	Y		Fischer	N	Looper	Y	Solano	N
Balmer	Y		Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y		Gerou	Y	McCann	N	Soper	Y
Baumgardner	Y		Hamner	Y	McKinley	Y	Stephens	E
Becker	Y		Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y		Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E		Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y		Joshi	Y	Pabon	Y	Szabo	Y
Casso	N		Kagan	E	Pace	Y	Todd	Y
Conti	Y		Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y		Kerr A.	Y	Priola	Y	Vaad	Y
Court	N		Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y		Labuda	N	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

Co-sponsor(s) added: Representative(s) Barker, Becker, Brown, Conti, DelGrosso, Kerr A., Liston, Looper, Murray, Nikkel, Priola, Sonnenberg, Summers, Speaker.

HB12-1120 by Representative(s) Swerdfeger, Brown, Duran, Liston, Massey, Pabon, Pace, Williams A.; also Senator(s)

Tochtrop--Concerning the creation of the division of unemployment insurance in the department of labor and employment to administer the unemployment insurance program.

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	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	E
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	E	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) Schafer S., Todd, Tyler, Vigil.

HB12-1221 by Representative(s) Liston, Kerr J., Balmer, Miklosi, Summers, Swalm, Williams A.; also Senator(s) Tochtrop, Boyd, Morse--Concerning billing for anatomic pathology services.

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	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	E
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	E	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

1 Fields Y Liston Y Singer Y Young Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Labuda, Schafer S., Sonnenberg, Todd,
 4 Wilson.

5
 6 **HB12-1064** by Representative(s) Stephens; also Senator(s) S. King--
 7 Concerning the prohibition of limitations concerning
 8 firearms during an official state of emergency.
 9
 10 Laid over until February 20, retaining place on Calendar.

11
 12 **HB12-1301** by Representative(s) McNulty, Ferrandino; also Senator(s)
 13 Morse, Shaffer B., Cadman--Concerning payment of
 14 expenses of the legislative department.
 15

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

	YES	34	NO	28	EXCUSED	3	ABSENT	0
22	Acree	N	Fischer	Y	Looper	N	Solano	N
23	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	N	Hamner	N	McKinley	N	Stephens	E
26	Becker	Y	Holbert	N	Miklosi	N	Summers	N
27	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	E	Jones	N	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	N	Szabo	N
30	Casso	Y	Kagan	E	Pace	N	Todd	N
31	Conti	Y	Kefalas	N	Peniston	N	Tyler	Y
32	Coram	Y	Kerr A.	N	Priola	Y	Vaad	N
33	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
34	DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
35	Duran	N	Lee	N	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
37	Fields	Y	Liston	N	Singer	Y	Young	N
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Labuda.

40
 41 **HB12-1074** by Representative(s) Kerr J., Miklosi; also Senator(s) King
 42 S., Tochtrop--Concerning access to data to assist the courts
 43 in overseeing persons appointed to manage the affairs of
 44 persons under disability.
 45

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

	YES	62	NO	0	EXCUSED	3	ABSENT	0
52	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
53	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
54	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	E
56	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y

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

13 Co-sponsor(s) added: Representative(s) Acree, Barker, Fischer, Gerou, Kerr A.,
 14 Labuda, Nikkel, Schafer S., Singer, Summers, Vigil, Wilson, Young.

15
 16 **HB12-1092** by Representative(s) Priola, McKinley, Holbert, Balmer,
 17 Barker, Baumgardner, DelGrosso, Kerr J., Liston,
 18 McNulty, Murray, Sonnenberg, Stephens, Swalm; also
 19 Senator(s) Brophy--Concerning the authority of a law-
 20 abiding person to carry a concealed handgun without a
 21 permit.
 22

23 Laid over until February 20, retaining place on Calendar.
 24

25
 26 House in recess. House reconvened.
 27
 28

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

30 **ECONOMIC & BUSINESS DEVELOPMENT**

31
 32 After consideration on the merits, the Committee recommends the
 33 following:
 34

35
 36 **HB12-1115** be amended as follows, and as so amended, be referred to
 37 the Committee of the Whole with favorable
 38 recommendation:
 39

40 Amend printed bill, strike everything below the enacting clause and
 41 substitute:
 42

43 "SECTION 1. In Colorado Revised Statutes, **add** 2-2-322.5 as
 44 follows:
 45

46 **2-2-322.5. Business fiscal impact statement.** (1) IF A
 47 LEGISLATIVE MEASURE IS INTRODUCED THAT PROPOSES A NEW OR
 48 INCREASED MANDATE ON COLORADO'S BUSINESSES OR IS EXPECTED TO
 49 SIGNIFICANTLY INCREASE COSTS TO COLORADO'S BUSINESSES, THE STAFF
 50 OF THE LEGISLATIVE COUNCIL SHALL DESIGNATE A TEN-DAY PERIOD
 51 DURING WHICH THE FIRST FIFTY COLORADO BUSINESSES TO RESPOND MAY
 52 SUBMIT COMMENTS REGARDING THE POTENTIAL BUSINESS FISCAL IMPACT
 53 OF THE LEGISLATIVE MEASURE. THE TEN-DAY PERIOD SHALL COMMENCE
 54 NO SOONER THAN THE SECOND DAY AFTER THE INTRODUCTION OF THE
 55 LEGISLATIVE MEASURE AND NO LATER THAN THE FOURTH DAY AFTER THE
 56 INTRODUCTION OF THE LEGISLATIVE MEASURE. IN THE EVENT A

1 COLORADO BUSINESS PROVIDES COMMENTS AND SUCH BUSINESS IS UNDER
2 A COLLECTIVE-BARGAINING AGREEMENT, A UNION MAY PROVIDE A
3 STATEMENT AS AN ADDENDUM TO THE COLORADO BUSINESS' COMMENT.
4

5 (2) UPON THE EXPIRATION OF THE TEN-DAY PERIOD REQUIRED BY
6 SUBSECTION (1) OF THIS SECTION, THE STAFF OF THE LEGISLATIVE COUNCIL
7 SHALL COMPILE ANY COMMENTS RECEIVED FROM COLORADO BUSINESSES
8 AND MAKE COPIES AVAILABLE IN CONJUNCTION WITH THE FISCAL NOTE
9 REQUIRED BY SECTION 2-2-322.
10

11 **SECTION 2. Act subject to petition - effective date.** This act
12 takes effect at 12:01 a.m. on the day following the expiration of the
13 ninety-day period after final adjournment of the general assembly (August
14 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
15 referendum petition is filed pursuant to section 1 (3) of article V of the
16 state constitution against this act or an item, section, or part of this act
17 within such period, then the act, item, section, or part will not take effect
18 unless approved by the people at the general election to be held in
19 November 2012 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor."
21
22
23

24 **HB12-1210** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend printed bill, page 2, line 21, strike "WITHIN THIRTY DAYS AFTER"
29 and substitute "PRIOR TO".
30

31 Page 3, after line 6 insert:
32

33 "(IV) THE PROVISIONS OF THIS SUBSECTION (8) DO NOT APPLY TO
34 PROFESSIONALS WHO DO NOT PERMANENTLY RESIDE, OR INTEND TO
35 PERMANENTLY RESIDE, IN COLORADO. IF AN APPLICANT DOES NOT RESIDE
36 IN COLORADO WITHIN SIXTY DAYS AFTER APPLYING FOR LICENSURE,
37 CERTIFICATION, OR REGISTRATION, THE INDIVIDUAL IS NO LONGER
38 AUTHORIZED TO PRACTICE UNDER THIS SECTION IN COLORADO.
39

40 (V) THIS PARAGRAPH (f) DOES NOT APPLY TO AN OPTOMETRIST
41 PRACTICING IN ANOTHER STATE WHOSE INTENT IS TO APPLY FOR A LICENSE
42 PURSUANT TO ARTICLE 40 OF TITLE 12, C.R.S.
43

44 (VI) THIS PARAGRAPH (f) DOES NOT APPLY TO A PHYSICIAN OR
45 PHYSICIAN ASSISTANT PRACTICING IN ANOTHER STATE WHOSE INTENT IS
46 TO APPLY FOR A LICENSE PURSUANT TO ARTICLE 36 OF TITLE 12, C.R.S."
47
48
49

50 **HB12-1270** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:
53

54 Amend printed bill, page 3, strike line 5 and substitute "(2) (a); and **add**
55 (2) (a.5) as follows:".
56

1 Page 3, line 6, strike "Every" and substitute "EXCEPT AS PROVIDED IN
2 PARAGRAPH (a.5) OF THIS SUBSECTION (2), every".

3
4 Page 3, strike line 9 and substitute "or article 46 of this title. ~~except that,~~

5
6 (a.5) (I) During a THE 2013 calendar year, a person".

7
8 Page 3, line 11, strike "TWO" and substitute "ONE".

9
10 Page 3, after line 11 insert:

11
12 "(H) (A) Malt, vinous, or spirituous liquors from a retailer licensed
13 pursuant to section 12-47-407 or 12-47-408; and

14
15 (H) (B) Fermented malt beverages from a retailer licensed
16 pursuant to section 12-46-104 (1) (c).

17
18 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING
19 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
20 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

21
22 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
23 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

24
25 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
26 PURSUANT TO SECTION 12-46-104 (1) (c).

27
28 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR
29 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
30 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
31 DOLLARS' WORTH OF:

32
33 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
34 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

35
36 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
37 PURSUANT TO SECTION 12-46-104 (1) (c).".

38
39 Page 3, strike line 13 and substitute "(3) (a); and **add** (3) (a.5) as
40 follows:".

41
42 Page 3, line 14, strike "Every" and substitute "EXCEPT AS PROVIDED IN
43 PARAGRAPH (a.5) OF THIS SUBSECTION (3), every".

44
45 Page 3, strike line 18 and substitute "this title. ~~except that,~~

46
47 (a.5) (I) During a THE 2013 calendar year, a person selling
48 alcohol".

49
50 Page 3, line 20, strike "TWO" and substitute "ONE".

51
52 Page 3, after line 20 insert:

53
54 "(H) (A) Malt, vinous, ~~and~~ OR spirituous liquors from a retailer
55 licensed pursuant to section 12-47-407 or 12-47-408; and

56

1 ~~(H)~~ (B) Fermented malt beverages from a retailer licensed
2 pursuant to section 12-46-104 (1) (c).

3
4 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING
5 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
6 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

7
8 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
9 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

10
11 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
12 PURSUANT TO SECTION 12-46-104 (1) (c).

13
14 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR
15 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
16 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
17 DOLLARS' WORTH OF:

18
19 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
20 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

21
22 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
23 PURSUANT TO SECTION 12-46-104 (1) (c).".

24
25 Page 3, strike line 22 and substitute "(2) (a); and **add** (2) (a.5) as
26 follows:".

27
28 Page 3, line 23, strike "Every" and substitute "EXCEPT AS PROVIDED IN
29 PARAGRAPH (a.5) OF THIS SUBSECTION (2), every".

30
31 Page 3, strike line 26 and substitute "article or article 46 of this title.
32 ~~except that,~~

33
34 (a.5) (I) During a THE 2013 calendar year, a".

35
36 Page 4, line 1, strike "TWO" and substitute "ONE".

37
38 Page 4, after line 1 insert:

39
40 ~~"(H)~~ (A) Malt, vinous, ~~and~~ OR spirituous liquors from a retailer
41 licensed pursuant to section 12-47-407 or 12-47-408; and

42
43 ~~(H)~~ (B) Fermented malt beverages from a retailer licensed
44 pursuant to section 12-46-104 (1) (c).

45
46 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING
47 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
48 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

49
50 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
51 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

52
53 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
54 PURSUANT TO SECTION 12-46-104 (1) (c).

55
56 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR

1 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
2 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
3 DOLLARS' WORTH OF:

4
5 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
6 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

7
8 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
9 PURSUANT TO SECTION 12-46-104 (1) (c).".

10
11 Page 4, strike line 3 and substitute "(4) (a); and **add** (4) (a.5) as follows:".

12
13 Page 4, line 4, strike "Every" and substitute "EXCEPT AS PROVIDED IN
14 PARAGRAPH (a.5) OF THIS SUBSECTION (4), every".

15
16 Page 4, strike line 7 and substitute "this title. ~~except that,~~

17
18 (a.5) (I) During a THE 2013 calendar year, a person selling
19 alcohol".

20
21 Page 4, line 9, strike "TWO" and substitute "ONE".

22
23 Page 4, after line 9 insert:

24
25 ~~(F)~~ (A) Malt, vinous, ~~and~~ OR spirituous liquors from a retailer
26 licensed pursuant to section 12-47-407 or 12-47-408; and

27
28 ~~(H)~~ (B) Fermented malt beverages from a retailer licensed
29 pursuant to section 12-46-104 (1) (c).

30
31 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING
32 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
33 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

34
35 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
36 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

37
38 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
39 PURSUANT TO SECTION 12-46-104 (1) (c).

40
41 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR
42 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
43 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
44 DOLLARS' WORTH OF:

45
46 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
47 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

48
49 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
50 PURSUANT TO SECTION 12-46-104 (1) (c).".

51
52 Page 4, strike line 11 and substitute "(2) (a); and **add** (2) (a.5) as
53 follows:".

54
55 Page 4, line 12, strike "Every" and substitute "EXCEPT AS PROVIDED IN
56 PARAGRAPH (a.5) OF THIS SUBSECTION (2), every".

- 1 Page 4, strike line 15 and substitute "article 46 of this title. ~~except that,~~
2
3 (a.5) (I) During a THE 2013 calendar year, a person selling".
4
5 Page 4, line 17, strike "TWO" and substitute "ONE".
6
7 Page 4, after line 17 insert:
8
9 "(H) (A) Malt, vinous, ~~and~~ OR spirituous liquors from a retailer
10 licensed pursuant to section 12-47-407 or 12-47-408; and
11
12 (H) (B) Fermented malt beverages from a retailer licensed
13 pursuant to section 12-46-104 (1) (c).
14
15 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING
16 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
17 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:
18
19 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
20 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND
21
22 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
23 PURSUANT TO SECTION 12-46-104 (1) (c).
24
25 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR
26 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
27 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
28 DOLLARS' WORTH OF:
29
30 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
31 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND
32
33 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
34 PURSUANT TO SECTION 12-46-104 (1) (c).".
35
36 Page 4, strike line 19 and substitute "(3) (a); and **add** (3) (a.5) as
37 follows:".
38
39 Page 4, line 20, strike "Every" and substitute "EXCEPT AS PROVIDED IN
40 PARAGRAPH (a.5) OF THIS SUBSECTION (3), every".
41
42 Page 4, strike line 24 and substitute "article 46 of this title. ~~except that,~~
43
44 (a.5) (I) During a THE 2013 calendar year, a person may".
45
46 Page 4, line 25, strike "TWO" and substitute "ONE".
47
48 Page 4, after line 25 insert:
49
50 "(H) (A) Malt, vinous, ~~and~~ OR spirituous liquors from a retailer
51 licensed pursuant to section 12-47-407 or 12-47-408; and
52
53 (H) (B) Fermented malt beverages from a retailer licensed
54 pursuant to section 12-46-104 (1) (c).
55
56 (II) DURING THE 2014 CALENDAR YEAR, A PERSON SELLING

1 ALCOHOL BEVERAGES AS PROVIDED IN THIS SECTION MAY PURCHASE NOT
2 MORE THAN ONE THOUSAND FIVE HUNDRED DOLLARS' WORTH OF:

3
4 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
5 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

6
7 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
8 PURSUANT TO SECTION 12-46-104 (1) (c).

9
10 (III) DURING THE 2015 CALENDAR YEAR AND EACH CALENDAR
11 YEAR THEREAFTER, A PERSON SELLING ALCOHOL BEVERAGES AS PROVIDED
12 IN THIS SECTION MAY PURCHASE NOT MORE THAN TWO THOUSAND
13 DOLLARS' WORTH OF:

14
15 (A) MALT, VINOUS, OR SPIRITUOUS LIQUORS FROM A RETAILER
16 LICENSED PURSUANT TO SECTION 12-47-407 OR 12-47-408; AND

17
18 (B) FERMENTED MALT BEVERAGES FROM A RETAILER LICENSED
19 PURSUANT TO SECTION 12-46-104 (1) (c).".

20
21
22
23 **HB12-1284** be postponed indefinitely.

24
25
26 **HB12-1289** be referred to the Committee of the Whole with favorable
27 recommendation.

28
29
30
31
32 **HEALTH & ENVIRONMENT**

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

35
36 **HB12-1097** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend printed bill, page 2, before line 1 insert:

41
42 "SECTION 1. In Colorado Revised Statutes, 25-4-1602, **add**
43 (6.5) as follows:

44
45 **25-4-1602. Definitions.** As used in this part 16, unless the context
46 otherwise requires:

47
48 (6.5) "IMMINENT HEALTH HAZARD" MEANS A SIGNIFICANT THREAT
49 OR DANGER TO HEALTH THAT IS CONSIDERED TO EXIST WHEN THERE IS
50 EVIDENCE SUFFICIENT TO SHOW THAT A PRODUCT, PRACTICE,
51 CIRCUMSTANCE, OR EVENT CREATES A SITUATION THAT REQUIRES
52 IMMEDIATE CORRECTION OR CESSATION OF OPERATION TO PREVENT
53 INJURY OR ILLNESS BASED ON THE NUMBER OF POTENTIAL INJURIES OR
54 ILLNESSES AND THE NATURE, SEVERITY, AND DURATION OF THE
55 ANTICIPATED INJURY OR ILLNESS.".

1 Renumber succeeding sections accordingly.

2
3 Page 2, line 3, after "**Disciplinary actions** -"insert "**closure** -".

4
5 Page 2, line 4, strike "PROCEEDINGS" and substitute "EXCEPT IN CASES OF
6 CLOSURE DUE TO AN IMMINENT HEALTH HAZARD, PROCEEDINGS".

7
8 Page 2, before line 11 insert:

9
10 "**SECTION 3.** In Colorado Revised Statutes, 25-4-1611, **amend**
11 (3) as follows:

12
13 **25-4-1611. Violation - penalties.** (3) A maximum of three civil
14 penalties may be assessed against a licensee or other person operating a
15 retail food establishment in any ~~calendar year~~ TWELVE-MONTH PERIOD.
16 Whenever a third civil penalty is assessed in a ~~calendar year~~
17 TWELVE-MONTH PERIOD, the department or a county or district board of
18 health ~~shall~~ MAY initiate proceedings to suspend or revoke the license of
19 the licensee pursuant to section 25-4-1609."

20
21 Renumber succeeding section accordingly.

22
23
24
25 **HB12-1276** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:

28
29 Amend printed bill, page 4, after line 20 insert:

30
31 "**SECTION 2.** In Colorado Revised Statutes, **amend** 26-6-106 (3)
32 as follows:

33
34 **26-6-106. Standards for facilities and agencies.** (3) Any
35 applicant or person licensed to operate a child care facility or agency
36 under the provisions of this part 1 has the right to appeal any standard
37 that, in his or her opinion, works an undue hardship or when, in his or her
38 opinion, a standard has been too stringently applied by representatives of
39 the department. The department shall designate a panel of persons
40 representing various state and local governmental agencies with an
41 interest in and concern for children to hear such appeal and to make
42 recommendations to the department. THE MEMBERSHIP OF THE APPEALS
43 REVIEW PANEL SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, A
44 REPRESENTATIVE FROM CHILD CARE PROVIDERS, A REPRESENTATIVE FROM
45 A LOCAL EARLY CHILDHOOD COUNCIL OR LOCAL CHILD CARE RESOURCE
46 AND REFERRAL AGENCY, A STATE-LEVEL EARLY CHILDHOOD
47 REPRESENTATIVE WITH EARLY CARE AND EDUCATION EXPERTISE, AND A
48 PARENT REPRESENTATIVE. ALL MEMBERS TO THE APPEALS REVIEW PANEL
49 SHALL BE APPOINTED BY THE EXECUTIVE DIRECTOR OR HIS OR HER
50 DESIGNEE AND SHALL SERVE TERMS OF NO MORE THAN THREE YEARS.
51 REPRESENTATIVES TO THE APPEALS REVIEW PANEL MAY SERVE
52 SUCCESSIVE TERMS."

53
54 Renumber succeeding section accordingly.

55
56

1 **JUDICIARY**

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

4
5 **HB12-1139** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB12-1151** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend printed bill, page 2, strike lines 5 through 12 and substitute:
14

15 **"13-21-127. Civil damages for human trafficking and**
16 **involuntary servitude.** (1) A PERSON IS ENTITLED TO RECOVER
17 DAMAGES AND TO OBTAIN INJUNCTIVE RELIEF FROM ANY PERSON WHO
18 COMMITS TRAFFICKING IN ADULTS, AS DESCRIBED IN SECTION 18-3-501,
19 C.R.S.; TRAFFICKING IN CHILDREN, AS DESCRIBED IN SECTION 18-3-502,
20 C.R.S.; OR COERCION OF INVOLUNTARY SERVITUDE, AS DESCRIBED IN
21 SECTION 18-3-503, C.R.S.
22

23 (2) A CONVICTION FOR TRAFFICKING IN ADULTS, AS DESCRIBED IN
24 SECTION 18-3-501, C.R.S.; TRAFFICKING IN CHILDREN, AS DESCRIBED IN
25 SECTION 18-3-502, C.R.S.; OR COERCION OF INVOLUNTARY SERVITUDE, AS
26 DESCRIBED IN SECTION 18-3-503, C.R.S., SHALL NOT BE A CONDITION
27 PRECEDENT TO MAINTAINING A CIVIL ACTION PURSUANT TO THE
28 PROVISIONS OF THIS SECTION."
29

30 Page 3, strike lines 14 through 27.
31

32 Page 4, strike lines 1 through 23 and substitute:
33

34 **"SECTION 4.** In Colorado Revised Statutes, 12-25.5-112, **add**
35 (3) as follows:
36

37 **12-25.5-112. Duties of escort bureau.** (3) EACH ESCORT BUREAU
38 SHALL PROVIDE TO EACH EMPLOYEE OF THE ESCORT BUREAU A WRITTEN
39 NOTICE THAT INCLUDES:
40

41 (a) A STATEMENT THAT HUMAN TRAFFICKING AND COERCION OF
42 INVOLUNTARY SERVITUDE ARE PROHIBITED IN THIS STATE BY THE
43 PROVISIONS OF SECTIONS 18-3-501, 18-3-502, AND 18-3-503, C.R.S.; AND
44

45 (b) THE NAME, TELEPHONE NUMBER, AND INTERNET WEB SITE
46 ADDRESS OF A LOCAL, STATEWIDE, OR NATIONAL ORGANIZATION THAT
47 PROVIDES ASSISTANCE TO VICTIMS OF HUMAN TRAFFICKING AND SLAVERY.
48

49 **SECTION 5.** In Colorado Revised Statutes, 12-48.5-110, **amend**
50 (1) (f); and **add** (1) (g) as follows:
51

52 **12-48.5-110. Unlawful acts.** (1) It is unlawful for any person:
53 (f) To ~~fail~~ OPERATE A MESSAGE PARLOR WHILE FAILING to display
54 at all times in a prominent place on the licensed premises a printed card
55 with a minimum height of fourteen inches and a width of eleven inches
56 with each letter a minimum of one-half inch in height, which shall read

1 as follows:

2
3 WARNING

4
5 IT IS ILLEGAL FOR ANY PERSON UNDER EIGHTEEN
6 YEARS OF AGE TO BE IN OR UPON THESE PREMISES AT ANY
7 TIME, UNLESS HE OR SHE IS ACCOMPANIED BY HIS OR HER
8 PARENT OR HAS A PHYSICIAN'S PRESCRIPTION FOR MASSAGE
9 SERVICES.

10
11 IT IS ILLEGAL FOR ANY PERSON TO ALLOW A PERSON
12 UNDER EIGHTEEN YEARS OF AGE TO BE IN OR UPON THESE
13 PREMISES AT ANY TIME, UNLESS HE OR SHE IS
14 ACCOMPANIED BY HIS OR HER PARENT OR HAS A
15 PHYSICIAN'S PRESCRIPTION FOR MASSAGE SERVICES.

16
17 PART 5 OF ARTICLE 3 OF TITLE 18, COLORADO REVISED
18 STATUTES, PROHIBITS TRAFFICKING OF ADULTS,
19 TRAFFICKING OF CHILDREN, AND COERCION OF
20 INVOLUNTARY SERVITUDE AND ESTABLISHES CRIMINAL
21 PENALTIES FOR THESE OFFENSES.

22
23 FINES OR IMPRISONMENT MAY BE IMPOSED BY THE
24 COURTS FOR VIOLATION OF THESE PROVISIONS UNDER
25 ARTICLE 48.5 OF TITLE 12, COLORADO REVISED STATUTES.

26
27 (g) To operate a massage parlor while failing to display at all
28 times in a prominent place on the licensed premises a printed card with
29 a minimum height of fourteen inches and a width of eleven inches with
30 each letter a minimum of one-half inch in height, which provides the
31 name and contact information of a state or local organization that
32 provides services or other assistance to victims of human trafficking.

33
34 **SECTION 6.** In Colorado Revised Statutes, 19-1-306, **add** (5) (d)
35 and (6) (a.5) as follows:

36
37 **19-1-306. Expungement of juvenile delinquent records.**
38 (5) (d) THE COURT SHALL ORDER EXPUNGED ALL RECORDS IN THE
39 CUSTODY OF THE COURT AND ANY RECORDS IN THE CUSTODY OF ANY
40 OTHER AGENCY OR OFFICIAL THAT PERTAIN TO THE PETITIONER'S
41 CONVICTION FOR PROSTITUTION, AS DESCRIBED IN SECTION 18-7-201,
42 C.R.S.; SOLICITING FOR PROSTITUTION, AS DESCRIBED IN SECTION
43 18-7-202, C.R.S.; KEEPING A PLACE OF PROSTITUTION, AS DESCRIBED IN
44 SECTION 18-7-204, C.R.S.; PUBLIC INDECENCY, AS DESCRIBED IN SECTION
45 18-7-301, C.R.S.; SOLICITING FOR CHILD PROSTITUTION, AS DESCRIBED IN
46 SECTION 18-7-402, C.R.S., OR ANY CORRESPONDING MUNICIPAL CODE OR
47 ORDINANCE IF, AT THE HEARING, THE COURT FINDS THAT THE PETITIONER
48 WHO IS THE SUBJECT OF THE HEARING HAS ESTABLISHED BY A
49 PREPONDERANCE OF THE EVIDENCE THAT, AT THE TIME HE OR SHE
50 COMMITTED THE OFFENSE, HE OR SHE:

51
52 (I) HAD BEEN SOLD, EXCHANGED, BARTERED, OR LEASED BY
53 ANOTHER PERSON, AS DESCRIBED IN SECTION 18-3-501 OR 18-3-502,
54 C.R.S., FOR THE PURPOSE OF PERFORMING THE OFFENSE; OR

55
56 (II) WAS COERCED BY ANOTHER PERSON, AS DESCRIBED IN

1 SECTION 18-3-503, C.R.S., TO PERFORM THE OFFENSE.

2
3 (6) A person is eligible to petition for an expungement order:

4
5 (a.5) AT ANY TIME FOR THE PURPOSES DESCRIBED IN PARAGRAPH
6 (d) OF SUBSECTION (5) OF THIS SECTION;

7
8 **SECTION 7.** In Colorado Revised Statutes, **add** 24-72-308.7 as
9 follows:

10
11 **24-72-308.7. Sealing of criminal conviction records**
12 **information for offenses committed by victims of human trafficking.**

13 (1) **Definitions.** FOR PURPOSES OF THIS SECTION, "CONVICTION RECORDS"
14 MEANS ARREST AND CRIMINAL RECORDS INFORMATION AND ANY RECORDS
15 PERTAINING TO A JUDGMENT OF CONVICTION.

16
17 (2) **Sealing of conviction records.** (a) (I) A DEFENDANT MAY
18 PETITION THE DISTRICT COURT OF THE DISTRICT IN WHICH ANY
19 CONVICTION RECORDS PERTAINING TO THE DEFENDANT'S CONVICTION FOR
20 PROSTITUTION, AS DESCRIBED IN SECTION 18-7-201, C.R.S.; SOLICITING
21 FOR PROSTITUTION, AS DESCRIBED IN SECTION 18-7-202, C.R.S.; KEEPING
22 A PLACE OF PROSTITUTION, AS DESCRIBED IN SECTION 18-7-204, C.R.S.;
23 PUBLIC INDECENCY, AS DESCRIBED IN SECTION 18-7-301, C.R.S., OR ANY
24 CORRESPONDING MUNICIPAL CODE OR ORDINANCE ARE LOCATED FOR THE
25 SEALING OF THE CONVICTION RECORDS, EXCEPT FOR BASIC IDENTIFYING
26 INFORMATION.

27
28 (II) IF A PETITION IS FILED PURSUANT TO SUBPARAGRAPH (I) OF
29 THIS PARAGRAPH (a) FOR THE SEALING OF A RECORD OF CONVICTION FOR
30 PROSTITUTION, AS DESCRIBED IN SECTION 18-7-201, C.R.S.; SOLICITING
31 FOR PROSTITUTION, AS DESCRIBED IN SECTION 18-7-202, C.R.S.; KEEPING
32 A PLACE OF PROSTITUTION, AS DESCRIBED IN SECTION 18-7-204, C.R.S., OR
33 PUBLIC INDECENCY, AS DESCRIBED IN SECTION 18-7-301, C.R.S., THE
34 COURT SHALL ORDER THE RECORD SEALED AFTER:

35
36 (A) THE PETITION IS FILED;

37
38 (B) THE FILING FEE IS PAID; AND

39
40 (C) THE DEFENDANT ESTABLISHES BY A PREPONDERANCE OF THE
41 EVIDENCE THAT, AT THE TIME HE OR SHE COMMITTED THE OFFENSE, HE OR
42 SHE HAD BEEN SOLD, EXCHANGED, BARTERED, OR LEASED BY ANOTHER
43 PERSON, AS DESCRIBED IN SECTION 18-3-501 OR 18-3-502, C.R.S., FOR THE
44 PURPOSE OF PERFORMING THE OFFENSE, OR HE OR SHE WAS COERCED BY
45 ANOTHER PERSON, AS DESCRIBED IN SECTION 18-3-503, C.R.S., TO
46 PERFORM THE OFFENSE.

47
48 (III) AN ORDER ENTERED PURSUANT TO THIS SECTION SHALL BE
49 DIRECTED TO EACH CUSTODIAN WHO MAY HAVE CUSTODY OF ANY PART OF
50 THE CONVICTION RECORDS THAT ARE THE SUBJECT OF THE ORDER.
51 WHENEVER A COURT ENTERS AN ORDER SEALING CONVICTION RECORDS
52 PURSUANT TO THIS SECTION, THE DEFENDANT SHALL PROVIDE THE
53 COLORADO BUREAU OF INVESTIGATION AND EACH CUSTODIAN OF THE
54 CONVICTION RECORDS WITH A COPY OF THE ORDER AND SHALL PAY TO THE
55 BUREAU ANY COSTS RELATED TO THE SEALING OF HIS OR HER CRIMINAL
56 CONVICTION RECORDS THAT ARE IN THE CUSTODY OF THE BUREAU.

1 THEREAFTER, THE DEFENDANT MAY REQUEST AND THE COURT MAY GRANT
2 AN ORDER SEALING THE CIVIL CASE IN WHICH THE CONVICTION RECORDS
3 WERE SEALED.

4
5 (IV) AN ORDER SEALING CONVICTION RECORDS SHALL NOT DENY
6 ACCESS TO THE CRIMINAL RECORDS OF A DEFENDANT BY ANY COURT, LAW
7 ENFORCEMENT AGENCY, CRIMINAL JUSTICE AGENCY, PROSECUTING
8 ATTORNEY, OR PARTY OR AGENCY REQUIRED BY LAW TO CONDUCT A
9 CRIMINAL HISTORY RECORD CHECK ON AN INDIVIDUAL. AN ORDER SEALING
10 CONVICTION RECORDS DOES NOT VACATE A CONVICTION. A CONVICTION
11 SEALED PURSUANT TO THIS SECTION MAY BE USED BY A CRIMINAL JUSTICE
12 AGENCY, LAW ENFORCEMENT AGENCY, COURT, OR PROSECUTING
13 ATTORNEY FOR ANY LAWFUL PURPOSE RELATING TO THE INVESTIGATION
14 OR PROSECUTION OF ANY CASE, INCLUDING BUT NOT LIMITED TO ANY
15 SUBSEQUENT CASE THAT IS FILED AGAINST THE DEFENDANT, OR FOR ANY
16 OTHER LAWFUL PURPOSE WITHIN THE SCOPE OF HIS, HER, OR ITS DUTIES. IF
17 A DEFENDANT IS CONVICTED OF A NEW CRIMINAL OFFENSE AFTER AN
18 ORDER SEALING CONVICTION RECORDS IS ENTERED, THE COURT SHALL
19 ORDER THE CONVICTION RECORDS TO BE UNSEALED. A PARTY OR AGENCY
20 REQUIRED BY LAW TO CONDUCT A CRIMINAL HISTORY RECORD CHECK IS
21 AUTHORIZED TO USE ANY SEALED CONVICTION FOR THE LAWFUL PURPOSE
22 FOR WHICH THE CRIMINAL HISTORY RECORD CHECK IS REQUIRED BY LAW.

23
24 (b) A PETITION TO SEAL CONVICTION RECORDS PURSUANT TO THIS
25 SECTION SHALL INCLUDE A LISTING OF EACH CUSTODIAN OF THE RECORDS
26 TO WHOM THE SEALING ORDER IS DIRECTED AND ANY INFORMATION THAT
27 ACCURATELY AND COMPLETELY IDENTIFIES THE RECORDS TO BE SEALED.

28
29 (c) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (IV) OF
30 PARAGRAPH (a) OF THIS SUBSECTION (2), UPON THE ENTRY OF AN ORDER
31 TO SEAL THE CONVICTION RECORDS, THE DEFENDANT AND ALL CRIMINAL
32 JUSTICE AGENCIES MAY PROPERLY REPLY, UPON AN INQUIRY IN THE
33 MATTER, THAT PUBLIC CONVICTION RECORDS DO NOT EXIST WITH RESPECT
34 TO THE DEFENDANT.

35
36 (d) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (IV) OF
37 PARAGRAPH (a) OF THIS SUBSECTION (2), INSPECTION OF THE RECORDS
38 INCLUDED IN AN ORDER SEALING CONVICTION RECORDS MAY THEREAFTER
39 BE PERMITTED BY THE COURT ONLY UPON PETITION BY THE DEFENDANT.

40
41 (e) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (IV)
42 OF PARAGRAPH (a) OF THIS SUBSECTION (2), EMPLOYERS, STATE AND
43 LOCAL GOVERNMENT AGENCIES, OFFICIALS, LANDLORDS, AND EMPLOYEES
44 SHALL NOT, IN ANY APPLICATION OR INTERVIEW OR IN ANY OTHER WAY,
45 REQUIRE AN APPLICANT TO DISCLOSE ANY INFORMATION CONTAINED IN
46 SEALED CONVICTION RECORDS. AN APPLICANT NEED NOT, IN ANSWER TO
47 ANY QUESTION CONCERNING CONVICTION RECORDS THAT HAVE BEEN
48 SEALED, INCLUDE A REFERENCE TO OR INFORMATION CONCERNING THE
49 SEALED CONVICTION RECORDS AND MAY STATE THAT THE APPLICANT HAS
50 NOT BEEN CRIMINALLY CONVICTED.

51
52 (II) THE PROVISIONS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (e)
53 DO NOT PRECLUDE THE BAR COMMITTEE OF THE COLORADO STATE BOARD
54 OF LAW EXAMINERS FROM MAKING FURTHER INQUIRIES INTO THE FACT OF
55 A CONVICTION THAT COMES TO THE ATTENTION OF THE BAR COMMITTEE
56 THROUGH OTHER MEANS. THE BAR COMMITTEE OF THE COLORADO STATE

1 BOARD OF LAW EXAMINERS HAS A RIGHT TO INQUIRE INTO THE MORAL AND
2 ETHICAL QUALIFICATIONS OF AN APPLICANT, AND THE APPLICANT DOES
3 NOT HAVE A RIGHT TO PRIVACY OR PRIVILEGE THAT JUSTIFIES HIS OR HER
4 REFUSAL TO ANSWER A QUESTION CONCERNING SEALED CONVICTION
5 RECORDS THAT HAVE COME TO THE ATTENTION OF THE BAR COMMITTEE
6 THROUGH OTHER MEANS.

7
8 (III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (I)
9 OF THIS PARAGRAPH (e), THE DEPARTMENT OF EDUCATION MAY REQUIRE
10 A LICENSED EDUCATOR OR AN APPLICANT FOR AN EDUCATOR'S LICENSE
11 WHO FILES A PETITION TO SEAL A CRIMINAL RECORD TO NOTIFY THE
12 DEPARTMENT OF EDUCATION OF THE PENDING PETITION TO SEAL. THE
13 DEPARTMENT HAS THE RIGHT TO INQUIRE INTO THE FACTS OF THE
14 CRIMINAL OFFENSE FOR WHICH THE PETITION TO SEAL IS PENDING. THE
15 EDUCATOR OR APPLICANT HAS NO RIGHT TO PRIVACY OR PRIVILEGE THAT
16 JUSTIFIES HIS OR HER REFUSAL TO ANSWER ANY QUESTIONS CONCERNING
17 THE ARREST AND CRIMINAL RECORDS INFORMATION CONTAINED IN THE
18 PENDING PETITION TO SEAL.

19
20 (IV) ANY MEMBER OF THE PUBLIC MAY PETITION THE COURT TO
21 UNSEAL ANY FILE THAT HAS BEEN PREVIOUSLY SEALED UPON A SHOWING
22 THAT CIRCUMSTANCES HAVE COME INTO EXISTENCE SINCE THE ORIGINAL
23 SEALING, AND, AS A RESULT, THE PUBLIC INTEREST IN DISCLOSURE NOW
24 OUTWEIGHS THE DEFENDANT'S INTEREST IN PRIVACY.

25
26 (f) THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL POST
27 ON ITS WEB SITE A LIST OF ALL PETITIONS TO SEAL CONVICTION RECORDS
28 THAT ARE FILED WITH A DISTRICT COURT. A DISTRICT COURT MAY NOT
29 GRANT A PETITION TO SEAL CONVICTION RECORDS UNTIL AT LEAST THIRTY
30 DAYS AFTER THE POSTING. AFTER THE EXPIRATION OF THIRTY DAYS
31 FOLLOWING THE POSTING, THE PETITION TO SEAL CONVICTION RECORDS
32 AND INFORMATION PERTINENT THERETO SHALL BE REMOVED FROM THE
33 WEB SITE OF THE OFFICE OF THE STATE COURT ADMINISTRATOR.

34
35 (g) NOTHING IN THIS SECTION AUTHORIZES THE PHYSICAL
36 DESTRUCTION OF ANY CONVICTION RECORDS.

37
38 (h) NOTWITHSTANDING ANY PROVISION IN THIS SECTION TO THE
39 CONTRARY, IN REGARD TO ANY CONVICTION OF A DEFENDANT RESULTING
40 FROM A SINGLE CASE IN WHICH THE DEFENDANT IS CONVICTED OF MORE
41 THAN ONE OFFENSE, RECORDS OF THE CONVICTION MAY BE SEALED
42 PURSUANT TO THE PROVISIONS OF THIS SECTION ONLY IF THE RECORDS OF
43 EVERY CONVICTION OF THE DEFENDANT RESULTING FROM THAT CASE MAY
44 BE SEALED PURSUANT TO THE PROVISIONS OF THIS SECTION.

45
46 (3) **Rules of discovery - rules of evidence - witness testimony.**
47 COURT ORDERS SEALING RECORDS OF OFFICIAL ACTIONS PURSUANT TO
48 THIS SECTION DO NOT LIMIT THE OPERATIONS OF:

49
50 (a) THE COLORADO RULES OF CIVIL PROCEDURE RELATED TO
51 DISCOVERY OR THE COLORADO RULES OF EVIDENCE PROMULGATED BY
52 THE SUPREME COURT OF COLORADO OR ANY OTHER STATE OR FEDERAL
53 COURT; OR
54

(b) THE PROVISIONS OF SECTION 13-90-101, C.R.S., CONCERNING WITNESS TESTIMONY."

Renumber succeeding sections accordingly.

HB12-1164 be postponed indefinitely.

HB12-1231 be referred to the Committee of the Whole with favorable recommendation.

HB12-1233 be referred to the Committee of the Whole with favorable recommendation.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1013.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 15th day of February, 2012, at 11:20 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

February 15, 2012

To the Honorable House
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB12-1001 CONCERNING LEGISLATIVE REVIEW OF RULES OF THE STATE BOARD OF EDUCATION TO IMPLEMENT THE STATEWIDE SYSTEM TO EVALUATE THE EFFECTIVENESS OF LICENSED EDUCATORS

Approved February 15, 2012 at 10:56 a.m.

Sincerely,
(signed)
John W. Hickenlooper
Governor

INTRODUCTION OF BILLS
First Reading

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

HB12-1302 by Representative(s) Massey--Concerning the creation of a flight for life Colorado license plate.
Committee on Transportation

HB12-1303 by Representative(s) Schafer S., Hamner, Kerr J., Peniston, Summers, Young; also Senator(s) Spence, Jahn--Concerning the regulation of speech-language pathologists by the department of regulatory agencies.
Committee on Health and Environment

HB12-1304 by Representative(s) Barker--Concerning measures to prevent organized retail theft.
Committee on Economic and Business Development

HB12-1305 by Representative(s) Gardner B.--Concerning statutory rates of interest.
Committee on Judiciary

HB12-1306 by Representative(s) Holbert; also Senator(s) King K.--Concerning the manner of determining pupil enrollment counts in public schools.
Committee on Education

HB12-1307 by Representative(s) Kerr J. and Summers--Concerning the authority of a nonlawyer trustee of a certain size trust to represent the trust before the board of assessment appeals.
Committee on Finance

SB12-030 by Senator(s) Jahn; also Representative(s) Liston--Concerning administrative matters related to a foreclosure sale.
Committee on Local Government

SB12-037 by Senator(s) King S., Aguilar; also Representative(s) Young--Concerning the ability to dispense a controlled substance based on an electronically transmitted prescription drug order.
Committee on Health and Environment

SB12-040 by Senator(s) Bacon, Harvey, Renfroe, Schwartz; also Representative(s) Vigil, Brown, Sonnenberg--Concerning the qualification of certain state higher education facilities for state controlled maintenance funding.
Committee on Education

SB12-055 by Senator(s) White, Aguilar, Giron, Guzman, Hudak, Newell, Nicholson, Spence, Steadman, Tochtrop, Williams S.; also Representative(s) McCann--Concerning the voluntary contribution designation benefiting the

- 1 9Health Fair fund to appear on the state individual income
2 tax return forms.
3 Committee on Finance
4
- 5 **SB12-064** by Senator(s) Nicholson; also Representative(s) Massey--
6 Concerning the Colorado children's trust fund.
7 Committee on Health and Environment
8
- 9 **SB12-074** by Senator(s) Aguilar; also Representative(s) Gardner B.--
10 Concerning services provided by a person designated by a
11 person eligible for consumer-directed care services.
12 Committee on Judiciary
13
- 14 **SB12-096** by Senator(s) Lambert, Hodge, Steadman; also
15 Representative(s) Levy, Becker, Gerou--Concerning the
16 continuation of the office of information technology's
17 authority to amend existing contracts for information
18 technology resources.
19 Committee on Economic and Business Development
20
- 21 **SB12-110** by Senator(s) Steadman, Hodge, Lambert; also
22 Representative(s) Levy, Becker, Gerou--Concerning a
23 fund consisting of surcharges on insurance premiums to
24 pay for costs associated with criminal prosecution of
25 insurance fraud investigations, and, in connection
26 therewith, making an appropriation.
27 Committee on Judiciary
28 Committee on Appropriations
29
- 30 **SB12-111** by Senator(s) Hodge, Steadman, Lambert; also
31 Representative(s) Levy, Becker, Gerou--Concerning
32 departmental reporting of full-time equivalent employees.
33 Committee on Appropriations
34
- 35 **SB12-112** by Senator(s) Hodge, Steadman, Lambert; also
36 Representative(s) Levy, Becker, Gerou--Concerning the
37 headnote definition of full-time equivalent employees used
38 in the annual general appropriation act.
39 Committee on Appropriations
40
- 41 **SB12-113** by Senator(s) Lambert, Hodge, Steadman; also
42 Representative(s) Gerou, Becker, Levy--Concerning the
43 designation in the annual general appropriations act of the
44 portion to be redirected to the counties of the state's share
45 of recoveries for public assistance paid for family support
46 obligations.
47 Committee on Appropriations
48
- 49 **SB12-114** by Senator(s) Lambert, Hodge, Steadman; also
50 Representative(s) Levy, Becker, Gerou--Concerning the
51 crediting of all disputed payments received by the state
52 pursuant to the tobacco litigation settlement agreement on
53 or after July 1, 2008, to the state general fund.
54 Committee on Appropriations
55

1 **SB12-115** by Senator(s) Steadman, Hodge, Lambert; also
2 Representative(s) Becker, Gerou, Levy--Concerning a
3 requirement that the limited gaming control commission
4 take into account the impact on all authorized recipients of
5 gaming tax revenue when considering changes in rules
6 governing the taxes on limited gaming activity.
7 Committee on Appropriations
8
9 **SB12-145** by Senator(s) Steadman, Hodge, Lambert; also
10 Representative(s) Becker, Gerou, Levy--Concerning a cap
11 on the 2011-12 state fiscal year transfers to the state public
12 school fund from public school land moneys.
13 Committee on Education
14 Committee on Appropriations
15
16
17

18 **LAY OVER OF CALENDAR ITEM(S)**
19

20 On motion of Representative Holbert, the following item(s) on the
21 Calendar was (were) laid over until February 16, retaining place on
22 Calendar:
23
24 Consideration of Special Orders--**HB12-1043**.
25 Consideration of General Orders--**HB12-1105, 1017, 1005, 1026**.
26
27
28

29 On motion of Representative Holbert, the House adjourned until
30 9:00 a.m., February 16, 2012.
31

32
33
34
35 Attest:
36 MARILYN EDDINS,
37 Chief Clerk

Approved:
FRANK McNULTY,
Speaker

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

Thirty-seventh Legislative Day

Thursday, February 16, 2012

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

2

3 Prayer by Dr. Gene Selander, Crystal Clear Ministries, Denver.

4

5 Pledge of Allegiance led by Jared Kramer, Colorado State University,
6 Fort Collins.

7

8 The roll was called with the following result:

9

10 Present--60.

11 Excused--Representative(s) Bradford, Liston, McNulty, Stephens,
12 Swalm--5.

13 Present after roll call--Representative(s) Liston, McNulty, Swalm.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Singer, the reading of the journal of
19 February 15, 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

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

31

32 **HB12-1107** be postponed indefinitely.

33

34

35 **HB12-1172** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38

39

40

41

42

43

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

"SECTION 1. In Colorado Revised Statutes, 40-2-123, **amend**

1 (1) (b) as follows:
2

3 **40-2-123. New energy technologies - consideration by**
4 **commission - incentives - demonstration projects - definitions -**
5 **legislative declaration - repeal.** (1) (b) The commission may give
6 consideration to the ~~likelihood~~ EXISTENCE of new environmental
7 regulation and the ~~risk of higher future costs associated with~~ IMPOSED BY
8 CURRENT FEDERAL LAW OR REGULATIONS ON the emission of greenhouse
9 gases such as carbon dioxide when it considers utility proposals to acquire
10 resources. Where utilities eliminate or reduce carbon dioxide emissions
11 through the use of capture and sequestration, the commission may
12 consider the benefits of using carbon dioxide for enhanced oil recovery
13 or other uses.
14

15 **SECTION 2. Act subject to petition - effective date -**
16 **applicability.** This act takes effect January 1, 2013, and applies to
17 proceedings initiated on or after said date; except that, if a referendum
18 petition is filed pursuant to section 1 (3) of article V of the state
19 constitution against this act or an item, section, or part of this act within
20 the ninety-day period after final adjournment of the general assembly,
21 then the act, item, section, or part will not take effect unless approved by
22 the people at the general election to be held in November 2012 and, in
23 such case, will take effect on January 1, 2013, or on the date of the
24 official declaration of the vote thereon by the governor, whichever is
25 later, and applies to proceedings initiated on or after said date."
26
27
28
29

30 **FINANCE**

31 After consideration on the merits, the Committee recommends the
32 following:
33

34 **HB12-1065** be referred to the Committee of the Whole with favorable
35 recommendation.
36

37
38 **HB12-1075** be amended as follows, and as so amended, be referred to
39 the Committee on Appropriations with favorable
40 recommendation:
41

42 Amend printed bill, page 5, line 2, strike "2012," and substitute "2013,".
43
44
45

46 **HB12-1083** be referred favorably to the Committee on Appropriations.
47

48
49 **HB12-1178** be referred to the Committee of the Whole with favorable
50 recommendation.
51

52
53 **HB12-1236** be amended as follows, and as so amended, be referred to
54 the Committee on Appropriations with favorable
55 recommendation:
56

1 Amend printed bill, page 6, line 12, strike "IN CLOSE PROXIMITY TO THE
2 OPENING GREETING".

3
4 Page 6, line 14, strike "SOLICITOR;" and substitute "SOLICITOR, WHICH
5 MUST BE GIVEN IN THE OPENING GREETING;".

6
7
8
9 **HB12-1246** be referred favorably to the Committee on Appropriations.

10
11
12 **HB12-1290** be referred favorably to the Committee on Appropriations.

13
14
15
16
17 **LOCAL GOVERNMENT**

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

20
21 **HB12-1056** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24
25 Amend printed bill, page 4, line 24, strike "(1) and (2) (a)" and substitute
26 "(1), (2) (a), and (3) introductory portion".

27
28 Page 5, after line 25 insert:

29
30 "(3) The commission shall hold a public hearing, subject to the
31 provisions of the "Colorado Sunshine Act of 1972", article 6 of this title,
32 to review and consider the application. After the hearing has been held,
33 the commission shall review each application and give consideration to
34 the director's recommendations. The commission shall take action on the
35 application within a reasonable time after submission. If the commission
36 approves the application, it shall adopt AND PROVIDE PROMPTLY TO EACH
37 COUNTY AND MUNICIPALITY TO WHICH THE DIRECTOR FORWARDED THE
38 APPLICATION PURSUANT TO PARAGRAPH (a) OF SUBSECTION (2) OF THIS
39 SECTION a resolution specifying the following:".

40
41
42
43 **HB12-1094** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46
47 Amend printed bill, page 2, strike lines 8 and 9 and substitute "PENALTY
48 IS FIFTY DOLLARS.".

49
50
51
52 **HB12-1229** be referred to the Committee of the Whole with favorable
53 recommendation.

54
55

1 **SB12-094** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 2, line 6, after "(4.5)" insert "(a)".
6

7 Page 2, strike lines 15 through 19 and substitute "vendor."
8

9 (b) IN DETERMINING WHETHER A FOOD PRODUCT IS FOR DOMESTIC
10 HOME CONSUMPTION, UNLESS THE VENDOR IS DESCRIBED IN SECTION
11 39-26-104 (1) (e), NO INFERENCE SHALL BE DRAWN FROM THE TYPE OF
12 VENDOR SELLING THE PRODUCT, THE LOCATION OF THE PRODUCT WITHIN
13 A STORE, OR THE MANNER IN WHICH THE PRODUCT IS MARKETED.
14

15 **SECTION 2.** In Colorado Revised Statutes, 39-26-104, **amend**
16 (1) (e) as follows:
17

18 **39-26-104. Property and services taxed.** (1) There is levied and
19 there shall be collected and paid a tax in the amount stated in section
20 39-26-106 as follows:
21

22 (e) Upon the amount paid for food or drink served or furnished in
23 or by restaurants, cafes, lunch counters, cafeterias, hotels, ~~drugstores,~~
24 social clubs, nightclubs, cabarets, resorts, snack bars, caterers, carryout
25 shops, and other like places of business at which prepared food or drink
26 is regularly sold, including sales from pushcarts, motor vehicles, and
27 other mobile facilities. Cover charges shall be included as part of the
28 amount paid for such food or drink. However, meals provided to
29 employees of the places mentioned in this paragraph (e) at no charge or
30 at a reduced charge shall be exempt from taxation under the provisions of
31 this part 1."
32

33 Renumber succeeding sections accordingly.
34
35
36
37

38 **TRANSPORTATION**

39 After consideration on the merits, the Committee recommends the
40 following:
41

42 **HB12-1051** be postponed indefinitely.
43

44
45 **HB12-1102** be postponed indefinitely.
46

47
48 **HB12-1106** be postponed indefinitely.
49

50
51 **HB12-1121** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:
54

55 Amend printed bill, strike everything below the enacting clause and
56 substitute:

1 HB12-1200 amended in General Orders as printed in Senate Journal,
2 February 14, 2012, page 157.
3 HB12-1202 amended in General Orders as printed in Senate Journal,
4 February 14, 2012, page 157.
5
6

7 The Senate has passed on Third Reading and transmits to the Revisor of
8 Statutes: SB12-131.
9

10 SB12-067 amended as printed in Senate Journal, February 15, 2012,
11 page 181.
12 SB12-061 amended as printed in Senate Journal, February 15, 2012,
13 page 183 and amended on Third Reading,
14 February 16, 2012, as printed in the Senate Journal.
15 SB12-045 amended as printed in Senate Journal, February 15, 2012,
16 page 183.
17 SB12-036 amended as printed in Senate Journal, February 15, 2012,
18 page 183.
19 HB12-1078 amended as printed in Senate Journal, February 15, 2012,
20 page 181.
21
22

23 24 MESSAGE(S) FROM THE REVISOR

25
26 We herewith transmit:
27 Without comment, as amended, HB12-1200 and 1202.
28
29

30 We herewith transmit:
31 Without comment, SB12-131.
32 Without comment, as amended, HB12-1078.
33 Without comment, as amended, SB12-036, 045, 061, and 067.
34
35

36 37 INTRODUCTION OF BILLS 38 First Reading 39

40 The following bills were read by title and referred to the committees
41 indicated:
42

43 **SB12-012** by Senator(s) King S., Guzman, Tochtrop; also
44 Representative(s) Miklosi, Gardner D.--Concerning the
45 department of revenue's audits of automobile emission
46 inspection facilities.

47 Committee on Transportation
48

49 **SB12-020** by Senator(s) Aguilar, Steadman; also Representative(s)
50 Summers--Concerning immunity from certain criminal
51 offenses when a person reports in good faith an emergency
52 drug or alcohol overdose event.

53 Committee on Judiciary
54
55

- 1 **SB12-035** by Senator(s) Hodge; also Representative(s) Gardner B.--
2 Concerning limited liability for spaceflight activities.
3 Committee on Judiciary
4
5 **SB12-042** by Senator(s) Spence; also Representative(s) Summers--
6 Concerning bringing certain statutory provisions related to
7 child support into compliance with federal law.
8 Committee on Judiciary
9
10 **SB12-079** by Senator(s) King S., Cadman, Morse; also
11 Representative(s) Stephens, Fields, Priola, Schafer S.--
12 Concerning revisions to the safe2tell program relating to
13 advances in communications technology.
14 Committee on Local Government
15
16 **SB12-097** by Senator(s) Hodge; also Representative(s) Sonnenberg--
17 Concerning a simplified procedure for the adjudication of
18 certain changes of the points of diversion of water rights.
19 Committee on Agriculture, Livestock, & Natural Resources
20
21
22
23
24

25 LAY OVER OF CALENDAR ITEM(S)

- 26
27 On motion of Representative Baumgardner, the following item(s) on the
28 Calendar was (were) laid over until February 17, retaining place on
29 Calendar:
30
31 Consideration of Special Orders--**HB12-1043.**
32 Consideration of Third Reading--**HB12-1040, 1068 amended.**
33 Consideration of General Orders--**HB12-1105, 1017, 1005, 1026, 1160,**
34 **SB12-008, HB12-1124, 1117, 1157, 1207.**
35
36
37

- 38 On motion of Representative Baumgardner, the House adjourned until
39 9:00 a.m., February 17, 2012.
40

41
42 Approved:
43 FRANK McNULTY,
44 Speaker
45 Attest:
46 MARILYN EDDINS,
Chief Clerk

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

Thirty-eighth Legislative Day

Friday, February 17, 2012

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

2

3 Prayer by Rabbi Jay Telrav, Temple Sinai, Denver.

4

5 Pledge of Allegiance led by Ariana Brecl, Kacey Johnson, Dina Demos,
6 Bridgette Sauter, Girl Scout Troop 3892, Highlands Ranch.

7

8 The roll was called with the following result:

9

10 Present--44.

11 Excused--Representative(s) Acree, Becker, Bradford, DelGrosso,
12 Ferrandino, B. Gardner, Gerou, Hulinghorst, A. Kerr, Levy,
13 Looper, McCann, Nikkel, Pabon, Peniston, Scott, Solano,
14 Sonnenberg, Stephens, Szabo, Vaad--21.

15 Present after roll call--Representative(s) Acree, Becker,
16 DelGrosso, Ferrandino, B. Gardner, Gerou, Hulinghorst,
17 A. Kerr, Levy, Looper, Pabon, Solano, Sonnenberg, Szabo,
18 Vaad.

19

20 The Speaker declared a quorum present.

21

22

23 On motion of Representative Singer, the reading of the journal of
24 February 16, 2012, was declared dispensed with and approved as
25 corrected by the Chief Clerk.

26

27

28

29

30 On motion of Representative Liston, the House resolved itself into
31 Committee of the Whole for consideration of General Orders, and he was
32 called to the Chair to act as Chairman.

33

34

GENERAL ORDERS--SECOND READING OF BILLS

35

36
37 The Committee of the Whole having risen, the Chairman reported the
38 titles of the following bills had been read (reading at length had been
39 dispensed with by unanimous consent), the bills considered and action
40 taken thereon as follows:

41

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

1 **SB12-008** by Senator(s) Brophy, Giron, Hodge, Roberts, Schwartz;
2 also Representative(s) Sonnenberg, Baumgardner,
3 Swerdfeger, Vigil, Wilson--Concerning postponement of
4 the repeal of requirements to replace well depletions to the
5 Denver basin aquifers.
6

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

10
11 **HB12-1124** by Representative(s) Massey, Fields, Hamner, Holbert,
12 Levy, Peniston; also Senator(s) Johnston--Concerning a
13 study of digital learning in Colorado.
14

15 Amendment No. 1, Education Report, dated February 13, 2012, and
16 placed in member's bill file; Report also printed in House Journal,
17 February 14, page 254.
18

19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.
21

22 **HB12-1117** by Representative(s) Balmer; also Senator(s) Nicholson--
23 Concerning the ability of a local government to permit, in
24 its discretion, the collection of charitable solicitations from
25 motorists on a certain number of days per calendar year.
26

27 Amendment No. 1, Local Government Report, dated February 13, 2012,
28 and placed in member's bill file; Report also printed in House Journal,
29 February 14, page 255.
30

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

35 **HB12-1157** by Representative(s) Vigil; also Senator(s) Guzman--
36 Concerning the court hearing on a petition for the
37 organization of a special district.
38

39 Amendment No. 1, Local Government Report, dated February 13, 2012,
40 and placed in member's bill file; Report also printed in House Journal,
41 February 14, pages 255-256.
42

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

46 **HB12-1207** by Representative(s) Labuda, Bradford, Fields, Gardner
47 B., Lee, Swerdfeger, Szabo; also Senator(s) Aguilar--
48 Concerning the repeal of the advisory committee on
49 covering all children in Colorado.
50

51 Ordered engrossed and placed on the Calendar for Third Reading and
52 Final Passage.
53
54
55

1 **HB12-1097** by Representative(s) Summers; also Senator(s) Jahn--
2 Concerning civil penalties for retail food establishments.
3

4 Amendment No. 1, Health & Environment Report, dated
5 February 14, 2012, and placed in member's bill file; Report also printed
6 in House Journal, February 15, pages 270-271.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB12-1139** by Representative(s) Levy, Fields, Barker, Court, Kagan,
12 Massey, McCann, McKinley, Nikkel, Solano, Young; also
13 Senator(s) Guzman--Concerning pretrial detention of
14 children prosecuted as adults.
15

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

19 **HB12-1231** by Representative(s) Ryden, Gardner B., Kagan, Pabon,
20 Singer, Wilson; also Senator(s) Spence--Concerning the
21 authority of the department of revenue to allow licensed
22 private investigators access to certain motor vehicle
23 records for specified purposes.
24

25 Ordered engrossed and placed on the Calendar for Third Reading and
26 Final Passage.
27

28 **HB12-1233** by Representative(s) Labuda, Barker, Casso, Gardner B.,
29 Pabon; also Senator(s) Carroll--Concerning the ability of
30 a court to enter a decree of legal separation in certain
31 circumstances without the appearance of the parties.
32

33 Ordered engrossed and placed on the Calendar for Third Reading and
34 Final Passage.
35

36 **HB12-1276** by Representative(s) Duran, Summers, Fields, McCann,
37 Casso, Hullinghorst, Massey, Swerdfeger, Vigil--
38 Concerning child care licensure waivers for materials
39 related to a child care center's curriculum.
40

41 Amendment No. 1, Health & Environment Report, dated
42 February 14, 2012, and placed in member's bill file; Report also printed
43 in House Journal, February 15, page 271.
44

45 Amendment No. 2, by Representative(s) Priola.
46 Amend printed bill, page 4, line 20, after the period, add "If THE
47 DEPARTMENT POSTS A NEGATIVE LICENSING ACTION ON ITS WEB SITE, THE
48 CHILD CARE CENTER THAT RECEIVED THE NEGATIVE LICENSING ACTION
49 MAY SUBMIT A WRITTEN REBUTTAL TO THE NEGATIVE LICENSING ACTION,
50 AND THE DEPARTMENT SHALL POST THAT REBUTTAL ON ITS WEB SITE
51 TOGETHER WITH THE NEGATIVE LICENSING ACTION. THE DEPARTMENT
52 MAY EDIT THE REBUTTAL FOR PROFANITY, BUT NOT FOR CONTENT. THE
53 REBUTTAL SHALL NOT EXCEED FIVE HUNDRED WORDS."
54

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

On motion of Representative Waller, the remainder of the General Orders Calendar (**HB12-1105, 1017, 1005, 1026, 1160, 1115, 1210, 1270, 1289, 1151**) was laid over until February 20, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB12-008, HB12-1124 amended, 1117 amended, 1157 amended, 1207, 1097 amended, 1139, 1231, 1233, 1276 amended.**

Laid over until date indicated retaining place on Calendar: **HB12-1105, 1017, 1005, 1026, 1160, 1115, 1210, 1270, 1289, 1151--** February 20, 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	59	NO	0	EXCUSED	6	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	E
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	Jones	Y	Nikkel	E	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	E	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	E	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB12-1007 be referred to the Committee of the Whole with favorable recommendation.

HB12-1012 be referred to the Committee of the Whole with favorable recommendation.

1 **HB12-1035** be postponed indefinitely.

4 **HB12-1056** be postponed indefinitely.

7 **HB12-1246** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:

11 Amend printed bill, page 2, strike lines 19 through 24 and insert:

13 "SECTION 2. **Appropriation.** In addition to any other
14 appropriation, there is hereby appropriated, for the fiscal year beginning
15 July 1, 2012, the sum of \$2,081,015, or so much thereof as may be
16 necessary, for the implementation of this act, to be allocated by
17 department from the sources of funds as follows:

19 DEPARTMENT	Total	General Fund	Reappropriated Funds	Federal Funds
20 Agriculture	\$9,456	\$9,456	\$0	\$0
21 Corrections	136,460	136,460	0	0
22 Education	173,373	173,373	0	0
23 Governor	1,895	1,895	0	0
24 Health Care Policy 25 and Financing	285,719	157,109	0	128,610
26 Human Services	984,145	726,924	257,221	0
27 Judicial	16,115	16,115	0	0
28 Law	8,799	8,799	0	0
29 Legislature	69,278	69,278	0	0
30 Local Affairs	793	793	0	0
31 Natural Resources	228,047	228,047	0	0
32 Public Health 33 and Environment	6,885	6,885	0	0
34 Public Safety	25,473	25,473	0	0
35 Revenue	133,783	133,783	0	0
36 Treasury	<u>794</u>	<u>794</u>	<u>0</u>	<u>0</u>
37 Total	\$2,081,015	\$1,695,184	\$257,221	\$128,610

39 The source of reappropriated funds for the department of human services
40 shall be medicaid funds transferred from the department of health care
41 policy and financing."

43 Page 3, strike lines 1 through 17.

47 **HB12-1247** be referred to the Committee of the Whole with favorable
48 recommendation.

1 **HB12-1248** 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 11, strike "EFFECTIVE JULY 1, 2012, THE"
6 and substitute "THE".
7

8 Page 3, after line 14 insert:
9

10 "SECTION 2. **Effective date.** This act takes effect July 1,
11 2012."
12

13 Renumber succeeding section accordingly.
14
15
16

17 **HB12-1249** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20
21
22

23 **ECONOMIC & BUSINESS DEVELOPMENT**

24 After consideration on the merits, the Committee recommends the
25 following:
26

27 **HB12-1217** be referred to the Committee of the Whole with favorable
28 recommendation.
29
30

31 **HB12-1286** be amended as follows, and as so amended, be referred to
32 the Committee on Finance with favorable
33 recommendation:
34

35 Amend printed bill, page 3, line 16, strike "12-____" and substitute
36 "12-1286".
37

38 Page 11, line 14, after "(c)" insert "(I)".
39

40 Page 11, line 17, strike "LICENSED TO PRACTICE IN THIS STATE".
41

42 Page 11, line 18, strike "CONDUCT AN AUDIT OF" and substitute "REVIEW
43 AND REPORT IN WRITING, AND IN ACCORDANCE WITH PROFESSIONAL
44 STANDARDS, REGARDING THE ACCURACY OF THE".
45

46 Page 11, strike lines 21 through 24 and substitute "~~documents are an~~
47 ~~accurate accounting of the production company's qualified local~~
48 ~~expenditures.~~ If the PRODUCTION COMPANY PROVIDES A COPY OF THE
49 CERTIFIED PUBLIC ACCOUNTANT'S WRITTEN REPORT AND THE PRODUCTION
50 COMPANY CERTIFIES IN WRITING TO THE OFFICE THAT THE amount of the
51 production".
52

53 Page 12, after line 1 insert:
54

55 "(II) (A) FOR PURPOSES OF THIS PARAGRAPH (c), "CERTIFIED
56 PUBLIC ACCOUNTANT" MEANS A CERTIFIED PUBLIC ACCOUNTANT

1 LICENCED TO PRACTICE IN THIS STATE OR A CERTIFIED PUBLIC
2 ACCOUNTING FIRM THAT IS REGISTERED IN THIS STATE.

3
4 (B) ANY SERVICES OF A CERTIFIED PUBLIC ACCOUNTANT PROVIDED
5 TO MEET THE REQUIREMENTS OF THIS PARAGRAPH (c) SHALL BE
6 PERFORMED IN COLORADO."

7
8
9
10
11 **FINANCE**

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

14
15 **HB12-1029** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend printed bill, page 2, strike lines 5 through 25.

20
21 Page 3, strike lines 1 through 16 and substitute:

22
23 "hereby declares that the intended purpose of the potential tax
24 expenditures included in this act is to stimulate the economy of the state
25 of Colorado by allowing local governments to offer greater incentives to
26 taxpayers who establish a new business facility or expand an existing
27 facility.

28
29 **SECTION 3.** In Colorado Revised Statutes, 30-11-123, **amend**
30 (1) (b) and (2) as follows:

31
32 **30-11-123. Legislative declaration - counties - new business
33 facilities - expansion of existing business facilities - incentives -
34 limitations - authority to exceed revenue-raising limitations.**

35 (1) (b) Notwithstanding any law to the contrary, any county may
36 negotiate for an incentive payment or credit with any taxpayer who
37 establishes a new business facility, as defined in section 39-30-105 (7)
38 (e), C.R.S., in the county. In no instance shall any negotiation result in an
39 annual incentive payment or credit that is greater than ~~fifty percent~~ of the
40 amount of the taxes levied by the county upon the taxable personal
41 property located at or within the new business facility and used in
42 connection with the operation of the new business facility for the current
43 property tax year. The term of any agreement made pursuant to the
44 provisions of this section shall not exceed four years; except that the term
45 of any agreement made or renewed on or after June 3, 2002, may extend
46 to as many as ten years, including the term of any original agreement
47 being renewed.

48
49 (2) Notwithstanding any law to the contrary, any county may
50 negotiate for an incentive payment or credit with any taxpayer who
51 expands a facility, as defined in section 39-30-105 (7) (c), C.R.S., the
52 expansion of which constitutes a new business facility, as defined in
53 section 39-30-105 (7) (e), C.R.S., and that is located in the county. In no
54 instance shall any negotiation result in an annual incentive payment or
55 credit that is greater than ~~fifty percent~~ of the amount of the taxes levied
56 by the county upon the taxable personal property directly attributable to

1 the expansion, located at or within the expanded facility, and used in
2 connection with the operation of the expanded facility for the current
3 property tax year. The term of any agreement made pursuant to the
4 provisions of this section shall not exceed four years; except that the
5 terms of any agreement made or renewed on or after June 3, 2002, may
6 extend to as many as ten years, including the term of any original
7 agreement being renewed.

8
9 **SECTION 4.** In Colorado Revised Statutes, 31-15-903, **amend**
10 (1) (b) and (2) as follows:

11
12 **31-15-903. Legislative declaration - municipalities - new**
13 **business facilities - expansion of existing business facilities -**
14 **incentives - limitations - authority to exceed revenue-raising**
15 **limitation.** (1) (b) Notwithstanding any law to the contrary, any
16 municipality may negotiate for an incentive payment or credit with any
17 taxpayer who establishes a new business facility, as defined in section
18 39-30-105 (7) (e), C.R.S., in the municipality. In no instance shall any
19 negotiation result in an annual incentive payment or credit that is greater
20 than ~~fifty percent~~ of the amount of taxes levied by the municipality upon
21 the taxable personal property located at or within the new business facility
22 and used in connection with the operation of the new business facility for
23 the current property tax year. The term of any agreement made pursuant
24 to the provisions of this section shall not exceed four years; except that
25 the term of any agreement made or renewed on or after June 3, 2002, may
26 extend to as many as ten years, including the term of any original
27 agreement being renewed.

28
29 (2) Notwithstanding any law to the contrary, any municipality
30 may negotiate for an incentive payment or credit with any taxpayer who
31 expands a facility, as defined in section 39-30-105 (7) (c), C.R.S., the
32 expansion of which constitutes a new business facility, as defined in
33 section 39-30-105 (7) (e), C.R.S., and that is located in the municipality.
34 In no instance shall any negotiation result in an annual incentive payment
35 or credit that is greater than ~~fifty percent~~ of the amount of the taxes levied
36 by the municipality upon the taxable personal property directly
37 attributable to the expansion, located at or within the expanded facility,
38 and used in connection with the operation of the expanded facility for the
39 current property tax year. The term of any agreement made pursuant to
40 the provisions of this section shall not exceed four years; except that the
41 terms of any agreement made or renewed on or after June 3, 2002, may
42 extend to as many as ten years, including the term of any original
43 agreement being renewed.

44
45 **SECTION 5.** In Colorado Revised Statutes, 32-1-1702, **amend**
46 (1) and (2) as follows:

47
48 **32-1-1702. New business facilities - expansion of existing**
49 **business facilities - incentives - limitations - authority to exceed**
50 **revenue-raising limitation.** (1) Notwithstanding any law to the contrary,
51 a special district may negotiate for an incentive payment or credit with a
52 taxpayer who establishes a new business facility, as defined in section
53 39-30-105 (7) (e), C.R.S., in the special district. In no instance shall any
54 negotiation result in an annual incentive payment or credit that is greater
55 than ~~fifty percent~~ of the amount of taxes levied by the special district
56 upon the taxable business personal property located at or within the new

1 business facility and used in connection with the operation of the new
2 business facility for the current property tax year. The term of any
3 agreement made pursuant to the provisions of this section shall not
4 exceed ten years, including the term of any original agreement being
5 renewed.

6
7 (2) Notwithstanding any law to the contrary, a special district may
8 negotiate for an incentive payment or credit with a taxpayer who expands
9 a facility, as defined in section 39-30-105 (7) (c), C.R.S., the expansion
10 of which constitutes a new business facility, as defined in section
11 39-30-105 (7) (e), C.R.S., and that is located in the special district. In no
12 instance shall any negotiation result in an annual incentive payment or
13 credit that is greater than ~~fifty percent~~ of the amount of the taxes levied
14 by the special district upon the taxable business personal property directly
15 attributable to the expansion located at or within the expanded facility and
16 used in connection with the operation of the expanded facility for the
17 current property tax year. The term of any agreement made pursuant to
18 the provisions of this section shall not exceed ten years, including the
19 term of any original agreement being renewed."

20
21 Renumber succeeding section accordingly.

22
23 Page 3, line 20, strike "7, 2012," and substitute "8, 2012,".

24
25
26
27 **HB12-1215** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:

30
31 Amend printed bill, page 4, line 17, strike "approved" and substitute
32 "~~approved~~ ELIGIBLE".

33
34 Page 5, line 4, strike "APPROVED" and substitute "ELIGIBLE".

35
36 Page 5, line 5, strike "THE approved" and substitute "~~approved~~ THE
37 ELIGIBLE".

38
39 Page 9, line 13, strike "10-3-209 OR 10-5-111," and substitute "10-3-209,
40 10-5-111, OR 10-5-111.5,".

41
42 Page 10, after line 2 insert:

43
44 "SECTION 7. In Colorado Revised Statutes, 10-1-203, **amend**
45 (1) as follows:

46
47 **10-1-203. Authority, scope, and scheduling of examinations.**
48 (1) The commissioner or the commissioner's designee may conduct an
49 examination or investigation of any company as often as the
50 commissioner, in the commissioner's sole discretion, deems appropriate
51 but shall, at a minimum, conduct a formal financial examination of every
52 insurer licensed in this state not less frequently than once every five years;
53 except that this does not include ~~approved~~ ELIGIBLE nonadmitted insurers
54 regulated in accordance with article 5 of this title. In scheduling financial
55 or market conduct examinations and in determining their nature, scope,
56 and frequency, the commissioner shall consider such matters as the results

1 of financial statement analyses and ratios, changes in management or
2 ownership, actuarial opinions, reports of independent certified public
3 accountants, complaint analyses, underwriting and claims practices,
4 pricing, product solicitation, policy form compliance, market share
5 analyses, and other criteria as set forth in the most recent available edition
6 of the examiners' handbook adopted by the national association of
7 insurance commissioners.

8
9 **SECTION 8.** In Colorado Revised Statutes, 10-3-1004, **amend**
10 (1) (b) as follows:

11
12 **10-3-1004. Defense of action by unauthorized insurer.**

13 (1) Before any unauthorized foreign or alien insurer files or causes to be
14 filed any pleading in any action, suit, or proceeding instituted against it,
15 such unauthorized insurer shall either deposit, with the clerk of the court
16 in which such action, suit, or proceeding is pending, cash or securities, or
17 file with such clerk a bond with good and sufficient sureties, to be
18 approved by the court, in an amount to be fixed by the court sufficient to
19 secure the payment of any final judgment which may be rendered in such
20 action, or procure a certificate of authority to transact the business of
21 insurance in this state, unless one or more of the following is applicable:

22
23 (b) At the time the insurer files any pleading in any action, suit, or
24 proceeding instituted against it, the insurer is listed on the ~~approved~~
25 ELIGIBLE nonadmitted insurers list prepared by the commissioner pursuant
26 to subsection (1) of section 10-5-108;

27
28 **SECTION 9.** In Colorado Revised Statutes, 10-5-101.1, **amend**
29 (1) (b) as follows:

30
31 **10-5-101.1. Legislative declaration.** (1) The general assembly
32 finds and declares that property and casualty insurance transactions with
33 nonadmitted insurers are so affected with a public interest as to require
34 regulation, taxation, supervision, and control of such transactions and
35 matters relating thereto, as provided in this article, in order to:

36
37 (b) Provide for the public, except for transactions related to the
38 diligent effort requirements of this article for exempt commercial
39 policyholders, as defined pursuant to section 10-4-1402 and rules adopted
40 by the commissioner pursuant to that section, to the extent that insurance
41 is not procurable from admitted insurers, orderly, reasonable, and
42 regulated access to such insurance from ~~approved~~ ELIGIBLE nonadmitted
43 insurers through qualified, licensed, and supervised surplus line agents
44 and brokers;

45
46 **SECTION 10.** In Colorado Revised Statutes, **amend** 10-5-104
47 as follows:

48
49 **10-5-104. Endorsement of contract.** Every insurance contract
50 procured and delivered as a surplus line coverage pursuant to this article
51 shall be initialed by or bear the name of the surplus line broker who
52 procured it and shall have stamped upon it the following: "This contract
53 is delivered as a surplus line coverage under the 'Nonadmitted Insurance
54 Act'. The insurer issuing this contract is not licensed in Colorado but is
55 an ~~approved~~ ELIGIBLE nonadmitted insurer. There is no protection under
56 the provisions of the 'Colorado Insurance Guaranty Association Act'."

1 **SECTION 11.** In Colorado Revised Statutes, 13-64-301, **amend**
2 (1) (a) (I), (1) (a.5) (I), and (1) (b) as follows:

3
4 **13-64-301. Financial responsibility.** (1) As a condition of active
5 licensure or authority to practice in this state, every physician or dentist,
6 and every health care institution as defined in section 13-64-202, except
7 as provided in section 13-64-303.5, that provides health care services
8 shall establish financial responsibility, as follows:

9
10 (a) (I) If a dentist, by maintaining commercial professional
11 liability insurance coverage with an insurance company authorized to do
12 business in this state or an ~~approved~~ ELIGIBLE nonadmitted insurer
13 allowed to insure in Colorado pursuant to article 5 of title 10, C.R.S., in
14 a minimum indemnity amount of five hundred thousand dollars per
15 incident and one million five hundred thousand dollars annual aggregate
16 per year; except that this requirement is not applicable to a dentist who
17 is a public employee under the "Colorado Governmental Immunity Act",
18 article 10 of title 24, C.R.S.

19
20 (a.5) (I) If a physician, by maintaining commercial professional
21 liability insurance coverage with an insurance company authorized to do
22 business in this state or an ~~approved~~ ELIGIBLE nonadmitted insurer
23 allowed to insure in Colorado pursuant to article 5 of title 10, C.R.S., in
24 a minimum indemnity amount of one million dollars per incident and
25 three million dollars annual aggregate per year; except that this
26 requirement is not applicable to a physician who is a public employee
27 under the "Colorado Governmental Immunity Act", article 10 of title 24,
28 C.R.S.

29
30 (b) If a health care institution, by maintaining, as a condition of
31 licensure, certification, or other authority to render health care services in
32 this state, commercial professional liability insurance coverage with an
33 insurance company authorized to do business in this state or an ~~approved~~
34 ELIGIBLE nonadmitted insurer allowed to insure in Colorado pursuant to
35 article 5 of title 10, C.R.S., in a minimum indemnity amount of five
36 hundred thousand dollars per incident and three million dollars annual
37 aggregate per year; except that this requirement is not applicable to a
38 certified health care institution that is a public entity under the "Colorado
39 Governmental Immunity Act". In the event a health care institution does
40 not have a commercial professional liability insurance policy in
41 compliance with this paragraph (b), or the limits of professional liability
42 insurance coverage are in excess of any self-insured retention amount, or
43 there is a deductible other than zero dollars, the health care institution
44 shall procure evidence that the commissioner of insurance has accepted
45 and approved an alternative form of establishing financial responsibility
46 in compliance with paragraph (c), (d), or (e) of this subsection (1), in
47 accordance with applicable rules promulgated by the division of
48 insurance. The health care institution shall furnish evidence of alternative
49 financial responsibility compliance to the department of public health and
50 environment as part of the health care institution's application for an
51 initial or renewal license, certification, or other authority."

52
53 Renumber succeeding section accordingly.
54
55
56

1 **HB12-1273** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 3, line 2, strike "STATE." and substitute "STATE,
6 AND IS ALSO A NONPROFIT ORGANIZATION."
7
8
9

10
11 **HEALTH & ENVIRONMENT**

12 After consideration on the merits, the Committee recommends the
13 following:
14

15 **HB12-1126** be amended as follows, and as so amended, be referred to
16 the Committee on Appropriations with favorable
17 recommendation:
18

19 Amend printed bill, page 3, line 27, after "AN" insert "UNLINED OR
20 PARTIALLY LINED" and after "PIT" insert "OR UNDERGROUND PERFORATED
21 RECEPTACLE".
22

23 Page 4, line 2, strike everything after the period.
24

25 Page 4, strike line 3 and substitute "'CESSPOOL" DOES NOT INCLUDE A
26 SEPTIC TANK."
27

28 Page 6, after line 13, insert:
29

30 "(18) "SEPTIC TANK" MEANS A WATERTIGHT, ACCESSIBLE,
31 COVERED RECEPTACLE DESIGNED AND CONSTRUCTED TO RECEIVE SEWAGE
32 FROM A BUILDING SEWER, SETTLE SOLIDS FROM THE LIQUID, DIGEST
33 ORGANIC MATTER, STORE DIGESTED SOLIDS THROUGH A PERIOD OF
34 RETENTION, AND ALLOW THE CLARIFIED LIQUIDS TO DISCHARGE TO OTHER
35 TREATMENT UNITS FOR FINAL DISPOSAL."
36

37 Page 6, line 14, strike "~~(19)~~ (18)" and substitute "(19)".
38

39 Page 6, line 19, strike "~~(20)~~ (19)" and substitute "(20)".
40

41 Page 7, line 2, strike "(20)" and substitute "(21)".
42

43 Page 7, line 9, strike "(21)" and substitute "(22)".
44

45 Page 7, line 12, strike "(22)" and substitute "~~(22)~~ (23)".
46

47 Page 7, line 18, strike "(23)" and substitute "~~(23)~~ (24)".
48

49 Page 7, line 22, strike "(24)" and substitute "~~(24)~~ (25)".
50

51 Page 7, line 26, strike "(a)".
52

53 Page 8, strike lines 9 through 14.
54

55 Page 10, line 12, strike "Variances - rules." and substitute "Minimum
56 standards - variances."

1 Page 10, line 17, strike "provisions" and substitute "provisions".

2
3 Page 10, line 18, after "matters:" insert "STANDARDS".

4
5 Page 22, strike lines 24 through 27.

6
7 Page 23, strike lines 1 through 6 and substitute:

8
9 ~~"(3) No individual sewage disposal system presently in use that~~
10 ~~does not comply with the provisions of section 25-10-105 (1) (e)~~
11 ~~regarding minimum separation between the maximum seasonal level of~~
12 ~~the groundwater table and the bottom of an absorption system shall be~~
13 ~~permitted to remain in use without compliance with this article and the~~
14 ~~rules adopted under this article."~~

15
16 Page 23, line 7, strike "(3)" and substitute "(2)".

17
18 Page 23, line 11, strike "(4)" and substitute "(3)".

19
20 Page 23, line 16, strike "(5)" and substitute "(4)".

21
22 Page 23, line 20, strike "(6)" and substitute "(5)".

23
24
25
26 **HB12-1140** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:

29
30 Amend printed bill, page 2, line 2, after "25-1.5-101," insert "**amend** (1)
31 (w) (III); and".

32
33 Page 2, strike lines 8 through 20 and substitute:

34
35 "(w) (III) (A) As part of its duties as coordinator for suicide
36 prevention programs, ~~on or before November 1, 2000, and on or before~~
37 ~~each November 1, thereafter,~~ the department shall submit to the chairs of
38 ~~the health, environment, welfare, and institutions committees of the~~
39 ~~senate HEALTH AND HUMAN SERVICES COMMITTEE and the house of~~
40 ~~representatives HEALTH AND ENVIRONMENT COMMITTEE, OR THEIR~~
41 ~~SUCCESSOR COMMITTEES, and to the members of the joint budget~~
42 ~~committee a report listing all suicide prevention programs in the state and~~
43 ~~describing the effectiveness of the department acting as the coordinator~~
44 ~~for suicide prevention programs. FOR THE REPORT SUBMITTED IN 2013~~
45 ~~AND EACH YEAR THEREAFTER, THE DEPARTMENT SHALL INCLUDE ANY~~
46 ~~FINDINGS AND RECOMMENDATIONS IT HAS TO IMPROVE SUICIDE~~
47 ~~PREVENTION IN THE STATE.~~

48
49 ~~(B) On or before January 15, 2004, the chairs of the health,~~
50 ~~environment, welfare, and institutions committees shall decide whether~~
51 ~~to recommend that the reports required by sub-subparagraph (A) of this~~
52 ~~subparagraph (III) be discontinued.~~

53
54 (IV) IN ITS ROLE AS COORDINATOR FOR SUICIDE PREVENTION
55 PROGRAMS, THE DEPARTMENT MAY COLLABORATE WITH EACH FACILITY
56 LICENSED OR CERTIFIED PURSUANT TO SECTION 25-1.5-103 IN ORDER TO

1 COORDINATE SUICIDE PREVENTION SERVICES. WHEN A FACILITY TREATS
2 A PERSON WHO HAS ATTEMPTED SUICIDE OR EXHIBITS A SUICIDAL
3 GESTURE, THE FACILITY MAY PROVIDE ORAL AND WRITTEN INFORMATION
4 OR EDUCATIONAL MATERIALS TO THE PERSON OR, IN THE CASE OF A MINOR,
5 TO PARENTS, RELATIVES, OR OTHER RESPONSIBLE PERSONS TO WHOM THE
6 MINOR WILL BE RELEASED, PRIOR TO THE PERSON'S RELEASE, REGARDING
7 WARNING SIGNS OF DEPRESSION, RISK FACTORS OF SUICIDE, METHODS OF
8 PREVENTING SUICIDE, AVAILABLE SUICIDE PREVENTION RESOURCES, AND
9 ANY OTHER INFORMATION CONCERNING SUICIDE AWARENESS AND
10 PREVENTION. THE DEPARTMENT MAY WORK WITH FACILITIES TO
11 DETERMINE WHETHER AND WHERE GAPS EXIST IN SUICIDE PREVENTION
12 PROGRAMS AND SERVICES, INCLUDING GAPS THAT MAY BE PRESENT IN:

13
14 (A) THE INFORMATION AND MATERIALS BEING USED AND
15 DISTRIBUTED IN FACILITIES THROUGHOUT THE STATE;

16
17 (B) RESOURCES AVAILABLE TO PERSONS WHO ATTEMPT SUICIDE OR
18 EXHIBIT A SUICIDAL GESTURE AND, WHEN THE PERSON IS A MINOR, TO
19 PARENTS, RELATIVES, AND OTHER RESPONSIBLE PERSONS TO WHOM A
20 MINOR IS RELEASED; AND

21
22 (C) THE PROCESS FOR REFERRING PERSONS WHO ATTEMPT SUICIDE
23 OR EXHIBIT A SUICIDAL GESTURE TO SUICIDE PREVENTION SERVICES AND
24 PROGRAMS OR OTHER APPROPRIATE HEALTH CARE PROVIDERS FOR
25 TREATMENT."

26
27
28
29
30 **JUDICIARY**

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

33
34 **HB12-1084** be referred favorably to the Committee on Appropriations.

35
36
37 **HB12-1085** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend printed bill, page 5, line 11, strike "AND THE" and substitute "AND
42 EITHER:".

43
44 Page 5, strike lines 12 through 15 and substitute:

45
46 "(a) THE STATEMENT IS A NONTESTIMONIAL STATEMENT; OR

47
48 (b) (I) THE DECLARANT TESTIFIES AT THE PROCEEDINGS; OR

49
50 (II) IF THE DECLARANT IS UNAVAILABLE TO TESTIFY, THE
51 DEFENDANT HAS HAD AN OPPORTUNITY TO CROSS-EXAMINE THE
52 DECLARANT IN A PREVIOUS PROCEEDING AND THERE IS CORROBORATIVE
53 EVIDENCE OF THE ACT WHICH IS THE SUBJECT OF THE STATEMENT."

54
55
56

1 **HB12-1114** 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 4, strike "A SUMMONS" and substitute
6 "WHEN A PERSON IS ARRESTED FOR AN ALLEGED VIOLATION OF THIS
7 SECTION, THE".
8

9 Page 2, strike line 5.
10

11 Page 2, line 6, strike "IN THIS SECTION. THE".
12
13
14

15 **HB12-1226** be amended as follows, and as so amended, be referred to
16 the Committee on Appropriations with favorable
17 recommendation:
18

19 Amend printed bill, page 7, strike lines 6 through 14 and substitute:
20

21 **"SECTION 4. Act subject to petition - effective date -**
22 **applicability.** (1) This act takes effect August 15, 2012; except that, if
23 a referendum petition is filed pursuant to section 1 (3) of article V of the
24 state constitution against this act or an item, section, or part of this act
25 within the ninety-day period after final adjournment of the general
26 assembly, then the act, item, section, or part will not take effect unless
27 approved by the people at the general election to be held in November
28 2012 and, in such case, will take effect on the date of the official
29 declaration of the vote thereon by the governor.
30

31 (2) The provisions of this act apply to convictions on or after the
32 applicable effective date of this act."
33
34
35
36

37 **STATE, VETERANS, & MILITARY AFFAIRS**

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

41 **HB12-1138** be postponed indefinitely.
42
43

44 **HB12-1144** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:
47

48 Amend printed bill, page 2, line 8, strike "MAY" and substitute "MAY,
49 SUBJECT TO THE APPROVAL OF THE CHIEF EXECUTIVE OFFICER OF THE
50 SYSTEM OR INSTITUTION AND ANY RULES OR LIMITATIONS ESTABLISHED
51 BY THE CHIEF EXECUTIVE OFFICER,".
52

53 Page 2, line 14, after "FOR" insert "HALF-TIME OR LONGER,".
54

55 Page 2, strike lines 21 and 22 and substitute "SHALL INCLUDE A PROVISION
56 STATING THE CONTRACT OR CONTRACT".

1 Page 3, strike lines 1 through 6.

2
3 Page 3, line 11, strike "(A)" and substitute "(I)".

4
5 Page 3, line 13, strike "(B)" and substitute "(II)".

6
7
8
9 **HB12-1152** be postponed indefinitely.

10
11
12 **HB12-1169** 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 2, strike line 19 and substitute "A WAY THAT THE
17 IDENTITY OF THE PERSON VOTING OR THE POSITION TAKEN IN SUCH VOTE
18 IS WITHHELD FROM THE PUBLIC.".

19
20
21
22 **HB12-1269** be referred to the Committee of the Whole with favorable
23 recommendation.

24
25
26
27
28 **TRANSPORTATION**

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

31
32 **HB12-1030** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend printed bill, page 2, strike lines 2 and 3.

37
38 Strike pages 3 and 4.

39
40 Page 5, strike lines 1 through 24.

41
42 Renumber succeeding sections accordingly.

43
44 Page 7, strike lines 24 through 27.

45
46 Page 8, strike lines 1 through 21.

47
48 Renumber succeeding sections accordingly.

49
50 Page 11, line 9, strike "and (4)".

51
52 Page 11, strike lines 14 through 19.

53
54
55

1 **HB12-1038** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 6, after line 6 insert:
6

7 "SECTION 4. In Colorado Revised Statutes, 42-3-113, **add** (11)
8 as follows:
9

10 **42-3-113. Records of application and registration.** (11) THE
11 DEPARTMENT SHALL NOT PLACE AN EXPIRATION DATE ON THE
12 REGISTRATION CARD FOR A CLASS A COMMERCIAL TRAILER OR
13 SEMITRAILER REGISTERED IN COLORADO.
14

15 **SECTION 5.** In Colorado Revised Statutes, 42-3-201, **amend**
16 (2); and **add** (7) as follows:
17

18 **42-3-201. Number plates furnished - style - periodic reissuance**
19 **- tabs - rules.** (2) EXCEPT AS PROVIDED IN SUBSECTION (7) OF THIS
20 SECTION, THE OWNER SHALL DISPLAY ON every number plate ~~shall have~~
21 ~~displayed upon it~~ the registration number assigned to the vehicle and
22 owner, the year number for which it is issued, the month in which it
23 expires, and any other appropriate symbol, word, or words designated by
24 the department. The department may adopt rules for the issuance of
25 permanent number plates that do not display the year number for which
26 it is issued or the month in which it expires. Such plate and the required
27 letters and numerals, except the year number for which issued, ~~shall~~ MUST
28 be of sufficient size to be plainly readable from a distance of one hundred
29 feet during daylight.
30

31 (7) NOTWITHSTANDING SUBSECTIONS (1) AND (2) OF THIS SECTION,
32 THE DEPARTMENT SHALL ISSUE LICENSE PLATES TO A CLASS A
33 COMMERCIAL TRAILER OR SEMITRAILER REGISTERED IN COLORADO THAT
34 DO NOT CONTAIN THE MONTH AND YEAR THE TRAILER EXPIRES, AND A
35 VALIDATING STICKER OR TAB IS NOT ISSUED NOR REQUIRED FOR THE
36 LICENSE PLATES."
37

38
39 Renumber succeeding sections accordingly.
40
41
42

43 **HB12-1123** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:
46

47 Amend printed bill, Page 2, line 8, strike "agency COMMISSION" and
48 substitute "agency".
49

50 Page 3, line 3, strike "IN WHICH" and substitute "THAT CAME".
51

52 Page 3, line 4, strike "HEARINGS WERE HELD".
53

54 Page 3, line 13, strike "EACH ENERGY UTILITY RATEPAYER." and substitute
55 ""EACH CLASS OF ENERGY UTILITY RATEPAYERS."
56

1 Page 3, line 15, change the comma to a period.

2
3 Page 3, strike lines 16 through 18.

4
5 Page 3, line 22, strike "7," and substitute "8,".

6
7 Page 1, line 105, strike "CASE HEARINGS." and substitute "CASES.".

8
9

10

11 **HB12-1131** be referred favorably to the Committee on Finance.

12

13

14

15

16

MESSAGE(S) FROM THE SENATE

17

18 The Senate has passed on Third Reading and transmits to the Revisor of
19 Statutes: SB12-058 and SB12-146.

20

21

22

23

MESSAGE(S) FROM THE REVISOR

24

25 We herewith transmit:

26 Without comment, SB12-058 and 146.

27

28

29

30

LAY OVER OF CALENDAR ITEM(S)

31

32 On motion of Representative Waller, the following item(s) on the
33 Calendar was (were) laid over until February 20, retaining place on
34 Calendar:

35

36 Consideration of Special Orders--**HB12-1043.**

37 Consideration of Third Reading--**HB12-1040, 1068.**

38

39

40

41 On motion of Representative Waller, the House adjourned until 10:00,
42 February 20, 2012.

43

44

45

46

47 Attest:

48 MARILYN EDDINS,

49 Chief Clerk

Approved:
FRANK McNULTY,
Speaker

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 Prayer by the Reverend Brad Meuli, Director of Denver Rescue Mission.

4

5 Pledge of Allegiance led by Jeremy Keenan, Eagle Scout, George
 6 Washington High School, Denver.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) McCann--1.

12 Absent--Representative(s) Barker, Fields, Pace--3.

13 Present after roll call--Representative(s) Barker, Fields, Pace.

14

15 The Speaker declared a quorum present.

16

17

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

21

22

23

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

25

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

29

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

33

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

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

38

	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

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

18
 19 **HB12-1092** by Representative(s) Priola, McKinley, Holbert, Balmer,
 20 Barker, Baumgardner, DelGrosso, Kerr J., Liston,
 21 McNulty, Murray, Sonnenberg, Stephens, Swalm; also
 22 Senator(s) Brophy--Concerning the authority of a law-
 23 abiding person to carry a concealed handgun without a
 24 permit.
 25

26 Representative B. Gardner moved that the bill be rereferred to the
 27 Committee on Judiciary. As shown by the following recorded vote, a
 28 majority of those elected to the House voted in the affirmative and
 29 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	E	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

49
 50
 51 **SB12-008** by Senator(s) Brophy, Giron, Hodge, Roberts, Schwartz;
 52 also Representative(s) Sonnenberg, Baumgardner,
 53 Swerdfeger, Vigil, Wilson--Concerning postponement of
 54 the repeal of requirements to replace well depletions to the
 55 Denver basin aquifers.
 56

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	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

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

26
 27 **HB12-1124** by Representative(s) Massey, Fields, Hamner, Holbert,
 28 Levy, Peniston; also Senator(s) Johnston--Concerning a
 29 study of digital learning in Colorado.

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

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

56

1 **HB12-1117** by Representative(s) Balmer; also Senator(s) Nicholson--
 2 Concerning the ability of a local government to permit, in
 3 its discretion, the collection of charitable solicitations from
 4 motorists on a certain number of days per calendar year.

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

	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

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

32
 33 **HB12-1157** by Representative(s) Vigil; also Senator(s) Guzman--
 34 Concerning the court hearing on a petition for the
 35 organization of a special district.

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

	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

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

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

5
6 **HB12-1207** by Representative(s) Labuda, Bradford, Fields, Gardner
7 B., Lee, Swerdfeger, Szabo; also Senator(s) Aguilar--
8 Concerning the repeal of the advisory committee on
9 covering all children in Colorado.

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**.

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

33
34 Co-sponsor(s) added: Representative(s) Hamner, Kerr J., Massey, Schafer S.,
35 Todd, Williams A.

36
37 **HB12-1097** by Representative(s) Summers; also Senator(s) Jahn--
38 Concerning civil penalties for retail food establishments.

39
40 The question being "Shall the bill pass?".

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

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

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

9
10 **HB12-1139** by Representative(s) Levy, Fields, Barker, Court, Kagan,
11 Massey, McCann, McKinley, Nikkel, Solano, Young; also
12 Senator(s) Guzman--Concerning pretrial detention of
13 children prosecuted as adults.
14

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

16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.
19

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

38 Co-sponsor(s) added: Representative(s) Duran, Fischer, Hullinghorst, Kefalas,
39 Kerr A., Kerr J., Labuda, Lee, Pabon, Pace, Schafer S., Singer, Todd, Vigil,
40 Williams A., Wilson.
41

42 **HB12-1231** by Representative(s) Ryden, Gardner B., Kagan, Pabon,
43 Singer, Wilson; also Senator(s) Spence--Concerning the
44 authority of the department of revenue to allow licensed
45 private investigators access to certain motor vehicle
46 records for specified purposes.
47

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

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

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

1	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
2	Becker	N	Holbert	Y	Miklosi	Y	Summers	N
3	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
4	Bradford	N	Jones	N	Nikkel	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.

16
17 **HB12-1233** by Representative(s) Labuda, Barker, Casso, Gardner B.,
18 Pabon; also Senator(s) Carroll--Concerning the ability of
19 a court to enter a decree of legal separation in certain
20 circumstances without the appearance of the parties.

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

22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.
25

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

47
48
49 **HB12-1276** by Representative(s) Duran, Summers, Fields, McCann,
50 Casso, Hullinghorst, Massey, Swerdfeger, Vigil; also
51 Senator(s) Newell--Concerning child care licensure
52 waivers for materials related to a child care center's
53 curriculum.

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

55 A roll call vote was taken. As shown by the following recorded vote, a
56

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1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	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

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

26
 27
 28
 29
 30 On motion of Representative Stephens, **HB12-1270, 1289, 1178, 1094,**
 31 **1229** were added to the Special Orders Calendar on Monday,
 32 February 20, 2012.

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

39 40 41 42 **SPECIAL ORDERS--SECOND READING OF BILLS**

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

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

51
 52 **HB12-1043** by Representative(s) Conti--Concerning concurrent
 53 enrollment for students who may complete high school
 54 graduation requirements before the end of twelfth grade.
 55

1 Amendment No. 1, Education Report, dated February 8 , 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 9, page 216-219.

4
5 Amendment No. 2, 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."

16
17 As amended, laid over until February 21, retaining place on Calendar.

18
19 **HB12-1270** by Representative(s) Ryden, Jones, Liston, Miklosi, Tyler,
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
23 consumption may purchase from a licensed alcohol
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
28 in House Journal, February 15, pages 265-270.

29
30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32
33 **HB12-1289** by Representative(s) Nikkel, DelGrosso; also Senator(s)
34 Jahn, Cadman--Concerning complaints to the division of
35 insurance on certain adverse actions of auto insurers.

36
37 Amendment No. 1, 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
45 **HB12-1178** by Representative(s) Vigil; also Senator(s) Schwartz--
46 Concerning the deadline for filing notice for
47 reimbursement of tax payments for lost gasoline or special
48 fuel.

49
50 Ordered engrossed and placed on the Calendar for Third Reading and
51 Final Passage.

52
53 **HB12-1094** by Representative(s) Kerr A.--Concerning increasing the
54 fine for parking in front of a fire hydrant in an
55 unincorporated area of a county.

56

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.

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.

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

House in recess. House reconvened.

REPORTS FROM THE HOUSE ETHICS COMMITTEE

February 14, 2012

Dear Mr. Speaker:

Please be advised that the Ethics Committee you appointed pursuant to House Rule 49 has now met to consider the Complaint filed against Representative Laura Bradford. The Ethics Committee met on February 6 and 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.

In conducting its preliminary investigation, the Ethics Committee limited its 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 violation of section 42-4-1301 (a) or (b), C.R.S., and, if so, whether her 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.

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. 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.

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

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

3
4 Respectfully submitted,
5 (signed)
6 Tom Massey, Chairman
7 Jerry Sonnenberg
8 Brian DelGrosso
9

10
11
12 February 17, 2012
13

14 Dear Mr. Speaker:
15

16 We, the undersigned members of the Ethics Committee you appointed pursuant
17 to House Rule 49 regarding the Complaint filed against Representative Laura
18 Bradford, respectfully submit this Minority Report. While we agree with the
19 statements set forth in the first and second paragraphs of the Majority Report,
20 as well as the conclusion that no probable cause exists to find that an ethics
21 violation occurred, we herein submit our separate findings based upon the
22 evidence, and lack of evidence, available to the Committee in its preliminary
23 investigation under the rule.
24

25 We find that the Denver Police Department did not administer a breathalyzer
26 test or obtain a blood sample to test for Representative Bradford's blood alcohol
27 content. Therefore, the undersigned believe that the Committee was not able to
28 make a determination as to whether Representative Bradford was driving under
29 the influence or while her abilities were impaired on January 25, 2012. The
30 undersigned also find that, because of an internal investigation by the Denver
31 Police Department, the Committee was not able to investigate fully whether
32 Representative Bradford invoked legislative privilege. Therefore, the
33 Committee's investigation was limited to information already in the public
34 record. Based on the evidence available, namely the press conference held by
35 the Denver Police Department on January 31, 2012, clarifying the events of
36 January 25, 2012, we cannot find that Representative Bradford did invoke
37 legislative privilege.
38

39 Our ethical obligations require us to do more than just obey the law. The
40 Committee recognized that in holding public office, the members of the General
41 Assembly are entrusted with the public's trust and, therefore, are held to a
42 higher standard of conduct consistent with the public's expectations.
43 Nevertheless, based on the investigation that the Committee was able to
44 conduct, the Committee determined, and we agree, that no probable cause exists
45 to find that an ethics violation occurred.
46

47 Respectfully submitted,
48 (signed)
49 Claire Levy, Vice-Chairman
50 Judy Solano
51
52

53
54
55

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

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

HB12-1095 be referred to the Committee of the Whole with favorable recommendation.

HB12-1163 be referred to the Committee of the Whole with favorable recommendation.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR12-1002, 1003, 1005, 1006, 1007, 1008, 1009, 1011, 1012, 1013, HR12-1003.**

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1308 by Representative(s) Singer, Ferrandino, Hulinghorst--
Concerning funding for economic development programs
administered by the Colorado office of economic
development.
Committee on Finance

HB12-1309 by Representative(s) Swalm and Looper, Holbert, Barker,
Coram, Joshi, Kerr J., Murray; also Senator(s) King K.--
Concerning the requirement that all employers in the state
verify the work eligibility status of new employees through
the federal electronic verification program.
Committee on Economic and Business Development

HB12-1310 by Representative(s) Gardner B., Barker; also Senator(s)
Carroll, Guzman--Concerning changes to statutory
provisions related to criminal proceedings.
Committee on Judiciary

HB12-1311 by Representative(s) Summers, Acree, Brown, Fields,
Joshi, Kefalas, McCann, Schafer S., Young; also
Senator(s) Boyd--Concerning 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.
Committee on Health and Environment

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

LAY OVER OF CALENDAR ITEM(S)

49
50
51 On motion of Representative Waller, the following item(s) on the
52 Calendar was (were) laid over until February 21, retaining place on
53 Calendar:
54

55 Consideration of Third Reading--**HB12-1040, 1068.**
56

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.**

4
5
6
7 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
8 February 21, 2012.

9
10

Approved:
FRANK McNULTY,
Speaker

11
12
13 Attest:

14 MARILYN EDDINS,
15 Chief Clerk

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

Forty-second Legislative Day

Tuesday, February 21, 2012

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

2

3 Prayer by Father Leo Weber, Arrupe Jesuit High School, Denver.

4

5 Pledge of Allegiance led by Marissa and Gianna Weissmann, Louisville
6 Elementary.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Beezley--1.

12 Absent--Representative(s) Singer--1.

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

14

15 The Speaker declared a quorum present.

16

17

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

21

22

23

24

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

26

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

30

31 **HB12-1270** by Representative(s) Ryden, Jones, Liston, Miklosi, Tyler,
32 Wilson; also Senator(s) Heath--Concerning an increase in
33 the limit on the amount of alcohol beverages a person
34 licensed to sell alcohol beverages for on-premises
35 consumption may purchase from a licensed alcohol
36 beverage retailer.

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
41 bill was declared **passed**.

42

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

18
19 Co-sponsor(s) added: Representative(s) Hullinghorst, Kerr A., Labuda, Pabon,
20 Todd, Vigil.

21
22 **HB12-1289** by Representative(s) Nikkel, DelGrosso; also Senator(s)
23 Jahn, Cadman--Concerning complaints to the division of
24 insurance on certain adverse actions of auto insurers.

25
26 The question being "Shall the bill pass?".
27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.

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

48
49 Co-sponsor(s) added: Representative(s) Holbert, Labuda, Priola, Stephens,
50 Todd, Waller, Wilson.

51
52 **HB12-1178** by Representative(s) Vigil; also Senator(s) Schwartz--
53 Concerning the deadline for filing notice for
54 reimbursement of tax payments for lost gasoline or special
55 fuel.
56

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	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	Y	Soper	Y
10	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
11	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
12	Beezley	E	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 Co-sponsor(s) added: Representative(s) Hullinghorst, Labuda.

25
 26 **HB12-1094** by Representative(s) Kerr A.; also Senator(s) S. King--
 27 Concerning increasing the fine for parking in front of a
 28 fire hydrant in an unincorporated area of a county.
 29

30 Laid over until February 22, retaining place on Calendar.

31
 32 **HB12-1229** by Representative(s) Murray; also Senator(s) Scheffell--
 33 Concerning publication requirements for a newspaper in
 34 which a legal notice or advertisement is printed.
 35

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
42	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
44	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
46	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
47	Beezley	E	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	Y	Wilson	Y

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

3 Co-sponsor(s) added: Representative(s) Kerr J., Ramirez, Stephens, Todd.

6 On motion of Representative Vaad, the House resolved itself into
7 Committee of the Whole for consideration of General Orders, and he was
8 called to the Chair to act as Chairman.

11 GENERAL ORDERS--SECOND READING OF BILLS

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

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

21 **HB12-1151** by Representative(s) McCann, Fields, Lee, Miklosi,
22 Peniston, Schafer S., Vigil, Williams A.; also Senator(s)
23 King S.--Concerning the trafficking of human beings.

25 Amendment No. 1, Judiciary Report, dated February 14, 2012, and placed
26 in member's bill file; Report also printed in House Journal, February 15,
27 pages 272-277.

29 Amendment No. 2, by Representative(s) McCann.

31 Amend the House Judiciary Committee Report, dated February 14, 2012,
32 page 2, strike lines 34 through 39 and substitute:

34 "(g) TO OPERATE A MASSAGE PARLOR WHILE FAILING TO DISPLAY
35 AT ALL TIMES IN A PROMINENT PLACE ON THE LICENSED PREMISES A
36 PRINTED CARD WITH A MINIMUM HEIGHT OF FOURTEEN INCHES AND A
37 WIDTH OF ELEVEN INCHES WITH EACH LETTER A MINIMUM OF ONE-HALF
38 INCH IN HEIGHT, WHICH PROVIDES THE NAME AND CONTACT INFORMATION
39 OF A STATE OR LOCAL ORGANIZATION THAT PROVIDES SERVICES OR OTHER
40 ASSISTANCE TO VICTIMS OF HUMAN TRAFFICKING."

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

45 **HB12-1065** by Representative(s) Lee; also Senator(s) NicholSEN--
46 Concerning the deadline for an advanced practice nurse
47 who was granted prescriptive authority prior to
48 July 1, 2010, to develop an articulated plan for purposes of
49 retaining prescriptive authority.

51 Amendment No. 1, Health & Environment Report, dated
52 February 2, 2012, and placed in member's bill file; Report also printed in
53 House Journal, February 6, page 158.

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

1 **SB12-094** by Senator(s) Hodge, Carroll, Aguilar, Boyd, Giron,
2 Guzman, Harvey, Hudak, Jahn, Mitchell, Neville, Newell,
3 Nicholson, Schwartz, Steadman, Tochtrop, White; also
4 Representative(s) Szabo, Acree, Balmer, Baumgardner,
5 Becker, Beezley, Bradford, Brown, Casso, Conti,
6 DelGrosso, Ferrandino, Gardner B., Holbert, Hullinghorst,
7 Jones, Joshi, Kerr J., Liston, Looper, Murray, Nikkel,
8 Pabon, Priola, Ramirez, Scott, Swalm, Swerdfeger, Todd,
9 Tyler, Waller, Williams A.--Concerning clarification of
10 the definition of food used in state sales tax laws to ensure
11 that the treatment for sales tax purposes of a food product
12 sold for domestic home consumption by a grocery store,
13 supermarket, or convenience store does not change solely
14 because the store sells the food product or markets the
15 food product for sale as a convenience food.
16

17 Amendment No. 1, Local Government Report, dated February 15, 2012,
18 and placed in member's bill file; Report also printed in House Journal,
19 February 16, page 284.
20

21 As amended, ordered revised and placed on the Calendar for Third
22 Reading and Final Passage.
23

24
25 **HB12-1012** by Representative(s) Williams A.; also Senator(s)
26 Guzman--Concerning authorization for reimbursement for
27 up to fifty thousand dollars of actual, reasonable, and
28 necessary business reestablishment expenses to be paid by
29 a state agency in connection with the reestablishment of an
30 operation displaced by the agency.
31

32 Amendment No. 1, Transportation Report, dated February 2, 2012, and
33 placed in member's bill file; Report also printed in House Journal,
34 February 6, page 161.
35

36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.
38

39 **HB12-1246** by Representative(s) Becker, Gerou, Levy; also Senator(s)
40 Hodge, Steadman, Lambert--Concerning a reversal of the
41 annual payday shift as it applies to state employees paid on
42 a biweekly basis, and making an appropriation in
43 connection therewith.
44

45 Amendment No. 1, Appropriations Report, dated February 17, 2012, and
46 placed in member's bill file; Report also printed in House Journal,
47 February 17, page 293.
48

49 As amended, ordered engrossed and placed on the Calendar for Third
50 Reading and Final Passage.
51

52 **HB12-1247** by Representative(s) Gerou, Becker, Levy; also Senator(s)
53 Steadman, Hodge, Lambert--Concerning annual reductions
54 in the amount of tobacco litigation settlement moneys that
55 are allocated in the fiscal year in which the state receives
56 them, and, in connection therewith, offsetting the

1 reductions with tobacco litigation settlement cash fund
2 moneys made available by the repeal of the short-term
3 innovative health program grant fund.
4

5 Ordered engrossed and placed on the Calendar for Third Reading and
6 Final Passage.
7

8 **HB12-1248** by Representative(s) Gerou, Becker, Levy; also Senator(s)
9 Lambert, Hodge, Steadman--Concerning the receipt of
10 certain moneys by the department of law.
11

12 Amendment No. 1, Appropriations Report, dated February 17, 2012, and
13 placed in member's bill file; Report also printed in House Journal,
14 February 17, pages 294.
15

16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.
18

19 **HB12-1249** by Representative(s) Gerou, Becker, Levy; also Senator(s)
20 Steadman, Hodge, Lambert--Concerning the manner in
21 which tobacco litigation settlement moneys are allocated
22 to the state auditor's office for the costs of conducting
23 program reviews and evaluations of the performance of
24 tobacco settlement programs.
25

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

29 **HB12-1217** by Representative(s) Tyler--Concerning the authority of an
30 organization that maintains a regularly established
31 inspection department to conduct inspections of its own
32 pressure-retaining items.
33

34 Amendment No. 1, by Representative(s) Gerou.
35

36 Amend printed bill, page 4, after line 7, insert:

37 "(5) AN INDIVIDUAL OR ORGANIZATION PERFORMING AN
38 INSPECTION PURSUANT TO THIS SECTION SHALL HAVE LIABILITY
39 INSURANCE APPROPRIATE FOR THE SIZE AND SCOPE OF THE RELEVANT
40 INSPECTION."
41

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

45 **HB12-1029** by Representative(s) Holbert; also Senator(s) Scheffel--
46 Concerning an economic stimulus through a property tax
47 exemption for business personal property, and, in
48 connection therewith, enacting the "Save Colorado Jobs
49 Act".
50

51 Amendment No. 1, Finance Report, dated February 16, 2012, and placed
52 in member's bill file; Report also printed in House Journal, February 17,
53 pages 295-297.
54

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

1 **HB12-1085** by Representative(s)Fields; also Senator(s) Carroll and
 2 Hudak--Concerning an exception to the hearsay rule to
 3 allow testimony from persons with developmental
 4 disabilities.

5
 6 Amendment No. 1, Judiciary Report, dated February 16, 2012, and
 7 placed in member's bill file; Report also printed in House Journal,
 8 February 17, page 302.

9
 10 As amended, ordered engrossed and placed on the Calendar for Third
 11 Reading and Final Passage.

12
 13 On motion of Representative Waller, the remainder of the General Orders
 14 Calendar (**HB12-1105, 1017, 1005, 1026, 1115, 1210, 1172, 1121, 1007**)
 15 was laid over until February 22, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

16
 17
 18
 19
 20
 21
 22 Passed Second Reading: **HB12-1151 amended, 1065 amended,**
 23 **SB12-094 amended, 1012 amended, 1246 amended, 1247, 1248**
 24 **amended, 1249, 1217 amended, 1029 amended, 1085 amended.**

25
 26 Laid over until date indicated retaining place on Calendar: **HB12-1105,**
 27 **1017, 1005, 1026, 1115, 1210, 1172, 1121, 1007**--February 22, 2012.

28
 29 The Chairman moved the adoption of the Committee of the Whole
 30 Report. As shown by the following roll call vote, a majority of those
 31 elected to the House voted in the affirmative, and the Report was
 32 **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	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	E	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

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

2
3 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

6
7 **HB12-1264** be postponed indefinitely.
8

9
10 **HB12-1278** be amended as follows, and as so amended, be referred to
11 the Committee on Appropriations with favorable
12 recommendation:
13

14 Amend printed bill, page 8, strike lines 21 through 25.

15
16 Reletter succeeding paragraph accordingly.
17

18
19
20
21 **EDUCATION**

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

24
25 **HB12-1218** be amended as follows, and as so amended, be referred to
26 the Committee on Appropriations with favorable
27 recommendation:
28

29 Amend printed bill, page 2, line 23, after "THAT", insert "PARENTAL
30 SUPPORT AND INVOLVEMENT, COMBINED WITH".
31

32 Page 2, strike lines 24 and 25 and substitute "EDUCATION PROGRAM,
33 INCREASES STUDENTS' SCHOOL READINESS AND".
34

35
36
37
38 **LOCAL GOVERNMENT**

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

41
42 **HB12-1148** be postponed indefinitely.
43

44
45 **HB12-1237** be amended as follows, and as so amended, be referred to
46 the Committee of the Whole with favorable
47 recommendation:
48

49 Amend printed bill, page 2, line 11, change the semicolon to a comma
50 and add "INCLUDING SETTLEMENTS OF CLAIMS FOR CONSTRUCTION
51 DEFECTS UNLESS THOSE SETTLEMENTS ARE, BY THEIR TERMS, REQUIRED
52 TO BE KEPT CONFIDENTIAL;".
53

54 Page 2, line 16, strike "DELIBERATIONS" and substitute
55 "COMMUNICATIONS AMONG," and strike "BY" and substitute "BY,".
56

1 Page 3, line 9, strike "TEN" and substitute "SEVEN".

2
3 Page 3, line 22, after the semicolon add "EXCEPT THAT DESIGNS AND
4 ARCHITECTURAL DRAWINGS AND PLANS ARE PROPRIETARY AND SHALL NOT
5 BE RELEASED WITHOUT THE WRITTEN CONSENT OF THE LEGAL OWNER OF
6 THE DESIGNS, DRAWINGS, OR PLANS;".

7
8 Page 4, line 5, after "(2)" insert "(a)" and strike "(3)" and substitute "(3),
9 (3.5),".

10
11 Page 4, after line 18, insert:

12
13 "(b) (I) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION
14 (2), A MEMBERSHIP LIST OR ANY PART THEREOF MAY NOT BE OBTAINED OR
15 USED BY ANY PERSON FOR ANY PURPOSE UNRELATED TO A UNIT OWNER'S
16 INTEREST AS A UNIT OWNER WITHOUT CONSENT OF THE EXECUTIVE BOARD.

17
18 (II) WITHOUT LIMITING THE GENERALITY OF SUBPARAGRAPH (I) OF
19 THIS PARAGRAPH (b), WITHOUT THE CONSENT OF THE EXECUTIVE BOARD,
20 A MEMBERSHIP LIST OR ANY PART THEREOF MAY NOT BE:

21
22 (A) USED TO SOLICIT MONEY OR PROPERTY UNLESS SUCH MONEY
23 OR PROPERTY WILL BE USED SOLELY TO SOLICIT THE VOTES OF THE UNIT
24 OWNERS IN AN ELECTION TO BE HELD BY THE ASSOCIATION;

25
26 (B) USED FOR ANY COMMERCIAL PURPOSE; OR

27
28 (C) SOLD TO OR PURCHASED BY ANY PERSON.".

29
30 Page 4, strike lines 22 and 23.

31
32 Reletter succeeding paragraphs accordingly.

33
34 Page 5, after line 14, insert:

35
36 "(h) THE NAMES AND PHYSICAL MAILING ADDRESSES OF UNIT
37 OWNERS IF THE UNIT IS A TIME-SHARE UNIT, AS DEFINED IN SECTION
38 38-33-110 (7), C.R.S.".

39
40 Page 5, strike lines 15 through 18 and substitute:

41
42 "(3.5) RECORDS MAINTAINED BY AN ASSOCIATION ARE NOT
43 SUBJECT TO INSPECTION AND COPYING, AND MUST BE WITHHELD, TO THE
44 EXTENT THAT THEY ARE OR CONCERN:

45
46 (a) PERSONNEL, SALARY, OR MEDICAL RECORDS RELATING TO
47 SPECIFIC INDIVIDUALS; OR

48
49 (b) PERSONAL IDENTIFICATION AND ACCOUNT INFORMATION OF
50 MEMBERS, INCLUDING BANK ACCOUNT INFORMATION, TELEPHONE
51 NUMBERS, ELECTRONIC MAIL ADDRESSES, DRIVER'S LICENSE NUMBERS,
52 AND SOCIAL SECURITY NUMBERS.".

53
54
55
56 **HB12-1277** be postponed indefinitely.

1 **HB12-1285** 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 4, line 7, strike "AGREEMENT," and substitute
6 "AGREEMENT OR AGREEMENT WITH THE COLORADO STATE FOREST
7 SERVICE,".
8

10 PRINTING REPORT

11
12 The Chief Clerk reports the following bills have been correctly printed:
13 **HB12-1308, 1309, 1310, 1311, 1312, 1313, 1314.**
14

16 MESSAGE(S) FROM THE SENATE

17
18 The Senate has passed on Third Reading and transmits to the Revisor of
19 Statutes: SB12-102.
20

21 SB12-051 amended as printed in Senate Journal, February 17, 2012,
22 page 203.

23 SB12-072 amended as printed in Senate Journal, February 17, 2012,
24 pages 203-204.

25 SB12-056 amended as printed in Senate Journal, February 17, 2012,
26 page 205.

27 SB12-062 amended as printed in Senate Journal, February 17, 2012,
28 page 206.

29 SB12-011 amended as printed in Senate Journal, February 17, 2012,
30 page 206.
31

33 MESSAGE(S) FROM THE REVISOR

34
35 We herewith transmit:

36 Without comment, SB12-102.

37 Without comment, as amended, SB12-011, 051, 056, 062, and 072.
38

40 APPOINTMENTS

41
42 The Speaker announced the following appointments:
43

44 **State, Veterans, & Military Affairs Committee**

45 Effective February 27, 2012, Representative Joshi to replace
46 Representative Waller until further notice.
47

48 **Finance Committee**

49 Effective February 27, 2012, Representative Holbert to replace
50 Representative Joshi until further notice.
51

52 **State, Veterans, & Military Affairs Committee**

53 The Speaker announced the temporary appointment of
54 Representative Nikkel to replace Representative Liston
55 (temporary appointment for the meeting on Wednesday,
56 February 22, 2012).

1
2
3 House in recess. House reconvened.
4
5

6
7 **MESSAGE(S) FROM THE SENATE**
8

9 The Senate has passed on Third Reading and transmits to the Revisor of
10 Statutes:

11
12 SB12-003 amended as printed in Senate Journal, February 20, 2012,
13 page 213 and amended on Third Reading, February 21, 2012,
14 as printed in the Senate Journal.
15

16
17
18 **MESSAGE(S) FROM THE REVISOR**
19

20 We herewith transmit:
21 Without comment, as amended, SB12-003.
22

23
24
25 **LAY OVER OF CALENDAR ITEM(S)**
26

27 On motion of Representative Liston, the following item(s) on the
28 Calendar was (were) laid over until February 22, retaining place on
29 Calendar:

30
31 Consideration of Special Orders--**HB12-1043**.
32 Consideration of Third Reading--**HB12-1040, 1068**.
33 Consideration of General Orders--**HB12-1114, 1144, 1169, 1269, 1030,**
34 **1123**.
35 Consideration of Senate Amendment(s)--**HB12-1078**.
36

37
38
39 On motion of Representative Liston, the House adjourned until 9:00 a.m.,
40 February 22, 2012.
41

42 Approved:
43 FRANK McNULTY,
44 Speaker

45 Attest:
46 MARILYN EDDINS,
47 Chief Clerk

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

Forty-third Legislative Day

Wednesday, February 22, 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 Ciara Knoedler, Free Horizon Elementary
7 and Aida Knoedler, Montessori Pre School, Lakewood.

8

9 The roll was called with the following result:

10

11 Present--63.

12 Excused--Representative(s) Beezley, A. Williams--2.

13 Present after roll call--Representative(s) A. Williams.

14

15 The Speaker declared a quorum present.

16

17

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

21

22

23

24

25

APPOINTMENT

26

Finance

28 The Speaker announced the temporary appointment of Representative
29 Szabo to replace Representative Beezley to the Committee on Finance
30 (temporary appointment for the Finance meeting on Wednesday,
31 February 22, 2012).

32

33

34

35

36

CHANGE IN SPONSORSHIP

37

38 The Speaker announced the following changes in sponsorship:
39 HB12-1272--Representative Ramirez to be added as dual prime sponsor
40 with Representative Duran.

41

42

43

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.

HB12-1094 by Representative(s) Kerr A; also Senator(s) King, S.-- Concerning increasing the fine for parking in front of a fire hydrant in an unincorporated area of a county.

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	39	NO	25	EXCUSED	1	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	N	Gerou	N	McCann	N	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	Y
Beezley	E	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
Brown	N	Joshi	N	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	N	Vaad	N
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Court, Fields, Hamner, Jones, Labuda, Pabon, Tyler.

HB12-1151 by Representative(s) McCann, Fields, Lee, Miklosi, Peniston, Schafer S., Vigil, Williams A.; also Senator(s) King S.--Concerning the trafficking of human beings.

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	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	E	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

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	Y	Schafer S.	Y	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Casso, Conti, Court, Duran, Fischer,
9 Hulinghorst, Kagan, Kefalas, Labuda, Solano, Soper, Stephens, Summers,
10 Todd.

11
12 **HB12-1065** by Representative(s) Lee; also Senator(s) Nicholson--
13 Concerning the deadline for an advanced practice nurse
14 who was granted prescriptive authority prior to
15 July 1, 2010, to develop an articulated plan for purposes of
16 retaining prescriptive authority.

17
18 The question being "Shall the bill pass?".

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

22								
23	YES	63	NO	1	EXCUSED	1	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
29	Beezley	E	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	N
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) Brown, Court, Fields, Hulinghorst,
42 Kefalas, Kerr A., Labuda, Singer, Summers, Todd, Tyler, Vigil, Young.

43
44
45 **SB12-094** by Senator(s) Hodge, Carroll, Aguilar, Boyd, Giron,
46 Guzman, Harvey, Hudak, Jahn, Mitchell, Neville, Newell,
47 Nicholson, Schwartz, Steadman, Tochtrop, White; also
48 Representative(s) Szabo, Acree, Balmer, Baumgardner,
49 Becker, Beezley, Bradford, Brown, Casso, Conti,
50 DelGrosso, Ferrandino, Gardner B., Holbert, Hulinghorst,
51 Jones, Joshi, Kerr J., Liston, Looper, Murray, Nikkel,
52 Pabon, Priola, Ramirez, Scott, Swalm, Swerdfeger, Todd,
53 Tyler, Waller, Williams A.--Concerning clarification of
54 the definition of food used in state sales tax laws to ensure
55 that the treatment for sales tax purposes of a food product
56 sold for domestic home consumption by a grocery store,

supermarket, or convenience store does not change solely because the store sells the food product or markets the food product for sale as a convenience food.

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	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	E	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) Barker, Fields, Labuda, Sonnenberg, Stephens, Summers, Vigil.

HB12-1012 by Representative(s) Williams A.; also Senator(s) Guzman--Concerning authorization for reimbursement for up to fifty thousand dollars of actual, reasonable, and necessary business reestablishment expenses to be paid by a state agency in connection with the reestablishment of an operation displaced by a Department of Transportation Project or a Project with Department of Transportation Oversight

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	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	E	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

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							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Brown, Duran, Kerr A., Labuda,
8 Looper, Vaad, Vigil, Young.

9
10 **HB12-1246** by Representative(s) Becker, Gerou, Levy; also Senator(s)
11 Hodge, Steadman, Lambert--Concerning a reversal of the
12 annual payday shift as it applies to state employees paid on
13 a biweekly basis, and making an appropriation in
14 connection therewith.

15
16 The question being "Shall the bill pass?".

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

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

39 Co-sponsor(s) added: Representative(s) Baumgardner, Conti, Fields, Fischer,
40 Hullinghorst, Kefalas, Kerr A., Sonnenberg, Summers, Young.

41
42 **HB12-1247** by Representative(s) Gerou, Becker, Levy; also Senator(s)
43 Steadman, Hodge, Lambert--Concerning annual reductions
44 in the amount of tobacco litigation settlement moneys that
45 are allocated in the fiscal year in which the state receives
46 them, and, in connection therewith, offsetting the
47 reductions with tobacco litigation settlement cash fund
48 moneys made available by the repeal of the short-term
49 innovative health program grant fund.

50
51 The question being "Shall the bill pass?".

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

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

19 Co-sponsor(s) added: Representative(s) Holbert, Joshi, Kerr A., Todd.

20
21 **HB12-1248** by Representative(s) Gerou, Becker, Levy; also Senator(s)
22 Lambert, Hodge, Steadman--Concerning the receipt of
23 certain moneys by the department of law.
24

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

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

	YES	50	NO	14	EXCUSED	1	ABSENT	0
30								
31	Acree	Y	Fischer	Y	Looper	Y	Solano	N
32	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
33	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
34	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
35	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
36	Beezley	E	Hullinghorst	N	Murray	Y	Swalm	N
37	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
38	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
39	Casso	N	Kagan	Y	Pace	Y	Todd	Y
40	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
41	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
42	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
43	DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
44	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
45	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
46	Fields	Y	Liston	Y	Singer	Y	Young	Y
47							Speaker	N

48
49
50 **HB12-1249** by Representative(s) Gerou, Becker, Levy; also Senator(s)
51 Steadman, Hodge, Lambert--Concerning the manner in
52 which tobacco litigation settlement moneys are allocated
53 to the state auditor's office for the costs of conducting
54 program reviews and evaluations of the performance of
55 tobacco settlement programs.
56

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	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	Y	Soper	Y
10	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
11	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
12	Beezley	E	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 Co-sponsor(s) added: Representative(s) Todd.

25
 26 **HB12-1217** by Representative(s) Tyler; also Senator(s) Aguilar--
 27 Concerning the authority of an organization that maintains
 28 a regularly established inspection department to conduct
 29 inspections of its own pressure-retaining items.

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
37	Acree	N	Fischer	Y	Looper	Y	Solano	Y
38	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
42	Beezley	E	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) added: Representative(s) Fischer, Swalm, Wilson.

55
 56

1 **HB12-1029** by Representative(s) Holbert; also Senator(s) Scheffel--
 2 Concerning an economic stimulus through a property tax
 3 exemption for business personal property, and, in
 4 connection therewith, enacting the "Save Colorado Jobs
 5 Act".

6
 7 The question being "Shall the bill pass?".

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

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

30 Co-sponsor(s) added: Representative(s) Becker, Brown, Conti, DelGrosso,
 31 Duran, Ferrandino, Fischer, Hullinghorst, Joshi, Kefalas, Kerr A., Lee, Levy,
 32 Liston, Looper, Massey, Murray, Priola, Schafer S., Scott, Stephens, Summers,
 33 Swalm, Todd, Young.

34
 35 **HB12-1085** by Representative(s) Fields; also Senator(s) Carroll and
 36 Hudak--Concerning an exception to the hearsay rule to
 37 allow testimony from persons with developmental
 38 disabilities.

39
 40 The question being "Shall the bill pass?".

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

	YES	56	NO	8	EXCUSED	1	ABSENT	0
46	Acree	Y	Fischer	Y	Looper	Y	Solano	N
47	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
48	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
49	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
50	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
51	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	N
52	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
53	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
54	Casso	Y	Kagan	N	Pace	Y	Todd	Y
55	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
56	Coram	N	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	N
3	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
4	Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
5	Fields	Y	Liston	N	Singer	Y	Young	Y
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Casso, Duran, Gardner B., Looper,
 8 Nikkel, Todd, Young

10
 11 House in recess. House reconvened.
 12

15 REPORT(S) OF COMMITTEE(S) OF REFERENCE

17 ECONOMIC & BUSINESS DEVELOPMENT

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

21 **HB12-1116** be amended as follows, and as so amended, be referred to
 22 the Committee of the Whole with favorable
 23 recommendation:

24
 25 Amend printed bill, page 4, strike lines 17 through 19 and substitute
 26 "SERVICES AS LONG AS THE SERVICES ARE PROVIDED IN THE NORMAL
 27 COURSE OF BUSINESS IN SUPPORTING A CONVEYANCE OF TITLE OR IN
 28 ISSUING TITLE INSURANCE PRODUCTS IN A TIME SHARE RESALE
 29 TRANSACTION. TO THE EXTENT THE ATTORNEY, TITLE AGENT, TITLE
 30 COMPANY, OR ESCROW COMPANY IS ENGAGED IN PROVIDING SERVICES OR
 31 PRODUCTS THAT ARE OUTSIDE THE NORMAL COURSE OF BUSINESS IN
 32 SUPPORTING A CONVEYANCE OF TITLE OR IN ISSUING TITLE INSURANCE
 33 PRODUCTS OR HAS AN AFFILIATED BUSINESS ARRANGEMENT WITH A PARTY
 34 TO A TIME SHARE RESALE TRANSACTION, THIS EXEMPTION DOES NOT
 35 APPLY."

36
 37 Page 4, line 24, strike "COMMUNICATION:" and substitute
 38 "COMMUNICATION, UNLESS PERFORMED BY A PERSON OR ENTITY THAT,
 39 PURSUANT TO PARAGRAPH (b) OF SUBSECTION (11.5) OF THIS SECTION, IS
 40 EXEMPTED:".

41
 42 Page 9, line 5, after "(f)" insert "(I)".

43
 44 Page 9, strike line 9 and substitute "OWNER OF THE RESALE TIME SHARE A
 45 COPY OF THE RECORDED DEED OR OTHER EQUIVALENT WRITTEN EVIDENCE
 46 CLEARLY DEMONSTRATING THAT THE RESALE TIME SHARE HAS BEEN
 47 TRANSFERRED TO A SUBSEQUENT TRANSFEREE IN ACCORDANCE WITH THE
 48 TIME SHARE RESALE TRANSFER AGREEMENT AND APPLICABLE LAW AND:".

49
 50 Page 9, line 10, strike "(I)" and substitute "(A)".

51
 52 Page 9, line 16, strike "AND" and substitute "OR".

53
 54 Page 9, strike lines 17 through 21 and substitute:

55
 56 "(B) IF, AFTER RECEIVING WRITTEN REQUEST FROM THE TIME

1 SHARE RESALE ENTITY, THE ASSOCIATION OF TIME SHARE OWNERS OR
2 OTHER RESPONSIBLE PERSON FAILS TO PROVIDE A WRITTEN
3 ACKNOWLEDGMENT AS DESCRIBED IN SUB-SUBPARAGRAPH (A) OF THIS
4 SUBPARAGRAPH (I) WITHIN THIRTY DAYS AFTER RECEIPT OF THE REQUEST,
5 A WRITTEN STATEMENT TO THAT EFFECT, SPECIFYING THE DATE ON WHICH
6 THE WRITTEN REQUEST WAS SUBMITTED AND INCLUDING A COPY OF THE
7 REQUEST FOR THE ACKNOWLEDGMENT SUBMITTED TO THE ASSOCIATION
8 OR RESPONSIBLE PERSON.
9

10 (II) (A) IF THE ASSOCIATION OF TIME SHARE OWNERS OR OTHER
11 RESPONSIBLE PERSON DETERMINES THAT A TIME SHARE RESALE ENTITY
12 HAS NOT COMPLIED WITH THE ASSOCIATION'S POLICIES GOVERNING THE
13 TRANSFER OF A RESALE TIME SHARE BY A TIME SHARE OWNER, THE
14 ASSOCIATION OR RESPONSIBLE PERSON SHALL PROVIDE TO THE RESALE
15 TIME SHARE ENTITY THE BASIS FOR THE DETERMINATION AND A COPY OF
16 THE ASSOCIATION'S POLICIES GOVERNING THE TRANSFER OF A RESALE TIME
17 SHARE SO AS TO ALLOW THE TIME SHARE RESALE ENTITY THE
18 OPPORTUNITY TO COMPLY WITH THE ASSOCIATION'S POLICIES AND OBTAIN
19 THE WRITTEN ACKNOWLEDGMENT DESCRIBED IN SUB-SUBPARAGRAPH (A)
20 OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (f).
21

22 (B) A DETERMINATION PURSUANT TO SUB-SUBPARAGRAPH (A) OF
23 THIS SUBPARAGRAPH (II) IS NOT A FAILURE TO RESPOND TO A WRITTEN
24 REQUEST SUBMITTED BY A TIME SHARE RESALE ENTITY PURSUANT TO
25 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (I) OF THIS PARAGRAPH (f);".
26

27 Page 11, after line 22 insert:
28

29 "SECTION 4. No appropriation. The general assembly has
30 determined that this act can be implemented within existing
31 appropriations, and therefore no separate appropriation of state moneys
32 is necessary to carry out the purposes of this act."
33

34 Renumber succeeding section accordingly.
35
36
37

38 **HB12-1129** be amended as follows, and as so amended, be referred to
39 the Committee on Appropriations with favorable
40 recommendation:
41

42 Amend printed bill, page 2, line 5, after "(a)" insert "(I)".
43

44 Page 2, after line 11 insert:
45

46 "(II) IF, IN EITHER STATE FISCAL YEAR 2012-2013 OR 2013-2014,
47 THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT DOES NOT RECEIVE
48 FEDERAL FUNDS FOR SMALL BUSINESS DEVELOPMENT CENTERS IN AN
49 AMOUNT AT LEAST EQUAL TO THE MONEYS IT RECEIVED FOR SUCH
50 PURPOSE IN FISCAL YEAR 2011-2012, THE GENERAL ASSEMBLY MAY, IN
51 LIEU OF THE APPROPRIATION DESCRIBED IN SUBPARAGRAPH (I) OF THIS
52 PARAGRAPH (a), APPROPRIATE TO THE OFFICE MONEYS IN SUCH AMOUNT,
53 NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS, THAT WOULD
54 MAKE UP THE DIFFERENCE."
55
56

1 **HB12-1134** be postponed indefinitely.

4 **HB12-1170** be postponed indefinitely.

7 **HB12-1174** be postponed indefinitely.

10 **HB12-1288** be amended as follows, and as so amended, be referred to
11 the Committee of the Whole with favorable
12 recommendation:

14 Amend printed bill, page 4, line 27, strike "PRIOR TO THE INITIATION" and
15 substitute "AS PART".

17 Page 5, after line 4 insert:

18
19 "(II) A BUSINESS CASE FOR THE PROJECT THAT IS IN ALIGNMENT
20 WITH THE STRATEGIC GOALS OF THE STATE AGENCY;

21
22 (III) BUSINESS REQUIREMENTS FOR THE PROJECT DEVELOPED IN
23 COLLABORATION WITH THE STATE AGENCY AND END USERS;".

25 Renumber succeeding subparagraphs accordingly.

27 Page 5, line 24, strike the first "OF" and substitute "OF, OR ANY ADDITIONS
28 OR SUBSTANTIAL CHANGES TO,".

33 **HEALTH & ENVIRONMENT**

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

37 **HB12-1141** be amended as follows, and as so amended, be referred to
38 the Committee on Appropriations with favorable
39 recommendation:

41 Amend printed bill, strike everything below the enacting clause and
42 substitute:

44 "SECTION 1. In Colorado Revised Statutes, 12-29.5-105, add
45 (3) as follows:

47 **12-29.5-105. Unlawful acts - exceptions.**

48 (3) (a) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE TO THE
49 CONTRARY, A MENTAL HEALTH CARE PROFESSIONAL WHO IS LICENSED,
50 REGISTERED, OR CERTIFIED PURSUANT TO ARTICLE 43 OF THIS TITLE AND
51 WHO HAS BEEN TRAINED TO PERFORM AURICULAR ACUDETUX MAY
52 PERFORM AURICULAR ACUDETUX. THE AURICULAR ACUDETUX MUST BE
53 PERFORMED UNDER THE MENTAL HEALTH CARE PROFESSIONAL'S CURRENT
54 SCOPE OF PRACTICE.

56 (b) AS USED IN THIS SUBSECTION (3) "AURICULAR ACUDETUX"

1 MEANS THE SUBCUTANEOUS INSERTION OF STERILE, DISPOSABLE
2 ACUPUNCTURE NEEDLES IN THE FOLLOWING FIVE CONSISTENT,
3 PREDETERMINED BILATERAL LOCATIONS:

4
5 (I) SYMPATHETIC;

6
7 (II) SHEN MEN;

8
9 (III) KIDNEY;

10
11 (IV) LIVER; AND

12
13 (V) LUNG.

14
15 **SECTION 2. Effective date.** This act takes effect July 1, 2012.

16
17 **SECTION 3. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety."
20

21
22
23 **HB12-1204** be referred to the Committee of the Whole with favorable
24 recommendation.

25
26
27 **HB12-1281** be referred favorably to the Committee on Appropriations.
28

29
30
31
32 **JUDICIARY**

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

35
36 **HB12-1130** be amended as follows, and as so amended, be referred to
37 the Committee on Appropriations with favorable
38 recommendation:

39
40 Amend printed bill, strike everything below the enacting clause and
41 substitute:

42
43 "SECTION 1. In Colorado Revised Statutes, **add** 18-1-506 as
44 follows:

45
46 **18-1-506. Construction of statutes regarding unborn members**
47 **of the species homo sapiens.** IF THE COMMISSION OF ANY CRIME CODIFIED
48 IN THIS TITLE OR TITLE 42, C.R.S., IS THE PROXIMATE CAUSE OF DEATH OR
49 INJURY TO AN UNBORN MEMBER OF THE SPECIES HOMO SAPIENS, THE
50 RESPECTIVE HOMICIDE AND ASSAULT CHARGES FOR THAT DEATH OR
51 INJURY MAY BE BROUGHT CONTEMPORANEOUSLY WITH THE UNDERLYING
52 CHARGES.

53
54 **SECTION 2. Potential appropriation.** Pursuant to section
55 2-2-703, Colorado Revised Statutes, any bill that results in a net increase
56 in periods of imprisonment in the state correctional facilities must include

1 an appropriation of moneys that is sufficient to cover any increased
2 capital construction and operational costs for the first five fiscal years in
3 which there is a fiscal impact. Because this act may increase periods of
4 imprisonment, this act may require a five-year appropriation.

5
6 **SECTION 3. Effective date - applicability.** This act takes effect
7 July 1, 2012, and applies to offenses committed on or after said date.

8
9 **SECTION 4. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety."

12
13
14
15 **HB12-1168** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend printed bill, page 2, line 18, strike "DRIVING;" and substitute
20 "DRIVING OR WHOSE DRIVING RECORD OTHERWISE INDICATES A
21 DESIGNATION OF PERSISTENT DRUNK DRIVER AS DEFINED IN SECTION
22 42-1-102 (68.5);".

23
24 Page 4, line 13, strike "PARAGRAPH (c) OF SUBSECTION (1) OF THIS".

25
26 Page 4, line 14, strike "SECTION, SUBSECTION (3) OF THIS SECTION," and
27 substitute "SUBSECTION (3) OF THIS SECTION".

28
29 Page 5, line 3, strike "(b)" and substitute "(d)".

30
31 Page 5, line 19, strike "THE".

32
33 Page 5, strike lines 20 and 21.

34
35 Page 6, line 20, strike "PARAGRAPH (b) OF".

36
37 Page 6, line 24, strike "A VIOLATION" and substitute "VIOLATIONS".

38
39 Page 7, line 1, strike "SHALL" and substitute "MAY".

40
41 Page 7, line 14, strike "SHALL" and substitute "MAY".

42
43 Page 12, strike lines 19 through 26.

44
45 Renumber succeeding sections accordingly.

46
47 Page 14, line 23, after "is", insert "AN INTERLOCK-RESTRICTED DRIVER OR
48 IS".

49
50 Page 14, line 27, strike "not" and substitute "~~not~~".

51
52
53
54 **HB12-1206** be referred to the Committee of the Whole with favorable
55 recommendation.

56

1 **HB12-1208** be postponed indefinitely.

4 **HB12-1256** be postponed indefinitely.

7 **HB12-1283** be referred to the Committee of the Whole with favorable
8 recommendation.

12 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

14 The Speaker has signed: **SJR12-003, 007, 014.**

18 **INTRODUCTION OF BILLS**
19 **First Reading**

21 The following bills were read by title and referred to the committees
22 indicated:

24 **HB12-1315** by Representative(s) Becker; also Senator(s) Steadman--
25 Concerning the reorganization of the governor's energy
26 office.
27 Committee on Agriculture, Livestock, & Natural Resources

29 **HB12-1316** by Representative(s) Stephens--Concerning bond
30 conditions when a United States immigration and customs
31 enforcement detainer is lodged against a defendant.
32 Committee on Judiciary

34 **SB12-003** by Senator(s) Carroll; also Representative(s) Fischer--
35 Concerning the use of consumer credit information by
36 employers.
37 Committee on Local Government

39 **SB12-058** by Senator(s) Heath; also Representative(s) Ryden--
40 Concerning the creation of the venture capital advisory
41 board.
42 Committee on Economic and Business Development

44 **SB12-062** by Senator(s) Williams S.; also Representative(s) Looper--
45 Concerning procedures that facilitate voting by military
46 personnel.
47 Committee on State, Veterans, & Military Affairs

49 **SB12-072** by Senator(s) Lambert, Newell, Grantham, Scheffel,
50 Cadman, Aguilar, King K., Lundberg, Neville, Renfroe;
51 also Representative(s) Stephens, Holbert, Joshi, Looper,
52 DelGrosso, Gerou--Concerning the Colorado mounted
53 rangers.
54 Committee on Local Government

1 **SB12-102** by Senator(s) Brophy; also Representative(s) Nikkel--
2 Concerning the repeal of the crime of criminal libel.
3 Committee on Judiciary
4

5 **SB12-146** by Senator(s) Hodge; also Representative(s) Peniston--
6 Concerning limitations on the acceptance of certain
7 benefits by specified governmental actors who are in a
8 position to reward persons offering such benefits with
9 official action.
10 Committee on Local Government
11
12
13

14 **LAY OVER OF CALENDAR ITEM(S)**
15

16 On motion of Representative Holbert, the following item(s) on the
17 Calendar was (were) laid over until February 23, retaining place on
18 Calendar:
19

20 Consideration of Special Orders--**HB12-1043**.
21 Consideration of Third Reading--**HB12-1040, 1068**.
22 Consideration of General Orders--**HB12-1105, 1017, 1005, 1026, 1115,**
23 **1210, 1172, 1121, 1007, 1114, 1144, 1169, 1269, 1030, 1123, 1095,**
24 **1163**.
25 Consideration of Senate Amendment(s)--**HB12-1078**.
26
27
28

29 On motion of Representative Holbert, the House adjourned until
30 9:00 a.m., February 23, 2012.
31

32 Approved:
33 FRANK McNULTY,
34 Speaker

35 Attest:
36 MARILYN EDDINS,
37 Chief Clerk

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.

18 PRINTING REPORT

19
20
21 The Chief Clerk reports the following bills have been correctly printed:
22 **HB12-1315, 1316.**

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.**

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.

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.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB12-147.
Without comment, as amended, SB12-092 and 099.

**INTRODUCTION OF BILLS
First Reading**

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

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

Committee on Agriculture, Livestock, & Natural Resources

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

Committee on Health and Environment

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

Committee on Education

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

Committee on Judiciary

INTRODUCTION OF RESOLUTION

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

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

LAY OVER OF CALENDAR ITEM(S)

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

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

Forty-fifth Legislative Day

Friday, February 24, 2012

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

2

3 Prayer by Pastor Tim Bettger, St. Paul's Lutheran Church, Calhan.

4

5 Pledge of Allegiance led by Bryce Calderon, Amy Cera-Herrera, Diego
6 Guzman, Newlon Elementary, Denver.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) Acree, Bradford, McKinley, Scott--4.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Waller, the reading of the journal of
17 February 23, 2012, was declared dispensed with and approved as
18 corrected by the Chief Clerk.

19

20

CONSIDERATION OF RESOLUTION(S)

21

22

23 **HJR12-1014** by Representative(s) Fischer and Massey, Kefalas; also
24 Senator(s) Boyd--Concerning neonatal screening for the
25 early detection of congenital heart defects, and, in
26 connection therewith, proclaiming Friday,
27 February 24, 2012, "Congenital Heart Defect Day" and
28 "Children's Heart Day".

29

30 (Printed and placed in members' file)

31

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

34

35 Current Roll Call added as co-sponsor(s): Representative(s) Balmer, Barker,
36 Baumgardner, Becker, Beezley, Brown, Casso, Conti, Coram, Court,
37 DelGrosso, Duran, Ferrandino, Fields, Gardner B., Gerou, Hamner, Holbert,
38 Hullinghorst, Jones, Joshi, Kagan, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
39 Looper, McCann, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston, Priola,
40 Ramirez, Ryden, Schafer S., Singer, Solano, Sonnenberg, Soper, Stephens,
41 Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller,
42 Williams A., Wilson, Young, Speaker.

43

1 On motion of Representative Ramirez, 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
7
8 **GENERAL ORDERS--SECOND READING OF BILLS**
9

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

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

17
18 **HB12-1114** by Representative(s) Hamner; also Senator(s) Schwartz--
19 Concerning the crime of stalking.

20
21 Amendment No. 1, Judiciary Report, dated February 16, 2012, and
22 placed in member's bill file; Report also printed in House Journal,
23 February 17, page 303.

24
25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.

27
28
29 **HB12-1169** by Representative(s) Gardner B. and Duran; also Senator(s)
30 Brophy and Morse--Concerning a clarification of the
31 circumstances under which voting to elect leadership of a
32 public body may be held by secret ballot in accordance
33 with the state open meetings law.

34
35 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
36 February 15, 2012, and placed in member's bill file; Report also printed
37 in House Journal, February 17, page 304.

38
39 Amendment No. 2, by Representative(s) B. Gardner.

40
41 Amend printed bill, page 2, line 11, after "BALLOT," insert "AND A SECRET
42 BALLOT MAY BE USED IN CONNECTION WITH THE ELECTION BY A STATE OR
43 LOCAL PUBLIC BODY OF MEMBERS OF A SEARCH COMMITTEE, WHICH
44 COMMITTEE IS OTHERWISE SUBJECT TO THE REQUIREMENTS OF THIS
45 SECTION,".

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

49
50
51 **HB12-1030** by Representative(s) Looper and Priola, Barker, Brown,
52 Ramirez, Tyler; also Senator(s) Williams S., Hudak--
53 Concerning the repeal of requirements that specified types
54 of information be submitted to legislative committees, and,
55 in connection therewith, repealing certain transportation
56 and energy-related information submission requirements.

1 Amendment No. 1, Transportation Report, dated February 16, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 17, page 304.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1095** by Representative(s) Waller--Concerning electronic court
9 documents.

10
11 Ordered engrossed and placed on the Calendar for Third Reading and
12 Final Passage.

13
14
15 **HB12-1163** by Representative(s) Waller; also Senator(s) Morse--
16 Concerning limited peace officer authority designations.

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

20
21
22 **HB12-1285** by Representative(s) Gerou; also Senator(s) Jahn--
23 Concerning modifications to statutory provisions
24 governing intergovernmental cooperation to address
25 wildland fire mitigation Where a municipality owns land
26 inside a county for utility purposes.

27
28 Amendment No. 1, Local Government Report, dated February 20, 2012,
29 and placed in member's bill file; Report also printed in House Journal,
30 February 21, page 334.

31
32 As amended, ordered engrossed and placed on the Calendar for Third
33 Reading and Final Passage.

34
35
36 **HB12-1288** by Representative(s) Murray; also Senator(s) Bacon--
37 Concerning the administration of information technology
38 projects in state government.

39
40 Amendment No. 1, Economic & Business Development Report, dated
41 February 21, 2012, and placed in member's bill file; Report also printed
42 in House Journal, February 22, page 347.

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

46
47
48 **HB12-1204** by Representative(s) McCann, Kefalas, Young; also
49 Senator(s) Boyd--Concerning the continuation of the
50 regulation of hemodialysis technicians, and, in connection
51 therewith, implementing the sunset review
52 recommendations of the department of regulatory
53 agencies.

54
55 Ordered engrossed and placed on the Calendar for Third Reading and
56 Final Passage.

On motion of Representative Waller, the remainder of the General Orders Calendar (**HB12-1105, 1017, 1005, 1026, 1115, 1210, 1172, 1121, 1007, 1144, 1269, 1123, 1160, 1237, 1116, 1168, 1206, 1283**) was laid over until February 27, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1114 amended, 1169 amended, 1030 amended, 1095, 1163, 1285 amended, 1288 amended, 1204.**

Laid over until date indicated retaining place on Calendar: **HB12-1105, 1017, 1005, 1026, 1115, 1210, 1172, 1121, 1007, 1144, 1269, 1123, 1160, 1237, 1116, 1168, 1206, 1283**--February 27, 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	61	NO	0	EXCUSED	4	ABSENT	0
Acree	E	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	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	E	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB12-1006 be referred to the Committee of the Whole with favorable recommendation.

HB12-1023 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 4, after line 14 insert:

2
3 **"SECTION 3. Appropriation.** (1) In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 Colorado state titling and registration account of the highway users tax
6 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
7 otherwise appropriated, to the department of revenue, information
8 technology division, for the fiscal year beginning July 1, 2012, the sum
9 of \$2,960, or so much thereof as may be necessary, for the
10 implementation of this act.

11
12 (2) In addition to any other appropriation, there is hereby
13 appropriated to the governor - lieutenant governor - state planning and
14 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
15 or so much thereof as may be necessary, for allocation to the office of
16 information technology for the provision of programming services to the
17 department of revenue related to the implementation of this act. Said sum
18 is from reappropriated funds received from the department of revenue out
19 of the appropriation made in subsection (1) of this section.

20
21 (3) In addition to any other appropriation, there is hereby
22 appropriated, out of any moneys in the license plate cash fund created in
23 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
24 appropriated, to the department of revenue, for the fiscal year beginning
25 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,
26 for allocation to the division of motor vehicles, for the purchase of license
27 plates related to the implementation of this act."

28
29 Renumber succeeding section accordingly.

30
31 Page 1, line 101, strike "PLATE." and substitute "PLATE, AND IN
32 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

33
34
35
36 **HB12-1041** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend printed bill, page 3, before line 3 insert:

41
42 **"SECTION 2. Appropriation.** (1) In addition to any other
43 appropriation, there is hereby appropriated, out of any moneys in the vital
44 statistics records cash fund created in section 25-2-121 (2) (b), Colorado
45 Revised Statutes, not otherwise appropriated, to the department of public
46 health and environment, center for health and environmental information
47 division, health statistics and vital records subdivision, operating
48 expenses, for the fiscal year beginning July 1, 2012, the sum of \$665,000,
49 or so much thereof as may be necessary, for the implementation of this
50 act.

51
52 (2) In addition to any other appropriation, there is hereby
53 appropriated, out of any moneys in the vital statistics records cash fund
54 created in section 25-2-121 (2) (b), Colorado Revised Statutes, not
55 otherwise appropriated, to the department of public health and
56 environment, center for health and environmental information division,

1 information technology services subdivision, management and
2 administration of oit, for the fiscal year beginning July 1, 2012, the sum
3 of \$78,940, or so much thereof as may be necessary, for the
4 implementation of this act.

5
6 (3) In addition to any other appropriation, there is hereby
7 appropriated to the governor - lieutenant governor - state planning and
8 budgeting, office of information technology division, management and
9 administration of oit subdivision, statewide it management, for the fiscal
10 year beginning July 1, 2012, the sum of \$78,940, or so much thereof as
11 may be necessary, for allocation to the office of information technology
12 for the provision of programming services to the department of public
13 health and environment related to the implementation of this act. Said
14 sum is from reappropriated funds received from the department of public
15 health and environment out of the appropriation made in subsection (2)
16 of this section."

17
18 Renumber succeeding section accordingly.

19
20 Page 1, line 103, strike "ENVIRONMENT." and substitute "ENVIRONMENT,
21 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

22
23
24
25 **HB12-1052** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:

28
29 Amend printed bill, page 5, after line 11 insert:

30
31 **"SECTION 3. Appropriation.** (1) In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
34 Colorado Revised Statutes, not otherwise appropriated, to the department
35 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum
36 of \$36,745, or so much thereof as may be necessary, for the
37 implementation of this act.

38
39 (2) In addition to any other appropriation, there is hereby
40 appropriated to the governor - lieutenant governor - state planning and
41 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$35,520
42 or so much thereof as may be necessary, for allocation to the office of
43 information technology for the provision of programming services to the
44 department of regulatory agencies related to the implementation of this
45 act. Said sum is from reappropriated funds received from the department
46 of regulatory agencies out of the appropriation made in subsection (1) of
47 this section."

48
49 Renumber succeeding sections accordingly.

50
51 Page 1, line 102 strike "PROFESSIONALS." and substitute
52 "PROFESSIONALS, AND, IN CONNECTION THEREWITH, MAKING AN
53 APPROPRIATION."

54
55
56

1 **HB12-1125** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB12-1140** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9 **HB12-1149** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend printed bill, page 3, after line 16, insert:
14

15 "SECTION 2. No appropriation. The general assembly has
16 determined that this act can be implemented within existing
17 appropriations, and therefore no separate appropriation of state moneys
18 is necessary to carry out the purposes of this act."
19

20 Renumber succeeding section accordingly.
21
22
23

24 **HB12-1216** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend printed bill, page 2, strike lines 12 through 15 and substitute
29 "~~transferred~~ TRANSFER THE FEE to the state treasurer, who shall credit ten
30 dollars to the highway users tax fund and three dollars and forty cents to
31 the licensing services cash fund created in section 42-2-114.5; except
32 that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015,
33 the state treasurer shall credit".
34

35 Page 3, strike lines 3 and 4 and substitute "same in the state treasury to
36 the credit of the highway users tax fund; except that, for fiscal years
37 ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015, TO the state
38 treasurer,".
39

40 Page 3, strike lines 16 through 19 and substitute "to the state treasurer,
41 who shall credit fifteen dollars to the highway users tax fund and five
42 dollars and forty cents to the licensing services cash fund created in
43 section 42-2-114.5; except that, for fiscal years ~~2010-11 and 2011-12~~
44 2012-13 THROUGH 2014-2015, the state treasurer shall credit the ~~fees~~ FEE
45 to the".
46

47 Page 3, strike lines 25 through 27 and substitute "transmission to the state
48 treasurer, who shall credit three dollars and forty cents to the licensing
49 services cash fund and nine dollars to the highway users tax fund; except
50 that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015,
51 the state treasurer shall credit ~~such~~ THE amount to the licensing services
52 cash fund."
53

54 Page 4, strike line 1.
55

56 Page 4, strike lines 4 through 6 and substitute "this part 1 and part 2 of

1 this article; except that eight dollars and fifty cents of each fee ~~shall be~~ IS
2 allocated ~~pursuant to~~ IN ACCORDANCE WITH section 43-4-205 (6) (b),
3 C.R.S., other than during fiscal years ~~2010-11 and 2011-12~~ 2012-13
4 THROUGH 2014-2015."

5
6 Page 4, strike lines 11 through 14 and substitute "THE fee ~~shall be~~
7 ~~transferred~~ to the state treasurer, who shall credit fifteen dollars to the
8 highway users tax fund and five dollars and forty cents to the licensing
9 services cash fund created in section 42-2-114.5; except that, for fiscal
10 years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015, the state
11 treasurer shall credit".

12
13 Page 4, strike lines 20 through 23 and substitute "department for
14 transmission to the state treasurer, who shall credit three dollars and forty
15 cents to the licensing services cash fund and nine dollars to the highway
16 users tax fund; except that, for the fiscal years ~~2010-11 and 2011-12~~
17 2012-13 THROUGH 2014-2015, the state treasurer shall credit ~~such~~ THE
18 amount to the".

19
20 Page 4, strike lines 26 and 27 and substitute "the expenses of the
21 administration of this part 1 and part 2 of this article; except that eight
22 dollars and fifty cents of each fee ~~shall be~~ IS allocated ~~pursuant to~~ IN
23 ACCORDANCE WITH section 43-4-205 (6) (b), C.R.S., other than during
24 fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015."

25
26 Page 5, strike lines 1 and 2.

27
28 Page 5, strike lines 7 through 10 and substitute "shall credit fifteen dollars
29 to the highway users tax fund and five dollars and forty cents to the
30 licensing services cash fund created in section 42-2-114.5; except that, for
31 fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015, the state
32 treasurer shall credit the ~~fees~~ FEE to the licensing services cash fund".

33
34 Page 6, strike lines 1 through 10 and substitute "~~shall be transferred~~ to the
35 state treasurer, who shall credit five dollars to the highway users tax fund
36 and one dollar and ninety cents to the licensing services cash fund created
37 in section 42-2-114.5; except that, for fiscal years ~~2010-11 and 2011-12~~
38 2012-13 THROUGH 2014-2015, the state treasurer shall credit the ~~fees~~ FEE
39 to the licensing services cash fund created in section 42-2-114.5. The fee
40 for a subsequent duplicate license ~~shall be~~ IS transferred to the state
41 treasurer, who shall credit ten dollars to the highway users tax fund and
42 three dollars and forty cents to the licensing services cash fund; except
43 that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015,
44 the state treasurer shall credit the ~~fees~~ FEE to the licensing services cash
45 fund."

46
47 Page 6, strike lines 16 through 19 and substitute "treasurer, who shall
48 credit twenty-five dollars to the highway users tax fund and nine dollars
49 and forty cents to the licensing services cash fund created in section
50 42-2-114.5; except that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13
51 THROUGH 2014-2015, the state treasurer shall credit the ~~fees~~ FEE to the
52 licensing".

53
54 Page 6, strike lines 26 and 27 and substitute "nineteen dollars to the
55 highway users tax fund and seven dollars and forty cents to the licensing
56 services cash fund; except that, for fiscal years ~~2010-11 and 2011-12~~

1 2012-13 THROUGH 2014-2015, the state treasurer shall credit the fees
2 AMOUNT".

3
4 Page 7, strike line 1.

5
6 Page 7, strike lines 5 through 8 and substitute "and this part 4; except that
7 eight dollars and fifty cents of each commercial driver's license fee shall
8 be allocated pursuant to IN ACCORDANCE WITH section 43-4-205 (6) (b),
9 C.R.S., other than during fiscal years ~~2010-11 and 2011-12~~ 2012-13
10 THROUGH 2014-2015."

11
12 Page 7, strike lines 14 through 17 and substitute "who shall credit
13 twenty-five dollars to the highway users tax fund and nine dollars and
14 forty cents to the licensing services cash fund created in section
15 42-2-114.5; except that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13
16 THROUGH 2014-2015, the state treasurer shall credit the fees FEE to the
17 licensing services cash".

18
19 Page 7, strike lines 22 through 24 and substitute "who shall credit
20 nineteen dollars to the highway users tax fund and seven dollars and forty
21 cents to the licensing services cash fund; except that, for fiscal years
22 ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015, the state treasurer
23 shall credit such THE".

24
25 Page 8, strike lines 1 through 4 and substitute "administration of parts 1
26 and 2 of this article and this part 4; except that eight dollars and fifty
27 cents of each such minor driver's license fee shall be IS allocated pursuant
28 to IN ACCORDANCE WITH section 43-4-205 (6) (b), C.R.S., other than
29 during fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015."

30
31 Page 8, strike lines 10 through 14 and substitute "the administration of
32 parts 1 and 2 of this article and this part 4 and any fees credited to the
33 fund pursuant to UNDER this subsection (3) in excess of the amount of the
34 appropriations shall be ARE allocated and expended as specified in section
35 43-4-205 (5.5) (f), C.R.S., other than during fiscal years ~~2010-11 and~~
36 ~~2011-12~~ 2012-13 THROUGH 2014-2015."

37
38 Page 8, strike lines 18 through 27 and substitute "~~forwarded~~ to the state
39 treasurer, who shall credit the same to the highway users tax fund; except
40 that, for fiscal years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015,
41 the state treasurer shall credit the fees to the licensing services cash fund.
42 The general assembly shall make annual appropriations ~~therefrom~~ FROM
43 THE LICENSING SERVICES CASH FUND for the expenses of the
44 administration of parts 1 and 2 of this article and this part 4 and any fees
45 credited to the fund pursuant to this subsection (6) in excess of the
46 amount of the appropriations shall be ARE allocated and expended as
47 specified in section 43-4-205 (5.5) (f), C.R.S., other than during fiscal
48 years ~~2010-11 and 2011-12~~ 2012-13 THROUGH 2014-2015."

49
50 Page 9, strike lines 19 through 27 and substitute "database program
51 created in section 42-7-604 and for state fiscal years 2010-11 and
52 2011-12, for expenses incurred in connection with the administration of
53 article 2 of this title; ~~by the division of motor vehicles within the~~
54 ~~department~~; except that:".

55
56 Page 10, strike lines 1 through 11 and substitute:

1 "(A) For the ~~2010-11 and 2011-12~~ fiscal years 2012-13 THROUGH
2 2014-2015, the state treasurer shall transfer moneys in the account in
3 excess of the amount of moneys appropriated from the account to the
4 Colorado state titling and registration account in the highway users tax
5 fund for allocation and expenditure as required by section 42-1-211 (2).
6 This sub-subparagraph (A) is repealed, effective July 1, ~~2012~~ 2015.

7
8 (B) For the fiscal year commencing July 1, ~~2012~~ 2015, the state
9 treasurer shall transfer moneys in the account in excess of the amount of
10 moneys appropriated from the account to the highway users tax fund for
11 allocation and expenditure as specified in section 43-4-205 (5.5) (c),
12 C.R.S."

13
14 Page 10, before line 12 insert:

15
16 **"SECTION 7. Appropriation - adjustments in 2012 long bill.**
17 (1) For the implementation of this act, appropriations made in the annual
18 general appropriation act to the department of revenue for the fiscal year
19 beginning July 1, 2012, are adjusted as follows:

20
21 (a) The general fund appropriation to the executive director's
22 office, is decreased by \$7,954,625.

23
24 (b) The cash funds appropriation to the executive director's office,
25 is increased by \$8,051,285. Said sum is from the licensing services cash
26 fund created in section 42-2-114.5 (1), Colorado Revised Statutes.

27
28 (c) The cash funds appropriation to the executive director's office,
29 is decreased by \$31,708. Said sum is from the highway users tax fund
30 pursuant to section 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes.

31
32 (d) The reappropriated funds appropriation to the executive
33 director's office, for personal services, is decreased by \$64,953. Of said
34 sum, \$21,918 is from moneys transferred from the enforcement business
35 group, limited gaming division and \$43,035 is from moneys transferred
36 from the state lottery division.

37
38 (e) The general fund appropriation to the central department
39 operations division, is decreased by \$108,245.

40
41 (f) The cash funds appropriation to the central department
42 operations division, is increased by \$126,582. Said sum is from the
43 licensing services cash fund created in section 42-2-114.5 (1), Colorado
44 Revised Statutes.

45
46 (g) The cash funds appropriation to the central department
47 operations division, is decreased by \$8,870. Said sum is from the
48 highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),
49 Colorado Revised Statutes.

50
51 (h) The reappropriated funds appropriation to the central
52 department operations division, is decreased by \$9,467. Said sum is from
53 moneys transferred from the enforcement business group, limited gaming
54 division.

55
56 (i) The general fund appropriation to the division of motor

1 vehicles, administration, is decreased by \$408,535.

2
3 (j) The cash funds appropriation to the division of motor vehicles,
4 administration, is increased by \$423,014. Said sum is from the licensing
5 services cash fund created in section 42-2-114.5 (1), Colorado Revised
6 Statutes.

7
8 (k) The cash funds appropriation to the division of motor vehicles,
9 administration, is decreased by \$14,479. Said sum is from the highway
10 users tax fund pursuant to section 43-4-201 (3) (a) (III) (C), Colorado
11 Revised Statutes.

12
13 (l) The general fund appropriation to the division of motor
14 vehicles, driver and vehicle services, is decreased by \$14,192,839.

15
16 (m) The cash funds appropriation to the division of motor
17 vehicles, driver and vehicle services, is increased by \$14,192,839. Said
18 sum is from the licensing services cash fund created in section 42-2-114.5
19 (1), Colorado Revised Statutes.

20
21 (n) The cash funds appropriation to the enforcement business
22 group, limited gaming division, for indirect cost assessment, is decreased
23 by \$31,385. Said sum is from the limited gaming fund created in section
24 12-47.1-701 (1), Colorado Revised Statutes.

25
26 (o) The cash funds appropriation to the state lottery division, for
27 indirect cost assessment, is decreased by \$43,035. Said sum shall be from
28 the state lottery fund created in section 24-35-210 (1), Colorado Revised
29 Statutes."

30
31 Renumber succeeding sections accordingly.

32
33 Page 1, line 102 strike "REVENUE." and substitute "REVENUE, AND, IN
34 CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."

35
36
37
38
39 **ECONOMIC & BUSINESS DEVELOPMENT**

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

42
43 **HB12-1110** be amended as follows, and as so amended, be referred
44 to the Committee on Finance with favorable
45 recommendation:

46
47 Amend printed bill, page 12, strike line 27 and substitute "OR BE
48 LICENSED BY THE BOARD. THIS EXEMPTION INCLUDES A PANEL OF
49 APPRAISERS WHO ARE ENGAGED TO PROVIDE APPRAISAL SERVICES AND
50 ARE ADMINISTERED BY A FINANCIAL INSTITUTION REGULATED BY A
51 FEDERAL FINANCIAL REGULATORY AGENCY."

52
53 Page 13, strike line 1.

54
55 Page 13, line 4, after "EXCEPT" insert "AN APPRAISER WHO IS EMPLOYED
56 BY A STATE OR LOCAL GOVERNMENTAL ENTITY OR".

1 Page 16, line 12, strike "(9)" and substitute "(9); and **add** (1) (j)".

2
3 Page 16, line 14, after "**procedures.**" insert "(1) A real estate appraiser
4 is in violation of this part 7 if the appraiser:

5
6 (j) HAS FAILED TO DISCLOSE IN THE APPRAISAL REPORT THE FEE
7 PAID TO THE APPRAISER FOR A RESIDENTIAL REAL PROPERTY APPRAISAL IF
8 THE APPRAISER WAS ENGAGED BY AN APPRAISAL MANAGEMENT COMPANY
9 TO COMPLETE THE ASSIGNMENT."

10
11 Page 18, line 16, strike "ASSIGNMENT;" and substitute "ASSIGNMENT.
12 COMMUNICATION BY AN APPRAISER TO THE CLIENT MUST BE MADE IN
13 WRITING AND SUBMITTED TO THE APPRAISAL MANAGEMENT COMPANY."

14
15 Page 19, line 3, strike " OF AT LEAST TEN PERCENT OF ALL".

16
17 Page 19, line 4, strike "COMPANY;" and substitute "COMPANY. THE BOARD
18 SHALL ESTABLISH ANNUAL APPRAISAL REVIEW REQUIREMENTS BY RULE
19 AND SHALL SOLICIT AND CONSIDER INFORMATION AND COMMENTS FROM
20 INTERESTED PERSONS."

21
22 Page 19, strike lines 5 through 7.

23
24 Reletter succeeding paragraphs accordingly.

25
26 Page 19, line 14, strike "WITH THE CLIENT OR".

27
28 Page 20, line 21, strike "(o)" and substitute "(n)".

29
30 Page 21, line 10, after "ASSIGNMENT;" insert "OR".

31
32 Page 21, strike lines 11 through 13.

33
34 Reletter succeeding paragraph accordingly.

35
36 Page 23, line 4, strike "It" and substitute "EXCEPT AS PROVIDED IN
37 SECTION 12-61-706.3 (9), IT".

38
39
40
41 **HB12-1133** be postponed indefinitely.

42
43
44 **HB12-1228** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Amend printed bill, page 2, line 9, strike "employment:" and substitute
49 "employment,".

50
51 Page 2, line 18, after "~~history.~~" insert "AND EVERY TWO YEARS
52 THEREAFTER, ONE OF THE FOLLOWING:".

53
54
55
56 **HB12-1272** be referred favorably to the Committee on Finance.

1 **HB12-1304** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **FINANCE**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **HB12-1250** be postponed indefinitely.
12
13
14
15

16 **HEALTH & ENVIRONMENT**

17 After consideration on the merits, the Committee recommends the
18 following:
19

20 **HB12-1268** be amended as follows, and as so amended, be referred to
21 the Committee on Appropriations with favorable
22 recommendation:
23

24 Amend printed bill, strike everything below the enacting clause and
25 substitute:
26

27 "SECTION 1. In Colorado Revised Statutes, 25-1.5-103, **add** (5)
28 as follows:
29

30 **25-1.5-103. Health facilities - powers and duties of department**
31 **- limitations on rules promulgated by department.** (5) (a) THIS
32 SUBSECTION (5) APPLIES TO CONSTRUCTION, INCLUDING SUBSTANTIAL
33 RENOVATION, OF A HEALTH CARE FACILITY BUILDING OR STRUCTURE ON
34 OR AFTER JULY 1, 2012. ALL HEALTH FACILITY BUILDINGS AND
35 STRUCTURES SHALL BE CONSTRUCTED IN CONFORMITY WITH THE
36 STANDARDS ADOPTED BY THE DIRECTOR OF THE DIVISION OF FIRE SAFETY
37 IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE
38 DEPARTMENT OF PUBLIC SAFETY.
39

40 (b) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION
41 (5) BUT NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
42 CONTRARY, THE DEPARTMENT SHALL NOT ISSUE OR RENEW ANY LICENSE
43 UNDER THIS ARTICLE UNLESS THE DEPARTMENT HAS RECEIVED A
44 CERTIFICATE OF COMPLIANCE FROM THE DIVISION OF FIRE SAFETY
45 CERTIFYING THAT THE BUILDING OR STRUCTURE OF THE HEALTH FACILITY
46 ARE IN CONFORMITY WITH THE STANDARDS ADOPTED BY THE DIRECTOR OF
47 THE DIVISION OF FIRE SAFETY.
48

49 (c) HOME CARE AGENCIES, ASSISTED LIVING RESIDENCES, AND
50 OTHER FACILITIES OF A LIKE NATURE THAT DO NOT MAINTAIN BUILDINGS
51 OR STRUCTURES AT WHICH HEALTH CARE SERVICES ARE PROVIDED ARE
52 NOT REQUIRED TO OBTAIN A CERTIFICATE OF COMPLIANCE IN ACCORDANCE
53 WITH PARAGRAPH (b) OF THIS SUBSECTION (5) AS A CONDITION OF
54 LICENSURE BY THE DEPARTMENT.
55

56 (d) THE DEPARTMENT HAS NO AUTHORITY TO ESTABLISH OR

1 ENFORCE STANDARDS RELATING TO BUILDING OR FIRE CODES. ALL
2 FUNCTIONS, PERSONNEL, AND PROPERTY OF THE DEPARTMENT AS OF JUNE
3 30, 2012, THAT ARE PRINCIPALLY DIRECTED TO THE ADMINISTRATION,
4 INSPECTION, AND ENFORCEMENT OF ANY BUILDING OR FIRE CODES OR
5 STANDARDS SHALL BE TRANSFERRED TO THE HEALTH FACILITY
6 CONSTRUCTION AND INSPECTION SECTION OF THE DIVISION OF FIRE SAFETY
7 PURSUANT TO SECTION 24-33.5-1201 (4), C.R.S.

8
9 **SECTION 2.** In Colorado Revised Statutes, 25-3-102, **amend** (1);
10 and **add** (3) as follows:

11
12 **25-3-102. License - application - issuance - certificate of**
13 **compliance required.** (1) An application for a license described in
14 section 25-3-101 shall be made to the department of public health and
15 environment annually upon such form and in such manner as prescribed
16 by the department; except that a community residential home shall make
17 application for a license pursuant to section 27-10.5-109, C.R.S. The
18 department has authority to administer oaths, subpoena witnesses or
19 documents, and take testimony in all matters relating to issuing, denying,
20 limiting, suspending, or revoking such license. The department shall issue
21 licenses to applicants furnishing satisfactory evidence of fitness to
22 conduct and maintain a facility described in section 25-3-101 in
23 accordance with the provisions of this part 1 and the rules and regulations
24 adopted by ~~such~~ THE department. The license shall be signed by the
25 president and attested by the secretary of the state board of health and
26 have the seal thereof affixed thereto. ~~Such~~ THE license expires one year
27 from the date of issuance.

28
29 (3) (a) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
30 CONTRARY, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
31 SHALL NOT ISSUE OR RENEW ANY LICENSE DESCRIBED IN SECTION 25-3-101
32 FOR A FACILITY COVERED BY SECTION 25-1.5-103 (5) UNLESS THE
33 DEPARTMENT RECEIVES A CERTIFICATE OF COMPLIANCE FOR THE
34 APPLICANT'S BUILDING OR STRUCTURE FROM THE DIVISION OF FIRE SAFETY
35 IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE
36 DEPARTMENT OF PUBLIC SAFETY IN ACCORDANCE WITH PART 12 OF
37 ARTICLE 33.5 OF TITLE 24, C.R.S.

38
39 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
40 SHALL TAKE ACTION ON AN APPLICATION FOR LICENSURE WITHIN THIRTY
41 DAYS AFTER THE DATE IT RECEIVES THE CERTIFICATE OF COMPLIANCE
42 FROM THE DIVISION OF FIRE SAFETY.

43
44 **SECTION 3.** In Colorado Revised Statutes, 25-3-105, **add** (4) as
45 follows:

46
47 **25-3-105. License - fee - rules - penalty.** (4) ON JUNE 30, 2012,
48 ANY MONEYS REMAINING IN THE HEALTH FACILITIES GENERAL LICENSURE
49 CASH FUND CREATED IN SECTION 25-3-103.1 (1) FROM FEES COLLECTED BY
50 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR HEALTH
51 FACILITY BUILDING AND STRUCTURE CODE PLAN REVIEWS AND
52 INSPECTIONS ARE TRANSFERRED TO THE HEALTH FACILITY CONSTRUCTION
53 AND INSPECTION CASH FUND CREATED IN SECTION 24-33.5-1207.8, C.R.S.

54
55 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1201, **add**
56 (4) as follows:

1 **24-33.5-1201. Division of fire safety - creation - public school**
2 **construction and inspection section - health facility construction and**
3 **inspection section.** (4) (a) THERE IS HEREBY CREATED WITHIN THE
4 DIVISION THE HEALTH FACILITY CONSTRUCTION AND INSPECTION SECTION
5 TO IMPLEMENT SECTION 24-33.5-1212.5 AND TO ADMINISTER AND
6 ENFORCE THE CODES IN ACCORDANCE WITH SECTIONS 24-33.5-1212.5 AND
7 24-33.5-1213. THE HEALTH FACILITY CONSTRUCTION AND INSPECTION
8 SECTION SHALL PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION
9 AND THE EXECUTIVE DIRECTOR AS IF THE SAME WERE TRANSFERRED TO
10 THE DEPARTMENT BY A **TYPE 2** TRANSFER, AS SUCH TRANSFER IS DEFINED
11 IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF
12 THIS TITLE.

13
14 (b) ON AND AFTER JULY 1, 2012, ALL POSITIONS OF EMPLOYMENT
15 IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR WHICH
16 PRINCIPAL DUTIES ARE CONCERNED WITH LIFE SAFETY INSPECTION AND
17 THAT ARE DETERMINED BY THE DIRECTOR TO BE NECESSARY TO CARRY
18 OUT THE PURPOSES OF THE HEALTH FACILITY CONSTRUCTION AND
19 INSPECTION SECTION ARE TRANSFERRED TO THE DIVISION AND ARE
20 EMPLOYMENT POSITIONS THEREIN. THE EXECUTIVE DIRECTOR SHALL
21 APPOINT SUCH EMPLOYEES AS ARE NECESSARY TO CARRY OUT THE DUTIES
22 AND EXERCISE THE POWERS SPECIFIED IN THIS PART 12. THE EXECUTIVE
23 DIRECTOR MAY DELEGATE APPOINTING AUTHORITY AS APPROPRIATE.

24
25 (c) ON AND AFTER JULY 1, 2012, ALL EMPLOYEES OF THE
26 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CARRYING OUT THE
27 DUTIES PRINCIPALLY RELATING TO LIFE SAFETY CODE COMPLIANCE ARE
28 EMPLOYEES OF THE HEALTH FACILITY CONSTRUCTION AND INSPECTION
29 SECTION IN THE DIVISION. THE EMPLOYEES RETAIN ALL RIGHTS UNDER THE
30 STATE PERSONNEL SYSTEM AND TO RETIREMENT BENEFITS PURSUANT TO
31 THE LAWS OF THIS STATE, AND THEIR SERVICES ARE DEEMED TO HAVE
32 BEEN CONTINUOUS.

33
34 (d) ON JULY 1, 2012, ALL ITEMS OF PROPERTY, REAL AND
35 PERSONAL, INCLUDING OFFICE FURNITURE AND FIXTURES, BOOKS,
36 DOCUMENTS, AND RECORDS OF THE DEPARTMENT OF PUBLIC HEALTH AND
37 ENVIRONMENT USED IN CARRYING OUT THE DUTIES PRINCIPALLY RELATING
38 TO LIFE SAFETY CODE COMPLIANCE ARE TRANSFERRED TO THE HEALTH
39 FACILITY CONSTRUCTION AND INSPECTION SECTION IN THE DIVISION AND
40 BECOME THE PROPERTY OF THAT SECTION.

41
42 (e) WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS
43 PARAGRAPH (e), THE DIVISION SHALL WORK WITH THE GOVERNOR TO SEEK
44 FROM THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH
45 AND HUMAN SERVICES A MODIFICATION TO THE AGREEMENT ENTERED
46 INTO BETWEEN THE SECRETARY AND THE STATE OF COLORADO PURSUANT
47 TO SECTION 1864 OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C.
48 SEC. 1395aa, THAT ALLOWS THE DIVISION TO FULFILL THE DUTIES UNDER
49 THAT LAW ASSOCIATED WITH THE ASSESSMENT OF COMPLIANCE WITH THE
50 FEDERAL FIRE SAFETY CODE REQUIREMENTS FOR HEALTH FACILITIES.

51
52 **SECTION 5.** In Colorado Revised Statutes, 24-33.5-1202,
53 **amend** (7.7); and **add** (7.9) as follows:

54
55 **24-33.5-1202. Definitions.** As used in this part 12, unless the
56 context otherwise requires:

(7.7) ~~"Manufacturer" means any one or more of the following:~~

~~(a) An entity that manufactures or otherwise produces cigarettes or causes cigarettes to be manufactured with the intent that such cigarettes be sold in Colorado, regardless of Where the cigarettes are manufactured or produced and regardless of whether they are imported from outside the United States;~~

~~(b) The first purchaser anywhere that intends to resell, in the United States, cigarettes manufactured anywhere that the original manufacturer or producer does not intend to be sold in the United States; or~~

~~(c) An entity that becomes a successor to an entity described in paragraph (a) or (b) of this subsection (7.7) "HEALTH FACILITY" MEANS A GENERAL HOSPITAL, HOSPITAL UNIT AS DEFINED IN SECTION 25-3-101 (2), C.R.S., PSYCHIATRIC HOSPITAL, COMMUNITY CLINIC, REHABILITATION CENTER, CONVALESCENT CENTER, COMMUNITY MENTAL HEALTH CENTER, ACUTE TREATMENT UNIT, FACILITY FOR PERSONS WITH DEVELOPMENTAL DISABILITIES, HABILITATION CENTER FOR CHILDREN WITH BRAIN DAMAGE, CHIROPRACTIC CENTER AND HOSPITAL, MATERNITY HOSPITAL, NURSING CARE FACILITY, REHABILITATIVE NURSING FACILITY, HOSPICE CARE FACILITY, DIALYSIS TREATMENT CLINIC, AMBULATORY SURGICAL CENTER, BIRTHING CENTER, OR OTHER FACILITY OF A LIKE NATURE; EXCEPT THAT "HEALTH FACILITY" DOES NOT INCLUDE A FACILITY AT WHICH HEALTH SERVICES ARE NOT PROVIDED TO INDIVIDUALS.~~

(7.9) "MANUFACTURER" MEANS ANY ONE OR MORE OF THE FOLLOWING:

(a) AN ENTITY THAT MANUFACTURES OR OTHERWISE PRODUCES CIGARETTES OR CAUSES CIGARETTES TO BE MANUFACTURED WITH THE INTENT THAT SUCH CIGARETTES BE SOLD IN COLORADO, REGARDLESS OF WHERE THE CIGARETTES ARE MANUFACTURED OR PRODUCED AND REGARDLESS OF WHETHER THEY ARE IMPORTED FROM OUTSIDE THE UNITED STATES;

(b) THE FIRST PURCHASER ANYWHERE THAT INTENDS TO RESELL, IN THE UNITED STATES, CIGARETTES MANUFACTURED ANYWHERE THAT THE ORIGINAL MANUFACTURER OR PRODUCER DOES NOT INTEND TO BE SOLD IN THE UNITED STATES; OR

(c) AN ENTITY THAT BECOMES A SUCCESSOR TO AN ENTITY DESCRIBED IN PARAGRAPH (a) OR (b) OF THIS SUBSECTION (7.9).

SECTION 6. In Colorado Revised Statutes, 24-33.5-1203, **amend** (1) (b.5); and **add** (1) (p.5) as follows:

24-33.5-1203. Duties of division. (1) The division shall perform the following duties:

(b.5) Advise the governor and the general assembly regarding implementation of the public school construction and inspection program AND THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM;

(p.5) CONDUCT, WHEN THERE IS NO LOCAL BUILDING DEPARTMENT

1 OR FIRE DEPARTMENT, CONSTRUCTION PLAN REVIEWS AND INSPECTIONS OF
2 HEALTH FACILITY BUILDINGS AND STRUCTURES AND ENFORCE THE CODES
3 IN ACCORDANCE WITH SECTIONS 24-33.5-1212.5 AND 24-33.5-1213;
4

5 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-1204.5,
6 **amend** (1) (g); and **add** (1) (f.5) as follows:
7

8 **24-33.5-1204.5. Powers and duties of administrator - rules.**

9 (1) In addition to any other duties and powers granted by this section or
10 sections 24-33.5-1206.2 and 24-33.5-1206.4, the administrator has the
11 following duties and powers:
12

13 (f.5) TO ESTABLISH AND ADOPT RULES NECESSARY TO ADMINISTER
14 THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM FOR:
15

16 (I) WHERE THERE IS NO LOCAL BUILDING DEPARTMENT OR FIRE
17 DEPARTMENT, THE INSPECTION OF HEALTH FACILITY BUILDINGS AND
18 STRUCTURES AND PERFORMANCE OF PLAN REVIEWS; AND
19

20 (II) THE DEVELOPMENT OF A PROGRAM FOR CERTIFICATION OF
21 HEALTH FACILITY LIFE SAFETY INSPECTORS;
22

23 (g) To conduct hearings upon charges for discipline of a school
24 building inspector, HEALTH FACILITY LIFE SAFETY CODE INSPECTOR, OR
25 THIRD-PARTY INSPECTOR; issue subpoenas; compel attendance of
26 witnesses; compel the production of books, records, papers, and
27 documents; administer oaths to persons giving testimony at hearings; and
28 recommend prosecution of persons violating this part 12.
29

30 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-1206,
31 **amend** (2) as follows:
32

33 **24-33.5-1206. Education and training programs - certification**
34 **programs - supervision and control.** (2) The public school construction
35 and inspection program, THE HEALTH FACILITY CONSTRUCTION AND
36 INSPECTION PROGRAM, and the certification ~~program~~ PROGRAMS for public
37 school and junior college building inspectors AND LIFE SAFETY CODE
38 INSPECTORS established pursuant to this part 12 ~~shall be~~ ARE under the
39 supervision and control of the director with the advice of the board of
40 appeals created in section 24-33.5-1213.7.
41

42 **SECTION 9.** In Colorado Revised Statutes, **add** 24-33.5-1207.8
43 as follows:
44

45 **24-33.5-1207.8. Health facility construction and inspection**
46 **cash fund - created.** ALL MONEYS COLLECTED BY THE DIVISION
47 PURSUANT TO SECTION 24-33.5-1212.5 SHALL BE TRANSMITTED TO THE
48 STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEALTH
49 FACILITY CONSTRUCTION AND INSPECTION CASH FUND, WHICH IS HEREBY
50 CREATED. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST
51 EARNED THEREON ARE SUBJECT TO ANNUAL APPROPRIATION BY THE
52 GENERAL ASSEMBLY FOR PAYING THE EXPENSES OF THE HEALTH FACILITY
53 CONSTRUCTION AND INSPECTION PROGRAM. ANY UNEXPENDED AND
54 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
55 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
56 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

1 **SECTION 10.** In Colorado Revised Statutes, **add** 24-33.5-1212.5
2 as follows:

3
4 **24-33.5-1212.5. Health facility fire and building codes -**
5 **third-party inspections authorized - temporary certificate of**
6 **occupancy - fees - rules - board of appeals.** (1) (a) THIS SECTION
7 APPLIES TO HEALTH FACILITY BUILDINGS OR STRUCTURES, INCLUDING THE
8 CONSTRUCTION OR SUBSTANTIAL REMODELING THEREOF, WHEN THERE IS
9 NO LOCAL BUILDING DEPARTMENT OR FIRE DEPARTMENT TO PERFORM
10 SUCH FUNCTIONS.

11
12 (b) ON AND AFTER JULY 1, 2012, HEALTH FACILITY BUILDINGS AND
13 STRUCTURES SHALL BE MAINTAINED IN ACCORDANCE WITH THEIR LOCAL
14 BUILDING AND FIRE CODES OR, IF NO SUCH LOCAL BUILDING AND FIRE
15 CODES EXIST, WITH THE BUILDING AND FIRE CODES ADOPTED BY THE
16 DIRECTOR PURSUANT TO SECTION 24-33.5-1203.5.

17
18 (c) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1),
19 UPON REQUEST OF THE LOCAL FIRE AUTHORITY, THE DIRECTOR OF THE
20 DIVISION SHALL PROVIDE TECHNICAL ASSISTANCE IN THE REVIEW OF
21 HEALTH FACILITY PLANS AND, IF APPROPRIATE, CONDUCT INSPECTIONS ON
22 BEHALF OF THE LOCAL FIRE AUTHORITY.

23
24 (2) EXCEPT AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION, IN
25 THE ABSENCE OF A LOCAL BUILDING DEPARTMENT OR FIRE DEPARTMENT,
26 THE DIVISION SHALL CONDUCT THE NECESSARY PLAN REVIEWS, ISSUE
27 BUILDING PERMITS, CAUSE THE NECESSARY INSPECTIONS TO BE
28 PERFORMED, PERFORM FINAL INSPECTIONS, AND ISSUE CERTIFICATES OF
29 OCCUPANCY TO ASSURE THAT A HEALTH FACILITY BUILDING OR
30 STRUCTURE HAS BEEN CONSTRUCTED IN CONFORMITY WITH THE BUILDING
31 AND FIRE CODES ADOPTED BY THE DIRECTOR AND THAT THE HEALTH
32 FACILITY HAS COMPLIED WITH THIS SECTION.

33
34 (3) **Third-party inspectors.** (a) THE DIVISION MAY CONTRACT
35 WITH THIRD-PARTY INSPECTORS WHO ARE CERTIFIED IN ACCORDANCE
36 WITH SECTION 24-33.5-1213.5 TO PERFORM INSPECTIONS.

37
38 (b) (I) A HEALTH FACILITY MAY HIRE AND COMPENSATE
39 THIRD-PARTY INSPECTORS UNDER CONTRACT WITH THE DIVISION OR HIRE
40 AND COMPENSATE OTHER THIRD-PARTY INSPECTORS WHO ARE CERTIFIED
41 IN ACCORDANCE WITH SECTION 24-33.5-1213.5 TO PERFORM INSPECTIONS.

42
43 (II) IF A THIRD-PARTY INSPECTOR IS USED, THE DIVISION SHALL
44 REQUIRE A SUFFICIENT NUMBER OF THIRD-PARTY INSPECTION REPORTS TO
45 BE SUBMITTED BY THE INSPECTOR TO THE DIVISION BASED UPON THE
46 SCOPE OF THE PROJECT TO ENSURE QUALITY INSPECTIONS ARE PERFORMED.
47 EXCEPT AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION, THE
48 THIRD-PARTY INSPECTOR SHALL ATTEST THAT INSPECTIONS ARE COMPLETE
49 AND ALL VIOLATIONS ARE CORRECTED BEFORE THE HEALTH FACILITY IS
50 ISSUED A CERTIFICATE OF OCCUPANCY. INSPECTION RECORDS SHALL BE
51 RETAINED BY THE THIRD-PARTY INSPECTOR FOR TWO YEARS AFTER THE
52 CERTIFICATE OF OCCUPANCY IS ISSUED. IF THE DIVISION FINDS THAT
53 INSPECTIONS ARE NOT COMPLETED SATISFACTORILY, AS DETERMINED BY
54 RULE OF THE DIVISION, OR THAT ALL VIOLATIONS ARE NOT CORRECTED,
55 THE DIVISION SHALL TAKE ENFORCEMENT ACTION AGAINST THE
56 APPROPRIATE HEALTH FACILITY PURSUANT TO SECTION 24-33.5-1213.

1 (4) **Temporary certificate of occupancy.** IF INSPECTIONS ARE
2 NOT COMPLETED AND A BUILDING OR STRUCTURE REQUIRES IMMEDIATE
3 OCCUPANCY, AND IF THE HEALTH FACILITY HAS PASSED THE APPROPRIATE
4 INSPECTIONS THAT INDICATE THERE ARE NO LIFE SAFETY ISSUES, THE
5 DIVISION MAY ISSUE A TEMPORARY CERTIFICATE OF OCCUPANCY. THE
6 TEMPORARY CERTIFICATE OF OCCUPANCY EXPIRES NINETY DAYS AFTER
7 THE DATE OF OCCUPANCY. IF NO RENEWAL OF THE TEMPORARY
8 CERTIFICATE OF OCCUPANCY IS ISSUED OR A PERMANENT CERTIFICATE OF
9 OCCUPANCY IS NOT ISSUED, THE BUILDING OR STRUCTURE SHALL BE
10 VACATED UPON EXPIRATION OF THE TEMPORARY CERTIFICATE. THE
11 DIVISION SHALL ENFORCE THIS SUBSECTION (4) PURSUANT TO SECTION
12 24-33.5-1213.

13
14 (5) **Division fees.** IF THE DIVISION CONDUCTS THE NECESSARY
15 PLAN REVIEWS AND PERFORMS THE NECESSARY INSPECTIONS TO
16 DETERMINE THAT A BUILDING OR STRUCTURE HAS BEEN CONSTRUCTED IN
17 CONFORMITY WITH THE BUILDING AND FIRE CODES ADOPTED BY THE
18 DIRECTOR, THE DIVISION SHALL CHARGE FEES AS ESTABLISHED BY THE
19 DIRECTOR BY RULE, BASED ON THE DIRECT COST OF PROVIDING THE
20 SERVICE. THE FEES SHALL COVER THE ACTUAL, REASONABLE, AND
21 NECESSARY EXPENSES OF THE DIVISION. THE DIRECTOR, BY RULE OR AS
22 OTHERWISE PROVIDED BY LAW, MAY INCREASE OR REDUCE THE AMOUNT
23 OF THE FEES AS NECESSARY TO COVER THE ACTUAL, REASONABLE, AND
24 NECESSARY COSTS OF THE DIVISION. ANY FEES COLLECTED BY THE
25 DIVISION PURSUANT TO THIS SUBSECTION (5) SHALL BE TRANSMITTED TO
26 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEALTH
27 FACILITY CONSTRUCTION AND INSPECTION CASH FUND CREATED IN
28 SECTION 24-33.5-1207.8.

29
30 (6) **Rules.** RULES PROMULGATED PURSUANT TO THIS SECTION
31 SHALL BE ADOPTED IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE.

32
33 (7) **Board of appeals.** (a) (I) THERE IS HEREBY CREATED IN THE
34 DIVISION THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM
35 BOARD OF APPEALS, REFERRED TO IN THIS SECTION AS THE "BOARD OF
36 APPEALS". THE BOARD OF APPEALS CONSISTS OF SEVEN MEMBERS
37 APPOINTED BY THE EXECUTIVE DIRECTOR.

38
39 (II) THE MEMBERS OF THE BOARD OF APPEALS SHALL BE PERSONS
40 WHO ARE QUALIFIED BY EXPERIENCE AND TRAINING TO PASS UPON
41 MATTERS PERTAINING TO HEALTH FACILITY BUILDING CONSTRUCTION AND
42 SHALL INCLUDE:

43
44 (A) THE FOUR MEMBERS OF THE BOARD OF APPEALS CREATED IN
45 SECTION 24-33.5-1213.7 WHO REPRESENT THE COLORADO CHAPTER OF
46 THE INTERNATIONAL CODE COUNCIL, THE FIRE MARSHAL'S ASSOCIATION OF
47 COLORADO, THE COLORADO STATE FIRE CHIEFS' ASSOCIATION, AND
48 COLORADO COUNTIES, INCORPORATED, OR ANY MEMBER APPOINTED FROM
49 A SUCCESSOR TO ANY OF THESE ORGANIZATIONS REPRESENTING
50 COMPARABLE INTERESTS; AND

51
52 (B) ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING
53 ORGANIZATIONS OR A SUCCESSOR TO ANY OF SUCH ORGANIZATIONS
54 REPRESENTING COMPARABLE INTERESTS: THE COLORADO ASSOCIATION OF
55 HEALTHCARE ENGINEERS AND DIRECTORS; THE AMERICAN SOCIETY FOR
56 HEALTHCARE ENGINEERING; AND THE COLORADO CHAPTER OF THE

1 AMERICAN INSTITUTE OF ARCHITECTS.

2
3 (III) THE MEMBERS OF THE BOARD OF APPEALS SERVE AT THE
4 PLEASURE OF THE EXECUTIVE DIRECTOR.

5
6 (IV) FOR THE INITIAL APPOINTMENTS TO THE BOARD OF APPEALS:

7
8 (A) THE MEMBERS SERVING PURSUANT TO SUB-SUBPARAGRAPH
9 (A) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) SERVE TERMS
10 COEXTENSIVE WITH THE TERMS TO WHICH THEY WERE APPOINTED UNDER
11 SECTION 24-33.5-1213.7; AND

12
13 (B) FOR THE MEMBERS APPOINTED PURSUANT TO
14 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a),
15 THE EXECUTIVE DIRECTOR SHALL APPOINT ONE MEMBER FOR A ONE-YEAR
16 TERM, ONE MEMBER FOR A TWO-YEAR TERM, AND ONE MEMBER FOR A
17 THREE-YEAR TERM. ALL SUBSEQUENT APPOINTMENTS ARE FOR
18 THREE-YEAR TERMS; EXCEPT THAT AN APPOINTMENT TO FILL A VACANCY
19 ON THE BOARD SHALL BE FOR THE REMAINDER OF THE PREDECESSOR'S
20 TERM.

21
22 (V) THE MEMBERS OF THE BOARD OF APPEALS SHALL NOT BE
23 COMPENSATED FOR THEIR SERVICE ON THE BOARD AND SHALL NOT BE
24 REIMBURSED FOR EXPENSES.

25
26 (b) THE BOARD OF APPEALS SHALL SELECT A CHAIR FROM AMONG
27 ITS MEMBERS AND SHALL ADOPT REASONABLE PROCEDURES FOR
28 CONDUCTING ITS DELIBERATIONS.

29
30 (c) (I) A HEALTH FACILITY REPRESENTATIVE MAY APPEAL TO THE
31 BOARD OF APPEALS A FINAL WRITTEN DECISION OF A DIVISION INSPECTOR
32 OR THIRD-PARTY INSPECTOR THAT CONDUCTS A PLAN REVIEW OR
33 INSPECTION PURSUANT TO THIS SECTION. THE APPEAL SHALL BE FILED
34 WITH THE DIVISION WITHIN THIRTY DAYS AFTER THE DATE OF THE
35 DECISION. THE DIVISION SHALL SPECIFY THE FORM ON WHICH AN APPEAL
36 SHALL BE MADE AND SHALL PROVIDE THE FORM TO A HEALTH FACILITY
37 REPRESENTATIVE UPON REQUEST.

38
39 (II) UPON RECEIPT OF AN APPEAL, THE DIVISION SHALL NOTIFY THE
40 CHAIR OF THE BOARD OF APPEALS AND SCHEDULE A HEARING NO MORE
41 THAN FIFTEEN DAYS AFTER THE DATE ON WHICH THE APPEAL WAS FILED.

42
43 (III) THE BOARD OF APPEALS MAY REVIEW A FINAL WRITTEN
44 DECISION BY AN INSPECTING ENTITY THAT IS BASED ON THE CODES OR
45 STANDARDS ADOPTED BY THE DIRECTOR. THE BOARD OF APPEALS SHALL
46 NOT WAIVE ANY REQUIREMENT OF THE CODES OR STANDARDS. THE BOARD
47 OF APPEALS MAY RECOMMEND ALTERNATIVE MATERIALS AS PROVIDED IN
48 THE CODES OR STANDARDS. THE FINAL WRITTEN DECISION OF THE BOARD
49 IS FINAL AGENCY ACTION FOR PURPOSES OF SECTION 24-4-106.

50
51 (d) IN ADDITION TO HEARING APPEALS AS PROVIDED IN THIS
52 SECTION, THE BOARD OF APPEALS SHALL ADVISE THE DIRECTOR IN
53 PROMULGATING RULES AND ENACTING STANDARDS FOR THE HEALTH
54 FACILITY CONSTRUCTION AND INSPECTION PROGRAM.

55
56 **SECTION 11.** In Colorado Revised Statutes, 24-33.5-1213,

1 **amend** (1), (2) (a), and (4) (b) as follows:

2
3 **24-33.5-1213. Fire and building code - violations - enforcement**
4 **- inspections.** (1) The director shall enforce ~~the provisions of sections~~
5 22-32-124 (2), ~~and 23-71-122 (1) (v), C.R.S., and sections~~
6 24-33.5-1212.5, 24-33.5-1213.3, and 24-33.5-1213.5, C.R.S., by
7 appropriate actions in courts of competent jurisdiction.

8
9 (2) (a) The director may issue a notice of violation to a person
10 who is believed to have violated the codes as determined by an inspection
11 pursuant to section 22-32-124 (2), ~~or 23-71-122 (1) (v), C.R.S., or section~~
12 24-33.5-1212.5, OR 24-33.5-1213.3, C.R.S. The notice shall be delivered
13 to the alleged violator by certified mail, return receipt requested, or by
14 any means that verifies receipt as reliably as certified mail, return receipt
15 requested.

16
17 (4) (b) A civil penalty collected pursuant to this subsection (4)
18 shall be deposited in the public school construction and inspection cash
19 fund created in section 24-33.5-1207.7 OR THE HEALTH FACILITY
20 CONSTRUCTION AND INSPECTION CASH FUND CREATED IN SECTION
21 24-33.5-1207.8, AS APPROPRIATE.

22
23 **SECTION 12.** In Colorado Revised Statutes, 24-33.5-1213.7,
24 **add** (6) as follows:

25
26 **24-33.5-1213.7. Board of appeals.** (6) THIS SECTION ONLY
27 APPLIES TO MATTERS RELATED TO SCHOOL REVIEWS AND INSPECTIONS.

28
29 **SECTION 13.** In Colorado Revised Statutes, 24-75-402, **amend**
30 (5) (y) as follows:

31
32 **24-75-402. Cash funds - limit on uncommitted reserves -**
33 **reduction in amount of fees - exclusions.** (5) Notwithstanding any
34 provision of this section to the contrary, the following cash funds are
35 excluded from the limitations specified in this section:

36
37 (y) The public school construction and inspection cash fund
38 created in section 24-33.5-1207.7 AND THE HEALTH FACILITY
39 CONSTRUCTION AND INSPECTION CASH FUND CREATED IN SECTION
40 24-33.5-1207.8;

41
42 **SECTION 14. Safety clause.** The general assembly hereby finds,
43 determines, and declares that this act is necessary for the immediate
44 preservation of the public peace, health, and safety."

45
46 Page 1, line 107, strike "RENAMING THE PUBLIC SCHOOL" and substitute
47 "CREATING THE HEALTH FACILITY".

48
49
50
51 **SB12-064** be referred favorably to the Committee on Appropriations.

1 **JUDICIARY**

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

4
5 **HB12-1036** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 2, strike line 13 and substitute "law enforcement
10 purpose, INCLUDING RECORDS OF ONGOING CIVIL OR ADMINISTRATIVE
11 INVESTIGATIONS THAT FOCUS ON A PERSON OR PERSONS OUTSIDE OF THE
12 INVESTIGATING AGENCY AND ARE CONDUCTED BY THE STATE OR ITS
13 EXECUTIVE DEPARTMENTS IN FURTHERANCE OF THEIR STATUTORY
14 AUTHORITY TO PROTECT THE PUBLIC HEALTH, WELFARE, OR SAFETY;
15 EXCEPT THAT, WITH RESPECT TO CIVIL OR ADMINISTRATIVE
16 INVESTIGATIONS THAT HAVE CONCLUDED BECAUSE NO FURTHER
17 INVESTIGATION, DISCIPLINE, OR OTHER AGENCY RESPONSE IS WARRANTED,
18 NOTHING IN THIS SUBSECTION (2) REQUIRES THE CUSTODIAN TO DISCLOSE
19 THE NAME OR OTHER PERSONAL IDENTIFYING OR FINANCIAL INFORMATION
20 OF WITNESSES, TARGETS OF SUCH CLOSED INVESTIGATIONS, OR ANY
21 RECORDS EXEMPT PURSUANT TO ANY OTHER LAW.".

22
23 Page 2, strike lines 14 through 23 and substitute:

24
25 "SECTION 2. **Applicability.** The provisions of this act apply to
26 cases arising on or after August 19, 2011, and nothing in this act shall be
27 interpreted in any way as evidence of legislative intent in cases arising
28 prior to said date.

29
30 SECTION 3. **Safety clause.** The general assembly hereby finds,
31 determines, and declares that this act is necessary for the immediate
32 preservation of the public peace, health, and safety.".

33
34
35
36 **HB12-1209** be referred favorably to the Committee on Appropriations.

37
38
39 **HB12-1213** be amended as follows, and as so amended, be referred to
40 the Committee on Appropriations with favorable
41 recommendation:
42

43 Amend printed bill, strike everything below the enacting clause and
44 substitute:

45
46 "SECTION 1. In Colorado Revised Statutes, 18-1.3-801, **amend**
47 (1.5) and (2) (a); and **add** (5) as follows:

48
49 **18-1.3-801. Punishment for habitual criminals.** (1.5) EXCEPT
50 AS OTHERWISE PROVIDED IN SUBSECTION (5) OF THIS SECTION, every
51 person convicted in this state of any class 1, 2, 3, 4, or 5 felony who,
52 within ten years of the date of the commission of the said offense, has
53 been twice previously convicted upon charges separately brought and
54 tried, and arising out of separate and distinct criminal episodes, either in
55 this state or elsewhere, of a felony or, under the laws of any other state,
56 the United States, or any territory subject to the jurisdiction of the United

1 States, of a crime which, if committed within this state, would be a felony
2 shall be adjudged an habitual criminal and shall be punished for the
3 felony offense of which such person is convicted by imprisonment in the
4 department of corrections for a term of three times the maximum of the
5 presumptive range pursuant to section 18-1.3-401 for the class of felony
6 of which such person is convicted.

7
8 (2) (a) Except as otherwise provided for in paragraph (b) of this
9 subsection (2) AND IN SUBSECTION (5) OF THIS SECTION, every person
10 convicted in this state of any felony, who has been three times previously
11 convicted, upon charges separately brought and tried, and arising out of
12 separate and distinct criminal episodes, either in this state or elsewhere,
13 of a felony or, under the laws of any other state, the United States, or any
14 territory subject to the jurisdiction of the United States, of a crime which,
15 if committed within this state, would be a felony, shall be adjudged an
16 habitual criminal and shall be punished for the felony offense of which
17 such person is convicted by imprisonment in the department of
18 corrections for a term of four times the maximum of the presumptive
19 range pursuant to section 18-1.3-401 for the class of felony of which such
20 person is convicted. Such former conviction or convictions and judgment
21 or judgments shall be set forth in apt words in the indictment or
22 information. Nothing in this part 8 shall abrogate or affect the punishment
23 by death in any and all crimes punishable by death on or after July 1,
24 1972.

25
26 (5) A CONVICTION FOR ESCAPE, AS DESCRIBED IN SECTION
27 18-8-208 (1), (2), OR (3), OR ATTEMPT TO ESCAPE, AS DESCRIBED IN
28 SECTION 18-8-208.1 (1), (1.5), OR (2), SHALL NOT BE USED FOR THE
29 PURPOSE OF ADJUDICATING A PERSON AN HABITUAL CRIMINAL AS
30 DESCRIBED IN SUBSECTION (1.5) OR SUBSECTION (2) OF THIS SECTION
31 UNLESS THE CONVICTION IS BASED ON THE OFFENDER'S ESCAPE OR
32 ATTEMPT TO ESCAPE FROM A CORRECTIONAL FACILITY, AS DEFINED IN
33 SECTION 17-1-102, C.R.S., OR FROM PHYSICAL CUSTODY WITHIN A
34 COUNTY JAIL.

35
36 **SECTION 2. Applicability.** The provisions of this act apply to
37 offenses committed on or after the effective date of this act.

38
39 **SECTION 3. Safety clause.** The general assembly hereby finds,
40 determines, and declares that this act is necessary for the immediate
41 preservation of the public peace, health, and safety."

42
43
44
45 **HB12-1262** be referred to the Committee of the Whole with favorable
46 recommendation.

47
48
49
50
51 **STATE, VETERANS, & MILITARY AFFAIRS**

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

54
55 **HB12-1111** be referred favorably to the Committee on Appropriations.
56

1 **HB12-1112** be postponed indefinitely.

2

3

4 **HB12-1113** be postponed indefinitely.

5

6

7 **HB12-1137** be postponed indefinitely.

8

9

10 **HB12-1165** be postponed indefinitely.

11

12

13 **HB12-1227** be postponed indefinitely.

14

15

16 **HB12-1230** be postponed indefinitely.

17

18

19

20

21 **TRANSPORTATION**

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

24

25 **HB12-1153** be referred favorably to the Committee on Appropriations.

26

27

28 **HB12-1162** be amended as follows, and as so amended, be referred to
29 the Committee on Finance with favorable
30 recommendation:

31

32 Amend page 2, line 11, after "OPERATION" insert "DESERT SHIELD OR".

33

34 Page 2, line 12, after "**operation**" insert "**desert shield or**".

35

36 Page 2, line 13, after "OPERATION" insert "DESERT SHIELD OR".

37

38 Page 2, line 15, after "OPERATION" insert "DESERT SHIELD OR".

39

40 Page 2, line 17, after "OPERATION" insert "DESERT SHIELD OR".

41

42 Page 2, line 21, after "OPERATION" insert "DESERT SHIELD OR".

43

44

45

46 **HB12-1166** be postponed indefinitely.

47

48

49 **HB12-1275** be amended as follows, and as so amended, be referred to
50 the Committee on Finance with favorable
51 recommendation:

52

53 Amend printed bill, page 2, line 10, strike "WEIGHT." and substitute
54 "WEIGHT; EXCEPT THAT THE DEPARTMENT SHALL NOT ISSUE THE LICENSE
55 PLATE UNTIL THE PROPONENTS COMPLY WITH SECTION 42-3-207 (2).".

56

1 **HB12-1291** be postponed indefinitely.
2
3
4

5 **PRINTING REPORT**
6

7 The Chief Clerk reports the following bill has been correctly printed:
8 **HB12-1317.**
9

10
11
12 **MESSAGE(S) FROM THE GOVERNOR**
13

14 I certify I received the following on the 23rd day of February, 2012, at
15 2:34 p.m. The original is on file in the records of the House of
16 Representatives of the General Assembly.
17

18 Marilyn Eddins,
19 Chief Clerk of the House
20

21 February 23, 2012
22

23 To the Honorable House of Representatives
24 Sixty-Eighth General Assembly
25 Second Regular Session
26 State Capitol
27 Denver, CO 80203
28

29 Ladies and Gentlemen:
30

31 I have the honor to inform you that I have approved and filed with the
32 Secretary of State the following Acts:
33

34 **HB 12-1180** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
35 DEPARTMENT OF AGRICULTURE
36

37 Approved February 23, 2012, at 12:49 pm
38

39 **HB 12-1182** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
40 DEPARTMENT OF EDUCATION
41

42 Approved February 23, 2012 at 12:49 pm
43

44 **HB 12-1183** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
45 OFFICES OF THE GOVERNOR, LIEUTENANT GOVERNOR,
46 AND STATE PLANNING AND BUDGETING
47

48 Approved February 23, 2012 at 12:50 pm
49

50 **HB 12-1184** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
51 DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
52

53 Approved February 23, 2012 at 12:51 pm
54
55

1 **HB 12-1185** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
2 DEPARTMENT OF HIGHER EDUCATION
3
4 Approved February 23, 2012 at 12:52 pm
5
6 **HB 12-1186** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
7 DEPARTMENT OF HUMAN SERVICES
8
9 Approved February 23, 2012 at 12:53 pm
10
11 **HB 12-1187** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
12 JUDICIAL DEPARTMENT
13
14 Approved February 23, 2012 at 12:54 pm
15
16 **HB 12-1188** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
17 DEPARTMENT OF LABOR AND EMPLOYMENT
18
19 Approved February 23, 2012 at 12:54 pm
20
21 **HB 12-1189** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
22 DEPARTMENT OF LAW
23
24 Approved February 23, 2012 at 12:55 pm
25
26 **HB 12-1190** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
27 DEPARTMENT OF LOCAL AFFAIRS
28
29 Approved February 23, 2012 at 12:56 pm
30
31 **HB 12-1191** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
32 DEPARTMENT OF MILITARY AND VETERAN AFFAIRS
33
34 Approved February 23, 2012 at 12:56 pm
35
36 **HB 12-1192** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
37 DEPARTMENT OF NATURAL RESOURCES
38
39 Approved February 23, 2012 at 12:57 pm
40
41 **HB 12-1193** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
42 DEPARTMENT OF PERSONNEL AND ADMINISTRATION
43
44 Approved February 23, 2012 at 12:57 pm
45
46 **HB 12-1194** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
47 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
48
49 Approved February 23, 2012 at 12:58 pm
50
51 **HB 12-1195** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
52 DEPARTMENT OF PUBLIC SAFETY
53
54 Approved February 23, 2012 at 12:58 pm
55

1 **HB 12-1196** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
2 DEPARTMENT OF REGULATORY AGENCIES

3
4 Approved February 23, 2012 at 12:59 pm

5
6 **HB 12-1197** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
7 DEPARTMENT OF REVENUE

8
9 Approved February 23, 2012 at 12:59 pm

10
11 **HB 12-1199** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
12 DEPARTMENT OF THE TREASURY

13
14 Approved February 23, 2012 at 1:00 pm

15 Sincerely,
16 (signed)
17 John W. Hickenlooper
18 Governor

19
20 _____

21
22 **LAY OVER OF CALENDAR ITEM(S)**

23
24 On motion of Representative Stephens, the following item(s) on the
25 Calendar was (were) laid over until February 27, retaining place on
26 Calendar:

27
28 Consideration of Special Orders--**HB12-1043**.
29 Consideration of Third Reading--**HB12-1040, 1068**.
30 Consideration of Senate Amendment(s)--**HB12-1078**.

31
32 _____

33
34 On motion of Representative Stephens, the House adjourned until
35 10:00 a.m., February 27, 2012.

36
37 Approved:
38 FRANK McNULTY,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

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

Forty-eighth Legislative Day

Monday, February 27, 2012

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

2

3 Prayer by Father Jack Real, Glenwood Springs.

4

5 Pledge of Allegiance led by Conor Bent, Mullin High School, Denver.

6

7 The roll was called with the following result:

8

9 Present--63.

10 Excused--Representative(s) Fields, A. Williams--2.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Schafer, the reading of the journal of
16 February 24, 2012, was declared dispensed with and approved as
17 corrected by the Chief Clerk.

18

19

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

21

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

25

26 **HB12-1068** by Representative(s) McKinley; also Senator(s) Grantham-
27 -Concerning the administration of a nonprofit cemetery
28 corporation by persons who own the right to bury a
29 deceased person within the cemetery.

30

31 Representative Becker moved that HB12-1068 be referred to the
32 Committee on Appropriations.

33

34

35 House in recess. House reconvened.

36

37

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

39

(continued)

40

41 A substitute motion by Representative McKinley that he be given
42 permission to offer a third reading amendment was declared **lost** by the
43 following roll call vote:

	YES	31	NO	32	EXCUSED	2	ABSENT	0
1	Acree	N	Fischer	Y	Looper	N	Solano	Y
2	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
3	Barker	N	Gerou	N	McCann	Y	Soper	Y
4	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
5	Becker	N	Holbert	N	Miklosi	Y	Summers	N
6	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
7	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	N
8	Brown	N	Joshi	N	Pabon	Y	Szabo	N
9	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
10	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
11	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
12	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
13	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
14	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
15	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
16	Fields	E	Liston	N	Singer	Y	Young	Y
17							Speaker	N

Representative Becker's motion that HB12-1068 be referred to the Committee on Appropriations was declared **passed** by the following roll call vote:

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

HB12-1114 by Representative(s) Hamner; also Senator(s) Schwartz--
Concerning the crime of stalking.

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	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
54	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
55	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

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

15 Co-sponsor(s) added: Representative(s) Casso, Court, Duran, Fischer,
 16 Gardner B., Kagan, Kefalas, Kerr J., Labuda, Nikkel, Pabon, Pace, Peniston,
 17 Priola, Ryden, Schafer S., Singer, Stephens, Todd, Vigil, Waller, Young.

18
 19 **HB12-1169** by Representative(s) Gardner B. and Duran; also
 20 Senator(s) Brophy and Morse--Concerning a clarification
 21 of the circumstances under which voting to elect
 22 leadership of a public body may be held by secret ballot in
 23 accordance with the state open meetings law.

24
 25 The question being "Shall the bill pass?".

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

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

48 Co-sponsor(s) added: Representative(s) Court, Kefalas, Murray, Todd.

49
 50 **HB12-1030** by Representative(s) Looper and Priola, Barker, Brown,
 51 Ramirez, Tyler; also Senator(s) Williams S., Hudak--
 52 Concerning the repeal of requirements that specified types
 53 of information be submitted to legislative committees, and,
 54 in connection therewith, repealing certain transportation
 55 and energy-related information submission requirements.
 56

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	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	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.	E
21	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
22	Fields	E	Liston	Y	Singer	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Fischer, Hamner, Holbert, Kerr J.,
 25 Todd, Young.

26
 27 **HB12-1163** by Representative(s) Waller; also Senator(s) Morse--
 28 Concerning limited peace officer authority designations.

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

	YES	60	NO	3	EXCUSED	2	ABSENT	0
36	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
37	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
38	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
40	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
41	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
42	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
43	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
47	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
48	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
49	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
50	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
51	Fields	E	Liston	Y	Singer	Y	Young	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Barker, Kerr J., Pace, Todd.

54
 55

1 **HB12-1285** by Representative(s) Gerou; also Senator(s) Jahn--
 2 Concerning modifications to statutory provisions
 3 governing intergovernmental cooperation to address
 4 wildland fire mitigation where a municipality owns land
 5 inside a county for utility purposes.

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

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

30 Co-sponsor(s) added: Representative(s) Conti, Gardner B., Hamner, Kerr J.,
 31 Nikkel.

32
 33 **HB12-1288** by Representative(s) Murray; also Senator(s) Bacon--
 34 Concerning the administration of information technology
 35 projects in state government.

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

	YES	63	NO	0	EXCUSED	2	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	Y	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.	E

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	E	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Brown, Gerou, Holbert, Liston, Todd,
5 Wilson.

6
7 **HB12-1204** by Representative(s) McCann, Kefalas, Young; also
8 Senator(s) Boyd--Concerning the continuation of the
9 regulation of hemodialysis technicians, and, in connection
10 therewith, implementing the sunset review
11 recommendations of the department of regulatory
12 agencies.
13

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

15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.
18

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

37 .Co-sponsor(s) added: Representative(s) Fischer, Labuda, Massey, Schafer S.,
38 Summers, Todd
39
40
41

42
43
44 On motion of Representative Waller, **HB12-1206, SB12-043,**
45 **HB12-1244, 1222, 1224** were added to the Special Orders Calendar on
46 Monday, February 27, 2012.
47
48

49 On motion of Representative Beezley, the House resolved itself into
50 Committee of the Whole for consideration of Special Orders and he was
51 called to the Chair to act as Chairman.
52
53
54
55

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.)

HB12-1043 by Representative(s) Conti--Concerning concurrent enrollment for students who may complete high school graduation requirements before the end of twelfth grade.

As amended, rereferred to the Committee on Education.

HB12-1206 by Representative(s) Acree, Baumgardner, Becker, Ramirez, Scott, Solano; also Senator(s) Morse--Concerning the implementation of sunset review of the cold case task force.

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

SB12-043 by Senator(s) King K.; also Representative(s) Stephens--Concerning clarification of the ages of children who may attend a children's resident camp.

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

HB12-1244 by Representative(s) Scott; also Senator(s) Foster--Concerning an inventory of local governmental entities created by the secretary of state, and, in connection therewith, specifying the information that must be included in the inventory.

Amendment No. 1, Local Government Report, dated February 22, 2012, and placed in member's bill file; Report also printed in House Journal, February 23, pages 355-356.

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

HB12-1222 by Representative(s) Becker, Gerou, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the recreation of the department of transportation renovation fund to be used for transportation-related purposes.

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

HB12-1224 by Representative(s) Becker, Gerou, Levy; also Senator(s) Lambert, Hodge, Steadman--Concerning the creation of a consolidated communications system authority.

1 Amendment No. 1, Transportation Report, dated February 22, 2012, and
 2 placed in member's bill file; Report also printed in House Journal,
 3 February 23, pages 357-359.

4
 5 As amended, ordered engrossed and placed on the Calendar for Third
 6 Reading and Final Passage.

7

8

9

10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11

12 Passed Second Reading: **HB12-1206, SB12-043, 1244 amended, 1222,**
 13 **1224 amended.**

14

15 Rereferred to Committee indicated: **HB12-1043 amended**--Education.

16

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

21

22	YES	63	NO	0	EXCUSED	2	ABSENT	0
23	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
24	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
25	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
26	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
27	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
28	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
29	Bradford	Y	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	Y	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	Y
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
37	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
38	Fields	E	Liston	Y	Singer	Y	Young	Y
39							Speaker	Y

40

41

42

43 On motion of Representative Sonnenberg, the House resolved itself into
 44 Committee of the Whole for consideration of General Orders, and he was
 45 called to the Chair to act as Chairman.

46

47

48 **GENERAL ORDERS--SECOND READING OF BILLS**

49

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

54

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

1 **HB12-1115** by Representative(s) Liston; also Senator(s) Jahn--
2 Concerning business fiscal impact statements.
3

4 Amendment No. 1, Economic & Business Development Report, dated
5 February 14, 2012, and placed in member's bill file; Report also printed
6 in House Journal, February 15, pages 264-265.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB12-1160** by Representative(s) Baumgardner; also Senator(s)
12 Schwartz--Concerning methane gas captured from active
13 and inactive coal mines.
14

15 (Previously amended as printed in House Journal, February 20, page 319)
16

17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.
19

20 **HB12-1172** by Representative(s) Swalm, Conti--Concerning the rates
21 charged to consumers for electricity, and, in connection
22 therewith, prohibiting the imputation of certain costs
23 associated with reductions in greenhouse gas emissions.
24

25 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
26 dated February 15, 2012, and placed in member's bill file; Report also
27 printed in House Journal, February 16, pages 281-282.
28

29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.
31

32 **HB12-1007** by Representative(s) Szabo; also Senator(s) Grantham--
33 Concerning the requirement that a regulatory analysis be
34 issued prior to the promulgation of rules by a state
35 administrative agency.
36

37 Amendment No. 1, Economic & Business Development Report, dated
38 January 31, 2012, and placed in member's bill file; Report also printed in
39 House Journal, February 1, pages 129-130.
40

41 Amendment No. 2, by Representative(s) Szabo.
42

43 Amend printed bill, page 3, line 10, strike "12-____," and substitute
44 "12-1007,".
45

46 Page 3, line 15, strike "12-____," and substitute "12-1007,".
47

48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50

51 On motion of Representative Waller, consideration of the following bills
52 on the General Orders Calendar was laid over until February 28, retaining
53 place on Calendar: **HB12-1105, 1017, 1005, 1026, 1210, 1121, 1116,**
54 **1283.**
55
56

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

2
3 Representative Jones moved to amend the Report of the Committee of the
4 Whole to reverse the action taken by the Committee in not adopting the
5 following Jones amendment, to HB12-1160, to show that said amendment
6 passed, and that **HB12-1160**, as amended, passed.

7
8 Amend printed bill, page 2, strike lines 2 through 27 and substitute:

9
10 **"SECTION 1.** In Colorado Revised Statutes, 40-2-123, **add** (3.2)
11 (d) as follows:

12
13 **40-2-123. New energy technologies - consideration by**
14 **commission - incentives - demonstration projects - definitions -**
15 **legislative declaration - repeal.** (3.2) In its consideration of generation
16 acquisitions for electric utilities, the commission may give the fullest
17 possible consideration, at a utility's request, to the cost-effective
18 implementation of new energy technologies for the generation of
19 electricity from:

20
21 (d) COAL MINE METHANE GAS. "COAL MINE METHANE GAS" MEANS
22 THE GREENHOUSE GAS METHANE CAPTURED FROM ACTIVE AND INACTIVE
23 COAL MINES, WHERE IT IS DETERMINED THAT THE METHANE IS ESCAPING
24 TO THE ATMOSPHERE."

25
26 Page 3, strike lines 1 through 4.

27
28 The amendment was declared **lost** by the following roll call vote:

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1115 amended, 1160 amended, 1172 amended, 1007 amended.**

Laid over until date indicated retaining place on Calendar: **HB12-1105, 1017, 1005, 1026, 1210, 1121, 1116, 1283** --February 28, 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	60	NO	3	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	N
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	N	Ryden	Y	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
Fields	E	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR12-1014.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmits to the Revisor of Statutes: SB12-077, SB12-034, SB12-087.

HB12-1055 amended as printed in Senate Journal, February 23, 2012, page 236.

SB12-122 amended as printed in Senate Journal, February 22, 2012, pages 225-226.

SB12-057 amended as printed in Senate Journal, February 23, 2012, page 238.

The Senate has adopted and returns herewith: HJR12-1014.

The Senate has passed on Third Reading and returns herewith: HB12-1073, HB12-1198, HB12-1100.

1 The Senate has passed on Third Reading and transmits to the Revisor of
2 Statutes: SB12-031.

3
4 SB12-120 amended as printed in Senate Journal, February 24, 2012,
5 page 249.

6
7 The Senate has passed on Third Reading and returns herewith:
8 HB12-1050.

9
10
11 The Senate has adopted and returns herewith: HJR12- 1010, amended as
12 printed in Senate Journal, February 27, 2012.

13
14
15 The Senate has adopted and transmits herewith: SJR12- 016, amended as
16 printed in Senate Journal, February 27, 2012.

17
18
19
20
21 **MESSAGE(S) FROM THE REVISOR**

22
23 We herewith transmit:
24 Without comment, SB12-034, 077, and 087.
25 Without comment, as amended, HB12-1055.
26 Without comment, as amended, SB12-057 and 122.

27
28
29 We herewith transmit:
30 Without comment, SB12-031.
31 Without comment, as amended, SB12-120.

32
33
34
35
36 House in recess. House reconvened.

37
38
39
40
41 **LAY OVER OF CALENDAR ITEM(S)**

42
43 On motion of Representative DelGrosso, the following item(s) on the
44 Calendar was (were) laid over until February 28, retaining place on
45 Calendar:

46
47 Consideration of Third Reading--**HB12-1040, 1095.**
48 Consideration of General Orders--**HB12-1144, 1269, 1123, 1237, 1168.**
49 Consideration of Senate Amendment(s)--**HB12-1078.**

50
51
52
53
54
55
56

1 On motion of Representative DelGrosso, the House adjourned until
2 9:00 a.m., February 28, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

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

Forty-ninth Legislative Day

Tuesday, February 28, 2012

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

2

3 Prayer by Pastor Rick Derbyshire, Mission Hills Church, Littleton.

4

5 Pledge of Allegiance led by Brandon Dorrough, Colorado State
 6 University, Fort Collins.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) A. Williams--1.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Schafer, the reading of the journal of
 17 February 27, 2012, was declared dispensed with and approved as
 18 corrected by the Chief Clerk.

19

20

21

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

23

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

27

28 **HB12-1095** by Representative(s) Waller; also Senator(s) Newell--
 29 Concerning electronic court documents.

30

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

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

35

	YES	64	NO	0	EXCUSED	1	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
38	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
42	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
43	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y

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

11 Co-sponsor(s) added: Representative(s) Barker, Gardner B., Gerou, Kerr J.

12
13 **HB12-1206** by Representative(s) Acree, Baumgardner, Becker,
14 Ramirez, Scott, Solano; also Senator(s) Morse--
15 Concerning the implementation of sunset review of the
16 cold case task force.

17
18 The question being "Shall the bill pass?".

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

23	YES	64	NO	0	EXCUSED	1	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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.	E
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) Barker, Bradford, Fields, Fischer,
42 Gardner B., Jones, Kerr J., Labuda, Lee, Nikkel, Pabon, Pace, Schafer S.,
43 Stephens, Szabo, Todd, Vigil.

44
45 **SB12-043** by Senator(s) King K.; also Representative(s) Stephens--
46 Concerning clarification of the ages of children who may
47 attend a children's resident camp.

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**.

54	YES	64	NO	0	EXCUSED	1	ABSENT	0
55	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
56	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	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.	E
13	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
14	Fields	Y	Liston	Y	Singer	Y	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Fields, Hamner, Holbert, Kerr J.,
 17 Labuda, Murray, Nikkel, Schafer S., Summers, Todd, Wilson.

18
 19 **HB12-1244** by Representative(s) Scott; also Senator(s) Foster--
 20 Concerning an inventory of local governmental entities
 21 maintained by the Department of Local Affairs, and, in
 22 connection therewith, requiring the inclusion of certain
 23 information in the inventory.

24
 25 The question being "Shall the bill pass?".
 26 A roll call vote was taken. As shown by the following recorded vote, a
 27 majority of those elected to the House voted in the affirmative and the bill
 28 was declared **passed**.

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

48 Co-sponsor(s) added: Representative(s) Bradford, Ferrandino, Hullinghorst,
 49 Murray, Pace, Wilson.

50
 51
 52 **HB12-1222** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 53 Hodge, Steadman, Lambert--Concerning the recreation of
 54 the department of transportation renovation fund to be
 55 used for transportation-related purposes.
 56

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	63	NO	1	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	Y	Soper	Y
10	Baumgardner	Y	Hamner	Y	McKinley	N	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.	E
21	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
22	Fields	Y	Liston	Y	Singer	Y	Young	Y
23							Speaker	Y

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

25
 26 **HB12-1224** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 27 Lambert, Hodge, Steadman--Concerning the creation of a
 28 consolidated communications system authority.

29
 30 As shown by the following roll call vote, a majority of all members
 31 elected to the House voted in the affirmative, and Representative Becker
 32 was given permission to offer a Third Reading amendment:

	YES	61	NO	3	EXCUSED	1	ABSENT	0
35	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
36	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N
37	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
38	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
39	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
40	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
41	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
42	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
43	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
44	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
45	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
46	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
47	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
48	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
49	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
50	Fields	Y	Liston	Y	Singer	Y	Young	Y
51							Speaker	Y

52
 53 **Third Reading amendment No. 1**, by Representative Becker.

54
 55 Amend engrossed bill, page 3, line 25, strike "(4)" and substitute "(5)".

56

1 Page 3, strike line 27.

2
3 Page 4, strike line 1.

4
5 Renumber succeeding subsections accordingly.

6
7 Page 6, line 26, strike "(A)" and substitute "(I)".

8
9 Page 7, line 1, strike "(B)" and substitute "(II)".

10
11 Page 7, line 3, strike "(C)" and substitute "(III)".

12
13 Page 7, line 5, strike "(D)" and substitute "(IV)".

14
15 Page 7, line 7, strike "(E)" and substitute "(V)".

16
17 Page 7, line 9, strike "(F)" and substitute "(VI)".

18
19 The amendment was declared **passed** by the following roll call vote:

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

39
40 The question being, "Shall the bill, as amended, pass?"

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

	YES	61	NO	3	EXCUSED	1	ABSENT	0
45								
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	Y	Soper	Y
49	Baumgardner	Y	Hamner	Y	McKinley	N	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	N

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.	E
4	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
5	Fields	Y	Liston	Y	Singer	Y	Young	N
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Hamner, Hulinghorst, Jones, Tyler,
8 Wilson.

9
10 **HB12-1115** by Representative(s) Liston; also Senator(s) Jahn--
11 Concerning business fiscal impact statements.

12
13 The question being "Shall the bill pass?".

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

17								
18	YES	41	NO	22	EXCUSED	2	ABSENT	0
19	Acree	Y	Fischer	N	Looper	Y	Solano	N
20	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
21	Barker	Y	Gerou	Y	McCann	N	Soper	N
22	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
23	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
24	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
25	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
26	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
27	Casso	N	Kagan	N	Pace	Y	Todd	N
28	Conti	Y	Kefalas	N	Peniston	N	Tyler	Y
29	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
30	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
31	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
32	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	E
33	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
34	Fields	N	Liston	Y	Singer	N	Young	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Becker, Beezley, Bradford, Brown,
37 Conti, Coram, DelGrosso, Gerou, Holbert, Joshi, Murray, Nikkel, Scott,
38 Summers, Swalm, Waller, Speaker.

39
40 **HB12-1160** by Representative(s) Baumgardner; also Senator(s)
41 Schwartz--Concerning methane gas captured from active
42 and inactive coal mines.

43
44 The question being "Shall the bill pass?".

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

48								
49	YES	34	NO	29	EXCUSED	2	ABSENT	0
50	Acree	Y	Fischer	N	Looper	Y	Solano	N
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	Y	Gerou	Y	McCann	N	Soper	N
53	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
55	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y

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

11 Co-sponsor(s) added: Representative(s) Becker, Bradford, Brown, Coram,
 12 Holbert, Joshi, Kerr J., Liston, Looper, Murray, Scott, Sonnenberg, Summers,
 13 Swalm, Speaker.

14
 15 **HB12-1007** by Representative(s) Szabo; also Senator(s) Grantham--
 16 Concerning the requirement that a regulatory analysis be
 17 issued prior to the promulgation of rules by a state
 18 administrative agency.

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

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

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

43 Co-sponsor(s) added: Representative(s) Barker, Becker, Beezley, Bradford,
 44 Brown, Coram, DelGrosso, Gardner B., Gerou, Holbert, Joshi, Kerr J., Liston,
 45 Murray, Nikkel, Stephens, Summers, Swalm, Vaad, Speaker.

46
 47
 48
 49
 50
 51 On motion of Representative Balmer, the House resolved itself into
 52 Committee of the Whole for consideration of General Orders, and he was
 53 called to the Chair to act as Chairman.

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.)

HB12-1210 by Representative(s) Beezley, Holbert, Becker, Joshi, Kagan, Liston, Miklosi, Szabo; also Senator(s) Jahn--
Concerning the recognition of professionals in good standing from other states to practice in Colorado.

Amendment No. 1, Economic & Business Development Report, dated February 14, 2012, and placed in member's bill file; Report also printed in House Journal, February 15, page 265.

Amendment No. 2, by Representative(s) Singer.

Amend printed bill, page 3, after line 2 insert:

"(III) A PROFESSIONAL PRACTICING UNDER THIS SECTION SHALL DISCLOSE HIS OR HER LICENSE STATUS IN WRITING IN ADVANCE TO ANY CLIENT OR CUSTOMER, INCLUDING AT LEAST ON THE FRONT SIDE OF A BUSINESS CARD AND ON ANY WEB SITE UNDER THE CONTROL OF THE PROFESSIONAL OR THEIR EMPLOYER. THE DISCLOSURE MUST INDICATE THE STATE IN WHICH THEY ARE CURRENTLY LICENSED AND THE STATUS OF THEIR COLORADO LICENSE AS "PENDING".

Renumber succeeding subparagraph accordingly.

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

Amend printed bill, page 2, after line 22 insert:

"(II) A PERSON PRACTICING HIS OR HER PROFESSION PURSUANT TO THIS PARAGRAPH (f) SHALL NOT EXCEED THE SCOPE OF PRACTICE AUTHORIZED BY THE APPLICABLE PRACTICE ACT OF THIS STATE OR EXCEED THE SCOPE OF PRACTICE AUTHORIZED IN THE STATE IN WHICH THE LICENSE, CERTIFICATE, OR REGISTRATION WAS ISSUED."

Renumber succeeding subparagraphs accordingly.

Amendment No. 4, by Representative(s) Peniston.

Amend printed bill, page 2, line 11, strike "ONE YEAR" and substitute "NINE MONTHS".

Amendment No. 5, by Representative(s) Beezley.

Amend printed bill, page 3, line 2, after the period insert "IF A LICENSE, CERTIFICATE, OR REGISTRATION WOULD BE DENIED BECAUSE AN APPLICANT HAS NOT MET AN EDUCATIONAL OR CONTINUING EDUCATION REQUIREMENT, THE DIRECTOR OR THE BOARD, WHICHEVER IS APPLICABLE,

1 SHALL ALLOW THE APPLICANT UP TO ONE YEAR AFTER THE DATE THE
2 APPLICATION WAS MADE TO MEET THE EDUCATIONAL OR CONTINUING
3 EDUCATIONAL REQUIREMENT."

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1144** by Representative(s) Fischer, Duran, Hamner,
9 Hullinghorst, Kefalas, Kerr A., Peniston, Ryden,
10 Schafer S., Solano, Tyler, Young; also Senator(s) Bacon--
11 Concerning authorizing institutions of higher education to
12 enter into employment contracts for non-tenure-track
13 classroom teachers.

14
15 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
16 February 16, 2012, and placed in member's bill file; Report also printed
17 in House Journal, February 17, pages 303-304.

18
19 Amendment No. 2, by Representative(s) Waller.

20
21 Amend printed bill, page 2, line 11, strike "FIVE" and substitute "THREE".

22
23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25
26 **HB12-1269** by Representative(s) Kerr J.--Concerning the threshold
27 amount of campaign activity by a candidate committee in
28 connection with a special district election that triggers
29 disclosure requirements under the "Fair Campaign
30 Practices Act".

31
32 Ordered engrossed and placed on the Calendar for Third Reading and
33 Final Passage.

34
35 **HB12-1123** by Representative(s) Conti, Becker, Brown, DelGrosso,
36 Holbert, Murray, Nikkel, Ramirez, Scott, Summers,
37 Swalm, Szabo; also Senator(s) Williams S.--Concerning
38 an increase in the transparency of proceedings before the
39 public utilities commission by requiring the commission to
40 report annually to the general assembly regarding matters
41 discussed on the record in energy rate case hearings.

42
43 Amendment No. 1, Transportation Report, dated February 16, 2012, and
44 placed in member's bill file; Report also printed in House Journal,
45 February 17, pages 305-306.

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

49
50 **HB12-1168** by Representative(s) Young, Fischer, Kerr A., Levy; also
51 Senator(s) Morse--Concerning clarification of provisions
52 authorizing ignition interlock devices.

53
54 Amendment No. 1, Judiciary Report, dated February 21, 2012, and
55 placed in member's bill file; Report also printed in House Journal,
56 February 22, page 349.

1 Amendment No. 2, by Representative(s) Barker.

2
3 Amend printed bill, page 13, line 25, after "(A)", insert "and (9) (c)".

4
5 Page 14, after line 12, insert:

6
7 **"42-2-126. Revocation of license based on administrative**
8 **determination. (9) Appeal. (c)** A filing of a petition for judicial
9 review shall not result in an automatic stay of the revocation order. The
10 court may grant a stay of the order only upon a motion and hearing and
11 upon a finding that there is a reasonable probability that the person will
12 prevail upon the merits and that the person will suffer irreparable harm if
13 the order is not stayed. FOR PURPOSES OF THIS SECTION, "IRREPARABLE
14 HARM" INCLUDES BUT IS NOT LIMITED TO A LOSS OF AT LEAST FIVE
15 HUNDRED DOLLARS AS A RESULT OF THE REVOCATION IF A STAY IS NOT
16 GRANTED."

17
18 As amended, declared **lost** on Second Reading.

19 (For change in action, see Amendments to Report, page 416.)

20
21 **HB12-1006** by Representative(s) Todd, Barker, Murray, Ramirez,
22 Soper, Summers, Waller; also Senator(s) Spence, Aguilar,
23 Bacon, Brophy, Giron, Roberts--Concerning the voluntary
24 contribution designation benefiting the American Red
25 Cross Colorado disaster response, readiness, and
26 preparedness fund that appears on the state individual
27 income tax return forms.

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

31
32 **HB12-1023** by Representative(s) Nikkel; also Senator(s) King S.--
33 Concerning the creation of a fallen heroes license plate.

34
35 Amendment No. 1, Appropriations Report, dated February 24, 2012, and
36 placed in member's bill file; Report also printed in House Journal,
37 February 24, pages 366-367.

38
39 As amended, ordered engrossed and placed on the Calendar for Third
40 Reading and Final Passage.

41
42 **HB12-1041** by Representative(s) Labuda; also Senator(s) Guzman--
43 Concerning the creation of an electronic death registration
44 system in the department of public health and
45 environment.

46
47 Amendment No. 1, Health & Environment Report, dated
48 January 31, 2012, and placed in member's bill file; Report also printed in
49 House Journal, February 1, page 131.

50
51 Amendment No. 2, Appropriations Report, dated February 24, 2012, and
52 placed in member's bill file; Report also printed in House Journal,
53 February 24, pages 367-378.

54
55

1 Amendment No. 3, by Representative(s) Labuda.

2
3 Amend the Appropriations Committee Report, dated February 24, 2012,
4 page 1, strike lines 2 through 21 and substitute:

5
6 **""SECTION 2. Appropriation.** (1) In addition to any other
7 appropriation, there is hereby appropriated, out of any moneys in the vital
8 statistics records cash fund created in section 25-2-121 (2) (b), Colorado
9 Revised Statutes, not otherwise appropriated, to the department of public
10 health and environment, for the fiscal year beginning July 1, 2012, the
11 sum of \$743,940, or so much thereof as may be necessary, to be allocated
12 to the center for health and environmental information division for the
13 implementation of this act as follows:

14
15 (a) \$665,000 for the health statistics and vital records subdivision,
16 operating expenses; and

17
18 (b) \$78,940 for the information technology subdivision,
19 management and administration of OIT.

20
21 (2) In addition to any other appropriation, there is hereby
22 appropriated to the governor - lieutenant governor - state planning and
23 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$78,940,
24 or so much thereof as may be necessary, for allocation to the office of
25 information technology, statewide IT management, for the provision of
26 project management services to the department of public health and
27 environment related to the implementation of this act. Said sum is from
28 reappropriated funds received from the department of public health and
29 environment out of the appropriation made in subsection (1) (b) of this
30 section."."

31
32 Page 2 of the Appropriations Committee Report, strike lines 1 through 9.

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

36
37 **HB12-1052** by Representative(s) Summers; also Senator(s) Boyd and
38 Roberts--Concerning the collection of health care work
39 force data from health care professionals.

40
41 Amendment No. 1, Economic & Business Development Report, dated
42 February 2, 2012, and placed in member's bill file; Report also printed in
43 House Journal, February 6, page 150.

44
45 Amendment No. 2, Appropriations Report, dated February 24, 2012, and
46 placed in member's bill file; Report also printed in House Journal,
47 February 24, page 368.

48
49 As amended, ordered engrossed and placed on the Calendar for Third
50 Reading and Final Passage.

51
52 **HB12-1125** by Representative(s) Ramirez, Sonnenberg, Looper; also
53 Senator(s) Steadman--Concerning procedures related to
54 the costs of impounded animals.

55
56 Amendment No. 1, by Representative(s) Ramirez.

1 Amend printed bill, page 2, line 6, after "(a)" insert "(I)".

2
3 Page 3, after line 4 insert:

4
5 "(II) THE OWNER OR CUSTODIAN MAY REQUEST A HEARING
6 REGARDING THE AMOUNT OF THE IMPOUNDMENT, CARE, AND PROVISION
7 COSTS IN ACCORDANCE WITH PARAGRAPH (c) OF THIS SUBSECTION (1)".

8
9 Laid over unamended, until February 29, retaining place on Calendar.

10
11 On motion of Representative Waller, consideration of the following bills
12 on the General Orders Calendar was laid over until February 29, retaining
13 place on Calendar: **HB12-1105, 1017, 1005, 1026, 1121, 1237, 1116,**
14 **1283, 1149.**

15
16
17 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

18
19 Representative Young moved to amend the Report of the Committee of
20 the Whole to reverse the action taken by the Committee in not adopting
21 HB12-1168, to show that **HB12-1168**, as amended, passed.

22
23 The amendment was declared **passed** by the following roll call vote:

25	YES	39	NO	25	EXCUSED	1	ABSENT	0
26	Acree	Y	Fischer	Y	Looper	N	Solano	Y
27	Balmer	N	Gardner B.	Y	Massey	N	Sonnenberg	N
28	Barker	N	Gerou	N	McCann	Y	Soper	Y
29	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
30	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
31	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
32	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
33	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
34	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
35	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
36	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
37	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
38	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
39	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
40	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
41	Fields	Y	Liston	N	Singer	Y	Young	Y
42							Speaker	Y

43
44 Representative Schafer moved to amend the Report of the Committee of
45 the Whole to reverse the action taken by the Committee in adopting
46 amendment No. 5 by Representative Beezley (printed in House Journal
47 page 412, lines 51-56 and page 413, lines 1-3), to HB12-1210, to show
48 that Representative Beezley's amendment lost, that the following
49 amendment by Representative Schafer passed, and that **HB12-1210**, as
50 amended, passed.

51
52 Amend printed bill, page 3, after line 6 insert:

53
54 "(IV) THIS PARAGRAPH (f) SHALL ONLY APPLY TO PROFESSIONS
55 WHERE THERE IS A DOCUMENTED SHORTAGE OF WORKERS IN THE STATE.".

56

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

	YES	30	NO	34	EXCUSED	1	ABSENT	0
4	Acree	N	Fischer	Y	Looper	N	Solano	Y
5	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
6	Barker	N	Gerou	N	McCann	Y	Soper	Y
7	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
8	Becker	N	Holbert	N	Miklosi	N	Summers	N
9	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
10	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	N
11	Brown	N	Joshi	N	Pabon	Y	Szabo	N
12	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
13	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
14	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
15	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
16	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
17	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
18	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
19	Fields	Y	Liston	N	Singer	N	Young	Y
20							Speaker	N

21
22 Representative Pabon moved to amend the Report of the Committee of
23 the Whole to reverse the action taken by the Committee in adopting
24 Amendment No. 3 by Representative Beezley (printed in House Journal
25 page 412, lines 34-44) to HB12-1210, to show that Representative
26 Beezley's amendment lost, that the following amendment by
27 Representative Pabon passed, and that **HB12-1210**, as amended, passed.

28
29 Amend printed bill, page 2, after line 22 insert:

30
31 "(II) IF MORE THAN ONE-HALF OF ONE PERCENT OF PERSONS
32 PRACTICING A PROFESSION OR OCCUPATION REGULATED PURSUANT TO
33 TITLE 12, C.R.S., ARE CURRENTLY RECEIVING UNEMPLOYMENT
34 COMPENSATION BENEFITS, THEN A PERSON WHOSE INTENT IS TO APPLY FOR
35 A LICENSE, CERTIFICATION, OR REGISTRATION IN THE PROFESSION OR
36 OCCUPATION PURSUANT TO TITLE 12, C.R.S., IS EXEMPT FROM THIS
37 PARAGRAPH (f).".

38
39 Renumber succeeding subparagraphs accordingly.

40
41 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	34	EXCUSED	1	ABSENT	0
44	Acree	N	Fischer	Y	Looper	N	Solano	Y
45	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
46	Barker	N	Gerou	N	McCann	Y	Soper	Y
47	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
48	Becker	N	Holbert	N	Miklosi	N	Summers	N
49	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
50	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
51	Brown	N	Joshi	N	Pabon	Y	Szabo	N
52	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
53	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
54	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
55	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
56	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N

Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1210 amended, 1144 amended, 1269, 1123 amended, 1168 amended, 1006, 1023 amended, 1041 amended, 1052 amended.**

Laid over until date indicated retaining place on Calendar: **HB12-1105, 1017, 1005, 1026, 1121, 1149, 1125, 1237, 1116, 1283, 1125 unamended, 1149--February 29, 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	62	NO	2	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	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.	E
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

SB12-009 be referred favorably to the Committee on Finance.

1 **SB12-048** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 6, strike lines 11 through 15.
6
7

8
9 **SB12-097** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend reengrossed bill, page 3, line 9, strike "A" and substitute "AN
14 INTERVENING SURFACE DIVERSION POINT OR INFLOW OR".
15

16 Page 5, line 9, strike "APPLICANT" and substitute "APPLICANT, IN
17 PROSECUTING THE SIMPLE CHANGE IN A SURFACE POINT OF DIVERSION,".
18

19 Page 5, line 18, strike "1996)." and substitute "1996); EXCEPT THAT
20 NOTHING IN THIS SUBSECTION (3.5) RELIEVES THE APPLICANT OR ITS
21 SUCCESSORS IN ANY PENDING OR FUTURE DILIGENCE APPLICATION FROM
22 ANY OF THE REQUIREMENTS FOR DEMONSTRATING DILIGENCE IN THE
23 DEVELOPMENT OF A CONDITIONAL WATER RIGHT CHANGED PURSUANT TO
24 THIS SUBSECTION (3.5).".
25
26
27
28

29 **EDUCATION**

30 After consideration on the merits, the Committee recommends the
31 following:
32

33 **HB12-1135** be postponed indefinitely.
34
35

36 **HB12-1220** be referred to the Committee of the Whole with favorable
37 recommendation.
38
39
40
41

42 **LOCAL GOVERNMENT**

43 After consideration on the merits, the Committee recommends the
44 following:
45

46 **HB12-1062** be postponed indefinitely.
47
48

49 **HB12-1239** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:
52

53 Amend printed bill, strike everything below the enacting clause and
54 substitute:
55

56 **"SECTION 1.** In Colorado Revised Statutes, 32-1-207, **amend**

1 (2) as follows:

2 **32-1-207. Compliance - modification - enforcement.**

3 (2) (a) After the organization of a special district pursuant to the
4 provisions of this part 2 and part 3 of this article, material modifications
5 of the service plan as originally approved may be made by the governing
6 body of such special district only by petition to and approval by the board
7 of county commissioners or the governing body of the municipality that
8 has adopted a resolution of approval of the special district pursuant to
9 section 32-1-204.5 or 32-1-204.7 in substantially the same manner as is
10 provided for the approval of an original service plan; but the processing
11 fee for such modification procedure shall not exceed two hundred fifty
12 dollars. Such approval of modifications shall be required only with regard
13 to changes of a basic or essential nature, including but not limited to the
14 following: Any addition to the types of services provided by the special
15 district; a decrease in the level of services; a decrease in the financial
16 ability of the district to discharge the existing or proposed indebtedness;
17 or a decrease in the existing or projected need for organized service in the
18 area. Approval for modification shall not be required for changes
19 necessary only for the execution of the original service plan or for
20 changes in the boundary of the special district; except that the inclusion
21 of property that is located in a county or municipality with no other
22 territory within the special district may constitute a material modification
23 of the service plan or the statement of purposes of the special district as
24 set forth in section 32-1-208. In the event that a special district changes
25 its boundaries to include territory located in a county or municipality with
26 no other territory within the special district, the special district shall notify
27 the board of county commissioners of such county or the governing body
28 of the municipality of such inclusion. The board of county commissioners
29 or the governing body of the municipality may review such inclusion and,
30 if it determines that the inclusion constitutes a material modification, may
31 require the governing body of such special district to file a modification
32 of its service plan in accordance with the provisions of this subsection (2).

33
34 (b) A SPECIAL DISTRICT SHALL NOT FURNISH DOMESTIC WATER OR
35 SANITARY SEWER SERVICE DIRECTLY TO RESIDENTS AND PROPERTY
36 OWNERS IN UNINCORPORATED TERRITORY LOCATED IN A COUNTY THAT
37 HAS NOT APPROVED THE SPECIAL DISTRICT'S SERVICE PLAN AND THAT HAS
38 NO OTHER TERRITORY RECEIVING DOMESTIC WATER AND SANITARY SEWER
39 SERVICE DIRECTLY TO RESIDENTS AND PROPERTY OWNERS IN THE COUNTY
40 FROM THE SPECIAL DISTRICT UNLESS THE SPECIAL DISTRICT NOTIFIES THE
41 BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ITS PLAN TO
42 FURNISH DOMESTIC WATER OR SANITARY SEWER SERVICE DIRECTLY TO
43 RESIDENTS AND PROPERTY OWNERS IN THE COUNTY, AND RECEIVES
44 APPROVAL FROM THE BOARD TO DO SO. WITHIN FORTY-FIVE DAYS OF
45 RECEIVING THE NOTIFICATION, THE BOARD MAY REVIEW THE SPECIAL
46 DISTRICT'S PLANNED ACTION AND MAY, IN ITS OWN DISCRETION AND
47 FOLLOWING NOTICE BY THE BOARD, REQUIRE A PUBLIC HEARING PRIOR TO
48 GIVING APPROVAL OF THE PLANNED ACTION, AT WHICH HEARING THE
49 GOVERNING BODY OF THE SPECIAL DISTRICT SHALL PROVIDE SUCH
50 INFORMATION AND DATA AS THE BOARD REASONABLY REQUESTS.

51
52 (c) BEFORE APPROVING A PLANNED SPECIAL DISTRICT ACTION
53 DESCRIBED IN PARAGRAPH (b) OF THIS SUBSECTION (2), THE BOARD OF
54 COUNTY COMMISSIONERS OF A COUNTY SHALL, NOT LESS THAN
55 FORTY-FIVE DAYS PRIOR TO THE FIRST MEETING OF THE BOARD AT WHICH
56 THE APPROVAL SPECIFIED IN PARAGRAPH (b) OF THIS SECTION MAY BE

1 GIVEN, PROVIDE PUBLIC NOTICE IN THE MANNER THAT THE COUNTY
2 REQUIRES OF THE POSSIBLE APPROVAL WITHIN THE NEWLY DESCRIBED
3 AREA TO BE SERVED. THE NOTICE IS REQUIRED TO INCLUDE SPECIFIC
4 NOTIFICATION THAT ANY PROPERTY OWNER WISHING TO HAVE HIS OR HER
5 PROPERTY EXCLUDED FROM THE PROPOSED AREA TO BE SERVED SHALL,
6 NOT LATER THAN FORTY DAYS FROM THE FIRST PUBLIC NOTICE, REQUEST
7 THAT HIS OR HER PROPERTY BE EXCLUDED FROM THE PROPOSED AREA TO
8 BE SERVED BY THE SPECIAL DISTRICT. THE BOARD IS NOT LIMITED IN ITS
9 ACTION WITH RESPECT TO EXCLUSION OF TERRITORY BASED ON THE
10 REQUEST. A REQUEST FOR EXCLUSION SHALL INCLUDE A LEGAL
11 DESCRIPTION OF THE PROPERTY SUBJECT TO THE REQUEST, AND THE
12 BOARD SHALL ACT UPON THE REQUEST BEFORE TAKING FINAL ACTION ON
13 THE REQUEST FOR APPROVAL PURSUANT TO PARAGRAPH (b) OF THIS
14 SUBSECTION (2).

15
16 (d) THE REQUIREMENTS DETAILED IN PARAGRAPHS (b) AND (c) OF
17 THIS SUBSECTION (2) DO NOT APPLY WHEN:

18
19 (I) A SPECIAL DISTRICT PROVIDES DOMESTIC WATER OR SANITARY
20 SEWER SERVICE ONLY TO PRIVATE PROPERTY OWNERS PURSUANT TO
21 WRITTEN AGREEMENT BETWEEN THE SPECIAL DISTRICT AND THE PROPERTY
22 OWNERS, OR THE PREDECESSOR-IN-INTEREST OF THE PROPERTY OWNERS;
23

24 (II) A SPECIAL DISTRICT PROVIDES DOMESTIC WATER OR SANITARY
25 SEWER SERVICE WITHIN THE BOUNDARIES OF ANOTHER GOVERNMENTAL
26 ENTITY, INCLUDING, WITHOUT LIMITATION, A CITY, A MUNICIPALITY, OR
27 ANOTHER SPECIAL DISTRICT; OR
28

29 (III) A SPECIAL DISTRICT PROVIDES ANY STORM DRAINAGE OR
30 STORM SEWER SERVICES OR FACILITIES WITHIN THE COUNTY.
31

32 **SECTION 2. Safety clause.** The general assembly hereby finds,
33 determines, and declares that this act is necessary for the immediate
34 preservation of the public peace, health, and safety."
35

36 Page 1, strike lines 101 through 112 and substitute: "**CONCERNING**
37 **REQUIRED COUNTY APPROVAL FOR THE EXPANSION OF SPECIAL**
38 **DISTRICT DOMESTIC WATER OR SANITARY SERVICE INTO A COUNTY**
39 **THAT HAS NOT PREVIOUSLY APPROVED THE SPECIAL DISTRICT'S**
40 **SERVICE PLAN.**".
41

42 INTRODUCTION OF BILLS

43 First Reading

44

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

48 **HB12-1318** by Representative(s) Brown, Sonnenberg, Vigil; also
49 Senator(s) Schwartz, Bacon, Renfroe--Concerning the
50 development of guidelines regarding the eligibility of
51 controlled maintenance funding for state facilities.
52 Committee on Finance
53

54 **SB12-057** by Senator(s) Williams S.; also Representative(s) Brown--
55 Concerning native American language instruction.
56 Committee on Education

- 1 **SB12-077** by Senator(s) Jahn, Cadman, Johnston, Newell, Steadman,
2 White, Williams S.; also Representative(s) Sonnenberg,
3 Summers, Coram, Labuda, Nikkel, Swerdfeger, Szabo--
4 Concerning the repeal of laws under which the Colorado
5 department of public health and environment regulates
6 certain activities associated with yellow grease.
7 Committee on Health and Environment
8
9 **SB12-087** by Senator(s) Foster; also Representative(s) Kerr J.--
10 Concerning the period marking the commencement of the
11 accrual of interest on the refund of property taxes
12 erroneously collected.
13 Committee on Finance
14
15 **SB12-092** by Senator(s) Jahn, Cadman, Boyd, Hodge, Hudak, King
16 S., Tochtrop; also Representative(s) Liston--Concerning
17 the use of a video display in a motor vehicle that is being
18 operated on a roadway.
19 Committee on Transportation
20
21 **SB12-099** by Senator(s) Spence; also Representative(s) Todd--
22 Concerning expansion of access to services for juveniles
23 at the academic model juvenile facility.
24 Committee on Health and Environment
25
26 **SB12-147** by Senator(s) Aguilar; also Representative(s) Williams A.-
27 -Concerning the intent to prevent a person from voting in
28 an election by intentionally communicating false
29 information.
30 Committee on Judiciary
31
32
33

LAY OVER OF CALENDAR ITEM(S)

34
35
36 On motion of Representative Ramirez, the following item(s) on the
37 Calendar was (were) laid over until February 29, retaining place on
38 Calendar:
39

40 Consideration of Third Reading--**HB12-1040, 1172.**
41 Consideration of General Orders--**HB12-1216, 1140, 1228, 1304, 1036,**
42 **1262.**
43 Consideration of Senate Amendment(s)--**HB12-1078, 1055,**
44 **HJR12-1010.**
45
46
47

48 On motion of Representative Ramirez, the House adjourned until
49 9:00 a.m., February 29, 2012.
50

51
52
53
54 Attest:
55 MARILYN EDDINS,
56 Chief Clerk

Approved:
FRANK McNULTY,
Speaker

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

Fiftieth Legislative Day

Wednesday, February 29, 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 Sarah Lauer, Ian Dehmel, and Ben Pepper,
 7 Metropolitan State College, Denver.

8

9 The roll was called with the following result:

10

11 Present--64.

12 Absent--Representative(s) Szabo--1.

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

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Schafer, the reading of the journal of
 19 February 28, 2012, was declared dispensed with and approved as
 20 corrected by the Chief Clerk.

21

22

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

24

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

28

29 **HB12-1040** by Representative(s) Casso; also Senator(s) Tochtrop--
 30 Concerning recognition of September 11 as a state holiday
 31 in certain years, and, in connection therewith, designating
 32 September 11 as "Patriot Day".

33

34 Upon request of Representative Casso the bill was read at length.

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

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

39

40	YES	38	NO	27	EXCUSED	0	ABSENT	0
41	Acree	N	Fischer	Y	Looper	N	Solano	Y
42	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
43	Barker	N	Gerou	Y	McCann	N	Soper	N

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

15 Co-sponsor(s) added: Representative(s) Duran, Fields, Fischer, Hamner, Jones,
 16 Kagan, Kefalas, Kerr A., Miklosi, Pabon, Pace, Peniston, Ryden, Schafer S.,
 17 Singer, Todd, Vigil, Williams A., Young.

18
 19 **HB12-1172** by Representative(s) Swalm, Conti; also Senator(s)
 20 Harvey--Concerning the rates charged to consumers for
 21 electricity, and, in connection therewith, prohibiting the
 22 imputation of certain costs associated with reductions in
 23 greenhouse gas emissions.

24
 25 The question being "Shall the bill pass?".

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

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

48 Co-sponsor(s) added: Representative(s) Acree, Beezley, Brown, Coram,
 49 DelGrosso, Holbert, Kerr J., Looper, Scott, Vaad, Waller.

50
 51 **HB12-1210** by Representative(s) Beezley, Holbert, Becker, Joshi,
 52 Kagan, Liston, Miklosi, Szabo; also Senator(s) Jahn--
 53 Concerning the recognition of professionals in good
 54 standing from other states to practice in Colorado.

55
 56 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	45	NO	20	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	N	McCann	N	Soper	N
Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	N	Kagan	Y	Pace	Y	Todd	N
Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
Duran	N	Lee	Y	Schafer S.	Y	Williams A.	N
Ferrandino	N	Levy	Y	Scott	Y	Wilson	N
Fields	N	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Barker, Murray, Priola.

HB12-1144 by Representative(s) Fischer, Duran, Hamner, Hullinghorst, Kefalas, Kerr A., Peniston, Ryden, Schafer S., Solano, Tyler, Young; also Senator(s) Bacon-- Concerning authorizing institutions of higher education to enter into employment contracts for non-tenure-track classroom teachers.

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	36	NO	28	EXCUSED	0	ABSENT	1
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	N	Gerou	N	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	N
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
Brown	N	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	-	Todd	Y
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	N	Vaad	N
Court	Y	Kerr J.	N	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	N	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	N

Co-sponsor(s) added: Representative(s) Casso, Fields, Singer, Todd, Vigil, Wilson.

1 **HB12-1123** by Representative(s) Conti, Becker, Brown, DelGrosso,
 2 Holbert, Murray, Nikkel, Ramirez, Scott, Summers,
 3 Swalm, Szabo; also Senator(s) Williams S.--Concerning
 4 an increase in the transparency of proceedings before the
 5 public utilities commission by requiring the commission to
 6 report annually to the general assembly regarding matters
 7 discussed on the record in energy rate cases.
 8

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
15	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
16	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
17	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
18	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
19	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
20	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
21	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
22	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
23	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
24	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
25	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
26	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
27	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
28	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
29	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
30	Fields	Y	Liston	Y	Singer	Y	Young	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Beezley, Joshi, Looper, Priola.
 33

34 **HB12-1168** by Representative(s) Young, Fischer, Kerr A., Levy; also
 35 Senator(s) Morse--Concerning clarification of provisions
 36 authorizing ignition interlock devices.
 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	44	NO	21	EXCUSED	0	ABSENT	0
44	Acree	Y	Fischer	Y	Looper	N	Solano	Y
45	Balmer	Y	Gardner B.	Y	Massey	N	Sonnenberg	N
46	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
47	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
48	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
49	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
50	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
51	Brown	N	Joshi	N	Pabon	Y	Szabo	N
52	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
53	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
54	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
55	Court	Y	Kerr J.	N	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	N	Wilson	Y
3	Fields	Y	Liston	N	Singer	Y	Young	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Casso, Duran, Fields, Hamner, Kagan,
6 McCann, Pabon, Pace, Ryden, Schafer S., Todd, Vigil, Wilson.

7
8 **HB12-1006** by Representative(s) Todd, Barker, Murray, Ramirez,
9 Soper, Summers, Waller; also Senator(s) Spence, Aguilar,
10 Bacon, Brophy, Giron, Roberts--Concerning the voluntary
11 contribution designation benefiting the American Red
12 Cross Colorado disaster response, readiness, and
13 preparedness fund that appears on the state individual
14 income tax return forms.

15
16 The question being "Shall the bill pass?".

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

21	YES	65	NO	0	EXCUSED	0	ABSENT	0
22	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
23	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
26	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
27	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
33	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
37	Fields	Y	Liston	Y	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Conti, Fields, Kerr A., Kerr J., Massey,
40 Pabon, Pace, Priola, Schafer S., Singer, Vigil, Young.

41
42 **HB12-1023** by Representative(s) Nikkel; also Senator(s) King S.--
43 Concerning the creation of a fallen heroes license plate,
44 and in connection therewith, making an appropriation.

45
46 The question being "Shall the bill pass?".

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

51	YES	60	NO	5	EXCUSED	0	ABSENT	0
52	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
53	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
54	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
56	Becker	N	Holbert	N	Miklosi	Y	Summers	Y

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

13 Co-sponsor(s) added: Representative(s) Casso, Coram, Duran, Hamner,
14 Kerr A., Massey, Pace, Ramirez, Schafer S., Stephens, Todd, Young.

15
16 **HB12-1041** by Representative(s) Labuda; also Senator(s) Guzman--
17 Concerning the creation of an electronic death registration
18 system in the department of public health and
19 environment, and, in connection therewith, making an
20 appropriation.
21

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

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.
26

27	YES	64	NO	1	EXCUSED	0	ABSENT	0
28	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	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	Y	Singer	Y	Young	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Hullinghorst, Schafer S., Young.

46
47 **HB12-1052** by Representative(s) Summers; also Senator(s) Boyd and
48 Roberts--Concerning the collection of health care work
49 force data from health care professionals, and in
50 connection therewith, making an appropriation.
51

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

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

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

19 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Jones, Kefalas,
 20 Kerr A., Kerr J., Labuda, Massey, Schafer S., Singer, Todd, Wilson, Young.

21
 22
 23
 24 On motion of Representative Holbert, the House resolved itself into
 25 Committee of the Whole for consideration of General Orders, and he was
 26 called to the Chair to act as Chairman.

30 31 **GENERAL ORDERS--SECOND READING OF BILLS**

32
 33 The Committee of the Whole having risen, the Chairman reported the
 34 titles of the following bills had been read (reading at length had been
 35 dispensed with by unanimous consent), the bills considered and action
 36 taken thereon as follows:

37
 38 (Amendments to the committee amendment are to the printed committee
 39 report which was printed and placed in the members' bill file.)

40
 41 **HB12-1105** by Representative(s) Becker; also Senator(s) Tochtrop--
 42 Concerning wind energy property rights.

43
 44 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
 45 dated January 30, 2012, and placed in member's bill file; Report also
 46 printed in House Journal, January 31, page 120.

47
 48 Amendment No. 2, by Representative(s) Becker.

49
 50 Amend printed bill, page 3, line 14, strike "TWENTY" and substitute
 51 "NINETY".

52
 53 Page 3, line 16, strike "TWENTY" and substitute "NINETY".
 54
 55

1 Amendment No. 3, by Representative(s) Becker.

2
3 Amend printed bill, page 4, strike lines 6 and 7.

4
5 Renumber succeeding C.R.S. section numbers accordingly.

6
7 As amended, ordered engrossed and placed on the Calendar for Third
8 Reading and Final Passage.

9
10 **HB12-1237** by Representative(s) Williams A.; also Senator(s)
11 Harvey--Concerning the records kept by the unit owners'
12 association of a common interest community.

13
14 Amendment No. 1, Local Government Report, dated February 20, 2012,
15 and placed in member's bill file; Report also printed in House Journal,
16 February 21, pages 332-333.

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

20
21 **HB12-1283** by Representative(s) Barker; also Senator(s) Giron--
22 Concerning the department of public safety, and, in
23 connection therewith, renaming and reorganizing certain
24 existing entities.

25
26 Amendment No. 1, by Representative(s) Barker.

27
28 Amend printed bill, page 6, strike lines 13 and 14 and substitute:

29
30 "(a) ~~The division of fire safety, created in section 24-33.5-1201;~~
31 ~~and~~".

32
33 Page 9, line 11, strike "part 12 of this article" and substitute "~~part 12 of~~
34 ~~this article~~".

35
36 Page 9, line 12, strike "and" and substitute "~~and~~".

37
38 Page 13, line 12, strike "TWENTY" and substitute "TWENTY-ONE".

39
40 Page 13, after line 14 insert:

41
42 "(II) THE DIRECTOR OF THE DIVISION OF FIRE SAFETY CREATED IN
43 PART 12 OF THIS ARTICLE, OR HIS OR HER DESIGNEE;".

44
45 Renumber succeeding subparagraphs accordingly.

46
47 Page 18, strike lines 13 through 27.

48
49 Strike pages 19 through 21.

50
51 Page 22, strike lines 1 through 7.

52
53 Renumber succeeding sections accordingly.

54
55 Page 22, line 16, strike "~~division~~ OFFICE" and substitute "division".

56

- 1 Page 22, line 17, strike "DIVISION OF".
- 2
- 3 Page 22, line 18, strike "HOMELAND SECURITY in the" and substitute "~~in~~
- 4 ~~the~~".
- 5
- 6 Page 23, line 1, strike "~~division~~ OFFICE" and substitute "division".
- 7
- 8 Page 23, line 2, strike "DIVISION OF HOMELAND".
- 9
- 10 Page 23, line 3, strike "SECURITY in the" and substitute "~~in the~~".
- 11
- 12 Page 24, strike line 4 and substitute "(1) (c) as follows:".
- 13
- 14 Page 24, line 8, strike "~~division~~ OFFICE" and substitute "division".
- 15
- 16 Page 24, line 9, strike "DIVISION OF HOMELAND SECURITY in the" and
- 17 substitute "~~in the~~".
- 18
- 19 Page 24, line 10, strike "~~division~~ "OFFICE"." and substitute ""division".".
- 20
- 21 Page 24, strike lines 11 through 27.
- 22
- 23 Strike pages 25 through 28.
- 24
- 25 Page 29, strike lines 1 through 16.
- 26
- 27 Page 30, strike lines 20 through 27.
- 28
- 29 Page 31, strike lines 1 and 2.
- 30
- 31 Renumber succeeding sections accordingly.
- 32
- 33 Page 31, strike lines 4 and 5 and substitute "(1) introductory portion and
- 34 (1) (v) (I) as follows:".
- 35
- 36 Page 31, line 24, strike " ~~division~~ OFFICE" and substitute "division".
- 37
- 38 Page 31, line 25, strike "~~division~~ "OFFICE", in the" and substitute
- 39 ""division", ~~in the~~".
- 40
- 41 Page 31, line 26, strike "DIVISION OF HOMELAND SECURITY".
- 42
- 43 Page 32, strike lines 5 through 27.
- 44
- 45 Strike pages 33 through 36.
- 46
- 47 Page 37, strike lines 1 through 5.
- 48
- 49 Page 37, line 7, strike "and **repeal** (2) (b)" and substitute "**repeal** (2) (b);
- 50 and **add** (2) (i)".
- 51
- 52 Page 38, strike lines 9 and 10 and substitute
- 53
- 54 "(A) ~~Division of fire safety, created by part 12 of article 33.5 of~~
- 55 ~~this title; and~~".
- 56

1 Page 38, after line 15 insert:

2

3 "(i) DIVISION OF FIRE SAFETY, THE HEAD OF WHICH IS THE
4 DIRECTOR OF THE DIVISION OF FIRE SAFETY. THE DIVISION OF FIRE SAFETY
5 AND THE OFFICE OF THE DIRECTOR THEREOF, CREATED BY PART 12 OF
6 ARTICLE 33.5 OF THIS TITLE, AND THEIR POWERS, DUTIES, AND FUNCTIONS
7 ARE TRANSFERRED BY A **TYPE 2** TRANSFER TO THE DEPARTMENT OF PUBLIC
8 SAFETY."

9

10 Page 42, strike lines 17 and 18 and substitute "division of fire safety in
11 the office of preparedness, security, and fire safety in the department of
12 public".

13

14 Page 43, line 6, strike "and **repeal** (2) (b)" and substitute "**repeal** (2) (b);
15 and **add** (2) (i)".

16

17 Page 43, line 11, strike "SECURITY." and substitute "SECURITY; AND".

18

19 Page 43, after line 11 insert:

20

21 "(i) DIVISION OF FIRE SAFETY".

22

23 Page 43, line 12, strike "**amend**".

24

25 Page 43, line 13, strike "24-33.5-1201" and substitute "24-33.5-1201,
26 **amend** (1) and (3) (b); and **repeal** (3) (c) and (3) (d)".

27

28 Page 43, line 14, strike "**Office**" and substitute "**Division**".

29

30 Page 43, strike lines 16 through 18 and substitute "the DEPARTMENT THE
31 division of fire safety, referred to in this part 12 as the "division". The
32 head of the division ~~shall be~~ IS the director of the division of fire safety,
33 referred to".

34

35 Page 43, strike lines 22 through 27.

36

37 Page 44, strike lines 1 through 10.

38

39 Page 45, line 13, strike "**amend** (1) and (2.5); and".

40

41 Page 45, strike lines 16 through 18.

42

43 Page 45, strike lines 21 through 26.

44

45 Page 46, strike line 1 and substitute "**amend** (1) (k); and **repeal** (1) (m)".

46

47 Page 46, line 3, strike "**office**. (1) The ~~division~~ OFFICE" and substitute
48 "**division**. (1) The division".

49

50 Page 46, strike lines 12 and 13.

51

52 Page 46, strike lines 18 through 27.

53

54 Page 47, strike lines 1 through 12.

55

56 Renumber succeeding sections accordingly.

- 1 Page 47, line 13, strike "**amend**".
2
3 Page 47, strike line 14 and substitute "24-33.5-1204, **amend** (2) as
4 follows:".
5
6 Page 47, line 17, strike "(1) For the".
7
8 Page 47, strike lines 18 through 24.
9
10 Page 49, strike lines 16 through 27.
11
12 Strike pages 50 through 63.
13
14 Page 64, strike lines 1 through 12.
15
16 Renumber succeeding sections accordingly.
17
18 Page 65, strike lines 4 through 27.
19
20 Page 66, strike lines 1 through 11.
21
22 Renumber succeeding sections accordingly.
23
24 Amendment No. 2, by Representative(s) Barker.
25
26 Amend printed bill, page 4, line 13, strike "(11), and (12)" and substitute
27 "and (11)".
28
29 Page 5, strike lines 10 through 13.
30
31 Renumber succeeding subsections accordingly.
32
33 As amended, ordered engrossed and placed on the Calendar for Third
34 Reading and Final Passage.
35
36 **HB12-1125** by Representative(s) Ramirez, Sonnenberg, Looper; also
37 Senator(s) Steadman--Concerning procedures related to
38 the costs of impounded animals.
39
40 Amendment No. 1, by Representative(s) McKinley.
41
42 Amend printed bill, page 2, line 6, after "(a)" insert "(I)".
43
44 Page 3, after line 4 insert:
45
46 "(II) AS SOON AS PRACTICABLE, BUT NO LATER THAN
47 TWENTY-FOUR HOURS AFTER AN IMPOUNDMENT DESCRIBED UNDER
48 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), AN IMPOUND AGENCY SHALL
49 ALLOW A LICENSED VETERINARIAN OF THE OWNER'S OR CUSTODIAN'S
50 CHOOSING AND AT HIS OR HER EXPENSE TO EXAMINE THE ANIMAL, WHICH
51 EXAMINATION MAY INCLUDE TAKING PHOTOGRAPHS OF THE ANIMAL AND
52 TAKING BIOLOGICAL SAMPLES FOR THE PURPOSE OF DIAGNOSTIC TESTING.
53 FOLLOWING SUCH EXAMINATION, THE IMPOUND AGENCY SHALL ALLOW,
54 AT REASONABLE HOURS AND UPON THE OWNER'S OR CUSTODIAN'S REQUEST
55 AND EXPENSE, THE VETERINARIAN TO MAKE SUBSEQUENT VISITS AS
56 NECESSARY IN ORDER TO PROVIDE MEDICAL CARE OR CONDUCT

1 FOLLOW-UP EXAMINATIONS. NOTHING IN THIS SUBPARAGRAPH (II)
2 PREVENTS AN IMPOUND AGENCY FROM PROVIDING REASONABLE MEDICAL
3 CARE TO ANY IMPOUNDED ANIMAL AS OTHERWISE AUTHORIZED BY THIS
4 SECTION."

5
6 As amended, ordered engrossed and placed on the Calendar for Third
7 Reading and Final Passage.

8
9
10 **HB12-1149** by Representative(s) Beezley, Holbert, Acree, Balmer,
11 Becker, Murray, Ramirez, Summers; also Senator(s)
12 Johnston--Concerning parents' authority to request
13 interventions for low-performing schools.

14
15 Amendment No. 1, Education Report, dated February 6, 2012, and placed
16 in member's bill file; Report also printed in House Journal, February 7,
17 page 173.

18
19 Amendment No. 2, Appropriations Report, dated February 24, 2012, and
20 placed in member's bill file; Report also printed in House Journal,
21 February 24, page 369.

22
23 Amendment No. 3, by Representative(s) Beezley.

24
25 Amend printed bill, page 2, line 11, strike "TAKE ONE OF" and substitute
26 "REFORM THE PUBLIC SCHOOL BY IMPLEMENTING AN ACTION SELECTED BY
27 THE LOCAL SCHOOL BOARD OR THE INSTITUTE FROM AMONG".

28
29 Page 2, line 13, strike "AN ACTION," and substitute "THE LOCAL SCHOOL
30 BOARD OR THE INSTITUTE TO REFORM THE PUBLIC SCHOOL,".

31
32 Page 3, line 1, strike "DIRECTED ACTION" and substitute "ACTION TO
33 REFORM THE PUBLIC SCHOOL".

34
35 Page 3, line 14, strike "TAKE" and substitute "REFORM THE PUBLIC SCHOOL
36 BY IMPLEMENTING".

37
38 Page 3, line 16, after the period, add "THE STATE BOARD MAY
39 RECOMMEND THAT THE LOCAL SCHOOL BOARD OR THE INSTITUTE
40 IMPLEMENT A PARTICULAR ACTION SPECIFIED IN PARAGRAPH (a) OF
41 SUBSECTION (5) OF THIS SECTION.

42
43 (c) WITHIN THIRTY DAYS AFTER RECEIVING A DIRECTION FROM THE
44 STATE BOARD PURSUANT TO THIS SUBSECTION (7) TO REFORM A PUBLIC
45 SCHOOL, THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL SELECT
46 FROM AMONG THE ACTIONS SPECIFIED IN PARAGRAPH (a) OF SUBSECTION
47 (5) OF THIS SECTION THE ACTION OR ACTIONS IT WILL IMPLEMENT TO
48 REFORM THE PUBLIC SCHOOL. AT THE PUBLIC MEETING AT WHICH IT MAKES
49 THE SELECTION, THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL,
50 UPON REQUEST, TAKE TESTIMONY FROM THE PARENTS OF STUDENTS
51 ENROLLED IN THE PUBLIC SCHOOL THAT IS THE SUBJECT OF THE ACTION.
52 THE LOCAL SCHOOL BOARD OR THE INSTITUTE SHALL IMPLEMENT THE
53 ACTION TO TAKE EFFECT IN THE FOLLOWING SCHOOL YEAR; EXCEPT THAT
54 THE STATE BOARD MAY GRANT AN EXTENSION OF TIME OF UP TO ONE FULL
55 SCHOOL YEAR TO IMPLEMENT THE REFORM ACTION BASED ON A SHOWING
56 BY THE LOCAL SCHOOL BOARD OR THE INSTITUTE THAT IT IS NOT FEASIBLE

1 TO IMPLEMENT THE ACTION IN THE NEXT SCHOOL YEAR WITH THE LEVEL
2 OF INTEGRITY NECESSARY TO MAKE THE REFORM ACTION SUCCESSFUL."

3
4 Amendment No. 4, by Representative(s) Beezley.

5
6 Amend printed bill, page 3, line 3, after the period add "IF A PETITION
7 INCLUDES THE SIGNATURE OF MORE THAN ONE BIOLOGICAL OR ADOPTIVE
8 PARENT OR LEGAL GUARDIAN FROM A STUDENT'S HOUSEHOLD, THE
9 PETITION SHALL REMAIN VALID, BUT ONLY ONE SIGNATURE FROM A
10 HOUSEHOLD WILL BE COUNTED IN DETERMINING WHETHER THE PETITION
11 MEETS THE REQUIREMENTS FOR NUMBER OF SIGNATURES SPECIFIED IN THIS
12 PARAGRAPH (a)."

13
14 Amendment No. 5, by Representative(s) Beezley.

15
16 Amend printed bill, page 3, line 2, before "A", insert "EACH PETITION
17 SHALL IDENTIFY THE PUBLIC SCHOOL TO WHICH IT APPLIES AND SHALL
18 INCLUDE THE FOLLOWING STATEMENT AT THE TOP OF EACH PAGE: "BY
19 SIGNING THIS PETITION, A PERSON AFFIRMS THAT HE OR SHE IS THE PARENT
20 OR LEGAL GUARDIAN OF A STUDENT CURRENTLY ENROLLED IN THE PUBLIC
21 SCHOOL IDENTIFIED ON THIS PETITION AND THAT HE OR SHE UNDERSTANDS
22 THAT ONLY ONE SIGNATURE PER FAMILY IS ALLOWED ON THIS PETITION
23 AND DUPLICATE SIGNATURES WILL NOT BE COUNTED.""

24
25 Amendment No. 6, by Representative(s) Beezley.

26
27 Amend printed bill, page 2, line 8, before "TWO" insert "AT LEAST".

28
29 Page 2, line 14, after "SIGNED" insert "BY AT LEAST SIXTY PERCENT OF THE
30 FAMILIES OF THE STUDENTS ENROLLED IN THE SCHOOL; EXCEPT THAT, IF
31 THE PARENTS SUBMIT THE PETITION AFTER THE PUBLIC SCHOOL OPERATES
32 UNDER A PRIORITY IMPROVEMENT OR TURNAROUND PLAN FOR A COMBINED
33 TOTAL OF MORE THAN TWO CONSECUTIVE SCHOOL YEARS, THE PETITION
34 SHALL BE SIGNED".

35
36 Amendment No. 7, by Representative(s) Beezley.

37
38 Amend printed bill, page 2, line 15, after the period, insert "WHEN
39 SUBMITTING A PETITION TO THE STATE BOARD, THE PARENTS SHALL
40 SIMULTANEOUSLY PROVIDE A COPY OF THE PETITION TO THE AFFECTED
41 PUBLIC SCHOOL AND TO THE APPROPRIATE LOCAL SCHOOL BOARD IF THE
42 AFFECTED PUBLIC SCHOOL IS A SCHOOL OF A SCHOOL DISTRICT."

43
44 Amendment No. 8, by Representative(s) Beezley.

45
46 Amend printed bill, page 3, line 10, after the period, insert "IN
47 CONSIDERING THE PETITION, THE STATE BOARD SHALL CONSIDER WHETHER
48 THE PUBLIC SCHOOL HAS DEMONSTRATED IMPROVEMENT IN ITS LEVEL OF
49 ACHIEVEMENT ON THE PERFORMANCE INDICATORS IN THE PRECEDING TWO
50 YEARS."

51
52 Amendment No. 9, by Representative(s) Beezley.

53
54 Amend printed bill, page 3, line 2, after "INCLUDE", insert "THE
55 SIGNATURE OF".

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YES	61	NO	4	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	N
Baumgardner	Y	Hamner	N	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	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	N	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

House in recess. House reconvened.

APPOINTMENT

The Speaker announced the following temporary appointment:

STATE, VETERANS, & MILITARY AFFAIRS

Representative Nikkel to replace Representative Liston for the meeting on Wednesday, February 29, 2012.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

ECONOMIC & BUSINESS DEVELOPMENT

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

HB12-1175 be referred to the Committee of the Whole with favorable recommendation.

SB12-024 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 3, line 10, after "(a) (I)" insert "(A)".

Page 3, line 11, strike "directors," and substitute "directors OR EXECUTIVE COMMITTEE,".

Page 3, line 17, after "examination" insert "IN ADVANCE" and after the period add:

"IF THERE IS NO FORMAL AGENDA, RESIDENTIAL MEMBERS OR THEIR REPRESENTATIVES ARE NONETHELESS ENTITLED TO A GENERAL DESCRIPTION OF THE PURPOSE OF THE MEETING AND THE SUBJECT MATTER THAT WILL BE DISCUSSED.

(B) THE BOARD SHALL INFORM ALL MEMBERS, AT LEAST ANNUALLY, OF THE METHOD BY WHICH MEETING AGENDAS AND OTHER INFORMATION REQUIRED BY SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (I) WILL BE PROVIDED, INCLUDING THE PHYSICAL LOCATION OF PLACES WHERE AGENDAS AND MEETING NOTICES MAY BE POSTED OR THE WEB ADDRESS WHERE ON-LINE POSTINGS MAY BE MADE. THE BOARD SHALL GIVE AT LEAST THIRTY DAYS' ADVANCE NOTICE OF ANY CHANGE IN THE MANNER OR MEANS BY WHICH MEETING INFORMATION WILL BE PROVIDED."

1 **EDUCATION**

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

4
5 **HB12-1240** be amended as follows, and as so amended, be referred to
6 the Committee on Finance with favorable
7 recommendation:
8

9 Amend printed bill, page 5, after line 3 insert:

10
11 "SECTION 5. In Colorado Revised Statutes, 22-7-1018, **amend**
12 (2) (c) as follows:

13
14 **22-7-1018. Cost study.** (2) The entity selected to conduct the cost
15 study shall submit reports to the department of education and the
16 department of higher education in accordance with the following
17 timeline:

18
19 (c) On or before October 1, ~~2012~~, 2014, a report of the costs
20 pertaining to implementation of the diploma endorsements."

21
22 Renumber succeeding sections accordingly.

23
24 Page 10, line 23, strike "OR A".

25
26 Page 10, line 24, strike "LETTER OF CREDIT".

27
28 Page 11, after line 14 insert:

29
30 "SECTION 21. In Colorado Revised Statutes, 22-2-107, **amend**
31 (1) (s), (1) (t); and **add** (1) (u) as follows:

32
33 **22-2-107. State board - power.** (1) The state board has the
34 power:

35
36 (s) To approve programs by nonpublic, nonparochial schools to
37 provide educational services to students pursuant to section 22-33-203,
38 and to approve services to be provided to at-risk students pursuant to
39 agreements entered into pursuant to section 22-33-204; ~~and~~

40
41 (t) To render a decision on the appeal of the state charter school
42 institute's approval or denial of an institute charter school application or
43 the revocation or nonrenewal of an institute charter school contract
44 pursuant to part 5 of article 30.5 of this title; AND

45
46 (u) TOPROMULGATE RULES CONCERNING PARENTAL NOTIFICATION
47 WHEN A SCHOOL EMPLOYEE IS CHARGED WITH OR ARRESTED FOR A
48 CRIMINAL OFFENSE.

49
50 **SECTION 22.** In Colorado Revised Statutes, 22-60.5-107, **add**
51 (10) as follows:

52
53 **22-60.5-107. Grounds for denying, annulling, suspending, or**
54 **revoking license, certificate, endorsement, or authorization.** (10) THE
55 COMMISSIONER OF EDUCATION MAY ISSUE SUBPOENAS TO COMPEL THE
56 PRODUCTION OF ALL RELEVANT PAPERS, BOOKS, RECORDS, DOCUMENTARY

1 EVIDENCE, AND MATERIALS IN SUPPORT OF THE DEPARTMENT'S
2 INVESTIGATION OF ALLEGATIONS THAT, IF TRUE, MAY ESTABLISH GROUNDS
3 FOR DENYING, ANNULING, REVOKING, OR SUSPENDING AN EDUCATOR
4 LICENSE, CERTIFICATE, ENDORSEMENT, OR AUTHORIZATION. UPON
5 FAILURE OF A PERSON TO COMPLY WITH SUCH SUBPOENA, THE DISTRICT
6 COURT OF THE COUNTY IN WHICH THE SUBPOENAED PERSON RESIDES OR
7 CONDUCTS BUSINESS, UPON APPLICATION BY THE DEPARTMENT WITH
8 NOTICE TO THE SUBPOENAED PERSON, MAY ISSUE TO THE SUBPOENAED
9 PERSON AN ORDER REQUIRING THAT PERSON TO PRODUCE THE RELEVANT
10 PAPERS, BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO
11 ORDERED, OR TO GIVE EVIDENCE TOUCHING THE MATTER UNDER
12 INVESTIGATION OR QUESTION. FAILURE TO OBEY THE ORDER OF THE COURT
13 MAY BE PUNISHED BY THE COURT AS CONTEMPT OF COURT.

14
15 **SECTION 23.** In Colorado Revised Statutes, 22-2-130, **amend** (2)
16 (b) and (2) (c) as follows:

17
18 **22-2-130. Supplemental on-line education grant program -**
19 **legislative declaration - definitions - creation - eligibility - award -**
20 **fund.** (2) As used in this section, unless the context otherwise requires:

21
22 (b) "Eligible charter school" means:

23
24 (I) A charter school that is authorized by an eligible school district
25 pursuant to part 1 of article 30.5 of this title and that does not operate an
26 on-line program OR AS AN ON-LINE SCHOOL; or

27
28 (II) An institute charter school that is authorized pursuant to part
29 5 of article 30.5 of this title, that enrolls fewer than three thousand
30 students, as determined by the institute charter school's pupil enrollment
31 certified by the state charter school institute on behalf of the institute
32 charter school to the state board pursuant to section 22-30.5-513 (3) (a),
33 and that does not operate an on-line program OR AS AN ON-LINE SCHOOL.

34
35 (c) "Eligible school district" means a school district that does not
36 export an on-line program OR ON-LINE SCHOOL to students receiving the
37 program at a location outside of the school district's geographic
38 boundaries and that enrolls fewer than three thousand students, as
39 determined by the school district's pupil enrollment certified to the state
40 board pursuant to section 22-54-112.

41
42 **SECTION 24.** In Colorado Revised Statutes, 22-11-103, **amend**
43 (28) as follows:

44
45 **22-11-103. Definitions.** As used in this article, unless the context
46 otherwise requires:

47
48 (28) "Public school" shall have the same meaning as provided in
49 section 22-1-101 and includes, but is not limited to, a district charter
50 school, an institute charter school, ~~and~~ an on-line program, as defined in
51 section 22-30.7-102 (9), AND AN ON-LINE SCHOOL, AS DEFINED IN SECTION
52 22-30.7-102 (9.5).

53
54 **SECTION 25.** In Colorado Revised Statutes, 22-11-307, **amend**
55 (2.5) as follows:

56

1 **22-11-307. Accreditation of public schools.** (2.5) In adopting its
2 school accreditation policies for its on-line programs AND ON-LINE
3 SCHOOLS, as defined in ~~section~~ SECTIONS 22-30.7-102 (9) AND
4 22-30.7-102 (9.5), a local school board or the institute board shall include
5 a review of the on-line program's OR SCHOOL's alignment to the quality
6 standards outlined in section 22-30.7-105 (3) (b).
7

8 **SECTION 26.** In Colorado Revised Statutes, 22-20-109, **amend**
9 (2.5) (a), (4) (a), (5) (a), (6), (7) introductory portion, (7) (b), (7) (c), and
10 (7) (d) as follows:
11

12 **22-20-109. Tuition - rules.** (2.5) (a) When a child with a
13 disability is placed out of the home in a group home and attends school
14 in an administrative unit other than the child's administrative unit of
15 residence and the school does not provide the child with an on-line
16 program OR ON-LINE SCHOOL pursuant to article 30.7 of this title, the
17 district of residence shall be responsible for paying the tuition charge for
18 educating the child to the administrative unit of attendance.
19

20 (4) (a) When a child with a disability enrolls and attends a school
21 in an administrative unit other than the child's administrative unit of
22 residence pursuant to the provisions of section 22-36-101, and the school
23 does not provide the child an on-line program OR ON-LINE SCHOOL
24 pursuant to article 30.7 of this title, the district of residence shall be
25 responsible for paying the tuition charge for educating the child to the
26 administrative unit of attendance.
27

28 (5) (a) When a child with a disability enrolls in and attends a
29 district charter school pursuant to the provisions of part 1 of article 30.5
30 of this title or an institute charter school pursuant to part 5 of article 30.5
31 of this title, including a district or institute charter school that provides an
32 on-line program OR OPERATES AS AN ON-LINE SCHOOL pursuant to article
33 30.7 of this title, the district of residence shall be responsible for paying
34 to the district or institute charter school the tuition charge for the excess
35 costs incurred in educating the child.
36

37 (6) (a) When a child with a disability enrolls in and attends an
38 on-line program OR ON-LINE SCHOOL pursuant to article 30.7 of this title
39 that is not provided by a district or institute charter school, the district of
40 residence shall be responsible for paying to the provider of the on-line
41 program OR ON-LINE SCHOOL the tuition charge for the excess costs
42 incurred in educating the child.
43

44 (b) The provider of the on-line program OR ON-LINE SCHOOL shall
45 not charge the district of residence tuition for the excess costs incurred in
46 educating a child with a disability who receives educational services from
47 the provider of the on-line program OR ON-LINE SCHOOL unless the child
48 meets the criteria for funding pursuant to section 22-20-114 (1) (c) (II).
49

50 (c) The on-line provider shall provide notice to the administrative
51 unit of attendance, the administrative unit of residence, and the district of
52 residence if it is not an administrative unit, in accordance with state board
53 rules adopted pursuant to subsection (7) of this section when a child with
54 a disability applies to enroll in the on-line program OR ON-LINE SCHOOL.
55 The notice shall be in writing and shall also be sent to the special
56 education directors for the administrative units of residence and of

1 attendance. If the on-line provider does not intend to seek tuition costs,
2 notification is not required.

3
4 (d) The amount of the tuition charge shall be determined pursuant
5 to rules adopted by the state board pursuant to subsection (7) of this
6 section. The tuition responsibility shall be reflected in a contract entered
7 into by the administrative unit of residence, the district of residence if it
8 is not an administrative unit, the administrative unit of attendance, and the
9 district of attendance if it is not an administrative unit. Under the
10 circumstances described in this subsection (6), the provisions of section
11 22-20-108 (8) shall not apply.

12
13 (7) For the 2004-05 budget year and budget years thereafter, the
14 state board shall promulgate rules pertaining to the education of children
15 with disabilities in charter schools and rules pertaining to the education
16 of children with disabilities through on-line programs AND ON-LINE
17 SCHOOLS. Both sets of rules shall include, but need not be limited to, rules
18 to:

19
20 (b) Define the types and amounts of allowable costs in excess of
21 the per pupil funding for the child with a disability, as determined
22 pursuant to article 54 of this title, and any other state and federal revenues
23 received for educating the child, that a charter school, ~~or~~ on-line program,
24 OR ON-LINE SCHOOL may charge as tuition to a district of residence;

25
26 (c) Define other applicable revenues that a district of residence of
27 a child with a disability shall apply in paying the tuition charge for excess
28 costs incurred in educating the child at a charter school or through an
29 on-line program OR ON-LINE SCHOOL;

30
31 (d) Specify the limitations on the number of staff members per
32 number of students that a charter school, ~~or~~ on-line program, OR ON-LINE
33 SCHOOL shall provide in educating children with disabilities;

34
35 **SECTION 27.** In Colorado Revised Statutes, 22-30.5-103,
36 **amend** (6) as follows:

37
38 **22-30.5-103. Definitions.** As used in this part 1, unless the
39 context otherwise requires:

40
41 (6) "On-line pupil" means:

42
43 (a) For the 2007-08 budget year, a child who receives educational
44 services predominantly through an on-line program OR ON-LINE SCHOOL
45 created pursuant to article 30.7 of this title.

46
47 (b) For the 2008-09 budget year, and for each budget year
48 thereafter, a child who receives educational services predominantly
49 through a multi-district ~~program~~ ON-LINE SCHOOL, as defined in section
50 22-30.7-102 ~~(6)~~ (9.5), created pursuant to article 30.7 of this title.

51
52 **SECTION 28.** In Colorado Revised Statutes, 22-30.5-104,
53 **amend** (8) as follows:

54
55 **22-30.5-104. Charter school - requirements - authority.** (8) A
56 charter school shall be authorized to offer any educational program,

1 including but not limited to an on-line program OR ON-LINE SCHOOL
2 CREATED pursuant to article 30.7 of this title, that may be offered by a
3 school district and that is research-based and has been proven to be
4 effective, unless expressly prohibited by state law.

5
6 **SECTION 29.** In Colorado Revised Statutes, 22-30.5-112,
7 **amend** (2) (a.7) as follows:

8
9 **22-30.5-112. Charter schools - financing - definitions -**
10 **guidelines.** (2) (a.7) For the 2000-01 budget year through the 2008-09
11 budget year, each charter school shall annually allocate the minimum per
12 pupil dollar amount specified in section 22-54-105 (2) (b), multiplied by
13 the number of students enrolled in the charter school who are not students
14 enrolled in an on-line program OR AN ON-LINE SCHOOL, as defined in
15 ~~section~~ SECTIONS 22-30.7-102 (9) AND 22-30.7-102 (9.5), to a fund
16 created by the charter school for capital reserve purposes, as set forth in
17 section 22-45-103 (1) (c) and (1) (e), or solely for the management of
18 risk-related activities, as identified in section 24-10-115, C.R.S., and
19 article 13 of title 29, C.R.S., or among such allowable funds. Said moneys
20 shall be used for the purposes set forth in section 22-45-103 (1) (c) and
21 (1) (e) and may not be expended by the charter school for any other
22 purpose. Any moneys remaining in ~~such~~ THE fund that have not been
23 expended prior to the 2009-10 budget year shall be budgeted for the
24 purposes set forth in section 22-45-103 (1) (c) and (1) (e) in the 2009-10
25 budget year or any budget year thereafter.

26
27 **SECTION 30.** In Colorado Revised Statutes, 22-30.5-112.1,
28 **amend** (1) (k) (II) as follows:

29
30 **22-30.5-112.1. Charter schools - definitions - exclusive**
31 **jurisdiction districts - authorized on or after July 1, 2004 - financing.**
32 (1) As used in this section, unless the context otherwise requires:

33
34 (k) "On-line pupil enrollment" means:

35
36 (II) For the 2008-09 budget year, and for budget years thereafter,
37 the number of pupils, on October 1 within the applicable budget year or
38 the school day nearest said date, enrolled in, attending, and actively
39 participating in a multi-district ~~program~~ ON-LINE SCHOOL, as defined in
40 section 22-30.7-102 (6), created pursuant to article 30.7 of this title, by
41 the district charter school.

42
43 **SECTION 31.** In Colorado Revised Statutes, 22-30.5-112.3,
44 **amend** (1) (a.7) (II) as follows:

45
46 **22-30.5-112.3. Charter schools - additional aid from district.**
47 (1) (a.7) (II) As used in this paragraph (a.7), "pupils" means
48 pupils, other than pupils enrolled in an on-line program OR ON-LINE
49 SCHOOL, as defined in ~~section~~ SECTIONS 22-30.7-102 (9) AND 22-30.7-102
50 (9.5), who are enrolled in a charter school.

51
52 **SECTION 32.** In Colorado Revised Statutes, 22-30.5-502,
53 **amend** (9) as follows:

54
55 **22-30.5-502. Definitions.** As used in this part 5, unless the
56 context otherwise requires:

1 (9) "On-line pupil" means:

2
3 (a) For the 2007-08 budget year, a child who receives educational
4 services predominantly through an on-line program OR ON-LINE SCHOOL
5 created pursuant to article 30.7 of this title;

6
7 (b) For the 2008-09 budget year, and for each budget year
8 thereafter, a child who receives educational services predominantly
9 through a multi-district ~~program~~ ON-LINE SCHOOL, as defined in section
10 22-30.7-102 (6), created pursuant to article 30.7 of this title.

11
12 **SECTION 33.** In Colorado Revised Statutes, 22-30.5-507,
13 **amend** (9) as follows:

14
15 **22-30.5-507. Institute charter school - requirements -**
16 **authority.** (9) An institute charter school is authorized to offer any
17 educational program, including but not limited to an on-line program OR
18 ON-LINE SCHOOL pursuant to article 30.7 of this title, that may be offered
19 by a school district, unless expressly prohibited by its charter contract or
20 by state law.

21
22 **SECTION 34.** In Colorado Revised Statutes, 22-30.5-513,
23 **amend** (1) (j) (II) as follows:

24
25 **22-30.5-513. Institute charter schools - definitions - funding.**
26 (1) As used in this section, unless the context otherwise requires:

27
28 (j) "On-line pupil enrollment" means:

29
30 (II) For the 2008-09 budget year, and for budget years thereafter,
31 the number of pupils, on October 1 within the applicable budget year or
32 the school day nearest said date, enrolled in, attending, and actively
33 participating in a multi-district ~~program~~ ON-LINE SCHOOL, as defined in
34 section 22-30.7-102 (6), created pursuant to article 30.7 of this title by the
35 institute charter school.

36
37 **SECTION 35.** In Colorado Revised Statutes, **amend** 22-30.5-514
38 as follows:

39
40 **22-30.5-514. Institute charter school - capital reserve, risk**
41 **management, and instructional purposes.** (1) For the 2004-05 budget
42 year through the 2008-09 budget year, each institute charter school shall
43 annually allocate the minimum per pupil dollar amount specified in
44 section 22-54-105 (2) (b), multiplied by the number of students enrolled
45 in the institute charter school who are not students enrolled in an on-line
46 program OR ON-LINE SCHOOL, as defined in ~~section~~ SECTIONS 22-30.7-102
47 (9) AND 22-30.7-102 (9.5), to a fund created by the institute charter school
48 for capital reserve purposes, as set forth in section 22-45-103 (1) (c) and
49 (1) (e), or solely for the management of risk-related activities, as
50 identified in section 24-10-115, C.R.S., and article 13 of title 29, C.R.S.,
51 or among such allowable funds. Said moneys shall be used for the
52 purposes set forth in section 22-45-103 (1) (c) and (1) (e) and may not be
53 expended by the institute charter school for any other purpose. Any
54 moneys remaining in ~~such~~ THE fund that have not been expended prior to
55 the 2009-10 budget year shall be budgeted for the purposes set forth in
56 section 22-45-103 (1) (c) and (1) (e) in the 2009-10 budget year or any

1 budget year thereafter.

2
3 (2) For the 2004-05 budget year through the 2008-09 budget year,
4 each institute charter school shall annually allocate the minimum per
5 pupil dollar amount specified in section 22-54-105 (1) (b), multiplied by
6 the number of students enrolled in the institute charter school who are not
7 students enrolled in an on-line program OR ON-LINE SCHOOL, as defined
8 in ~~section~~ SECTIONS 22-30.7-102 (9) AND 22-30.7-102 (9.5), to accounts
9 created by the institute charter school for instructional supplies and
10 materials, instructional capital outlays, or other instructional purposes, as
11 set forth in section 22-45-103 (1) (a) (II), or among such accounts.
12 Moneys may be transferred among the three accounts. The moneys in the
13 accounts shall be used for the purposes set forth in section 22-45-103 (1)
14 (a) (II) and may not be expended by the institute charter school for any
15 other purpose. Any moneys in the accounts that are not projected to be
16 expended during a budget year shall be budgeted for the purposes set
17 forth in section 22-45-103 (1) (a) (II) in the next budget year. Nothing in
18 this subsection (2) shall be construed to require that interest on moneys
19 in the accounts be specifically allocated to the accounts. Any moneys
20 remaining in any ~~such~~ THE account that have not been expended prior to
21 the 2009-10 budget year shall be budgeted for the purposes set forth in
22 section 22-45-103 (1) (a) (II) in the 2009-10 budget year or any budget
23 year thereafter.

24
25 **SECTION 36.** In Colorado Revised Statutes, 22-30.5-515,
26 **amend** (1) (b) as follows:

27
28 **22-30.5-515. Institute charter school - additional aid.**
29 (1) (b) As used in this subsection (1), "pupils" means pupils other than
30 pupils enrolled in an on-line program OR ON-LINE SCHOOL, as defined in
31 ~~section~~ SECTIONS 22-30.7-102 (9) AND 22-30.7-102 (9.5), who are
32 enrolled in a qualified charter school.

33
34 **SECTION 37.** In Colorado Revised Statutes, 22-30.7-101, **amend**
35 (1) (e) and (1) (f) as follows:

36
37 **22-30.7-101. Legislative declaration.** (1) The general assembly
38 hereby finds and declares that:

39
40 (e) On-line programs AND ON-LINE SCHOOLS must be accountable
41 to students and parents and to the institutions that accredit on-line
42 programs AND ON-LINE SCHOOLS;

43
44 (f) The state has a role in ensuring quality oversight of on-line
45 programs AND ON-LINE SCHOOLS, but the state should not replace a school
46 district or an authorizing entity in directly administering on-line programs
47 AND ON-LINE SCHOOLS;

48
49 **SECTION 38.** In Colorado Revised Statutes, 22-30.7-102,
50 **amend** (2), (6), (8), and (13) as follows:

51
52 **22-30.7-102. Definitions.** As used in this article, unless the
53 context otherwise requires:

54
55 (2) "Authorizer" means an entity that authorizes an on-line
56 program OR ON-LINE SCHOOL. "Authorizer" shall include a school district,

1 any group of two or more school districts, a board of cooperative services
2 created pursuant to section 22-5-104, or the state charter school institute
3 established pursuant to section 22-30.5-503.

4
5 (6) "Multi-district ~~program~~ ON-LINE SCHOOL" means an on-line
6 ~~program~~ SCHOOL that serves a student population drawn from two or
7 more school districts.

8
9 (8) "On-line learning expert" means a person with special
10 knowledge of and experience in the teaching or administration of
11 ~~multi-district programs, single-district programs,~~ SINGLE-DISTRICT
12 ON-LINE PROGRAMS AND ON-LINE SCHOOLS, MULTI-DISTRICT ON-LINE
13 SCHOOLS, or supplemental programs for students in kindergarten through
14 twelfth grade.

15
16 (13) "Single-district ON-LINE program" OR "SINGLE-DISTRICT
17 ON-LINE SCHOOL" means an on-line program OR ON-LINE SCHOOL that
18 serves only students who reside within a single school district. ~~or, in the~~
19 ~~case of a program authorized by one or more districts or a board of~~
20 ~~cooperative services, an on-line program that serves only students who~~
21 ~~reside within the authorizing districts or within the member districts of~~
22 ~~the authorizing board of cooperative services.~~

23
24 **SECTION 39.** In Colorado Revised Statutes, 22-30.7-103,
25 **amend** (2), (3) (b), (3) (d), (3) (i), (3) (j), (3) (l), and (3) (m) as follows:

26
27 **22-30.7-103. Division of on-line learning - created - duties.**

28 (2) **Purposes.** The purposes of the on-line division are:

29
30 (a) To support on-line programs AND ON-LINE SCHOOLS, students,
31 parents, authorizers, and other entities related to on-line learning by
32 providing information and access to available data; and

33
34 (b) To facilitate the certification of multi-district ~~programs~~
35 ON-LINE SCHOOLS in accordance with rules promulgated by the state board
36 pursuant to section 22-30.7-106.

37
38 (3) **Duties.** The on-line division shall have the following duties:

39
40 (b) To evaluate applications for certification of multi-district
41 ~~programs~~ ON-LINE SCHOOLS using criteria adopted by rules promulgated
42 by the state board pursuant to section 22-30.7-106 and to recommend that
43 the state board grant or deny certification based upon the criteria;

44
45 (d) To recommend to the state board on or before September 1,
46 2007, a process, timeline, and standard MOU form for use by
47 multi-district ~~programs~~ ON-LINE SCHOOLS and school districts in crafting
48 memoranda of understanding pursuant to section 22-30.7-111 regarding
49 the placement of learning centers within the boundaries of a school
50 district. At a minimum, the standard MOU form shall include the
51 information specified in section 22-30.7-111 (1) (b).

52
53 (i) To establish a process and timeline for documenting and
54 tracking complaints concerning on-line programs AND ON-LINE SCHOOLS;

55
56 (j) To collect resources to support the implementation of quality

1 on-line programs AND ON-LINE SCHOOLS and make the resources available
2 to on-line programs AND ON-LINE SCHOOLS upon request;

3
4 (l) To annually collect and review information concerning sound
5 financial and accounting practices and resources for each on-line program
6 AND ON-LINE SCHOOL. The information may be the same information
7 submitted by on-line charter schools pursuant to section 22-30.5-109 (1);
8 and

9 (m) If the on-line division has reason to believe that an on-line
10 program OR ON-LINE SCHOOL is not in substantial compliance with one or
11 more of the statutory or regulatory requirements applicable to on-line
12 programs AND ON-LINE SCHOOLS, to provide notice to the on-line program
13 OR ON-LINE SCHOOL, and its authorizer, and require that the on-line
14 program OR ON-LINE SCHOOL, together with its authorizer, address a plan
15 for coming into compliance. The plan may be included in the school plan
16 required pursuant to section 22-11-210 (2).

17
18 **SECTION 40.** In Colorado Revised Statutes, **amend** 22-30.7-105
19 as follows:

20
21 **22-30.7-105. Program criteria - guidelines - quality standards**
22 **- records - rules.** (1) (a) A school district ~~a group of two or more school~~
23 ~~districts, a board of cooperative services created pursuant to section~~
24 ~~22-5-104, and the state charter school institute established pursuant to~~
25 section 22-30.5-503 are hereby authorized to create or oversee
26 single-district ON-LINE programs OR SINGLE-DISTRICT ON-LINE SCHOOLS.

27
28 (b) A school district, a group of two or more school districts, a
29 board of cooperative services created pursuant to section 22-5-104, and
30 the state charter school institute established pursuant to section
31 22-30.5-503 are hereby authorized to create or oversee multi-district
32 ~~programs~~ ON-LINE SCHOOLS, subject to the requirement that the authorizer
33 apply to the on-line division for certification of the multi-district ~~program~~
34 ON-LINE SCHOOL as described in section 22-30.7-106.

35
36 (c) Nothing in this article shall be construed to prohibit an on-line
37 program OR ON-LINE SCHOOL from providing supplemental on-line
38 courses.

39
40 (2) The following guidelines shall apply to each on-line program
41 OR ON-LINE SCHOOL that is created or overseen pursuant to the provisions
42 of this article:

43
44 (a) A student who is participating in an on-line program OR
45 ON-LINE SCHOOL shall be subject to compulsory school attendance as
46 provided in article 33 of this title and shall be deemed to comply with the
47 compulsory attendance requirements through participation in the on-line
48 program OR ON-LINE SCHOOL.

49
50 (b) Each student participating in an on-line program OR ON-LINE
51 SCHOOL shall be subject to the statewide assessments administered
52 pursuant to section 22-7-409.

53
54 (c) The provisions of article 36 of this title concerning schools of
55 choice shall apply to an on-line program OR ON-LINE SCHOOL
56 implemented pursuant to this article.

1 (d) The provisions of the "Education Accountability Act of 2009",
2 article 11 of this title, shall apply to an on-line program OR ON-LINE
3 SCHOOL implemented pursuant to this article in the same manner as said
4 provisions apply to the other public schools operating in this state.
5

6 (3) (a) An on-line program OR ON-LINE SCHOOL that is
7 administered pursuant to the provisions of this article shall satisfy the
8 quality standards established by rules promulgated by the state board
9 pursuant to paragraph (b) of this subsection (3).
10

11 (b) On or before January 1, 2008, the state board, in consultation
12 with the on-line division, shall promulgate rules establishing quality
13 standards for on-line programs AND ON-LINE SCHOOLS administered
14 pursuant to the provisions of this article. The rules shall include, but need
15 not be limited to, the establishment of quality standards in the following
16 areas:
17

18 (I) An on-line program's OR ON-LINE SCHOOL'S governance, vision,
19 and organization;
20

21 (II) Standards-based curricula and data-driven instructional
22 practices;
23

24 (III) Technological capacity and support;
25

26 (IV) Internet safety;
27

28 (V) Sound financial and accounting practices and resources;
29

30 (VI) Student academic performance and improvement;
31

32 (VII) Monitoring and assessment of student academic
33 performance and improvement;
34

35 (VIII) Course completion measurements;
36

37 (IX) Attendance tracking procedures;
38

39 (X) Data analysis, management, and reporting;
40

41 (XI) Guidance counseling;
42

43 (XII) Engagement of parents and communities in on-line
44 programs AND ON-LINE SCHOOLS;
45

46 (XIII) Provisions for students with special needs, including gifted
47 and talented students and English language learners; and
48

49 (XIV) Program evaluation and improvement.
50

51 (c) Repealed.
52

53 (4) (a) The records of each student participating in a multi-district
54 ~~program~~ ON-LINE SCHOOL shall be maintained on a permanent basis by the
55 authorizer of the multi-district ~~program~~ ON-LINE SCHOOL; except that, if
56 a charter school provides the multi-district ~~program~~ ON-LINE SCHOOL,

1 only the charter school and not the authorizer shall be required to
2 maintain the records. The records shall include, but need not be limited
3 to:

4
5 (I) Attendance data;

6
7 (II) Test, evaluation, and statewide assessment results;

8
9 (III) Immunization records, as required by sections 25-4-902 and
10 25-4-903, C.R.S.; and

11
12 (IV) Such other records as are required under law concerning
13 enrolled students, including but not limited to records required by state or
14 federal statutes concerning the education of students with disabilities.

15
16 (b) (I) If a student enrolled in a school within a school district
17 transfers to an on-line program OR ON-LINE SCHOOL, the school district
18 shall transmit to the on-line program OR ON-LINE SCHOOL all performance,
19 attendance, and assessment data concerning the student within thirty days
20 after the school district receives notice from the on-line program OR
21 ON-LINE SCHOOL that the student has enrolled in the on-line program OR
22 ON-LINE SCHOOL.

23
24 (II) If a student enrolled in an on-line program OR ON-LINE
25 SCHOOL transfers to a school within a school district, the on-line program
26 OR ON-LINE SCHOOL shall transmit to the school all performance,
27 attendance, and assessment data concerning the student within thirty days
28 after the on-line program OR ON-LINE SCHOOL receives notice from the
29 school district that the student has enrolled in the school.

30
31 (5) Each student participating in an on-line program OR ON-LINE
32 SCHOOL shall be a resident of this state and shall demonstrate that he or
33 she possesses the appropriate electronic equipment and resources to
34 participate in the program OR SCHOOL; except that an on-line program OR
35 ON-LINE SCHOOL may provide such equipment and resources to a student
36 to enable the student to participate in the on-line program OR ON-LINE
37 SCHOOL.

38
39 **SECTION 41.** In Colorado Revised Statutes, **amend** 22-30.7-106
40 as follows:

41
42 **22-30.7-106. Certification of multi-district on-line schools -**
43 **criteria - rules.** (1) If a school district, a group of two or more school
44 districts, a board of cooperative services created pursuant to section
45 22-5-104, or the state charter school institute established pursuant to
46 section 22-30.5-503 chooses to authorize a multi-district ~~program~~
47 ON-LINE SCHOOL, the school district, group of two or more school
48 districts, board of cooperative services, or state charter school institute
49 shall, prior to authorizing the multi-district ~~program~~ ON-LINE SCHOOL,
50 apply to the on-line division for certification of the multi-district ~~program~~
51 ON-LINE SCHOOL.

52
53 (2) Notwithstanding the provisions of subsection (1) of this
54 section, the state board may, in its discretion, waive the requirement that
55 an authorizer that chooses to authorize a multi-district ~~program~~ ON-LINE
56 SCHOOL apply to the on-line division for certification of the ~~program~~

1 SCHOOL if the multi-district ~~program~~ ON-LINE SCHOOL that the authorizer
2 seeks to authorize has ten or fewer students from outside the school
3 district enrolled in the ~~program~~ SCHOOL.
4

5 (3) Notwithstanding the provisions of subsection (1) of this
6 section, an authorizer of a single-district ON-LINE program OR ON-LINE
7 SCHOOL that becomes a multi-district ~~program~~ ON-LINE SCHOOL shall not
8 be required to apply to the on-line division for certification of the
9 multi-district ~~program~~ ON-LINE SCHOOL in the event that ten or fewer
10 students from outside the school district in which the single-district
11 ON-LINE program OR ON-LINE SCHOOL is operating enroll in the ~~program~~
12 MULTI-DISTRICT ON-LINE SCHOOL.
13

14 (4) The state board shall promulgate rules specifying criteria to be
15 used by the on-line division in certifying multi-district ~~programs~~ ON-LINE
16 SCHOOLS. The criteria shall include, but need not be limited to, the
17 following:
18

19 (a) Whether the authorizer of the multi-district ~~program~~ ON-LINE
20 SCHOOL possesses adequate resources and the capacity to oversee the
21 multi-district ~~program~~ ON-LINE SCHOOL, including but not limited to
22 oversight of the following components of the multi-district ~~program~~
23 ON-LINE SCHOOL:
24

25 (I) Curriculum and instruction;
26

27 (II) Use of software applications and technology;
28

29 (III) Data gathering, analysis, and reporting;
30

31 (IV) Human resources management;
32

33 (V) Financial management, facilities management, and risk
34 management; and
35

36 (VI) Other relevant public education administration functions;
37

38 (b) Whether the plan for operating and monitoring the
39 multi-district ~~program~~ ON-LINE SCHOOL agreed to by the authorizer of the
40 multi-district ~~program~~ ON-LINE SCHOOL and the principal, director, or
41 other chief administrator of the multi-district ~~program~~ ON-LINE SCHOOL
42 adequately addresses, at a minimum, consideration of the following
43 elements:
44

45 (I) The multi-district ~~program's~~ ON-LINE SCHOOL'S vision, mission,
46 and goals;
47

48 (II) The multi-district ~~program's~~ ON-LINE SCHOOL'S organizational
49 structure and governance, including governing board and school policies
50 and procedures;
51

52 (III) Equitable access for all students;
53

54 (IV) Guidance counseling for all students enrolled in the
55 multi-district ~~program~~ ON-LINE SCHOOL;
56

1 (V) Student academic credit policies;

2
3 (VI) Student achievement and attendance policies, including but
4 not limited to monitoring graduation and dropout rates;

5
6 (VII) Student records policies and procedures;

7
8 (VIII) Student admission and placement policies and procedures;

9
10 (IX) Staff development plans;

11
12 (X) Student services, including counseling and tutorial support;

13
14 (XI) Staff, student, and parent handbooks;

15
16 (XII) Employment and contractor policies and procedures;

17
18 (XIII) Annual budgeting and finance practices;

19
20 (XIV) Facility plans, including any contemplated physical sites;

21
22 (XV) Risk management;

23
24 (XVI) Data development, analysis, and reporting; and

25
26 (XVII) Policies and procedures for facilitating communication
27 between the multi-district ~~program~~ ON-LINE SCHOOL, parents, and school
28 districts in which students who are enrolled in the multi-district ~~program~~
29 ON-LINE SCHOOL reside; and

30
31 (c) The degree to which the multi-district ~~program~~ ON-LINE
32 SCHOOL will satisfy the quality standards for on-line programs AND
33 ON-LINE SCHOOLS described in section 22-30.7-105.

34
35 (5) On or before January 1, 2008, the state board shall promulgate
36 rules establishing processes and timelines by which a prospective
37 authorizer may apply to the on-line division for certification of a
38 multi-district ~~program~~ ON-LINE SCHOOL pursuant to this section.

39
40 (6) On or before January 1, 2008, the state board shall create an
41 expedited procedure for the approval or denial of certification for
42 multi-district ~~programs~~ ON-LINE SCHOOLS that were operating as of
43 January 1, 2007.

44
45 (7) Notwithstanding any provision of this section to the contrary,
46 an authorizer of a multi-district ~~program~~ ON-LINE SCHOOL that was
47 operating as of January 1, 2007, may continue to operate until August 1,
48 2008, without receiving certification of the ~~program~~ SCHOOL by the
49 on-line division pursuant to this section.

50
51 (8) The state board shall not approve the certification of a
52 multi-district ~~program~~ ON-LINE SCHOOL until the state board has
53 promulgated rules for such certification pursuant to this section.

54
55 **SECTION 42.** In Colorado Revised Statutes, 22-30.7-107,
56 **amend** (2) and (3) as follows:

1 **22-30.7-107. Funding.** (2) For the 2008-09 budget year, and for
2 each budget year thereafter, for purposes of determining total program
3 funding pursuant to article 54 of this title:
4

5 (a) (I) A school district that is providing a single-district ON-LINE
6 program OR ON-LINE SCHOOL, or a school district in which a district
7 charter school is providing a single-district ON-LINE program OR ON-LINE
8 SCHOOL, shall include each student who is enrolled in the single-district
9 ON-LINE program OR ON-LINE SCHOOL as of October 1 of the applicable
10 budget year in the school district's pupil enrollment for the applicable
11 budget year and shall receive the school district's per-pupil funding for
12 each student enrolled in the single-district ON-LINE program OR ON-LINE
13 SCHOOL.
14

15 (II) An institute charter school that is providing a single-district
16 ON-LINE program OR ON-LINE SCHOOL shall include each student who is
17 enrolled in the single-district ON-LINE program OR ON-LINE SCHOOL as of
18 October 1 of the applicable budget year in the institute charter school's
19 pupil enrollment for the applicable budget year and shall receive the
20 per-pupil funding of the institute charter school's accounting district for
21 each student enrolled in the single-district ON-LINE program OR ON-LINE
22 SCHOOL.
23

24 (b) (I) A school district that is providing a multi-district ~~program~~
25 ON-LINE SCHOOL, or a school district in which a district charter school is
26 providing a multi-district ~~program~~ ON-LINE SCHOOL, shall include each
27 student who is enrolled in the multi-district ~~program~~ ON-LINE SCHOOL as
28 of October 1 of the applicable budget year in the school district's on-line
29 pupil enrollment for the applicable budget year and shall receive on-line
30 funding, as specified in section 22-54-104 (4.5).
31

32 (II) An institute charter school that is providing a multi-district
33 ~~program~~ ON-LINE SCHOOL shall include each student who is enrolled in
34 the multi-district ~~program~~ ON-LINE SCHOOL as of October 1 of the
35 applicable budget year in the institute charter school's on-line enrollment
36 for the applicable budget year and shall receive on-line funding, as
37 specified in section 22-54-104 (4.5).
38

39 (3) For the 2008-09 budget year, and for each budget year
40 thereafter, an authorizer that is providing an on-line program OR ON-LINE
41 SCHOOL may receive funding for each student enrolled in the on-line
42 program OR ON-LINE SCHOOL, regardless of whether the student was
43 included in the pupil enrollment or on-line pupil enrollment of a school
44 district or institute charter school for the preceding school year.
45

46 **SECTION 43.** In Colorado Revised Statutes, 22-30.7-108,
47 **amend** (1) as follows:
48

49 **22-30.7-108. Extracurricular and interscholastic activities.**
50 (1) A student who is participating in an on-line program OR AN ON-LINE
51 SCHOOL, other than a student who is participating in the on-line program
52 OR ON-LINE SCHOOL after having been expelled from a public school, may
53 participate on an equal basis in any extracurricular or interscholastic
54 activity offered by a public school or offered by a private school, at the
55 private school's discretion, as provided in section 22-32-116.5.
56

1 **SECTION 44.** In Colorado Revised Statutes, **amend**
2 22-30.7-109.5 as follows:

3
4 **22-30.7-109.5. On-line programs and on-line schools - report**
5 **to authorizer and department.** Each on-line program AND ON-LINE
6 SCHOOL shall annually submit to its authorizer and to the department
7 information, pursuant to state board rules, concerning sound financial and
8 accounting practices and resources. A multi-district on-line ~~program~~
9 SCHOOL shall notify its authorizer and the department of any intent to
10 amend the program's OR SCHOOL'S application for certification, which
11 shall include any intent to expand grade levels served by the program OR
12 SCHOOL, any intent to change education service providers, or other
13 intended changes, as defined by the state board. If the department
14 concludes that the on-line program OR ON-LINE SCHOOL should not be
15 permitted to amend its application for certification, based on the quality
16 standards established by the state board pursuant to section 22-30.7-105,
17 the department shall notify the authorizer and the on-line program OR
18 ON-LINE PROGRAM of its decision within thirty days of receiving the
19 notification from the program OR SCHOOL. The authorizer shall then have
20 thirty days to appeal the department's decision to the state board, pursuant
21 to the state board's administrative policies.

22
23 **SECTION 45.** In Colorado Revised Statutes, **amend** 22-30.7-111
24 as follows:

25
26 **22-30.7-111. Learning centers - memoranda of understanding**
27 **- rules - appeal process.** (1) (a) A multi-district ~~program~~ ON-LINE
28 SCHOOL that intends to provide instruction to students within one or more
29 learning centers shall, before providing such instruction, seek to enter into
30 a memorandum of understanding with each school district in which the
31 multi-district ~~program~~ ON-LINE SCHOOL intends to provide instruction
32 within a learning center.

33
34 (b) A multi-district ~~program~~ ON-LINE SCHOOL that intends to
35 provide instruction to students within a learning center shall notify the
36 school district in which the proposed learning center is located of the
37 multi-district ~~program's~~ ON-LINE SCHOOL'S intention in writing at least
38 ninety days before the multi-district ~~program~~ ON-LINE SCHOOL intends to
39 commence providing such instruction. The notice shall include the
40 standard MOU form that addresses, at a minimum, the following
41 information as it applies to each learning center to be located within the
42 school district:

43
44 (I) A description of any curricula that will be offered by the
45 multi-district ~~program~~ ON-LINE SCHOOL at the learning center;

46
47 (II) The proposed location of the learning center;

48
49 (III) The grade levels to be served at the learning center;

50
51 (IV) The number of students projected to attend the multi-district
52 ~~program~~ ON-LINE SCHOOL at the learning center;

53
54 (V) Any building permits or certifications of building safety that
55 may be required by law;

56

1 (VI) A list of all staff positions at the learning center, including
2 a description of duties for each position;
3

4 (VII) Measures to ensure compliance with state and federal laws
5 concerning educator licensing and fingerprint-based criminal history
6 record checks;
7

8 (VIII) The name of and contact information for the multi-district
9 ~~program~~ ON-LINE SCHOOL and the names of and contact information for
10 all learning center administrators; and
11

12 (IX) The plans for one or more public meetings to be held prior
13 to the opening of a learning center.
14

15 (c) Within forty-five days after receiving the notice and standard
16 MOU form from a multi-district ~~program~~ ON-LINE SCHOOL pursuant to
17 paragraph (b) of this subsection (1), the school district and the
18 multi-district ~~program~~ ON-LINE SCHOOL shall meet to discuss the terms of
19 the memorandum of understanding, based on the standard MOU form
20 provided with the notice. The school district and the multi-district
21 ~~program~~ ON-LINE SCHOOL may mutually agree to change the information
22 in the standard MOU form provided with the notice or to include
23 information in the memorandum of understanding in addition to that
24 included in the standard MOU form.
25

26 (d) Within forty-five days after receiving the notice and the
27 standard MOU form pursuant to paragraph (b) of this subsection (1), the
28 school district and the multi-district ~~program~~ ON-LINE SCHOOL shall hold
29 at least one public meeting at which they shall receive public input
30 concerning location of one or more learning centers within the school
31 district.
32

33 (e) No later than forty-five days after the school district receives
34 the notice and standard MOU form pursuant to paragraph (b) of this
35 subsection (1), the school district shall notify the multi-district ~~program~~
36 ON-LINE SCHOOL, the on-line division, and the state board in writing of the
37 school district's decision whether to enter into a memorandum of
38 understanding with the multi-district ~~program~~ ON-LINE SCHOOL for
39 operation of a learning center within the school district. If the school
40 district does not provide notice of its decision within forty-five days, the
41 standard MOU form provided by the multi-district ~~program~~ ON-LINE
42 SCHOOL with the notice shall become effective on the forty-sixth day
43 following the school district's receipt of the notice and standard MOU
44 form, and the multi-district ~~program~~ ON-LINE SCHOOL may proceed under
45 the terms of the standard MOU form as provided to the school district.
46

47 (f) A school district may refuse to enter into a memorandum of
48 understanding with a multi-district ~~program~~ ON-LINE SCHOOL for the
49 operation of a learning center within the school district only if:
50

51 (I) The standard MOU form provided by the multi-district
52 ~~program~~ ON-LINE SCHOOL fails to satisfy the requirements described in
53 paragraph (b) of this subsection (1); or
54

55 (II) The school district reasonably determines that the
56 multi-district ~~program~~ ON-LINE SCHOOL is contrary to the best interests of

1 the pupils, parents, community, or school district.

2
3 (g) If a school district refuses to enter into a memorandum of
4 understanding with a multi-district ~~program~~ ON-LINE SCHOOL for
5 operation of a learning center, the multi-district ~~program~~ ON-LINE SCHOOL
6 may appeal the school district's decision to the state board pursuant to the
7 provisions of subsection (6) of this section.

8
9 (h) Notwithstanding any provision of this section to the contrary,
10 a multi-district ~~program~~ ON-LINE SCHOOL that seeks to operate a learning
11 center within a school district shall not be required to enter into a
12 memorandum of understanding with the school district if the school
13 district is the authorizer of the multi-district ~~program~~ ON-LINE SCHOOL.

14
15 (i) Notwithstanding any provision of this section to the contrary,
16 a school district and a multi-district ~~program~~ ON-LINE SCHOOL may
17 mutually agree in writing to decline to enter into a memorandum of
18 understanding.

19
20 (j) To ensure that all students have a reasonable opportunity to
21 benefit from on-line education, a school district and a multi-district
22 ~~program~~ ON-LINE SCHOOL shall make good faith efforts to craft and enter
23 into a memorandum of understanding pursuant to the provisions of this
24 section.

25
26 (2) A memorandum of understanding entered into by a school
27 district and a multi-district ~~program~~ ON-LINE SCHOOL pursuant to the
28 provisions of this section shall be effective for three years. A school
29 district and a multi-district ~~program~~ ON-LINE SCHOOL may enter into an
30 unlimited number of successive memoranda of understanding.

31
32 (3) If a school district and a multi-district ~~program~~ ON-LINE
33 SCHOOL enter into a memorandum of understanding pursuant to the
34 provisions of this section, the memorandum of understanding shall
35 include consideration of all learning centers that the multi-district
36 ~~program~~ ON-LINE SCHOOL proposes, at the time the memorandum of
37 understanding is crafted, to operate within the school district, and the
38 memorandum of understanding shall supersede any memorandum of
39 understanding previously entered into by the school district and the
40 multi-district ~~program~~ ON-LINE SCHOOL.

41
42 (4) (a) If a multi-district ~~program~~ ON-LINE SCHOOL is operating a
43 learning center within a school district under the terms of a memorandum
44 of understanding, and the multi-district ~~program~~ ON-LINE SCHOOL seeks
45 to operate an additional learning center within the school district, which
46 additional learning center is not contemplated in an existing memorandum
47 of understanding, the multi-district ~~program~~ ON-LINE SCHOOL shall
48 provide notice to the school district of the multi-district ~~program~~'s
49 ON-LINE SCHOOL'S intention to operate an additional learning center. The
50 notice shall include the standard MOU form.

51
52 (b) Upon receiving notice from a multi-district ~~program~~ ON-LINE
53 SCHOOL as described in paragraph (a) of this subsection (4), the school
54 district shall decide whether to seek to craft a new memorandum of
55 understanding with the multi-district ~~program~~ ON-LINE SCHOOL, and the
56 school district shall notify the multi-district ~~program~~ ON-LINE SCHOOL of

1 the school district's decision within thirty days after receiving the notice
2 described in paragraph (a) of this subsection (4).

3
4 (c) (I) If the multi-district ~~program~~ ON-LINE SCHOOL receives
5 notice within thirty days that the school district has decided to seek to
6 craft a new memorandum of understanding, the multi-district ~~program~~
7 ON-LINE SCHOOL and the school district shall seek to craft a new
8 memorandum of understanding pursuant to the provisions of this section.

9
10 (II) If the multi-district ~~program~~ ON-LINE SCHOOL does not receive
11 notice within thirty days after the school district's decision, or the
12 multi-district ~~program~~ ON-LINE SCHOOL receives notice that the school
13 district has decided not to seek to craft a new memorandum of
14 understanding, the multi-district ~~program~~ ON-LINE SCHOOL may begin to
15 operate the additional learning center.

16
17 (5) On or before October 1, 2007, the state board shall approve the
18 standard MOU form, which shall, at a minimum, include the information
19 specified in paragraph (b) of subsection (1) of this section. The standard
20 MOU form approved by the state board shall be based on the standard
21 MOU form recommended by the on-line division pursuant to section
22 22-30.7-103 (3) (d).

23
24 (6) (a) On or before January 1, 2008, the state board shall
25 promulgate rules establishing procedures and timelines by which a
26 multi-district ~~program~~ ON-LINE SCHOOL may appeal to the state board a
27 decision by a school district to refuse to enter into a memorandum of
28 understanding with the multi-district ~~program~~ ON-LINE SCHOOL for the
29 operation of a learning center within the school district.

30
31 (b) If the state board determines that a school district's decision to
32 refuse to enter into a memorandum of understanding was contrary to the
33 best interests of the pupils, parents, community, or school district, the
34 state board shall issue an order directing the school district to enter into
35 a final memorandum of understanding with the multi-district ~~program~~
36 ON-LINE SCHOOL regarding the placement of one or more learning centers
37 within the school district and to use the standard MOU form provided
38 with the notice pursuant to paragraph (b) of subsection (1) of this section
39 as the basis for the final memorandum of understanding.

40
41 (c) Upon receiving notice from a multi-district ~~program~~ ON-LINE
42 SCHOOL that the multi-district ~~program~~ ON-LINE SCHOOL is appealing a
43 decision by a school district to refuse to enter into a memorandum of
44 understanding with the multi-district ~~program~~ ON-LINE SCHOOL, the state
45 board shall resolve the dispute within forty-five days by either affirming
46 the school district's decision or issuing an order directing the school
47 district to enter into a memorandum of understanding with the
48 multi-district ~~program~~ ON-LINE SCHOOL, as described in paragraph (b) of
49 this subsection (6).

50
51 (7) Notwithstanding any provision of this section to the contrary,
52 a multi-district ~~program~~ ON-LINE SCHOOL that operates one or more
53 learning centers within a school district as of January 1, 2007, may
54 continue to operate learning centers within the school district until August
55 1, 2008, without entering into a memorandum of understanding with the
56 school district. A multi-district ~~program~~ ON-LINE SCHOOL that operates

1 one or more learning centers within a school district as of January 1,
2 2007, shall provide notification to the school district on or before
3 September 1, 2007, of any learning centers being operated by the
4 multi-district ~~program~~ ON-LINE SCHOOL within the school district. The
5 notice shall include the information described in subparagraphs (I)
6 through (VIII) of paragraph (b) of subsection (1) of this section.

7
8 **SECTION 46.** In Colorado Revised Statutes, 22-33-104, **amend**
9 (1) (c) as follows:

10
11 **22-33-104. Compulsory school attendance.** (1) (c) A student
12 who participates in an on-line program OR ON-LINE SCHOOL pursuant to
13 the provisions of article 30.7 of this title shall be deemed to attend school
14 in accordance with the requirements of this subsection (1).

15
16 **SECTION 47.** In Colorado Revised Statutes, 22-33-105, **amend**
17 (5) (a) as follows:

18
19 **22-33-105. Suspension, expulsion, and denial of admission.**
20 (5) (a) Whenever a petition filed in juvenile court alleges that a child at
21 least twelve years of age but under eighteen years of age has committed
22 an offense that would constitute unlawful sexual behavior, as defined in
23 section 16-22-102 (9), C.R.S., or a crime of violence, as defined in
24 section 18-1.3-406, C.R.S., if committed by an adult or whenever charges
25 filed in district court allege that a child has committed such an offense,
26 basic identification information concerning such child and the details of
27 the alleged delinquent act or offense shall be provided immediately to the
28 school district in which the child is enrolled in accordance with the
29 provisions of section 19-1-304 (5), C.R.S. Upon receipt of such
30 information, the board of education of the school district or its designee
31 shall determine whether the student has exhibited behavior that is
32 detrimental to the safety, welfare, and morals of the other students or of
33 school personnel in the school and whether educating the student in the
34 school may disrupt the learning environment in the school, provide a
35 negative example for other students, or create a dangerous and unsafe
36 environment for students, teachers, and other school personnel. The
37 determination may be made in executive session to the extent allowed by
38 section 24-6-402 (4) (h), C.R.S. If the board of education or its designee,
39 in accordance with the provisions of this subsection (5), makes a
40 determination that the student should not be educated in the school, it may
41 proceed with suspension or expulsion in accordance with subsection (2)
42 of this section and section 22-33-106. Alternatively, the board of
43 education or its designee may determine that it will wait until the
44 conclusion of the juvenile proceedings to consider the expulsion matter,
45 in which case it shall be the responsibility of the district to provide the
46 student with an appropriate alternate education program, including but not
47 limited to an on-line program OR ON-LINE SCHOOL authorized pursuant to
48 article 30.7 of this title, or a home-based education program during the
49 period pending the resolution of the juvenile proceedings. Information
50 made available to the school district and not otherwise available to the
51 public pursuant to the provisions of section 19-1-304, C.R.S., shall
52 remain confidential.

53
54 **SECTION 48.** In Colorado Revised Statutes, 22-54-103, **amend**
55 (8.5) (a) (II) and (10) (a) (II) (B) as follows:
56

1 **22-54-103. Definitions - repeal.** As used in this article, unless the
2 context otherwise requires:

3
4 (8.5) (a) "On-line pupil enrollment" means:

5
6 (II) For the 2008-09 budget year, and for budget years thereafter,
7 the number of pupils, on October 1 within the applicable budget year or
8 the school day nearest said date, enrolled in, attending, and actively
9 participating in a multi-district ~~program~~ ON-LINE SCHOOL, as defined in
10 section 22-30.7-102 (6), created pursuant to article 30.7 of this title.

11
12 (10) (a) (II) "Pupil enrollment" shall include:

13
14 (B) For the 2008-09 budget year, and for budget years thereafter,
15 a pupil who is enrolled in, attending, and actively participating in a
16 single-district on-line program OR ON-LINE SCHOOL operated pursuant to
17 article 30.7 of this title.

18
19 **SECTION 49.** In Colorado Revised Statutes, 22-54-126, **amend**
20 (1) (b) as follows:

21
22 **22-54-126. Declining enrollment districts with new charter**
23 **schools - additional aid - definitions.** (1) As used in this section, unless
24 the context otherwise requires:

25
26 (b) "New charter school enrollment" means the number of pupils
27 enrolled in a new district charter school of a declining enrollment district
28 on October 1 or the school date nearest said date in the budget year in
29 which the new district charter school is opened in the declining
30 enrollment district minus the number of pupils enrolled as of that date in
31 an on-line program OR AN ON-LINE SCHOOL who are also enrolled in the
32 new district charter school of the declining enrollment district.

33
34 **SECTION 50.** In Colorado Revised Statutes, 22-58-101, **amend**
35 (2) as follows:

36
37 **22-58-101. Legislative declaration.** (2) The general assembly
38 therefore finds that it is in the best interests of the state to encourage
39 school districts and charter schools to test alternative models of school
40 funding by collecting data to show the effects a model would have if it
41 were implemented, while continuing to receive actual funding pursuant
42 to the "Public School Finance Act of 1994", article 54 of this title. School
43 districts and charter schools are encouraged to consider funding models
44 that may address, at a minimum, the unique challenges of funding
45 students who are significantly at risk of academic failure, students who
46 are gifted and talented, students enrolled in on-line programs OR ON-LINE
47 SCHOOLS, students who return to public school after dropping out, and
48 students concurrently enrolled in high school and higher education
49 classes. School districts and charter schools are also encouraged to
50 consider models of education funding based on achievement rather than
51 attendance or hours of participation.

52
53 **SECTION 51.** In Colorado Revised Statutes, 22-82.9-104,
54 **amend** (3) as follows:

55
56 **22-82.9-104. Child nutrition school lunch protection program**

1 - **creation - administration - objectives.** (3) The department shall
2 approve a multi-district on-line ~~program~~ SCHOOL operating in learning
3 centers, as defined in section 22-30.7-102 (4), to participate in the
4 program and in the school lunch program so long as the multi-district
5 on-line ~~program~~ SCHOOL complies with the federal requirements for
6 participating in the school lunch program, including but not limited to
7 completing and submitting the required federal application form for each
8 student who chooses to participate in the school lunch program."

9
10 Renumber succeeding section accordingly.
11
12
13

14 **HB12-1252** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:
17

18 Amend printed bill, page 3, line 18, strike "MEANS A" and substitute "HAS
19 THE SAME MEANING AS SET FORTH IN SECTION 23-18-102 (10) (a), C.R.S.;
20 EXCEPT THAT THE TERM ALSO INCLUDES A PARTICIPATING PRIVATE
21 INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN SECTION 23-18-102
22 (8), C.R.S.".
23

24 Page 3, strike lines 19 through 26.
25
26
27
28

29 **HEALTH & ENVIRONMENT**

30 After consideration on the merits, the Committee recommends the
31 following:
32

33 **HB12-1303** be amended as follows, and as so amended, be referred to
34 the Committee on Finance with favorable
35 recommendation:
36

37 Amend printed bill, page 3, strike lines 22 and 23.
38

39 Renumber succeeding subsections accordingly.
40

41 Page 4, line 12, before "MEANS" insert "OR "CERTIFICATE HOLDER"".
42

43 Page 7, strike lines 19 through 23 and substitute "DEPARTMENT OF
44 EDUCATION;".
45

46 Page 7, line 27, strike "RECOGNIZED" and substitute "APPROVED".
47

48 Page 8, line 23, strike "PRESCRIBED" and substitute "DETERMINED".
49

50 Page 9, line 3, strike "CONTINUED".
51

52 Page 10, line 8, strike "C.R.S." and substitute "C.R.S., AND SHALL BASE
53 THE FEES CHARGED TO SPEECH-LANGUAGE PATHOLOGISTS CERTIFIED
54 UNDER THIS ARTICLE ON THE COST TO ADMINISTER THE PROGRAM DIVIDED
55 BY THE TOTAL NUMBER OF SPEECH-LANGUAGE PATHOLOGISTS.".
56

- 1 Page 10, line 24, strike "ADOPT RULES ESTABLISHING" and substitute
2 "ESTABLISH".
3
- 4 Page 11, strike lines 16 through 18.
5
- 6 Reletter succeeding paragraphs accordingly.
7
- 8 Page 11, line 19, strike "RECOGNIZED" and substitute "APPROVED".
9
- 10 Page 12, line 6, strike "PATHOLOGIST." and substitute "PATHOLOGIST OR
11 OTHER PROFESSIONAL REGULATED UNDER THIS TITLE."
12
- 13 Page 12, strike line 24 and substitute "REGULATED;".
14
- 15 Page 13, line 13, strike "ESTABLISHED" and substitute "ADOPTED".
16
- 17 Page 14, line 2, strike "FORM OF HEALING EXCEPT AS AUTHORIZED" and
18 substitute "PROFESSION FOR WHICH LICENSURE, CERTIFICATION, OR
19 REGISTRATION IS REQUIRED".
20
- 21 Page 14, line 14, strike "REASONABLE GROUNDS" and substitute "PROOF".
22
- 23 Page 16, after line 21 insert:
24
- 25 " (l) HAS FAILED TO REFER A PATIENT TO THE APPROPRIATE
26 LICENSED HEALTH CARE PROFESSIONAL WHEN THE SERVICES REQUIRED BY
27 THE PATIENT ARE BEYOND THE LEVEL OF COMPETENCE OF THE
28 SPEECH-LANGUAGE PATHOLOGIST OR BEYOND THE SCOPE OF
29 SPEECH-LANGUAGE PATHOLOGY PRACTICE;".
30
- 31 Reletter succeeding paragraphs accordingly.
32
- 33 Page 16, line 27, strike "SPECIFIED" and substitute "DETERMINED".
34
- 35 Page 17, after line 1 insert:
36
- 37 " (o) HAS WILLFULLY OR NEGLIGENTLY ACTED IN A MANNER
38 INCONSISTENT WITH THE HEALTH OR SAFETY OF PERSONS UNDER HIS OR
39 HER CARE;
40
- 41 " (p) HAS NEGLIGENTLY OR WILLFULLY PRACTICED
42 SPEECH-LANGUAGE PATHOLOGY IN A MANNER THAT FAILS TO MEET
43 GENERALLY ACCEPTED STANDARDS FOR SPEECH-LANGUAGE PATHOLOGY
44 PRACTICE;".
45
- 46 Reletter succeeding paragraphs accordingly.
47
- 48 Page 25, line 2, after "REVOKED" insert "OR WHO SURRENDERS HIS OR HER
49 CERTIFICATION TO AVOID DISCIPLINE".
50
- 51 Page 29, line 21, strike "2022." and substitute "2019.".
52
- 53 Page 29, line 25, strike the first "(53.5)" and substitute "(50.5)" and strike
54 "(53.5) (c)" and substitute "(50.5) (e)".
55
- 56 Page 30, line 1, strike "(53.5)" and substitute "(50.5)".

1 Page 30, line 2, strike "2022:" and substitute "2019:".

2
3 Page 30, line 3, strike "(c)" and substitute "(e)".

4
5
6
7 **SB12-037** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:

10
11 Amend reengrossed bill, page 4, line 23, after "written" insert "OR
12 ELECTRONIC".

13
14
15
16
17 **JUDICIARY**

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

20
21 **HB12-1266** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24
25 Amend printed bill, strike everything below the enacting clause and
26 substitute:

27
28 "SECTION 1. In Colorado Revised Statutes, 10-1-102, **amend**
29 (3); and **add** (3.5) as follows:

30
31 **10-1-102. Definitions.** As used in this title, unless the context
32 otherwise requires:

33
34 (3) "Admitted company" or "authorized company" designates
35 companies duly qualified and licensed to transact business in this state,
36 under the provisions of this title. "Nonadmitted companies" or
37 "unauthorized companies" designates companies not licensed to transact
38 business in this state, under the provisions of this title (except article 15)
39 ~~article 7 of title 12~~, and article 14 of title 24, C.R.S.

40
41 (3.5) "BAIL INSURANCE COMPANY" MEANS AN INSURER ENGAGED
42 IN THE BUSINESS OF WRITING BAIL BONDS THROUGH BONDING AGENTS AND
43 SUBJECT TO REGULATION BY THE DIVISION.

44
45 **SECTION 2.** In Colorado Revised Statutes, 10-1-103, **amend** (3)
46 and (6) (b) (I) (D); and **repeal** (6) (b) (I) (A) as follows:

47
48 **10-1-103. Division of insurance - subject to termination -**
49 **repeal of functions.** (3) All direct and indirect expenditures of the
50 division ~~shall be~~ ARE paid from the division of insurance cash fund,
51 which fund is hereby created in the state treasury. All fees collected
52 ~~pursuant to~~ UNDER sections 8-44-204 (7), C.R.S., 8-44-205 (6), C.R.S.,
53 10-2-413, 10-3-108, 10-3-207, 10-3.5-104, 10-3.5-107, 10-12-106,
54 10-15-103, 10-16-110 (1) and (2), 10-16-111 (1), 10-23-102, 10-23-104,
55 24-10-115.5 (5), C.R.S., and 29-13-102 (5), C.R.S., not including fees
56 retained ~~pursuant to~~ UNDER contracts entered into in accordance with

1 section 10-2-402 (5) or 24-34-101, C.R.S., and all taxes collected
2 ~~pursuant to~~ UNDER section 10-3-209 (4) designated for the division of
3 insurance, ~~shall be~~ ARE transmitted to the state treasurer, who shall credit
4 the ~~same~~ MONEYS to the division of insurance cash fund. THE DIVISION
5 SHALL USE all moneys credited to the division of insurance cash fund ~~shall~~
6 ~~be used~~ as provided in this section and in section 24-48.5-106, C.R.S.,
7 ~~shall not be deposited in or transferred~~ SUBJECT TO ANNUAL
8 APPROPRIATION BY THE GENERAL ASSEMBLY FOR THE PURPOSES
9 AUTHORIZED IN THIS TITLE AND AS OTHERWISE AUTHORIZED BY LAW.
10 MONEYS IN THE FUND DO NOT REVERT to the general fund of this state or
11 to any other fund. ~~and shall be subject to annual appropriation by the~~
12 ~~general assembly for the purposes authorized in this title and as otherwise~~
13 ~~authorized by law.~~ In accordance with section 24-36-114, C.R.S., all
14 interest derived from the deposit and investment of moneys in the fund
15 ~~shall be~~ IS credited to the general fund.

16
17 ~~(6) (b) (I) (A) The functions of the division of insurance related~~
18 ~~to the licensing of bail bonding agents are repealed, effective July 1,~~
19 ~~2012, pursuant to the provisions of this section and section 12-7-112,~~
20 ~~C.R.S.~~

21
22 ~~(D) The functions of the division of insurance other than those~~
23 ~~functions related to the licensing of bail bonding agents, are repealed,~~
24 ~~effective July 1, 2017, pursuant to this section and section 24-34-104~~
25 ~~(48), C.R.S.~~

26
27 **SECTION 3.** In Colorado Revised Statutes, 10-1-108, **amend** (5),
28 (8), and (9) as follows:
29

30 **10-1-108. Duties of commissioner - reports - publications - fees**
31 **- disposition of funds - adoption of rules - examinations and**
32 **investigations.** (5) It is the duty of the commissioner to make such
33 investigations and examinations as are authorized by this title (except
34 article 15) ~~article 7 of title 12~~, and article 14 of title 24, C.R.S., and to
35 investigate such information as is presented to the commissioner by
36 authority that the commissioner believes to be reliable pertaining to
37 violation of the insurance laws of Colorado, and it is the commissioner's
38 duty to present the result of such investigations and examinations for
39 further investigation and prosecution to either the district attorney of the
40 proper judicial district or the attorney general when, in the commissioner's
41 opinion, such violations justify such action.

42
43 (8) It is the duty of the commissioner to examine all requests and
44 applications from insurers for certificates of authority to be issued
45 pursuant to section 10-3-105. The commissioner is authorized to refuse
46 to issue any such certificates of authority until the commissioner is
47 reasonably satisfied as to the qualifications and general fitness of the
48 insurer to comply with the requirements of the provisions of this title
49 (except article 15) ~~article 7 of title 12~~, and article 14 of title 24, C.R.S.

50
51 (9) It is the duty of the commissioner to transmit all surcharges,
52 costs, taxes, penalties, and fines collected by the division of insurance
53 under any provision of this title (except article 15) ~~article 7 of title 12~~, and
54 article 14 of title 24, C.R.S., to the department of the treasury. All funds
55 so transmitted shall be credited to the general fund; except that any funds
56 collected by the commissioner as reimbursement for out-of-state travel

1 costs in conjunction with the examination of an insurance company or
2 with an activity to improve regulation of insurance companies are hereby
3 continuously appropriated to the division of insurance in addition to any
4 other funds appropriated for its normal operation.

5
6 **SECTION 4.** In Colorado Revised Statutes, 10-1-110, **amend** (1)
7 introductory portion and (2) as follows:

8
9 **10-1-110. Grounds and procedure for suspension or**
10 **revocation of certificate or license of entities.** (1) The certificate of
11 authority of an insurance company to do business in this state may be
12 revoked or suspended by the commissioner for any reason specified in
13 this title ~~article 7 of title 12~~, and article 14 of title 24, C.R.S. Specifically,
14 the certificate may be suspended or revoked by the commissioner for
15 reasons that include, but are not limited to:

16
17 (2) If the commissioner finds upon examination, hearing, or other
18 evidence that any foreign or domestic insurance company has committed
19 any of the acts specified in subsection (1) of this section, or any other act
20 specified in this title ~~article 7 of title 12~~, and article 14 of title 24, C.R.S.,
21 for which the penalty is suspension or revocation of the certificate of
22 authority, the commissioner may suspend or revoke such certificate of
23 authority, if he or she deems it in the best interest of the public and the
24 policyholders of the company, notwithstanding any other provision of
25 said references. Notice of any revocation shall be published in one or
26 more daily newspapers in Denver that have a general state circulation.
27 Before suspending or revoking any certificate of authority of an insurance
28 company, the commissioner shall grant the company fifteen days in which
29 to show cause why such action should not be taken. Any final decision of
30 the commissioner to suspend or revoke a certificate of authority or license
31 of any person or entity regulated by the division of insurance shall be
32 subject to judicial review by the court of appeals pursuant to section
33 24-4-106 (11), C.R.S.

34
35 **SECTION 5.** In Colorado Revised Statutes, **amend** 10-1-111 as
36 follows:

37
38 **10-1-111. Invoking aid of courts.** The commissioner, through the
39 attorney general, may invoke the aid of the courts through injunction or
40 other proper process, mandatory or otherwise, to enforce any proper order
41 made by the commissioner or action taken by the commissioner; but
42 nothing in this title (except article 15) ~~article 7 of title 12~~, and article 14
43 of title 24, C.R.S., shall be construed to prevent the company or person
44 affected by any order, ruling, proceeding, act, or action of the
45 commissioner, or any person acting on behalf and at instance of the
46 commissioner, from testing the validity of the same in any court of
47 competent jurisdiction, through injunction, appeal, or other proper
48 process or proceeding, mandatory or otherwise.

49
50 **SECTION 6.** In Colorado Revised Statutes, **amend** 10-1-112 as
51 follows:

52
53 **10-1-112. Policy conditions required by other states.** The
54 policies of a domestic insurance company, when issued or delivered in
55 any other state, territory, district, or country, may contain any provision
56 required by the laws of the state, territory, district, or country in which the

1 same are issued, anything in this title (except article 15) ~~article 7 of title~~
2 ~~12~~, and article 14 of title 24, C.R.S., to the contrary notwithstanding.

3
4 **SECTION 7.** In Colorado Revised Statutes, 10-1-211, **add** (6) as
5 follows:

6
7 **10-1-211. Protocols for market conduct actions.** (6) SUBJECT
8 TO SECTION 16-4-108 (1.5), A BAIL PREMIUM IS EARNED IN ITS ENTIRETY
9 BY A COMPENSATED SURETY UPON THE DEFENDANT'S RELEASE FROM
10 CUSTODY.

11
12 **SECTION 8.** In Colorado Revised Statutes, 10-2-301, **amend** (6)
13 (a) and (6) (c) as follows:

14
15 **10-2-301. Continuing education requirement - advisory**
16 **committee.** (6) (a) The commissioner shall be responsible for
17 administering the continuing insurance education requirements under this
18 article ~~and the continuing education requirements under article 7 of title~~
19 ~~12, C.R.S.~~, and approving courses of instruction ~~which~~ THAT qualify for
20 such purposes. The commissioner shall promulgate such rules ~~and~~
21 ~~regulations~~ as the commissioner deems necessary to administer ~~such~~ THE
22 continuing education requirements, including the provisions and
23 requirements of this section. The commissioner shall also promulgate
24 ~~regulations~~ RULES requiring that producers ~~and bail bonding agents~~
25 ~~licensed under article 7 of title 12, C.R.S.~~, be required to provide to a
26 continuing education administrator proof of compliance with the
27 continuing education requirements as a condition of license renewal. For
28 persons licensed pursuant to section 10-11-116 (1) (c), compliance with
29 the continuing legal education credits requirements of the Colorado
30 supreme court shall be deemed to meet the requirements of this section.

31
32 (c) Each producer ~~and bail bonding agent~~ licensed under THIS
33 article ~~7 of title 12, C.R.S.~~, ~~shall be~~ IS responsible for paying to the
34 continuing education administrator a reasonable biennial fee for the
35 operation of the continuing education programs, which fee ~~shall be~~ IS
36 used to administer the provisions of this section.

37
38 **SECTION 9.** In Colorado Revised Statutes, 10-4-407, **amend** (1)
39 introductory portion; and **repeal** (1) (f) as follows:

40
41 **10-2-407. License - definitions of lines of insurance - authority.**
42 (1) Unless A PERSON IS denied licensure pursuant to section 10-2-801, ~~or~~
43 ~~12-7-106, C.R.S.~~, THE DIVISION SHALL ISSUE a person who has met the
44 requirements of sections 10-2-401 OR 10-2-404 ~~12-7-102, or 12-7-103,~~
45 ~~C.R.S., may be issued~~ an insurance producer license. An insurance
46 producer may receive qualification for a single license to include one or
47 more of the following lines of authority:

48
49 (f) ~~Bail bonding agent including a surety agent, as defined in~~
50 ~~section 12-7-101 (1), C.R.S., a cash bonding agent, as defined in section~~
51 ~~12-7-102 (1), C.R.S., and a professional cash bail agent, as defined in~~
52 ~~section 12-7-101 (7), C.R.S.;~~

53
54
55

1 **SECTION 10.** In Colorado Revised Statutes, 10-2-415.5, **amend**
2 (1), (2) (a), (2) (b) introductory portion, (2) (b) (I), and (3) as follows:

3
4 **10-2-415.5. Appointment of insurance producer - continuation**
5 **- renewal - exceptions.** (1) No insurance producer ~~with bail bonding~~
6 ~~agent authority as set forth in section 10-2-407 (1) (f)~~ shall claim to be a
7 representative or authorized or appointed agent of, or use any other term
8 implying a contractual relationship with, a particular ~~insurer~~ BAIL
9 INSURANCE COMPANY or accept applications on behalf of ~~such insurer~~ THE
10 BAIL INSURANCE COMPANY unless ~~such~~ THE insurance producer becomes
11 ~~pursuant to a~~ THROUGH A WRITTEN contract ~~in writing~~, a producer
12 appointee, appointed by that ~~insurer~~ BAIL INSURANCE COMPANY in
13 accordance with this section, to act in the capacity of an agent of the
14 ~~insurer~~ BAIL INSURANCE COMPANY.

15
16 (2) (a) ~~An insurer~~ A BAIL INSURANCE COMPANY shall notify the
17 commissioner of each INSURANCE producer ~~bail bonding agent~~
18 appointment. Each ~~insurer~~ BAIL INSURANCE COMPANY shall file with the
19 commissioner, monthly or at such other less frequent intervals as the
20 commissioner may prescribe, a current list of insurance producers that it
21 has appointed to solicit business on its behalf. The list shall contain all
22 relevant appointment information as prescribed by the commissioner,
23 including the effective date of appointment.

24
25 (b) Subject to renewal, each insurance producer ~~bail bonding~~
26 ~~agent~~ appointment shall remain in effect until:

27
28 (I) The insurance producer's license is allowed to expire,
29 discontinued, or cancelled by the insurance producer ~~bail bonding agent~~
30 or revoked by the commissioner; or

31
32 (3) Each active insurance producer ~~bail bonding agent~~
33 appointment shall be subject to renewal on October 1 of the renewal year.
34 The division shall provide a list of active insurance producer appointees
35 to the ~~insurer~~ BAIL INSURANCE COMPANY along with a renewal invoice
36 stating the fee required for the renewal of each active insurance producer
37 ~~bail bonding agent~~ appointment.

38
39 **SECTION 11.** In Colorado Revised Statutes, 10-2-415.7, **amend**
40 (2) as follows:

41
42 **10-2-415.7. Termination of insurance producer bail bonding**
43 **agent - notice - penalty.** (2) If the termination of an agent's appointment
44 is for any of the causes listed in section 10-1-128 OR 10-2-801, ~~12-7-106,~~
45 ~~or 12-7-109, C.R.S.,~~ the insurer shall notify the commissioner of the
46 reason and, if the commissioner so requests, the insurer shall provide any
47 information, records, statements, or other data pertaining to the
48 termination that may be used by the division in any action taken ~~pursuant~~
49 ~~to sections~~ UNDER SECTION 10-2-801. ~~and 12-7-106, C.R.S.~~

50
51 **SECTION 12.** In Colorado Revised Statutes, **add** 10-2-418 as
52 follows:

53
54 **10-2-418. Bail bonding authority.** (1) THE DIVISION SHALL
55 ADVISE STATE COURT ADMINISTRATORS THAT A PERSON MAY FURNISH A
56 BAIL BOND IF THE PERSON IS A LICENSED INSURANCE PRODUCER WITH A

1 POWER OF ATTORNEY FROM AN INSURANCE COMPANY, APPEARS ON THE
2 DIVISION'S WEB SITE AS AN ACTIVE INSURANCE PRODUCER WITH CASUALTY
3 AUTHORITY, AND IS APPOINTED BY THAT INSURANCE COMPANY.
4

5 (2) THE DIVISION SHALL ISSUE CREDENTIALS TO EACH INSURANCE
6 PRODUCER WHO IS APPOINTED BY A BAIL INSURANCE COMPANY THAT
7 CLEARLY IDENTIFIES THE PERSON AS HOLDING AUTHORITY TO ACT AS A
8 BAIL BOND AGENT.
9

10 **SECTION 13.** In Colorado Revised Statutes, 10-2-502, **amend**
11 (1) introductory portion as follows:
12

13 **10-2-502. Nonresident licensing - qualification.** (1) ~~Except for~~
14 ~~individuals or entities writing bail,~~ The commissioner may qualify an
15 applicant as a nonresident, unless the applicant is denied licensure
16 pursuant to section 10-2-801, and shall issue an insurance producer
17 license to any qualified nonresident person in accordance with the
18 following:
19

20 **SECTION 14.** In Colorado Revised Statutes, 10-2-702, **amend**
21 (2) as follows:
22

23 **10-2-702. Commissions.** (2) ~~Except for individuals or entities~~
24 ~~writing bail,~~ An insurer or insurance producer may pay or assign
25 commissions, service fees, brokerages, or other valuable consideration to
26 an insurance agency, business entity, or persons who do not sell, solicit,
27 or negotiate insurance in this state, unless the payment would violate
28 section 10-3-1104 (1) (g).
29

30 **SECTION 15.** In Colorado Revised Statutes, 10-2-801, **add** (1)
31 (q) as follows:
32

33 **10-2-801. Licenses - denial, suspension, revocation,**
34 **termination - reporting of actions - definitions.** (1) The commissioner
35 may place an insurance producer on probation; suspend, revoke, or refuse
36 to issue, continue, or renew an insurance producer license; order
37 restitution to be paid from an insurance producer; or assess a civil penalty
38 pursuant to section 10-2-804 or 10-3-1108, if, after notice to the insurance
39 producer licensee and after a hearing held in accordance with sections
40 24-4-104 and 24-4-105, C.R.S., the commissioner finds that as to the
41 licensee or applicant any one or more of the following conditions exist:
42

43 (q) PROFITING EITHER DIRECTLY OR INDIRECTLY FROM THE
44 BUSINESS OF A CASH-BONDING AGENT OR PROFESSIONAL CASH-BAIL AGENT
45 UNLESS THE PERSON PROFITING IS REGISTERED AS A CASH-BONDING AGENT
46 OR PROFESSIONAL CASH-BAIL AGENT AND THE PROFIT IS DERIVED FROM
47 THEIR OWN BUSINESS.
48

49 **SECTION 16.** In Colorado Revised Statutes, 10-3-101, **amend**
50 (2) as follows:
51

52 **10-3-101. Formation of insurance companies.** (2) When not
53 less than the amount required by section 10-3-201 has been paid in by the
54 incorporators and deposited with the commissioner, as provided for in
55 this title (except article 15) ~~article 7 of title 12,~~ and article 14 of title 24,
56 C.R.S., the commissioner shall cause an examination to be made either by

1 the commissioner or some disinterested person especially appointed by
2 the commissioner for the purpose, who shall certify that said provisions
3 have been complied with by said company, as far as applicable thereto.
4 Such certificate shall be filed in the office of the commissioner, who shall
5 thereupon deliver to such company a certified copy thereof, which,
6 together with a copy of the articles of incorporation, shall be filed in the
7 office of the recorder of deeds of the county wherein the company is to
8 be located, before the authority to commence business is granted. Any
9 filings required to be made with the commissioner pursuant to this
10 subsection (2) may be in an electronic format.

11
12 **SECTION 17.** In Colorado Revised Statutes, **amend** 10-3-103 as
13 follows:

14
15 **10-3-103. Names of companies.** No domestic insurance company
16 shall adopt the name of any existing company transacting a similar
17 business nor any name so similar as to be calculated to mislead the public,
18 but any domestic mutual or mutual assessment insurance company, upon
19 complying with the terms and conditions of this title (except article 15),
20 ~~article 7 of title 12~~, and article 14 of title 24, C.R.S., may be reorganized
21 and reincorporated as a joint stock company under the same name by
22 which it was incorporated as a mutual or assessment company, with the
23 omission of the word "mutual", and it is unlawful for any other company
24 to be incorporated or transact business under or by the name under which
25 any such mutual or mutual assessment company was operating at the time
26 of reincorporation.

27
28 **SECTION 18.** In Colorado Revised Statutes, **amend** 10-3-104 as
29 follows:

30
31 **10-3-104. Unauthorized companies - penalties.** Except for
32 reinsurance by an authorized insurer or insurance effected pursuant to the
33 provisions of article 5 or article 15 of this title, it is unlawful for any
34 person, company, or corporation in this state to procure, receive, or
35 forward applications for insurance in, or to issue or to deliver policies for,
36 any company not legally authorized to do business in this state, as
37 provided in this title ~~article 7 of title 12~~, and article 14 of title 24, C.R.S.
38 Any person violating the provisions of this section commits a class 1
39 misdemeanor and shall be punished as provided in section 18-1.3-501,
40 C.R.S.

41
42 **SECTION 19.** In Colorado Revised Statutes, **amend** 10-3-108 as
43 follows:

44
45 **10-3-108. File duly certified copy of charter.** Except pursuant
46 to the provisions of article 5 of this title, no foreign insurance company
47 shall transact any business in this state unless it first files in the office of
48 the commissioner a duly certified copy of its charter, articles of
49 incorporation, or deed of settlement, together with a statement, under
50 oath, of the president and secretary, or other chief officers of such
51 company, showing the condition of affairs of such company on the
52 thirty-first day of December next preceding the date of such oath. The
53 statement shall be in the same form and shall set forth the same
54 particulars as the annual statement required by this title (except article 15)
55 ~~article 7 of title 12~~, and article 14 of title 24, C.R.S. After filing its
56 articles of incorporation or charter with the secretary of state, no

1 insurance company shall be required to file its annual report or any other
2 instrument, except amendments to said articles of incorporation or
3 charter, in the office of the secretary of state or to pay to the secretary of
4 state an annual corporation tax. The filings required pursuant to this
5 section may be made in an electronic format.

6
7 **SECTION 20.** In Colorado Revised Statutes, **amend** 10-3-111 as
8 follows:

9
10 **10-3-111. Violations - penalty.** Except for violations of section
11 10-3-104 or article 15 of this title, any officer, director, stockholder,
12 attorney, or agent of any corporation or association who violates any of
13 the provisions of this title ~~article 7 of title 12~~, and article 14 of title 24,
14 C.R.S., who participates in or aids, abets, or advises or consents to any
15 such violation, and any person who solicits or knowingly receives any
16 money or property in violation of said references, is guilty of a
17 misdemeanor and, upon conviction thereof, shall be punished by
18 imprisonment in the county jail for not more than one year and by a fine
19 of not more than one thousand dollars, and any officer aiding or abetting
20 in any contribution made in violation of said references is liable to the
21 company or association for the amount so contributed. No person shall be
22 excused from attending and testifying or producing any books, papers, or
23 other documents, before any court, upon any investigation, proceeding,
24 or trial, for a violation of any of the provisions of said references upon the
25 ground or for the reason that the testimony or evidence, documentary or
26 otherwise, required of such person may tend to incriminate or degrade
27 him or her; but no person shall be prosecuted or subjected to any penalty
28 or forfeiture for or on account of any transaction, matter, or thing
29 concerning which he or she may so testify or produce evidence,
30 documentary or otherwise, and no testimony so given or produced shall
31 be used against him or her upon any criminal investigation or proceeding.

32
33 **SECTION 21.** In Colorado Revised Statutes, 10-3-113, **amend**
34 (2) as follows:

35
36 **10-3-113. Increase of capital.** (2) The provisions of this title
37 (except article 15) ~~article 7 of title 12~~, and article 14 of title 24, C.R.S.,
38 ~~shall~~ also apply in the formation and authorization of domestic insurance
39 companies formed upon the mutual plan, and to associations formed upon
40 the assessment plan, that are organized with a guaranty fund in lieu of
41 capital as provided in said references.

42
43 **SECTION 22.** In Colorado Revised Statutes, 10-3-123, **amend**
44 (2), (5), and (7) as follows:

45
46 **10-3-123. Assessment accident associations.** (2) Twenty-five or
47 more persons who are citizens of this state may form a corporation to
48 carry on the business of casualty insurance on the assessment plan, but no
49 such corporation shall begin to do business until a guaranty fund of at
50 least ten thousand dollars is provided and deposited, in cash or in such
51 securities as are permitted by law in the case of stock companies, with the
52 commissioner under the conditions named in this title (except article 15)
53 ~~article 7 of title 12~~, and article 14 of title 24, C.R.S. When this is done
54 and at least two hundred persons have subscribed in writing to be insured,
55 and when each has paid in at least one monthly assessment or premium,
56 the commissioner, if the laws have been complied with, shall issue a

1 certificate of authority for such corporation, which authorizes it to
2 commence business. The word "association" shall be used in the title or
3 name of all corporations organized under this section instead of the word
4 "company".
5

6 (5) Any corporation organized under the authority of any other
7 state or government to issue policies or certificates of casualty insurance
8 on the assessment plan, as a condition precedent to transacting business
9 in this state, shall pay such fees and comply with the same requirements
10 as exacted of stock casualty insurance companies of other states or
11 countries, as provided by this title (except article 15) ~~article 7 of title 12,~~
12 and article 14 of title 24, C.R.S., and thereafter be subject to the same
13 general laws and penalties of this title, unless otherwise provided in this
14 section, and it shall deposit with the commissioner or with the proper
15 official of some other state, for the protection of all its policyholders, a
16 sum not less than that required to be deposited by domestic casualty
17 insurance companies organized upon the mutual assessment plan. Such
18 corporation shall also file with the commissioner a copy of its policies or
19 certificates and applications therefor, for approval by the commissioner,
20 and a sworn statement from the proper officers of such corporation that
21 they have received a copy of this section, and shall be governed thereby
22 in issuing policies or certificates in this state. The commissioner may
23 thereupon issue or renew the authority of such corporation to do business
24 in this state.
25

26 (7) Any corporation doing a casualty insurance business in this
27 state on April 15, 1913, that is incorporated to do business on the
28 assessment plan may reincorporate under the provisions of this title
29 (except article 15) ~~article 7 of title 12,~~ and article 14 of title 24, C.R.S.,
30 but nothing in said references shall be construed as requiring any such
31 corporation to reincorporate, and any such corporation may continue to
32 exercise all rights, powers, and privileges conferred by said references,
33 or its articles of incorporation not inconsistent ~~herewith~~ WITH THIS
34 SUBSECTION (7).
35

36 **SECTION 23.** In Colorado Revised Statutes, 10-3-201, **amend**
37 (2) as follows:
38

39 **10-3-201. Cash capital - guaranty fund - deposit.** (2) The cash
40 or securities representing the minimum capital or guaranty fund and
41 surplus required by paragraph (a) of subsection (1) of this section shall be
42 deposited, in the case of domestic companies, with the commissioner in
43 the manner provided by law and, in the case of foreign or alien
44 companies, with the commissioner or with the duly authorized officer of
45 some other state of the United States; except that the guaranty fund of
46 mutual companies shall be construed to include deposits held for the
47 benefit of policyholders as provided in this title (except article 15) ~~article~~
48 ~~7 of title 12, C.R.S.,~~ and article 14 of title 24, C.R.S.
49

50 **SECTION 24.** In Colorado Revised Statutes, 10-3-206, **amend**
51 (1) as follows:
52

53 **10-3-206. Security deposits - certificates.** (1) The commissioner
54 shall receive and hold on deposit, in the manner provided in this law, the
55 securities of domestic companies that are deposited by any such company
56 under the provisions of this title (except article 15) ~~article 7 of title 12,~~

1 and article 14 of title 24, C.R.S., for the purpose of securing policyholders
2 or to comply with any similar law of another state to enable ~~such~~ THE
3 company to transact business in such state. All securities so offered for
4 deposit shall belong to and be the sole property of such company and
5 shall be free and clear of any claims whatsoever, and the commissioner
6 shall determine the same by proper inquiry.

7
8 **SECTION 25.** In Colorado Revised Statutes, 10-3-208, **amend**
9 (1) as follows:

10
11 **10-3-208. Financial statements.** (1) All insurance companies
12 doing business in this state, unless otherwise provided in this title (except
13 article 15) ~~article 7 of title 12~~, and article 14 of title 24, C.R.S., shall
14 make and file with the commissioner annually, on or before the first day
15 of March in each year, a statement under oath, upon a form to be
16 prescribed by the commissioner, stating the amount of all premiums
17 collected or contracted for in this state or from residents thereof, in cash
18 or notes, by the company making such statement during the year ending
19 the last day of December next preceding; the amounts actually paid
20 policyholders on losses and the amounts paid policyholders as returned
21 premiums by property and casualty insurance companies; the amount of
22 insurance reinsured in other companies authorized to do business in this
23 state and the amount of premiums paid therefor; the amount of insurance
24 reinsured in companies, naming them, not authorized to do business in
25 this state and the amount of premiums paid therefor; and the amount of
26 reinsurance accepted from admitted companies and the premiums
27 received from such reinsurance on residents of this state or risks located
28 in this state, with the name of the companies so reinsured. The annual
29 statement made to the commissioner pursuant to this section or other
30 provisions of said references shall at least include the substance of that
31 which is required by what is known as the convention blank form adopted
32 from year to year by the national association of insurance commissioners,
33 including any instructions, procedures, and guidelines not in conflict with
34 any provision of this title for completing the convention blank form.

35
36 **SECTION 26.** In Colorado Revised Statutes, 10-3-209, **amend**
37 (1) (c) as follows:

38
39 **10-3-209. Tax on premiums collected - exemptions - penalties.**
40 (1) (c) The taxes prescribed in paragraph (b) of this subsection (1) shall
41 constitute all taxes collectible under the laws of this state against any such
42 insurance companies, and no other occupation tax or other taxes shall be
43 levied or collected from any insurance company by any county, city, or
44 town within this state; but this title (except article 15) ~~article 7 of title 12~~,
45 and article 14 of title 24, C.R.S., shall not be construed to prohibit the
46 levy and collection of state, county, school, and municipal taxes upon the
47 real and personal property of such companies, nor shall it include or
48 prohibit the levy and collection of a tax to be paid on net workers'
49 compensation premiums, as provided under the "Colorado Medical
50 Disaster Insurance Fund Act", part 3 of article 46 of title 8, C.R.S.

51
52 **SECTION 27.** In Colorado Revised Statutes, 10-3-213, **amend**
53 (1) as follows:

54
55 **10-3-213. Investments eligible as admitted assets.** (1) Domestic
56 insurance companies may invest their funds in the categories of assets

1 described in sections 10-3-215 to 10-3-230 and 10-3-242. Every such
2 investment shall be an admitted asset of the company; except that, if the
3 section describing a category of asset contains a quantitative limitation,
4 an investment in that category of asset shall be an admitted asset under
5 that section to the extent that it does not exceed such limitation. Any such
6 limitation shall apply only with respect to the category of assets described
7 in that section and shall not constitute a general prohibition and shall not
8 be applicable to any other section. Except as provided in section
9 10-3-237, any investment, or part thereof, that does not qualify under any
10 of said sections shall not be an admitted asset under the provisions of this
11 part 2. Except as specifically provided in this title (except article 15)
12 ~~article 7 of title 12~~, and article 14 of title 24, C.R.S., a domestic insurance
13 company shall not be prohibited from acquiring or holding an asset that
14 is not an admitted asset, and such company may lend, pledge, sell,
15 transfer, assign, hypothecate, dispose of, or exchange any asset acquired
16 by it.

17
18 **SECTION 28.** In Colorado Revised Statutes, **amend** 10-3-214 as
19 follows:
20

21 **10-3-214. Quantitative investment limitations - manner of**
22 **applying.** In applying the investment limitations set forth in this part 2,
23 which are expressed as percentages of a company's admitted assets, there
24 shall be used as a base the total of all assets of the company that would be
25 admitted under this title (except article 15) ~~article 7 of title 12~~, and article
26 14 of title 24, C.R.S., without regard to such limitations and without
27 regard to any condition or restriction set forth in section 10-3-237 (2), and
28 asset values will be those values determined at the current annual
29 statement date or, in case of any statement or examination as of a date
30 other than an annual statement date, those values determined at such other
31 date. In applying any investment limitation set forth in this part 2, which
32 is expressed as a percentage of a company's surplus, the amount of the
33 company's surplus shall be that determined at the current annual statement
34 date or, in the case of any statement or examination as of a date other than
35 an annual statement date, the amount determined at such other date.
36

37 **SECTION 29.** In Colorado Revised Statutes, 10-3-230, **amend**
38 (1) introductory portion as follows:
39

40 **10-3-230. Additional investments.** (1) Domestic insurance
41 companies may invest in any additional investments, except items
42 specifically defined as nonadmitted assets in this title (except article 15)
43 ~~article 7 of title 12~~, and article 14 of title 24, C.R.S., without regard to any
44 limitation, condition, restriction, or exclusion set forth in sections
45 10-3-215 to 10-3-229 and 10-3-242, and regardless of whether the same
46 or a similar type of investment has been included in or omitted from any
47 such section, subject to the following provisions:
48

49 **SECTION 30.** In Colorado Revised Statutes, 10-3-235, **amend**
50 (2) and (4) as follows:
51

52 **10-3-235. Certain admitted assets deemed securities for**
53 **deposit purposes.** (2) For purposes of optional reserve deposits
54 permitted by section 10-7-101 (3) or other deposits permitted but not
55 required by this title (except article 15) ~~article 7 of title 12~~, and article 14
56 of title 24, C.R.S., the following admitted assets, in addition to those

1 referred to in subsection (1) of this section, shall be deemed to be
2 securities eligible for such deposits: Any asset qualified as an admitted
3 asset under section 10-3-220 or 10-3-226 to 10-3-228, and any life
4 insurance policy, to the extent of the company's interest in the cash value
5 thereof.

6
7 (4) For purposes of all deposits required or permitted by this title
8 (except article 15) ~~article 7 of title 12~~, and article 14 of title 24, C.R.S.,
9 assets shall be valued at their fair market value; except that, for purposes
10 of optional reserve deposits permitted by section 10-7-101 (3), or other
11 deposits permitted but not required by said references, bonds and
12 mortgages shall be valued at their current book values under the methods
13 used in determining admitted asset values for annual statement purposes.

14
15 **SECTION 31.** In Colorado Revised Statutes, **amend** 10-3-236 as
16 follows:

17
18 **10-3-236. Assets acquired through merger, consolidation, or**
19 **reinsurance.** Any investments acquired after May 31, 1969, through
20 merger, consolidation, or reinsurance that are not admitted assets under
21 this title (except article 15) ~~article 7 of title 12~~, and article 14 of title 24,
22 C.R.S., shall not be deemed admitted assets by reason of their acquisition
23 through merger, consolidation, or reinsurance.

24
25 **SECTION 32.** In Colorado Revised Statutes, 10-3-237, **amend**
26 (2) as follows:

27
28 **10-3-237. Assets acquired under prior law.**
29 (2) Notwithstanding any other provision of this title (except article 15)
30 ~~article 7 of title 12~~, and article 14 of title 24, C.R.S., any asset held by a
31 company on May 31, 1969, that is not an admitted asset under section
32 10-1-102 (2) or subsection (1) of this section and that did not meet the
33 requirements of the law in effect immediately prior to such date for an
34 investment of the company's reserves, paid-up capital stock, and other
35 liabilities but which, under such law, would have been taken into account
36 as an asset in determining the surplus of the company shall be taken into
37 account as an admitted asset at all times at which the company has
38 aggregate admitted assets under section 10-1-102 (2) and subsection (1)
39 of this section in an amount at least equal to the total of its reserves,
40 paid-up capital stock, and all other liabilities.

41
42 **SECTION 33.** In Colorado Revised Statutes, **amend** 10-3-238 as
43 follows:

44
45 **10-3-238. Refunds.** Whenever it appears to the satisfaction of the
46 commissioner that, because of some mistake of fact, error in calculation,
47 or erroneous interpretation of a statute of this or any other state, any
48 insurer or other person engaged in the business of insurance in this state
49 has paid to the commissioner or to the state of Colorado, pursuant to any
50 provision of this title (except article 15) ~~article 7 of title 12~~, and article 14
51 of title 24, C.R.S., any taxes, fees, or other charges in excess of the
52 amount legally chargeable against said insurer or other person during the
53 one-year period immediately preceding the discovery of such
54 overpayment, the commissioner has the authority to refund to such insurer
55 or other person the amount of such excess by applying the amount thereof
56 toward the payment of taxes, fees, or other charges already due, or that

1 may thereafter become due, from such insurer or other person until such
2 excess has been fully refunded; or, at the commissioner's discretion, the
3 commissioner may make a cash refund thereof.

4
5 **SECTION 34.** In Colorado Revised Statutes, 10-3-903, **amend**
6 (1) introductory portion; and **add** (1) (j), (1) (k), and (2) (l) as follows:

7
8 **10-3-903. Definition of transacting insurance business.** (1) Any
9 of the following acts in this state, effected by mail or otherwise, by an
10 unauthorized insurer constitute transacting insurance business in this state
11 as ~~such~~ THE term is used in section 10-3-105:

12
13 (j) FUNDING, EITHER DIRECTLY OR INDIRECTLY, THE CASH
14 QUALIFICATION BOND OF A CASH-BONDING AGENT OR PROFESSIONAL
15 CASH-BAIL AGENT WHEN THE MEANS DO NOT CONSTITUTE AN
16 ARM'S-LENGTH TRANSACTION UNDER REASONABLE COMMERCIAL
17 STANDARDS OR WHERE THE AGREEMENT TO REPAY IS CONTINGENT ON THE
18 VOLUME OR VALUE OF THE BONDS POSTED.

19
20 (k) EXCEPT FOR PAYMENTS FROM THE DEFENDANT OR A
21 THIRD-PARTY INDEMNITOR WHO APPLIED FOR THE BOND, PAYING, EITHER
22 DIRECTLY OR INDIRECTLY, FOR THE FORFEITURE OF A BAIL BOND POSTED
23 BY A CASH-BONDING AGENT OR PROFESSIONAL CASH-BAIL AGENT WHEN
24 THE PAYMENT IS MADE BY A PERSON OTHER THAN THE CASH-BONDING
25 AGENT OR PROFESSIONAL CASH-BAIL AGENT THAT POSTED THE BAIL BOND.

26
27 (2) The provisions of this section do not apply to:

28
29 (l) A PERSON LICENSED AS A CASH-BONDING AGENT OR
30 PROFESSIONAL CASH-BAIL AGENT UNDER ARTICLE 7 OF TITLE 12, C.R.S.,
31 UNLESS THE PERSON ENGAGES IN CONDUCT DESCRIBED IN SUBSECTION (1)
32 OF THIS SECTION.

33
34 **SECTION 35.** In Colorado Revised Statutes, 10-3-1104, **add** (1)
35 (mm) as follows:

36
37 **10-3-1104. Unfair methods of competition - unfair or deceptive**
38 **acts or practices.** (1) The following are defined as unfair methods of
39 competition and unfair or deceptive acts or practices in the business of
40 insurance:

41
42 (mm) PAYING A FEE OR REBATE OR GIVING OR PROMISING
43 ANYTHING OF VALUE TO A JAILER, PEACE OFFICER, CLERK, DEPUTY CLERK,
44 AN EMPLOYEE OF A COURT, DISTRICT ATTORNEY OR DISTRICT ATTORNEY'S
45 EMPLOYEES, OR A PERSON WHO HAS POWER TO ARREST OR TO HOLD A
46 PERSON IN CUSTODY AS A RESULT OF WRITING A BAIL BOND.

47
48 **SECTION 36.** In Colorado Revised Statutes, 10-12-105, **amend**
49 (1) as follows:

50
51 **10-12-105. Guaranty fund of mutual companies.** (1) Guaranty
52 fund certificates may be issued to provide a guaranty fund for domestic
53 life and fire insurance companies incorporated upon the mutual plan and
54 for domestic casualty insurance associations incorporated upon the
55 assessment plan, such fund to be held as security for the payment of all
56 losses and other policy liabilities of such companies. Guaranty fund

1 certificates may draw interest or dividends not exceeding in the aggregate
2 eight percent per annum, which shall only be paid from the profits of the
3 company. The certificates may only be retired or redeemed by using the
4 profits of the company for that purpose, but the full fund as required of
5 each kind of mutual and assessment company by this title (except article
6 15), ~~article 7 of title 12~~, and article 14 of title 24, C.R.S., shall at all times
7 be maintained. Such guaranty fund shall be a liability until redeemed or
8 retired. It shall only be used to pay policy claims or liabilities when the
9 contingent mutual liability of the policyholders has been drawn upon and
10 found insufficient to meet the losses of policy claims or when the
11 directors for any cause fail to provide for the payment of policy claims.

12
13 **SECTION 37.** In Colorado Revised Statutes, **amend** 10-12-106
14 as follows:

15
16 **10-12-106. Fees of mutual companies.** Mutual and assessment
17 companies, unless otherwise specified in this title (except article 15),
18 ~~article 7 of title 12~~, and article 14 of title 24, C.R.S., are required to pay
19 the same fees and be under the same supervision and authority of the
20 commissioner as companies that are engaged in the same kind of
21 insurance business and that are organized upon the joint-stock plan, and
22 they shall comply with the general laws of this title, unless otherwise
23 specified, and be subject to the penalties provided therein.

24
25 **SECTION 38.** In Colorado Revised Statutes, **repeal** article 7 of
26 title 12.

27
28 **SECTION 39.** In Colorado Revised Statutes, **add with amended**
29 **and relocated provisions** article 23 to title 10 as follows:

30 31 **ARTICLE 23**

32 33 **Cash Bonding Agents**

34
35 **10-23-101. [Formerly 12-7-101] Definitions.** As used in this
36 article, unless the context otherwise requires:

37
38 ~~(1) "Bail bonding agent" or "bonding agent" means any person~~
39 ~~who furnishes bail for compensation in any court or courts in this state~~
40 ~~and who is appointed by an insurer by power of attorney to execute or~~
41 ~~countersign bail bonds in connection with judicial proceedings and who~~
42 ~~is other than a full-time salaried officer or employee of an insurer or a~~
43 ~~person who pledges United States currency, a United States postal money~~
44 ~~order, a cashier's check, or other property as security for a bail bond in~~
45 ~~connection with a judicial proceeding, whether for compensation or~~
46 ~~otherwise.~~

47
48 ~~(1.3) "Bail insurance company" means an insurer as defined in~~
49 ~~section 10-1-102 (13), C.R.S., engaged in the business of writing bail~~
50 ~~appearance bonds through bonding agents which company is subject to~~
51 ~~regulation by the division of insurance in the department of regulatory~~
52 ~~agencies.~~

53
54 ~~(1.5) "Bail recovery" means actions taken by a person other than~~
55 ~~a peace officer to apprehend an individual or take an individual into~~
56 ~~custody because of the failure of such individual to comply with bail bond~~

1 requirements.

2
3 ~~(2) (Deleted by amendment, L. 96, p. 1177, § 1, effective June 1,~~
4 ~~1996.)~~ (1) "CASH-BONDING AGENT" MEANS A PERSON WHO WAS LICENSED
5 BY THE DIVISION AS OF JANUARY 1, 1992, TO WRITE BAIL BONDS AS A
6 CASH-BONDING AGENT.

7
8 ~~(2.5) "Compensated surety" means any person in the business of~~
9 ~~writing bail appearance bonds who is subject to regulation by the~~
10 ~~Colorado division of insurance, including bonding agents and bail~~
11 ~~insurance companies. Nothing in this subsection (2.5) shall be construed~~
12 ~~to authorize bail insurance companies to write bail bonds except through~~
13 ~~licensed bail bonding agents.~~

14
15 ~~(3) "Division" means the division of insurance.~~

16
17 ~~(4) (Deleted by amendment, L. 96, p. 1177, § 1, effective June 1,~~
18 ~~1996.)~~

19
20 ~~(5) Repealed.~~

21
22 ~~(6) (2) "On the board" means that the name of a compensated~~
23 ~~surety~~ THE PERSON has been publicly posted or disseminated by a court as
24 being ineligible to write bail bonds pursuant to UNDER section 16-4-112
25 (5) (e) or (5) (f), C.R.S.

26
27 ~~(7) (3) "Professional cash-bail agent" means a person who is an~~
28 ~~authorized FURNISHES bail bond agent who furnishes bail for~~
29 ~~compensation in any court or courts in this state in connection with~~
30 ~~judicial proceedings and who is not a BY POSTING A BOND WITH THE~~
31 ~~DIVISION. "PROFESSIONAL CASH-BAIL AGENT" DOES NOT MEAN A full-time~~
32 ~~salaried officer or employee of an insurer nor a person who pledges~~
33 ~~United States currency, a United States postal money order, a cashier's~~
34 ~~check, or other property in connection with a judicial proceeding, whether~~
35 ~~for compensation or otherwise.~~

36
37 **10-23-102. [Formerly 12-7-102] Registration required -**
38 **qualifications - enforcement.** (1) No person can qualify QUALIFIES to be
39 a ~~bail bonding agent unless such person is a licensed insurance producer~~
40 ~~appointed to represent an insurance company or is a licensed, professional~~
41 ~~cash-bail agent under article 2 of title 10, C.R.S. UNLESS THE PERSON~~
42 ~~REGISTERS WITH THE DIVISION. However, any bail bonding agent who was~~
43 ~~licensed by the division as of January 1, 1992, to write bail bonds as a~~
44 ~~cash-bonding agent shall be permitted to MAY continue such licensure TO~~
45 ~~BE REGISTERED upon compliance with the other requirements of this~~
46 ~~article.~~

47
48 (2) No firm, partnership, association, or corporation, as such, shall
49 be ~~licensed~~ REGISTERED. No person engaged as a law enforcement or
50 judicial officer shall be ~~licensed~~ REGISTERED as a ~~bonding agent~~
51 CASH-BONDING AGENT OR PROFESSIONAL CASH-BAIL AGENT.

52
53 ~~(a) and (b) (Deleted by amendment, L. 96, p. 1178, § 2, effective~~
54 ~~June 1, 1996.)~~

55
56 ~~(c) to (e) (Deleted by amendment, L. 95, p. 280, § 2, effective July~~

1 ~~1, 1995.)~~

2
3 ~~(3) (a) The division is vested with the authority to enforce the~~
4 ~~provisions of this article. The division shall have authority to make~~
5 ~~investigations and promulgate such rules and regulations as may be~~
6 ~~necessary for the enforcement of this article. ALL REGISTRATIONS EXPIRE~~
7 ~~IN ACCORDANCE WITH A SCHEDULE ESTABLISHED BY THE COMMISSIONER,~~
8 ~~AND THE REGISTRANT SHALL RENEW OR REINSTATE THE REGISTRATION IN~~
9 ~~ACCORDANCE WITH THE RULES OF THE COMMISSIONER. IF THE~~
10 ~~COMMISSIONER SCHEDULES A REGISTRATION TO EXPIRE FOR LONGER OR~~
11 ~~SHORTER THAN A YEAR, THE FEE FOR THE COMMISSIONER SHALL~~
12 ~~PROPORTIONALLY ADJUST THE RENEWAL FEE FOR THE REGISTRATION. THE~~
13 ~~REGISTRANT MUST SATISFY ALL REGISTRATION AND RENEWAL~~
14 ~~REQUIREMENTS TO QUALIFY TO REGISTER.~~

15
16 ~~(b) THE COMMISSIONER SHALL GIVE A REGISTRANT A SIXTY-DAY~~
17 ~~GRACE PERIOD TO RENEW THE REGISTRATION WITHOUT DISCIPLINE OR~~
18 ~~SANCTIONS. THE COMMISSIONER MAY ESTABLISH RENEWAL FEES AND~~
19 ~~DELINQUENCY FEES FOR REINSTATEMENT BY RULE. IF A PERSON FAILS TO~~
20 ~~RENEW A REGISTRATION WHEN REQUIRED BY THE SCHEDULE ESTABLISHED~~
21 ~~BY THE COMMISSIONER, THE REGISTRATION EXPIRES.~~

22
23 ~~(4) Each licensee's license shall expire biennially on January 1~~
24 ~~unless revoked or suspended prior thereto by the division or upon notice~~
25 ~~served upon the commissioner by the insurer or the employer or user of~~
26 ~~any license that such insurer, employer, or user has cancelled the~~
27 ~~licensee's authority to act for or in behalf of such insurer, employer, or~~
28 ~~user. THE DIVISION SHALL TRANSMIT ALL FEES COLLECTED UNDER THIS~~
29 ~~ARTICLE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEES TO THE~~
30 ~~DIVISION OF INSURANCE CASH FUND CREATED IN SECTION 10-1-103.~~

31
32 ~~(5) The division shall prepare and deliver to each licensee~~
33 ~~REGISTRANT a pocket card showing the name, address, and classification~~
34 ~~of such licensee. Such THE REGISTRANT. The pocket card shall MUST~~
35 ~~clearly state that such THE person is a licensed bonding agent~~
36 ~~AUTHORIZED TO PRACTICE AS A CASH-BONDING AGENT OR PROFESSIONAL~~
37 ~~CASH-BAIL AGENT.~~

38
39 ~~(6) The division shall notify each bail bonding agent in writing on~~
40 ~~an annual basis regarding changes to the state laws regarding the~~
41 ~~regulation of bail bonding agents.~~

42
43 **10-23-103. [Formerly 12-7-103] Registration requirements -**
44 **application - qualification bond - forfeiture. (1) Any person desiring**
45 **to engage in the business of bail bonding agent in this state AN APPLICANT**
46 **FOR REGISTRATION AS A PROFESSIONAL CASH-BAIL AGENT shall supply the**
47 **following information to the division:**

48
49 ~~(a) (Deleted by amendment, L. 96, p. 1179, § 4, effective June 1,~~
50 ~~1996.)~~

51
52 ~~(b) Repealed.~~

53
54 ~~(c) (a) Whether the applicant DURING THE LAST TEN YEARS has~~
55 ~~been convicted of a felony, entered a guilty plea to a felony, accepted a~~
56 ~~plea of nolo contendere to a felony, or engaged in or committed an act~~

1 ~~described in section 12-7-106 (1) during the previous ten years~~ THAT
2 VIOLATES THIS ARTICLE, A RULE PROMULGATED UNDER THIS ARTICLE, OR
3 ANY ACT THAT WOULD VIOLATE THIS ARTICLE OR A RULE PROMULGATED
4 UNDER THIS ARTICLE IF IT HAD BEEN COMMITTED IN COLORADO; AND
5

6 (d) (b) ~~Such ANY other information as may be required by this~~
7 ~~article or by the division, including but not limited to a full-face~~
8 ~~photograph, In addition, each~~ FOR WHICH THE applicant shall pay the
9 actual costs associated with obtaining any IF A photograph that may be IS
10 required.
11

12 (e) and (f) ~~Repealed.~~
13

14 (1.5) (a) (2) Prior to submission of an application UNDER THIS
15 ARTICLE, each applicant shall have his or her fingerprints taken by a local
16 law enforcement agency ~~for the purpose of obtaining~~ TO OBTAIN a
17 fingerprint-based criminal history record check. The applicant is required
18 to submit payment by certified check or money order for the fingerprints
19 and for the actual costs of said THE record check at the time WHEN the
20 fingerprints are submitted to the Colorado bureau of investigation. Upon
21 receipt of fingerprints and receipt of the payment for costs, the Colorado
22 bureau of investigation shall conduct a state and national
23 fingerprint-based criminal history record check utilizing records of the
24 Colorado bureau of investigation and the federal bureau of investigation.
25

26 (b) For purposes of this subsection (1.5), "applicant" shall include
27 any:
28

29 (I) ~~Bail bonding agent, as defined in section 12-7-101 (1);~~
30

31 (H) ~~Professional cash bail agent, as defined in section 12-7-101~~
32 ~~(7); and~~
33

34 (HH) ~~Bail bonding agent licensed to write bail bonds as a cash~~
35 ~~bonding agent, as described in section 12-7-102 (1).~~
36

37 (2) ~~(Deleted by amendment, L. 96, p. 1179, § 4, effective June 1,~~
38 ~~1996.)~~
39

40 (3) (a) ~~Each applicant who is to be authorized as a cash bonding~~
41 ~~agent pursuant to section 12-7-102 (1) shall be required to post a~~
42 ~~qualification bond in the amount of fifty thousand dollars with the~~
43 ~~division. The bond shall be to the people of the state of Colorado in favor~~
44 ~~of any court in this state, whether municipal, county, district, or other~~
45 ~~court. Any qualification bond for a cash bail bonding agent shall also be~~
46 ~~to the commissioner and the division to fulfill the purposes of this section.~~
47 ~~In the event of a forfeiture of a cash bonding agent's qualification bond,~~
48 ~~the division shall have priority over all other claimants to such bond. Such~~
49 ~~bond shall be conditioned upon full and prompt payment into the court~~
50 ~~ordering such bond forfeited. Bail bonding agents authorized as cash~~
51 ~~bonding agents pursuant to section 12-7-102 (1) may only issue bonds in~~
52 ~~accordance with the provisions of section 16-4-104 (1) (b) (HH), C.R.S.~~
53 ~~In the event of a qualification bond forfeiture, a cash bonding agent shall~~
54 ~~be prohibited from writing new bail bonds until the qualification bond is~~
55 ~~restored to fifty thousand dollars.~~
56

1 (b) ~~If the name of a cash bonding agent is placed on the board~~
2 ~~pursuant to section 16-4-112 (5) (e), C.R.S., and remains on the board for~~
3 ~~the same forfeiture for more than thirty consecutive days, the court that~~
4 ~~placed the name of the cash bonding agent on the board shall order the~~
5 ~~division to declare the qualification bond of such cash bonding agent to~~
6 ~~be forfeited after a hearing as provided in section 12-7-106 (2). The~~
7 ~~division shall then order the cash bonding agent on the qualification bond~~
8 ~~to deposit with the court an amount equal to the amount of the bond~~
9 ~~issued by such cash bonding agent and declared forfeited by the court or~~
10 ~~the amount of the qualification bond, whichever is the smaller amount.~~
11 ~~The division shall suspend the license of such cash bonding agent until~~
12 ~~such time as all forfeitures and judgments ordered and entered against the~~
13 ~~cash bonding agent have been certified as paid or vacated by order of a~~
14 ~~court of record and another qualification bond in the required amount is~~
15 ~~posted with the division.~~

16
17 (c) ~~If the name of a bail bonding agent, other than a cash bonding~~
18 ~~agent, is placed on the board pursuant to section 16-4-112 (5) (e), C.R.S.,~~
19 ~~and remains on the board for the same forfeiture for more than forty-five~~
20 ~~consecutive days, the court that placed the name of the bail bonding agent~~
21 ~~on the board shall order the division to suspend the license of said bail~~
22 ~~bonding agent, after hearing pursuant to section 10-2-801, C.R.S., until~~
23 ~~such time as all forfeitures and judgments ordered and entered against~~
24 ~~said bail bonding agent have been certified as paid or vacated by order of~~
25 ~~a court of record. If the bail forfeiture judgment is not paid within fifteen~~
26 ~~days after the name of a bail insurance company has been placed on the~~
27 ~~board pursuant to section 16-4-112 (5) (f), C.R.S., the division shall also~~
28 ~~order the bail insurance company on the bond to pay the judgment after~~
29 ~~notice and hearing pursuant to sections 24-4-104 and 24-4-105, C.R.S.~~

30
31 (4) to (7) ~~(Deleted by amendment, L. 96, p. 1179, § 4, effective~~
32 ~~June 1, 1996.)~~
33

34 (8) (a) ~~Each applicant who is to be authorized as a professional~~
35 ~~cash bail agent pursuant to section 12-7-102 (1) shall be required to post~~
36 ~~a qualification bond in the amount of no less than fifty thousand dollars~~
37 ~~with the division. The bond shall be to the people of the state of Colorado~~
38 ~~in favor of any court in this state, whether municipal, county, district, or~~
39 ~~other court. Any qualification bond for a professional cash bail agent shall~~
40 ~~also be to the commissioner and the division to fulfill the purposes of this~~
41 ~~section. A professional cash bail agent shall not furnish a single bail~~
42 ~~greater than twice the amount of the bond posted with the division. In the~~
43 ~~event of a forfeiture of a professional cash bail agent's qualification bond,~~
44 ~~the division shall have priority over all other claimants to such bond. Such~~
45 ~~bond shall be conditioned upon full and prompt payment into the court~~
46 ~~ordering such bond forfeited. Bail bonding agents authorized as~~
47 ~~professional cash bail agents pursuant to section 12-7-102 (1) may only~~
48 ~~issue bonds in accordance with the provisions of section 16-4-104 (1) (b)~~
49 ~~(HH), C.R.S. In the event of a qualification bond forfeiture, a professional~~
50 ~~cash bail agent shall be prohibited from writing new bail bonds until the~~
51 ~~qualification bond is restored to at least fifty thousand dollars.~~

52
53 (b) ~~If the name of a professional cash bail agent is placed on the~~
54 ~~board pursuant to section 16-4-112 (5) (e), C.R.S., and remains on the~~
55 ~~board for the same forfeiture for more than thirty consecutive days, the~~
56 ~~court that placed the name of the professional cash bonding agent on the~~

1 ~~board shall order the division to declare the qualification bond of such~~
2 ~~professional cash bail agent to be forfeited after a hearing as provided in~~
3 ~~section 12-7-106 (2). The division shall then order the professional cash~~
4 ~~bail agent on the qualification bond to deposit with the court an amount~~
5 ~~equal to the amount of the bond issued by such professional cash bail~~
6 ~~agent and declared forfeited by the court or the amount of the~~
7 ~~qualification bond, whichever is the smaller amount. The division shall~~
8 ~~suspend the license of such professional cash bail agent until such time~~
9 ~~as all forfeitures and judgments ordered and entered against the~~
10 ~~professional cash bail agent have been certified as paid or vacated by~~
11 ~~order of a court of record and another qualification bond in the required~~
12 ~~amount is posted with the division.~~

13
14 (3) [Formerly 12-7-102.5 (7)] ~~The~~ TO QUALIFY AS A professional
15 ~~cash bonding agent, shall be~~ THE APPLICANT MUST HAVE BEEN licensed as
16 ~~a bail bonding agent~~ AN INSURANCE PRODUCER WHO FURNISHES BAIL in
17 Colorado for four years ~~prior to~~ BEFORE applying for licensure
18 REGISTRATION as a professional cash bail agent.

19
20 **10-23-104. Fees.** (1) (a) EACH PROFESSIONAL CASH-BAIL AGENT
21 AND CASH-BONDING AGENT SHALL PAY AN APPLICATION FEE SET BY THE
22 DIVISION IN AN AMOUNT TO OFFSET THE DIRECT AND INDIRECT COST OF
23 PROCESSING REGISTRATION APPLICATIONS AND ISSUING A REGISTRATION.

24
25 (b) EACH PROFESSIONAL CASH-BAIL AGENT AND CASH-BONDING
26 AGENT SHALL PAY A REGISTRATION RENEWAL FEE SET BY THE DIVISION IN
27 AN AMOUNT THAT OFFSETS THE DIRECT AND INDIRECT COST OF
28 IMPLEMENTING THIS ARTICLE, NET OF THE TOTAL AMOUNT OF THE FEES
29 PAID BY THAT AGENT UNDER PARAGRAPH (c) OF THIS SUBSECTION (1).

30
31 (c) EACH PROFESSIONAL CASH-BAIL AGENT AND CASH-BONDING
32 AGENT SHALL PAY TO THE DIVISION A FEE OF ONE PERCENT ON THE GROSS
33 AMOUNT OF ALL PREMIUMS AND FEES COLLECTED OR CONTRACTED FOR
34 THE FURNISHING OF BAIL, LESS ANY PREMIUM OR FEE REFUNDED AFTER
35 BEING COLLECTED. THE DIVISION MAY LOWER THE FEE IF THE AMOUNT
36 COLLECTED WOULD EXCEED THE AMOUNT NEEDED TO IMPLEMENT THIS
37 ARTICLE PLUS A RESERVE OF SIXTEEN AND ONE-HALF PERCENT.

38
39 (d) THE PREMIUM FEE IS DUE AND PAYABLE ON THE FIFTEENTH DAY
40 OF JANUARY IN EACH YEAR. ANY PROFESSIONAL CASH-BAIL AGENT OR
41 CASH-BONDING AGENT FAILING OR REFUSING TO RENDER A STATEMENT
42 AND INFORMATION, OR TO PAY THE FEE UNDER THIS SECTION, FOR MORE
43 THAN THIRTY DAYS AFTER THE TIME SPECIFIED, IS LIABLE FOR A PENALTY
44 OF UP TO ONE HUNDRED DOLLARS FOR EACH ADDITIONAL DAY OF
45 DELINQUENCY. THE DIVISION MAY ASSESS THE PENALTY AND INTEREST AT
46 A RATE OF ONE PERCENT PER MONTH OR FRACTION THEREOF ON THE
47 UNPAID AMOUNT FROM THE DATE WHEN PAYMENT WAS DUE TO THE DATE
48 WHEN FULL PAYMENT IS MADE. THE DIVISION MAY SUSPEND THE
49 REGISTRATION OF A DELINQUENT AGENT UNTIL ANY FEES, PENALTIES, AND
50 INTEREST ARE FULLY PAID.

51
52 (2) THE DIVISION SHALL TRANSFER THE FEES IMPOSED BY THIS
53 SECTION TO THE TREASURER, WHO SHALL CREDIT THE FEE TO THE DIVISION
54 OF INSURANCE CASH FUND CREATED IN SECTION 10-1-103.

55
56 (3) FOR THE PURPOSE OF AUDITING A PROFESSIONAL CASH-BAIL

1 AGENT'S OR CASH-BONDING AGENT'S PREMIUM FEE STATEMENT, THE
2 DIVISION MAY EXAMINE ANY BOOKS, PAPERS, RECORDS, AGREEMENTS, OR
3 MEMORANDA BEARING UPON THE MATTERS REQUIRED TO BE INCLUDED IN
4 THE PREMIUM FEE STATEMENT. THE AGENT SHALL MAKE THE BOOKS,
5 PAPERS, RECORDS, AGREEMENTS, OR MEMORANDA AVAILABLE UPON
6 REQUEST TO THE DIVISION.

7
8 **10-23-105. [Formerly 12-7-103 (3) (a)] Qualification bond -**
9 **forfeiture.** (1) ~~Each applicant who is to be authorized as a cash-bonding~~
10 ~~agent pursuant to section 12-7-102 (1) shall be required to post a CASH~~
11 ~~qualification bond in the amount of fifty thousand dollars with the~~
12 ~~division. The bond shall MUST be to the people of the state of Colorado~~
13 ~~in favor of any court in this state, whether municipal, county, district, or~~
14 ~~other court, Any qualification bond for a cash bail bonding agent shall~~
15 ~~also be to the commissioner and TO the division to fulfill FOR the~~
16 ~~purposes of this section. In the event of a forfeiture of a cash-bonding~~
17 ~~agent's qualification bond, the division shall have HAS priority over all~~
18 ~~other claimants. To such bond. Such COMPLY WITH THIS SUBSECTION (1),~~
19 ~~THE bond shall MUST be conditioned upon full and prompt payment into~~
20 ~~the court ordering such THE bond forfeited. Bail bonding agents~~
21 ~~authorized as Cash-bonding agents pursuant to section 12-7-102 (1) may~~
22 ~~only SHALL NOT issue bonds EXCEPT in accordance with the provisions of~~
23 ~~section 16-4-104 (1) (b) (III), C.R.S. In the event of a qualification bond~~
24 ~~forfeiture, a cash-bonding agent shall be prohibited from writing SHALL~~
25 ~~NOT WRITE new bail bonds until the qualification bond is restored to fifty~~
26 ~~thousand dollars.~~

27
28 (2) **[Formerly 12-7-103 (8) (a)]** ~~Each applicant who is to be~~
29 ~~authorized as a professional cash-bail agent pursuant to section 12-7-102~~
30 ~~(1) shall be required to post a CASH qualification bond in the amount of~~
31 ~~no less than fifty thousand dollars with the division. The bond shall be to~~
32 ~~the people of the state of Colorado in favor of any court in this state,~~
33 ~~whether municipal, county, district, or other court, Any qualification bond~~
34 ~~for a professional cash bail agent shall also be to the commissioner and~~
35 ~~TO the division to fulfill FOR the purposes of this section. A professional~~
36 ~~cash-bail agent shall not furnish a single bail greater than twice the~~
37 ~~amount of the bond posted with the division. In the event of a forfeiture~~
38 ~~of a professional cash-bail agent's qualification bond, the division shall~~
39 ~~have HAS priority over all other claimants to such THE bond. Such TO~~
40 ~~COMPLY WITH THIS SUBSECTION (2), THE bond shall MUST be conditioned~~
41 ~~upon full and prompt payment into the court ordering such THE bond~~
42 ~~forfeited. Bail bonding agents authorized as Professional cash-bail agents~~
43 ~~pursuant to section 12-7-102 (1) may only SHALL NOT issue bonds EXCEPT~~
44 ~~in accordance with the provisions of section 16-4-104 (1) (b) (III), C.R.S.~~
45 ~~In the event of a qualification bond forfeiture, a professional cash-bail~~
46 ~~agent shall be prohibited from writing NOT WRITE new bail bonds until the~~
47 ~~qualification bond is restored to at least fifty thousand dollars.~~

48
49 (3) TO COMPLY WITH THIS SECTION, THE DIVISION MUST BE
50 DESIGNATED AS AN AUTHORIZED SIGNATORY WITH RIGHT OF
51 SURVIVORSHIP ON ANY BANK ACCOUNT, CERTIFICATION OF DEPOSIT,
52 COMMERCIAL INSTRUMENT, OR SECURITY THAT FUNDS THE BOND
53 REQUIRED BY THIS SECTION. THE RIGHT OF SURVIVORSHIP TERMINATES ON
54 THE LATER OF THE DATE ON WHICH ANY LIABILITY COVERED BY THE BOND
55 IS SATISFIED OR RELEASED OR THE THIRD ANNIVERSARY OF THE DEATH OF
56 THE PROFESSIONAL CASH-BAIL AGENT OR CASH-BONDING AGENT. WHEN

1 THE RIGHT OF SURVIVORSHIP TERMINATES, THE DIVISION SHALL RELEASE
2 THE BOND TO THE AGENT'S ESTATE OR, IF THE ESTATE HAS BEEN SETTLED,
3 TO THE HEIRS OF THE AGENT.

4
5 (4) TO QUALIFY UNDER THIS SECTION:

6
7 (a) A BANK ACCOUNT, CERTIFICATE OF DEPOSIT, COMMERCIAL
8 INSTRUMENT, OR SECURITY MUST BE IN THE LEGAL NAME OF THE
9 PROFESSIONAL CASH-BAIL OR CASH-BONDING AGENT AND NOT A TRADE
10 NAME OR OTHER BUSINESS NAME;

11
12 (b) THE QUALIFICATION BOND MUST CONSIST OF ASSETS THAT ARE
13 SOLELY OWNED AND IN THE NAME OF THE PROFESSIONAL CASH-BAIL OR
14 CASH-BONDING AGENT AND BE IMMEDIATELY AVAILABLE FOR
15 LIQUIDATION BY THE COMMISSIONER OR THE DIVISION;

16
17 (c) THE QUALIFICATION BOND MUST BE WORTH FIFTY THOUSAND
18 DOLLARS NET OF ANY PENALTY FOR WITHDRAWAL OR LIQUIDATION;

19
20 (d) THE PROFESSIONAL CASH-BAIL OR CASH-BONDING AGENT MAY
21 RECEIVE INTEREST THEREON, UNLESS THE PRINCIPAL AMOUNT OF THE
22 QUALIFICATION BOND FALLS BELOW THE REQUIRED FIFTY THOUSAND
23 DOLLARS, IF THE QUALIFICATION BOND IS AN INTEREST-BEARING
24 INSTRUMENT;

25
26 (e) THE TERMS OF THE LOAN, PROMISSORY NOTE, AND FINANCIAL
27 ARRANGEMENT MUST BE SUBMITTED TO THE DIVISION IF THE
28 QUALIFICATION BOND IS FUNDED BY THE PROCEEDS FROM A LOAN,
29 PROMISSORY NOTE, OR OTHER FINANCIAL ARRANGEMENT; AND

30
31 (f) THE AGREEMENT MUST TERMINATE AT A FIXED TIME AND ANY
32 RATE OF RETURN IS AN ANNUAL PERCENTAGE RATE AND NOT TIED TO ANY
33 PREMIUM OR COLLATERAL OR ANY OTHER DIRECT FUNCTION FROM WHICH
34 AN AGENT MAKES A PROFIT IF THE QUALIFICATION BOND CONSISTS OF
35 MONEYS FROM A LOAN, PROMISSORY NOTE, OR OTHER FINANCIAL
36 ARRANGEMENT.

37
38 (5) UPON REQUEST BY THE PERSON WHO POSTED THE
39 QUALIFICATION BOND TO BE REGISTERED UNDER THIS ARTICLE, THE
40 COMMISSIONER SHALL RELEASE THE BOND IF THE PERSON HAS NOT BEEN
41 REGISTERED OR LICENSED TO WRITE A BOND AS A PROFESSIONAL
42 CASH-BAIL AGENT OR CASH-BONDING AGENT WITHIN THE LAST SEVEN
43 YEARS. NEITHER THE COMMISSIONER NOR THE DIVISION ARE LIABLE TO
44 ANY OTHER PARTY FOR RELEASING THE QUALIFICATION BOND IN
45 ACCORDANCE WITH THIS SECTION.

46
47 **10-23-106. [Formerly 12-7-106] Discipline - hearing - civil**
48 **penalty.** (1) The division shall MAY deny, suspend, revoke, or refuse to
49 renew as may be appropriate, the license of any person engaged in the
50 business of bail bonding agent for any of the following reasons A
51 REGISTRATION, OR ISSUE A CEASE-AND-DESIST ORDER IN ACCORDANCE
52 WITH THIS SECTION, UPON REASONABLE GROUNDS THAT THE REGISTRANT:

53
54 (a) Failure of a cash bonding agent or professional cash bail agent
55 FAILED to post a qualified bond in the required amount with the division
56 during the period such person is WHILE engaged in the business within

1 ~~this state~~ or, if ~~such~~ THE bond ~~has been~~ WAS posted, ~~the forfeiture~~ IT WAS
2 FORFEITED or ~~cancellation of such bond~~ CANCELLED;
3

4 (b) ~~Knowingly failing~~ FAILED to comply with or knowingly
5 ~~violating any provisions of~~ VIOLATED this article or of any proper order
6 or rule of the division or any court of this state where the licensee
7 REGISTRANT knew or reasonably should have known of the provisions,
8 order or rule;
9

10 (c) ~~Any activity prohibited in~~ VIOLATED section ~~12-7-109 (1)~~
11 12-7-107 (1);
12

13 (d) ~~Failure to satisfy, pay, or otherwise discharge a bail forfeiture~~
14 ~~judgment after having his or her name placed on the board pursuant to~~
15 ~~section 16-4-112 (5) (e), C.R.S., for more than forty-five consecutive days~~
16 ~~for the same forfeiture~~ WAS CONVICTED OF A FELONY OR PLED GUILTY OR
17 NOLO CONTENDERE TO A FELONY WITHIN THE LAST TEN YEARS,
18 REGARDLESS OF WHETHER THE CONVICTION OR PLEA RESULTED FROM
19 CONDUCT IN OR CONDUCT RELATED TO THE BAIL BOND BUSINESS;
20

21 (e) ~~Conviction of a felony, a guilty plea to a felony, or a plea of~~
22 ~~nolo contendere to a felony within the last ten years, regardless of~~
23 ~~whether the conviction or plea resulted from conduct in or conduct related~~
24 ~~to the bail bond business~~ SERVED A SENTENCE UPON A CONVICTION OF A
25 FELONY IN A STATE CORRECTIONAL FACILITY, CITY OR COUNTY JAIL, OR
26 COMMUNITY CORRECTIONAL FACILITY OR UNDER THE SUPERVISION OF THE
27 STATE BOARD OF PAROLE OR ANY PROBATION DEPARTMENT WITHIN THE
28 LAST TEN YEARS;
29

30 (f) ~~Service of a sentence upon a conviction of a felony in a~~
31 ~~correctional facility, city or county jail, or community correctional facility~~
32 ~~or under the supervision of the state board of parole or any probation~~
33 ~~department within the last ten years~~ CONTINUED TO EXECUTE BAIL BONDS
34 IN ANY COURT IN THIS STATE WHILE ON THE BOARD IF THE BAIL
35 FORFEITURE JUDGMENT THAT RESULTED IN THE REGISTRANT'S BEING
36 PLACED ON THE BOARD HAS NOT BEEN PAID, STAYED, VACATED,
37 EXONERATED, OR OTHERWISE DISCHARGED;
38

39 (g) ~~Failure to report, to preserve without use and retain separately,~~
40 ~~or to return collateral taken as security on any bond to the principal,~~
41 ~~indemnitor, or depositor of such collateral;~~ FURNISHED BAIL IN ANY
42 COURT IN THIS STATE IN AN AMOUNT GREATER THAN TWICE THE AMOUNT
43 OF THE PROFESSIONAL CASH-BAIL AGENT'S BOND POSTED WITH THE
44 DIVISION.
45

46 (h) ~~Soliciting business in or about any place where prisoners are~~
47 ~~confined, arraigned, or in custody;~~
48

49 (i) ~~Failure to pay a final, nonappealable judgment award for~~
50 ~~failure to return or repay collateral received to secure a bond;~~
51

52 (j) ~~Hiring, contracting with, or paying compensation to any~~
53 ~~individual for bail recovery services in violation of the provisions of~~
54 ~~section 12-7-105.5;~~
55

56 (k) ~~Continuing to execute bail bonds in any court in this state~~

1 while on the board pursuant to section 16-4-112 (5) (e), C.R.S., where the
2 bail forfeiture judgment that resulted in being placed on the board has not
3 been paid, stayed, vacated, exonerated, or otherwise discharged;

4
5 (1) If a professional cash bail agent furnishes a single bail in any
6 court in this state in an amount greater than twice the amount of the
7 professional cash bail agent's bond posted with the division.

8
9 (2) If the division denies, suspends, revokes, or refuses to renew
10 any such license, the aggrieved person shall be given an opportunity for
11 a hearing subject to judicial review as provided in article 4 of title 24,
12 C.R.S. EXCEPT FOR THE REASONS LISTED IN PARAGRAPHS (d) AND (e) OF
13 SUBSECTION (1) OF THIS SECTION, THE DIVISION, IN LIEU OF REVOKING OR
14 SUSPENDING A REGISTRATION, MAY IN ANY ONE PROCEEDING, BY ORDER,
15 REQUIRE THE REGISTRANT TO PAY A CIVIL PENALTY IN THE SUM OF NO LESS
16 THAN THREE HUNDRED DOLLARS AND NO MORE THAN ONE THOUSAND
17 DOLLARS FOR EACH OFFENSE. IF THE REGISTRANT FAILS TO PAY THE
18 PENALTY WITHIN TWENTY DAYS AFTER THE MAILING OF THE ORDER,
19 POSTAGE PREPAID, REGISTERED AND ADDRESSED TO THE LAST-KNOWN
20 PLACE OF BUSINESS OF THE REGISTRANT, THE DIVISION MAY REVOKE THE
21 REGISTRATION OR MAY SUSPEND THE REGISTRATION FOR SUCH A PERIOD
22 AS THE COMMISSIONER MAY DETERMINE, UNLESS THE ORDER IS STAYED BY
23 A COURT OF COMPETENT JURISDICTION. THE DIVISION SHALL TRANSMIT
24 THE CIVIL PENALTY TO THE STATE TREASURER, WHO SHALL DEPOSIT IT IN
25 THE GENERAL FUND.

26
27 (3) Except for the reasons listed in paragraphs (e) and (f) of
28 subsection (1) of this section, the commissioner, in lieu of revoking or
29 suspending a license, may in any one proceeding, by order, require the
30 licensee to pay to the commissioner, to be deposited in the general fund
31 of the state, a civil penalty in the sum of no less than three hundred
32 dollars and no more than one thousand dollars for each offense. Upon
33 failure of the licensee to pay the penalty within twenty days after the
34 mailing of the order, postage prepaid, registered and addressed to the
35 last-known place of business of the licensee, the commissioner may
36 revoke the license of the licensee or may suspend the license for such
37 period as the commissioner may determine, unless the commissioner's
38 order is stayed by an order of a court of competent jurisdiction. EXCEPT
39 AS OTHERWISE PROVIDED IN THIS SECTION, THE COMMISSIONER NEED NOT
40 FIND THAT THE ACTIONS THAT ARE GROUNDS FOR DISCIPLINE WERE
41 WILLFUL BUT MAY CONSIDER WHETHER THE ACTIONS WERE WILLFUL WHEN
42 DETERMINING THE NATURE OF DISCIPLINARY SANCTIONS TO BE IMPOSED.

43
44 (4) (a) THE COMMISSIONER MAY COMMENCE A PROCEEDING TO
45 DISCIPLINE A REGISTRANT WHEN THE COMMISSIONER HAS REASONABLE
46 GROUNDS TO BELIEVE THAT THE REGISTRANT HAS COMMITTED AN ACT
47 ENUMERATED IN THIS SECTION.

48
49 (b) IN ANY PROCEEDING HELD UNDER THIS SECTION, THE
50 COMMISSIONER MAY ACCEPT AS EVIDENCE OF GROUNDS FOR DISCIPLINARY
51 ACTION ANY DISCIPLINARY ACTION TAKEN AGAINST A REGISTRANT IN
52 ANOTHER JURISDICTION IF THE VIOLATION THAT PROMPTED THE
53 DISCIPLINARY ACTION IN THE OTHER JURISDICTION WOULD BE GROUNDS
54 FOR DISCIPLINARY ACTION UNDER THIS ARTICLE.

55
56 (5) DISCIPLINARY PROCEEDINGS, HEARINGS, AND OPPORTUNITY

1 FOR REVIEW MUST BE CONDUCTED IN ACCORDANCE WITH ARTICLE 4 OF
2 TITLE 24, C.R.S., BY THE COMMISSIONER OR BY AN ADMINISTRATIVE LAW
3 JUDGE, AT THE COMMISSIONER'S DISCRETION. THE COMMISSIONER MAY
4 EXERCISE ALL POWERS AND DUTIES CONFERRED BY THIS ARTICLE DURING
5 THE DISCIPLINARY PROCEEDINGS.

6
7 (6) (a) THE COMMISSIONER MAY REQUEST THE ATTORNEY
8 GENERAL TO SEEK AN INJUNCTION, IN ANY COURT OF COMPETENT
9 JURISDICTION, TO ENJOIN A PERSON FROM COMMITTING AN ACT
10 PROHIBITED BY THIS ARTICLE. WHEN SEEKING AN INJUNCTION UNDER THIS
11 PARAGRAPH (a), THE ATTORNEY GENERAL SHALL NOT BE REQUIRED TO
12 ALLEGE OR PROVE THE INADEQUACY OF ANY REMEDY AT LAW OR THAT
13 SUBSTANTIAL OR IRREPARABLE DAMAGE IS LIKELY TO RESULT FROM A
14 CONTINUED VIOLATION OF THIS ARTICLE.

15
16 (b) (I) THE COMMISSIONER MAY INVESTIGATE, HOLD HEARINGS,
17 AND GATHER EVIDENCE IN ALL MATTERS RELATED TO THE EXERCISE AND
18 PERFORMANCE OF THE POWERS AND DUTIES OF THE COMMISSIONER.

19
20 (II) IN ORDER TO AID THE COMMISSIONER IN ANY HEARING OR
21 INVESTIGATION INSTITUTED UNDER THIS SECTION, THE COMMISSIONER OR
22 AN ADMINISTRATIVE LAW JUDGE APPOINTED BY THE COMMISSIONER MAY
23 ADMINISTER OATHS, TAKE AFFIRMATIONS OF WITNESSES, AND ISSUE
24 SUBPOENAS COMPELLING THE ATTENDANCE OF WITNESSES AND THE
25 PRODUCTION OF ALL RELEVANT RECORDS, PAPERS, BOOKS, DOCUMENTARY
26 EVIDENCE, AND MATERIALS IN ANY HEARING, INVESTIGATION,
27 ACCUSATION, OR OTHER MATTER BEFORE THE COMMISSIONER OR AN
28 ADMINISTRATIVE LAW JUDGE.

29
30 (III) UPON FAILURE OF ANY WITNESS OR REGISTRANT TO COMPLY
31 WITH A SUBPOENA OR PROCESS, THE DISTRICT COURT OF THE COUNTY
32 WHERE THE SUBPOENAED PERSON OR REGISTRANT RESIDES OR CONDUCTS
33 BUSINESS, UPON APPLICATION BY THE COMMISSIONER WITH NOTICE TO THE
34 SUBPOENAED PERSON OR REGISTRANT, MAY ISSUE TO THE PERSON OR
35 REGISTRANT AN ORDER REQUIRING THE PERSON OR REGISTRANT TO
36 APPEAR BEFORE THE COMMISSIONER; TO PRODUCE THE RELEVANT PAPERS,
37 BOOKS, RECORDS, DOCUMENTARY EVIDENCE, OR MATERIALS IF SO
38 ORDERED; OR TO GIVE EVIDENCE TOUCHING THE MATTER UNDER
39 INVESTIGATION OR IN QUESTION. IF THE PERSON OR REGISTRANT FAILS TO
40 OBEY THE ORDER OF THE COURT, THE PERSON OR REGISTRANT MAY BE
41 HELD IN CONTEMPT OF COURT.

42
43 (c) THE COMMISSIONER MAY APPOINT AN ADMINISTRATIVE LAW
44 JUDGE UNDER PART 10 OF ARTICLE 30 OF TITLE 24, C.R.S., TO CONDUCT
45 HEARINGS, TAKE EVIDENCE, MAKE FINDINGS, AND REPORT THE FINDINGS
46 TO THE COMMISSIONER.

47
48 (7) (a) THE COMMISSIONER, THE COMMISSIONER'S STAFF, ANY
49 PERSON ACTING AS A WITNESS OR CONSULTANT TO THE COMMISSIONER,
50 ANY WITNESS TESTIFYING IN A PROCEEDING AUTHORIZED UNDER THIS
51 ARTICLE, AND ANY PERSON WHO LODGES A COMPLAINT PURSUANT TO THIS
52 ARTICLE IS IMMUNE FROM LIABILITY IN ANY CIVIL ACTION BROUGHT
53 AGAINST HIM OR HER FOR ACTS OCCURRING WHILE ACTING IN HIS OR HER
54 CAPACITY AS COMMISSIONER, STAFF, CONSULTANT, OR WITNESS,
55 RESPECTIVELY, IF SUCH INDIVIDUAL WAS ACTING IN GOOD FAITH WITHIN
56 THE SCOPE OF HIS OR HER RESPECTIVE CAPACITY, MADE A REASONABLE

1 EFFORT TO OBTAIN THE FACTS OF THE MATTER AS TO WHICH HE OR SHE
2 ACTED, AND ACTED IN THE REASONABLE BELIEF THAT THE ACTION TAKEN
3 BY HIM OR HER WAS WARRANTED BY THE FACTS.
4

5 (b) A PERSON PARTICIPATING IN GOOD FAITH IN MAKING A
6 COMPLAINT OR REPORT OR IN AN INVESTIGATIVE OR ADMINISTRATIVE
7 PROCEEDING UNDER THIS SECTION IS IMMUNE FROM ANY CIVIL OR
8 CRIMINAL LIABILITY THAT OTHERWISE MIGHT RESULT BY REASON OF THE
9 PARTICIPATION.
10

11 (8) A FINAL ACTION OF THE COMMISSIONER IS SUBJECT TO JUDICIAL
12 REVIEW BY THE COURT OF APPEALS PURSUANT TO SECTION 24-4-106 (11),
13 C.R.S. A JUDICIAL PROCEEDING TO ENFORCE AN ORDER OF THE
14 COMMISSIONER MAY BE INSTITUTED IN ACCORDANCE WITH SECTION
15 24-4-106 (3), C.R.S.
16

17 (9) WHEN A COMPLAINT OR AN INVESTIGATION DISCLOSES AN
18 INSTANCE OF MISCONDUCT THAT, IN THE OPINION OF THE COMMISSIONER,
19 WARRANTS FORMAL ACTION, NO PERSON SHALL RESOLVE THE COMPLAINT
20 BY A DEFERRED SETTLEMENT, ACTION, JUDGMENT, OR PROSECUTION.
21

22 (10) (a) IF IT APPEARS TO THE COMMISSIONER, BASED UPON
23 CREDIBLE EVIDENCE AS PRESENTED IN A WRITTEN COMPLAINT BY ANY
24 PERSON, THAT A REGISTRANT IS ACTING IN A MANNER THAT IS AN
25 IMMINENT THREAT TO THE HEALTH AND SAFETY OF THE PUBLIC, OR THAT
26 A PERSON IS ACTING OR HAS ACTED WITHOUT THE REQUIRED
27 REGISTRATION, THE COMMISSIONER MAY ISSUE AN ORDER TO CEASE AND
28 DESIST SUCH ACTIVITY. THE ORDER MUST SET FORTH THE STATUTES AND
29 RULES ALLEGED TO HAVE BEEN VIOLATED, THE FACTS ALLEGED TO HAVE
30 CONSTITUTED THE VIOLATION, AND THE REQUIREMENT THAT ALL
31 UNLAWFUL ACTS OR UNREGISTERED PRACTICES IMMEDIATELY CEASE.
32

33 (b) WITHIN TEN DAYS AFTER SERVICE OF THE ORDER TO CEASE AND
34 DESIST UNDER PARAGRAPH (a) OF THIS SUBSECTION (10), THE REGISTRANT
35 MAY REQUEST A HEARING ON THE QUESTION OF WHETHER ACTS OR
36 PRACTICES IN VIOLATION OF THIS ARTICLE HAVE OCCURRED. THE HEARING
37 MUST BE CONDUCTED PURSUANT TO SECTIONS 24-4-104 AND 24-4-105,
38 C.R.S.
39

40 (11) (a) IF IT APPEARS TO THE COMMISSIONER, BASED UPON
41 CREDIBLE EVIDENCE AS PRESENTED IN A WRITTEN COMPLAINT BY ANY
42 PERSON, THAT A PERSON HAS VIOLATED ANY OTHER PORTION OF THIS
43 ARTICLE, THEN, IN ADDITION TO ANY SPECIFIC POWERS GRANTED
44 PURSUANT TO THIS ARTICLE, THE COMMISSIONER MAY ISSUE TO THE
45 PERSON AN ORDER TO SHOW CAUSE AS TO WHY THE COMMISSIONER
46 SHOULD NOT ISSUE A FINAL ORDER DIRECTING THE PERSON TO CEASE AND
47 DESIST FROM THE UNLAWFUL ACT OR UNREGISTERED PRACTICE.
48

49 (b) THE COMMISSIONER SHALL NOTIFY A PERSON AGAINST WHOM
50 AN ORDER TO SHOW CAUSE HAS BEEN ISSUED OF THE ISSUANCE OF THE
51 ORDER, ALONG WITH A COPY OF THE ORDER, THE FACTUAL AND LEGAL
52 BASIS FOR THE ORDER, AND THE DATE SET BY THE COMMISSIONER FOR A
53 HEARING ON THE ORDER. THE NOTICE MAY BE SERVED ON THE PERSON
54 AGAINST WHOM THE ORDER HAS BEEN ISSUED BY PERSONAL SERVICE OR
55 BY CERTIFIED, POSTAGE-PREPAID, UNITED STATES MAIL. PERSONAL
56 SERVICE OR MAILING OF AN ORDER OR DOCUMENT CONSTITUTES NOTICE OF

1 THE ORDER TO THE PERSON.

2
3 (c) (I) THE COMMISSIONER SHALL HOLD THE HEARING ON AN
4 ORDER TO SHOW CAUSE NO SOONER THAN TEN AND NO LATER THAN
5 FORTY-FIVE CALENDAR DAYS AFTER THE DATE OF TRANSMISSION OR
6 SERVICE OF THE NOTIFICATION BY THE COMMISSIONER AS PROVIDED IN
7 THIS SUBSECTION (11). THE HEARING MAY BE CONTINUED BY AGREEMENT
8 OF ALL PARTIES BASED UPON THE COMPLEXITY OF THE MATTER, NUMBER
9 OF PARTIES TO THE MATTER, AND LEGAL ISSUES PRESENTED IN THE
10 MATTER.

11
12 (II) IF A PERSON AGAINST WHOM AN ORDER TO SHOW CAUSE HAS
13 BEEN ISSUED DOES NOT APPEAR AT THE HEARING, THE COMMISSIONER MAY
14 PRESENT EVIDENCE THAT NOTIFICATION WAS PROPERLY SENT OR SERVED
15 ON THE PERSON UNDER THIS SUBSECTION (11) AND SUCH OTHER EVIDENCE
16 RELATED TO THE MATTER AS THE COMMISSIONER DEEMS APPROPRIATE.
17 THE COMMISSIONER SHALL ISSUE THE ORDER WITHIN TEN DAYS AFTER THE
18 COMMISSIONER'S DETERMINATION RELATED TO REASONABLE ATTEMPTS TO
19 NOTIFY THE RESPONDENT, AND THE ORDER SHALL BECOME FINAL AS TO
20 THAT PERSON BY OPERATION OF LAW. THE COMMISSIONER SHALL
21 CONDUCT THE HEARING IN ACCORDANCE WITH SECTIONS 24-4-104 AND
22 24-4-105, C.R.S.

23
24 (III) IF THE COMMISSIONER REASONABLY FINDS THAT THE PERSON
25 AGAINST WHOM THE ORDER TO SHOW CAUSE WAS ISSUED IS ACTING OR
26 HAS ACTED WITHOUT THE REQUIRED LICENSURE, OR HAS OR IS ABOUT TO
27 ENGAGE IN ACTS OR PRACTICES CONSTITUTING VIOLATIONS OF THIS
28 ARTICLE, A FINAL CEASE-AND-DESIST ORDER MAY BE ISSUED, DIRECTING
29 THE PERSON TO CEASE AND DESIST FROM FURTHER UNLAWFUL ACTS OR
30 UNREGISTERED PRACTICES.

31
32 (IV) THE COMMISSIONER SHALL PROVIDE NOTICE, IN THE MANNER
33 SET FORTH IN THIS SUBSECTION (11), OF THE FINAL CEASE-AND-DESIST
34 ORDER WITHIN TEN CALENDAR DAYS AFTER THE HEARING IS CONDUCTED
35 TO EACH PERSON AGAINST WHOM THE FINAL ORDER HAS BEEN ISSUED. THE
36 FINAL ORDER ISSUED IS EFFECTIVE WHEN ISSUED AND IS A FINAL ORDER
37 FOR PURPOSES OF JUDICIAL REVIEW.

38
39 (12) IF IT APPEARS TO THE COMMISSIONER, BASED UPON CREDIBLE
40 EVIDENCE PRESENTED TO THE COMMISSIONER, THAT A PERSON HAS
41 ENGAGED OR IS ABOUT TO ENGAGE IN AN UNREGISTERED ACT OR
42 PRACTICE; AN ACT OR PRACTICE CONSTITUTING A VIOLATION OF THIS
43 ARTICLE, A RULE PROMULGATED UNDER THIS ARTICLE, OR AN ORDER
44 ISSUED UNDER THIS ARTICLE; OR AN ACT OR PRACTICE CONSTITUTING
45 GROUNDS FOR ADMINISTRATIVE SANCTION UNDER THIS ARTICLE, THE
46 COMMISSIONER MAY ENTER INTO A STIPULATION WITH THE PERSON.

47
48 (13) IF ANY PERSON FAILS TO COMPLY WITH A FINAL
49 CEASE-AND-DESIST ORDER OR A STIPULATION, THE COMMISSIONER MAY
50 REQUEST THE ATTORNEY GENERAL OR THE DISTRICT ATTORNEY FOR THE
51 JUDICIAL DISTRICT IN WHICH THE ALLEGED VIOLATION EXISTS TO BRING,
52 AND IF SO REQUESTED, THE ATTORNEY GENERAL SHALL BRING SUIT FOR A
53 TEMPORARY RESTRAINING ORDER AND FOR INJUNCTIVE RELIEF TO
54 PREVENT ANY FURTHER OR CONTINUED VIOLATION OF THE FINAL ORDER.

55
56 (14) A PERSON AGGRIEVED BY THE FINAL CEASE-AND-DESIST

1 ORDER MAY SEEK JUDICIAL REVIEW OF THE COMMISSIONER'S
2 DETERMINATION OR OF THE COMMISSIONER'S FINAL ORDER AS PROVIDED
3 IN SUBSECTION (8) OF THIS SECTION.
4

5 **10-23-107. [Formerly 12-7-109] Prohibited activities -**
6 **penalties.** (1) It is unlawful for any licensee REGISTRANT under this
7 article to engage in any of the following activities:
8

9 (a) ~~Specify, suggest, or advise the employment of any particular~~
10 ~~attorney to represent such licensee's principal;~~ EXCEPT FOR THE BOND FEE,
11 TO FAIL TO RETURN ANY NONFORFEITED COLLATERAL OR SECURITY WITHIN
12 TEN WORKING DAYS AFTER RECEIPT OF A COPY OF THE COURT ORDER THAT
13 RESULTS IN A RELEASE OF THE BOND BY THE COURT, UNLESS:
14

15 (I) THE COLLATERAL ALSO SECURES OTHER OBLIGATIONS; OR
16

17 (II) (A) THE LATER OF THREE YEARS OR, IF THE COURT GRANTS AN
18 EXTENSION, SIX YEARS HAVE ELAPSED FROM THE DATE THE BOND WAS
19 POSTED; OR
20

21 (B) THE REGISTRANT IS EXONERATED AND, AT THE REQUEST OF
22 THE PERSON WHO TENDERED THE COLLATERAL OR SECURITY, RETURNS THE
23 COLLATERAL TO THE PERSON WHO POSTED THE COLLATERAL WITHIN TEN
24 BUSINESS DAYS AFTER THE THREE-YEAR PERIOD.
25

26 (b) Pay a fee or rebate or give or promise to give anything of
27 value to a jailer, ~~police officer,~~ peace officer, clerk, deputy clerk, ~~any~~
28 ~~other~~ AN employee of any A court, district attorney or ~~any of such~~ district
29 attorney's employees, or any person who has power to arrest or to hold
30 any A person in custody.
31

32 (c) ~~Pay a fee or rebate or give anything of value to an attorney in~~
33 ~~bail bond matters, except in defense of any action on a bond or as counsel~~
34 ~~to represent such bail bonding agent or such bonding agent's~~
35 ~~representative or employees~~ FAIL TO ISSUE TO THE PERSON FROM WHOM
36 COLLATERAL OR SECURITY IS TAKEN A RECEIPT WHICH INCLUDES A
37 DESCRIPTION OF THE COLLATERAL OR SECURITY AT THE TIME IT IS TAKEN
38 INTO THE CUSTODY OF THE BAIL BONDING AGENT;
39

40 (d) ~~Pay a fee or rebate or give or promise to give anything of value~~
41 ~~to the person on whose bond such licensee is surety;~~ FAIL TO POST A BOND
42 WITHIN TWENTY-FOUR HOURS AFTER RECEIPT OF FULL PAYMENT OR A
43 SIGNED CONTRACT FOR PAYMENT, OR, IF THE BOND IS NOT POSTED WITHIN
44 TWENTY-FOUR HOURS AFTER RECEIPT OF FULL PAYMENT OR A SIGNED
45 CONTRACT FOR PAYMENT, FAIL TO REFUND ALL MONEYS RECEIVED,
46 RELEASE ALL LIENS, AND RETURN ALL COLLATERAL WITHIN FORTY-EIGHT
47 HOURS AFTER RECEIPT OF THE PAYMENT OR CONTRACT.
48

49 (d.5) ~~Except for the fee received for the bond, to fail to return any~~
50 ~~collateral or security within ten working days after receipt of a copy of the~~
51 ~~court order that results in a release of the bond by the court, unless the~~
52 ~~collateral also secures other obligations in compliance with section~~
53 ~~12-7-108 (10). A copy of the court order shall be provided to the bonding~~
54 ~~agent in Colorado or the company, if any, for whom the bonding agent~~
55 ~~works whether in Colorado or out-of-state, or both, by the person for~~
56 ~~whom the bond was written; except that, if three years have elapsed from~~

1 the date of the posting of the bond, unless a judgment has been entered
2 against the surety or the principal for the forfeiture of the bond, or unless
3 the court grants an extension of the three-year time period for good cause
4 shown, the bail bonding agent, as principal or as surety, shall be
5 exonerated and, at the request of the person who tendered the collateral
6 or security, return the collateral or security to the person who posted the
7 collateral or security within ten business days after the three-year time
8 period. The commissioner may release a lien after the three-year time
9 period has expired if the lienholder cannot be contacted after an attempt
10 has been made by certified mail and the attempt has failed.

11
12 (e) ~~Accept anything of value from a person on whose bond such~~
13 ~~licensee is surety or from others on behalf of such person except the fee~~
14 ~~or premium on the bond, but the bail bonding agent may accept collateral~~
15 ~~security or other indemnity if: ACT AS A PROFESSIONAL CASH-BAIL AGENT~~
16 ~~OR CASH-BONDING AGENT IN ANY COURT WHILE THE NAME OF THE~~
17 ~~REGISTRANT IS ON THE BOARD OR WHEN A REGISTRANT HAS FAILED TO PAY~~
18 ~~A BAIL FORFEITURE JUDGMENT AFTER ALL APPLICABLE STAYS OF~~
19 ~~EXECUTION HAVE EXPIRED AND THE BOND HAS NOT BEEN OTHERWISE~~
20 ~~EXONERATED OR DISCHARGED;~~

21
22 (I) ~~No collateral or security in tangible property is taken by pledge~~
23 ~~or debt instrument which allows retention, sale, or other disposition of~~
24 ~~such property upon default except in accordance with the provisions of~~
25 ~~article 9 of title 4, C.R.S.;~~

26
27 (H) ~~No collateral or security interest in real property is taken by~~
28 ~~deed or any other instrument unless the bail bonding agent's interest in the~~
29 ~~property is limited to the amount of the bond;~~

30
31 (HH) ~~The collateral or security taken by the bail bonding agent is~~
32 ~~not pledged directly to any court as security for any appearance bond; and~~

33
34 (IV) ~~The person from whom the collateral or security is taken is~~
35 ~~issued a receipt describing the condition of the collateral at the time it is~~
36 ~~taken into the custody of the bail bonding agent;~~

37
38 (f) ~~Coerce, suggest, aid and abet, offer promise of favor, or~~
39 ~~threaten any person on whose bond such licensee is surety or offers to~~
40 ~~become surety to induce that person to commit any crime;~~

41
42 (g) ~~Act as a bail bonding agent in any court of record in this state~~
43 ~~while the name of such licensee is on the board pursuant to section~~
44 ~~16-4-112 (5) (e), C.R.S., or under any circumstance where a licensee has~~
45 ~~failed to pay a bail forfeiture judgment after all applicable stays of~~
46 ~~execution have expired and the bond has not been otherwise exonerated~~
47 ~~or discharged;~~

48
49 (h) to (j) ~~Repealed.~~

50
51 (k) ~~Accept anything of value from a person on whose bond such~~
52 ~~licensee is indemnitor or from another on behalf of such principal except~~
53 ~~the premium; except that the bail bonding agent licensed under this article~~
54 ~~may accept collateral security or other indemnity from the person on~~
55 ~~whose bond such bail bonding agent is indemnitor or from another on~~
56 ~~behalf of such principal. All such collateral or other indemnity shall be~~

1 returned pursuant to the requirements contained in paragraph (d.5) of this
2 subsection (1). The bail bonding agent licensed under this article shall
3 preserve and separately retain such collateral and shall be responsible for
4 the return of all such collateral taken and shall be liable for failure thereof
5 as will also be the surety company. When a bail bonding agent accepts
6 collateral as security pursuant to this paragraph (k), such bail bonding
7 agent shall give a written receipt for such collateral to the person on
8 whose bond such bail bonding agent is indemnitor or to another on behalf
9 of such principal and the surety, which shall provide in detail a full
10 description of the collateral received. In the event of the failure of or
11 inability for any reason of a bail bonding agent or such bail bonding
12 agent's heirs or assignees to return collateral as required in this paragraph
13 (k), the commissioner or the commissioner's designee is authorized to
14 take immediate possession of the collateral and take whatever actions are
15 necessary and appropriate to assure compliance with the obligations of
16 this article relating to the return of collateral. The commissioner is
17 authorized to utilize any or all of the qualification bond required in
18 section 12-7-103 (3) for any costs incurred. Any such payment received
19 by the commissioner is hereby appropriated to the division of insurance
20 in addition to any other funds appropriated for its normal operation. The
21 commissioner shall forfeit a qualification bond in the amount necessary
22 to pay any final, nonappealable judgment award for failure to return
23 collateral, including costs and attorney's fees, if awarded.

24
25 (l) Sign or countersign blank bail bonds or execute a power of
26 attorney or otherwise authorize anyone to countersign such licensee's
27 name to bonds;

28
29 (m) For any one licensee to have more than one bond posted at
30 any one time and, in any single case, on behalf of any one person;

31
32 (n) Fail to issue to the person from whom collateral or security is
33 taken a receipt which includes a description of the collateral or security
34 at the time it is taken into the custody of the bail bonding agent;

35
36 (o) Failure to post a bond within twenty-four hours of receipt of
37 full payment or a signed contract for payment, or if the bond is not posted
38 within twenty-four hours of receipt of full payment or a signed contract
39 for payment, failure to refund all moneys received, release all liens, and
40 return all collateral within forty-eight hours of receipt of such payment or
41 contract.

42
43 (2) Any licensee A REGISTRANT who violates any provision of
44 subsection (1) of this section is guilty of a misdemeanor and, upon
45 conviction thereof, shall be punished by a fine of not more than one
46 thousand dollars, or by imprisonment in the county jail for not more than
47 one year, or by both such fine and imprisonment. Any criminal penalty
48 prescribed in this section for a violation of this article shall be IS in
49 addition to, and not exclusive of, any other applicable penalty prescribed
50 by law.

51
52 (3) Any A person who acts or attempts to act as a bail bonding
53 PROFESSIONAL CASH-BAIL AGENT OR CASH-BONDING agent and who is not
54 licensed REGISTERED as such under this article is guilty of a misdemeanor
55 and, upon conviction thereof, shall be punished by a fine of not more than
56 one thousand dollars, or by imprisonment in the county jail for not more

1 than one year, or by both such fine and imprisonment. UPON CONVICTION,
2 THE COURT SHALL REQUIRE THE PERSON TO DISGORGE ANY PROFITS FROM
3 ACTING AS A PROFESSIONAL CASH-BAIL AGENT OR CASH-BONDING AGENT
4 AND FORWARD THE PROFITS TO THE STATE TREASURER, WHO SHALL
5 DEPOSIT THE MONEYS IN THE GENERAL FUND.

6
7 **10-23-108. [Formerly 12-7-112] Repeal - review of functions.**
8 This article is repealed, effective ~~July 1, 2012~~ SEPTEMBER 1, 2017. Prior
9 to ~~such~~ THE repeal, the licensing functions of the commissioner and the
10 division shall be reviewed as provided for in section 24-34-104, C.R.S.

11
12 **SECTION 40.** In Colorado Revised Statutes, 16-1-104, **add** (3.5)
13 as follows:

14
15 **16-1-104. Definitions.** (3.5) "BAIL BONDING AGENT" OR
16 "BONDING AGENT" MEANS A INDIVIDUAL WHO IS IN THE BUSINESS OF
17 WRITING APPEARANCE BONDS AND WHO IS SUBJECT TO REGULATION BY
18 THE DIVISION OF INSURANCE IN THE DEPARTMENT OF REGULATORY
19 AGENCIES, INCLUDING AN INSURANCE PRODUCER, CASH-BONDING AGENT,
20 OR PROFESSIONAL CASH-BAIL AGENT.

21
22 **SECTION 41.** In Colorado Revised Statutes, 16-3-503, **amend**
23 (1) (c) as follows:

24
25 **16-3-503. Bonds recovered for persons illegally in the country.**
26 (1) (c) If it is determined that a defendant is illegally present in the
27 country after a ~~bail~~ AN APPEARANCE bond is posted on a felony or a class
28 1 or class 2 misdemeanor, the jail or court shall return all documents
29 concerning the defendant that are signed by the bail bonding agent to the
30 agent, and the agent shall return the fees collected pursuant to section
31 ~~12-7-108 (7), C.R.S.,~~ ANY PREMIUM, COMMISSION, OR FEE, NOT
32 INCLUDING PREMIUM FINANCING FEES, BOND FILING FEES CHARGED BY A
33 COURT OR LAW ENFORCEMENT AGENCY, AND THE ACTUAL COST OF
34 STORING COLLATERAL IN A SECURE, SELF-SERVICE PUBLIC STORAGE
35 FACILITY, to the court for forfeiture pursuant to UNDER subsection (2) of
36 this section.

37
38 **SECTION 42.** In Colorado Revised Statutes, 16-4-104, **amend**
39 (1) (b) (III) as follows:

40
41 **16-4-104. Bail bond - alternatives.** (1) When the amount of bail
42 is fixed by the judge of a court of record, the judge shall also determine
43 which of the following kinds of bond shall be required for the pretrial
44 release of the defendant:

45
46 (b) The defendant may be released from custody upon execution
47 of bond in the full amount of the bail to be secured in any one or more, or
48 any combination of, the following ways:

49
50 (III) By ~~sureties~~ CASH OR SECURITIES worth at least one and
51 one-half the amount of bail set in the bond or by a bail bonding agent. ~~or~~
52 ~~a cash bonding agent qualified to write bail bonds pursuant to article 7 of~~
53 ~~title 12, C.R.S.~~

54
55 **SECTION 43.** In Colorado Revised Statutes, 16-4-112, **amend**
56 (2) (a) and (2) (c); and **add** (6) as follows:

1 **16-4-112. Enforcement procedures for compensated sureties**
2 **- definitions.** (2) As used in this section, unless the context otherwise
3 requires:
4

5 (a) "Bail insurance company" means an insurer as defined in
6 section 10-1-102 (13), C.R.S., engaged in the business of writing bail
7 appearance bonds through bonding agents, which company is subject to
8 regulation by the division of insurance in the department of regulatory
9 agencies.
10

11 (c) "Compensated surety" means any person WHO IS in the
12 business of writing bail appearance bonds AND who is subject to
13 regulation by the division of insurance in the department of regulatory
14 agencies, including bonding agents and bail insurance companies.
15 Nothing in this paragraph (c) ~~shall be construed to authorize~~ AUTHORIZES
16 bail insurance companies to write bail APPEARANCE bonds except through
17 ~~licensed~~ bail bonding agents.
18

19 (6) A BAIL INSURANCE COMPANY SHALL NOT WRITE BAIL BONDS
20 UNLESS THROUGH A LICENSED BAIL BONDING AGENT.
21

22 **SECTION 44.** In Colorado Revised Statutes, 24-34-104, **amend**
23 (43) introductory portion and (48.5); and **repeal** (43) (f) as follows:
24

25 **24-34-104. General assembly review of regulatory agencies**
26 **and functions for termination, continuation, or reestablishment.**
27 (43) The following agencies, functions, or both, ~~shall~~ terminate on July
28 1, 2012:
29

30 (f) ~~The licensing of bail bonding agents through the division of~~
31 ~~insurance in accordance with article 7 of title 12, C.R.S.;~~
32

33 (48.5) The following agencies, functions, or both, ~~shall~~ terminate
34 on September 1, 2017:
35

36 (a) The domestic violence offender management board created in
37 section 16-11.8-103, C.R.S.
38

39 (b) THE LICENSING OF PROFESSIONAL CASH-BAIL AGENTS AND
40 CASH-BONDING AGENTS UNDER ARTICLE 23 OF TITLE 10, C.R.S.
41

42 **SECTION 45.** In Colorado Revised Statutes, 2-3-1203, **repeal** (3)
43 (z) (III) as follows:
44

45 **2-3-1203. Sunset review of advisory committees.** (3) The
46 following dates are the dates for which the statutory authorization for the
47 designated advisory committees is scheduled for repeal:
48

49 (z) July 1, 2013:
50

51 (III) ~~The advisory committee to the division of insurance~~
52 ~~regarding bail bond issues, created in section 12-7-104.5, C.R.S.;~~
53

54 **SECTION 46.** In Colorado Revised Statutes, 24-31-303, **amend**
55 (1) (h) as follows:
56

1 **24-31-303. Duties - powers of the P.O.S.T. board.** (1) The
2 P.O.S.T. board has the following duties:

3
4 (h) To establish standards for training in bail recovery practices.
5 ~~under sections 12-7-102.5 (1) (b) and 12-7-105.5 (1) (b), C.R.S. The~~
6 ~~board shall establish such standards on or before October 1, 1998.~~

7
8 **SECTION 47.** In Colorado Revised Statutes, 24-33.5-412, **repeal**
9 (1) (p) as follows:

10
11 **24-33.5-412. Functions of bureau - legislative review.** (1) The
12 bureau has the following authority:

13
14 (p) ~~To conduct a criminal background check of an applicant who~~
15 ~~wishes to provide bail recovery services for a bail bonding agent under~~
16 ~~section 12-7-105.5 (1) (a), C.R.S.;~~

17
18 **SECTION 48. Effective date - applicability.** This act takes
19 effect July 1, 2012, and applies to offenses committed and applications
20 submitted on or after said date.

21
22 **SECTION 49. Safety clause.** The general assembly hereby finds,
23 determines, and declares that this act is necessary for the immediate
24 preservation of the public peace, health, and safety."

25
26
27
28 **HB12-1296** be postponed indefinitely.

29
30
31 **SB12-029** be referred to the Committee of the Whole with favorable
32 recommendation.

33
34
35 **SB12-042** be referred to the Committee of the Whole with favorable
36 recommendation.

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PRINTING REPORT

42 The Chief Clerk reports the following bill has been correctly printed:
43 **HB12-1318.**

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SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

48 The Speaker has signed: **HB12-1073, 1100, 1198.**

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56

MESSAGE(S) FROM THE SENATE

54 Upon announcement of President Shaffer, Senator Roberts will replace
55 Senator Nicholson as prime sponsor on HB12-1159.

1 Upon announcement of President Shaffer, Senator White will be added
2 as joint prime sponsor with Senator Guzman on HB12-1012.

3
4
5 The Senate has passed on Third Reading and transmits to the Revisor of
6 Statutes: SB12-148, SB12-041, SB12-093.

7
8 HB12-1212 amended as printed in Senate Journal, February 28, 2012,
9 page 315.

10 HB12-1177 amended as printed in Senate Journal, February 28, 2012,
11 page 315.

12 SB12-133 amended as printed in Senate Journal, February 28, 2012,
13 page 317.

14 SB12-022 amended as printed in Senate Journal, February 28, 2012,
15 page 318.

16 SB12-091 amended as printed in Senate Journal, February 28, 2012,
17 pages 318-319.

18 SB12-060 amended as printed in Senate Journal, February 28, 2012,
19 page 319.

20 SB12-021 amended as printed in Senate Journal, February 28, 2012,
21 page 319.

22 SB12-038 amended as printed in Senate Journal, February 28, 2012,
23 pages 319-321.

24
25 The Senate has passed on Third Reading and returns herewith: HB12-
26 1015, HB12-1054, HB12-1158, HB12-1022, HB12-1010, HB12-1096,
27 HB12-1301, HB12-1147.

28
29
30 The Senate has postponed indefinitely HB12-1157. The bills are returned
31 herewith.

32
33
34 **MESSAGE(S) FROM THE REVISOR**

35 We herewith transmit:

36 Without comment, SB12-041, 093, and 148.

37 Without comment, as amended, HB12-1177 and 1212.

38 Without comment, as amended, SB12-021, 022, 038, 060, 091, and 133.

39
40
41
42
43 **INTRODUCTION OF BILLS**
44 **First Reading**

45
46 The following bills were read by title and referred to the committees
47 indicated:

48
49 **HB12-1319** by Representative(s) Gardner B.--Concerning building
50 inspections relating to utilities.

51 Committee on Local Government

52
53 **SB12-034** by Senator(s) King S., Tochtrop; also Representative(s)
54 Miklosi--Concerning repeal of the rapid screen program
55 to identify high-emitting motor vehicles.

56 Committee on Transportation

1 **SB12-122** by Senator(s) Williams S., Aguilar, Foster, Giron, Jahn,
2 Newell, Nicholson, Steadman; also Representative(s)
3 DelGrosso--Concerning avoiding potential conflicts of
4 interest in the provision of services to a person on
5 probation.

6 Committee on Economic and Business Development
7
8
9

10 INTRODUCTION OF RESOLUTIONS

11
12 The following resolutions were read by title and laid over one day under
13 the rules:
14

15 **HR12-1004** by Representative(s) Scott--Concerning a request that the
16 Bureau of Land Management's Colorado River Valley
17 field office prepare a revised resource management plan.
18

19 **SJR12-016** by Senator(s) Morse; also Representative(s) Stephens--
20 Concerning modifications to the Joint Rules of the Senate
21 and the House of Representatives.
22

23 LAY OVER OF CALENDAR ITEM(S)

24
25
26
27 On motion of Representative Waller, the following item(s) on the
28 Calendar was (were) laid over until March 1, retaining place on
29 Calendar:
30

31 Consideration of Third Reading--**HB12-1269.**

32 Consideration of General Orders--**HB12-1140, 1228, 1304, 1036, 1262.**

33 Consideration of Senate Amendment(s)--**HB12-1078, 1055,**
34 **HJR12-1010.**
35

36
37
38 On motion of Representative Waller, the House adjourned until
39 9:00 a.m., March 1, 2012.
40

41 Approved:

42
43 FRANK McNULTY,
44 Speaker

45 Attest:

46 MARILYN EDDINS,
47 Chief Clerk

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

Fifty-first Legislative Day

Thursday, March 1, 2012

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

2

3 Prayer by the reverend Dan Davis, Campbell AME Church, Denver.

4

5 Pledge of Allegiance led by Annette Akers and Amy Chavez,
 6 Silverthorne Elementary.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Casso, DelGrosso--2.

12 Absent--Representative(s) Miklosi--1.

13 Present after roll call--Representative(s) DelGrosso, Miklosi.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Schafer, the reading of the journal of
 19 February 29, 2012, was declared dispensed with and approved as
 20 corrected by the Chief Clerk.

21

22

23

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

25

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

29

30 **HB12-1269** by Representative(s) Kerr J.; also Senator(s) Roberts--
 31 Concerning the threshold amount of campaign activity by
 32 a candidate committee in connection with a special district
 33 election that triggers disclosure requirements under the
 34 "Fair Campaign Practices Act".

35

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

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

40

	YES	50	NO	13	EXCUSED	2	ABSENT	0
42	Acree	Y	Fischer	N	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

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

16 Co-sponsor(s) added: Representative(s) Holbert, Joshi, Kerr A., Schafer S.,
 17 Summers, Todd.

18
 19 **HB12-1105** by Representative(s) Becker; also Senator(s) Tochtrop--
 20 Concerning wind energy property rights.

21
 22 The question being "Shall the bill pass?".
 23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

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

45 Co-sponsor(s) added: Representative(s) Barker, Brown, Coram, Ferrandino,
 46 Fischer, Gerou, Holbert, Hullinghorst, Jones, Kerr A., Kerr J., Labuda, Nikkel,
 47 Pabon, Pace, Schafer S., Stephens, Todd, Vigil, Wilson.

48
 49 **HB12-1237** by Representative(s) Williams A.; also Senator(s) Harvey-
 50 -Concerning the records kept by the unit owners'
 51 association of a common interest community.

52
 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
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	E	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Bradford, Court, Duran, Fields,
20 Holbert, Kerr A., Kerr J., Labuda, Ramirez, Schafer S., Todd, Tyler, Wilson.

21
22 **HB12-1283** by Representative(s) Barker; also Senator(s) Giron--
23 Concerning the department of public safety, and, in
24 connection therewith, renaming and reorganizing certain
25 existing entities.

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	61	NO	2	EXCUSED	2	ABSENT	0
32								
33	Acree	Y	Fischer	N	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
37	Becker	Y	Holbert	Y	Miklosi	Y	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	E	Kagan	Y	Pace	Y	Todd	Y
42	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
43	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
44	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
45	DelGrosso	E	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, Todd, Vigil.

51
52 **HB12-1125** by Representative(s) Ramirez, Sonnenberg, Looper; also
53 Senator(s) Steadman--Concerning procedures related to
54 the costs of impounded animals.

55
56 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	57	NO	6	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	N	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	N	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	E	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	N
DelGrosso	E	Labuda	N	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

Representative Looper requested her name be removed as a sponsor.

Co-sponsor(s) added: Representative(s) Brown, Court, Fischer, Kefalas, Liston, Todd.

HB12-1149 by Representative(s) Beezley, Holbert, Acree, Balmer, Becker, Murray, Ramirez, Summers; also Senator(s) Johnston--Concerning parents' authority to request interventions for low-performing schools.

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

Co-sponsor(s) added: Representative(s) Barker, Conti, Kerr J., Looper, Nikkel, Priola, Sonnenberg, Stephens, Speaker.

1 **HB12-1216** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 2 Lambert, Hodge, Steadman--Concerning the financing of
 3 the division of motor vehicles in the department of
 4 revenue, and, in connection therewith, making and
 5 reducing appropriations.
 6

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

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

	YES	59	NO	5	EXCUSED	1	ABSENT	0
13	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
14	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
15	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
16	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
17	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
18	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
19	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
20	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
21	Casso	E	Kagan	Y	Pace	Y	Todd	Y
22	Conti	Y	Kefalas	Y	Peniston	N	Tyler	Y
23	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
24	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
25	DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
28	Fields	Y	Liston	Y	Singer	Y	Young	N
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Fischer, Kerr J.
 31
 32

33 House in recess. House reconvened.
 34
 35

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

37 **FINANCE**

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

41 **HB12-1048** be referred favorably to the Committee on Appropriations.
 42

43 **HB12-1063** be referred to the Committee of the Whole with favorable
 44 recommendation.
 45

46 **HB12-1162** be referred favorably to the Committee on Appropriations.
 47

48 **HB12-1241** be amended as follows, and as so amended, be referred to
 49 the Committee of the Whole with favorable
 50 recommendation:
 51
 52
 53
 54
 55
 56

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3
4 "SECTION 1. In Colorado Revised Statutes, 39-30-103, **amend**
5 (1) (a), (1.3), (2), and (4) (b) introductory portion as follows:

6
7 **39-30-103. Zones established - review - termination - repeal.**

8 (1) Any municipality, county, or group of contiguous municipalities or
9 counties may propose an area of such municipality, county, or group of
10 municipalities or counties to be designated as an enterprise zone if the
11 area has a population of no more than one hundred fifteen thousand
12 persons as calculated pursuant to subsection (1.3) of this section, or one
13 hundred fifty thousand persons as calculated pursuant to subsection (1.3)
14 of this section if the area is a rural area, and meets at least one of the
15 following additional criteria:

16
17 (a) ~~An unemployment rate at least twenty-five percent above the~~
18 ~~state average for the most recent period of twelve consecutive months for~~
19 ~~which data is available from the department of labor and employment~~
20 AREA FOR WHICH THE SEASONALLY ADJUSTED U-3 UNEMPLOYMENT RATE,
21 OR SUCCESSOR INDEX, IS AT LEAST TWENTY-FIVE PERCENT ABOVE THE
22 CORRESPONDING AVERAGE RATE FOR THE STATE OF COLORADO OF THE
23 MOST RECENT PERIOD OF TWELVE CONSECUTIVE MONTHS FOR WHICH DATA
24 IS PUBLISHED BY THE UNITED STATES SECRETARY OF LABOR;

25
26 (1.3) For the purposes of this article, the population of an
27 enterprise zone shall be calculated using data from the ~~most recent federal~~
28 ~~decennial~~ UNITED STATES census BUREAU OR THE DEPARTMENT OF LOCAL
29 AFFAIRS at the county, municipal, or block levels. Such calculations that
30 require the use of block level data shall include the entire population of
31 each block in which the enterprise zone is located.

32
33 (2) (a) EXCEPT AS PROVIDED IN PARAGRAPHS (b) AND (c) OF THIS
34 SUBSECTION (2), the director of the Colorado office of economic
35 development shall determine whether an area meets the criteria specified
36 in subsection (1) of this section based on the most recent statistics
37 available. EXCEPT AS PROVIDED IN PARAGRAPHS (b) AND (c) OF THIS
38 SUBSECTION (2), all decisions concerning the designation or termination
39 of an enterprise zone or any portion of an enterprise zone shall be made
40 by the Colorado economic development commission created in section
41 24-46-102, C.R.S., upon the recommendations of the director of the
42 Colorado office of economic development.

43
44 (b) (I) IN ORDER TO REVIEW THE EFFECTIVENESS OF THE "URBAN
45 AND RURAL ENTERPRISE ZONE ACT", THERE IS HEREBY CREATED AN
46 ENTERPRISE ZONE REVIEW TASK FORCE, REFERRED TO IN THIS PARAGRAPH
47 (b) AS THE "TASK FORCE".

48
49 (II) THE TASK FORCE CONSISTS OF THIRTEEN MEMBERS AS
50 FOLLOWS:

51
52 (A) THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT OR
53 THE DIRECTOR'S DESIGNEE; AND SUCH MEMBER SHALL SERVE AS CHAIR OF
54 THE TASK FORCE;

55
56 (B) FOUR ZONE ADMINISTRATORS REPRESENTING VARIOUS PARTS

1 OF THE STATE WITH VARIOUS POPULATION DENSITIES;
2
3 (C) TWO ECONOMIC DEVELOPMENT PROFESSIONALS;
4
5 (D) THE DIRECTOR OF THE DEPARTMENT OF REVENUE OR THE
6 DIRECTOR'S DESIGNEE;
7
8 (E) THREE BUSINESS OWNERS, ONE WITH FEWER THAN FIFTY
9 EMPLOYEES, ONE WITH FIFTY TO ONE HUNDRED AND FIFTY EMPLOYEES,
10 AND ONE WITH MORE THAN ONE HUNDRED FIFTY EMPLOYEES; AND
11
12 (F) TWO PERSONS KNOWLEDGEABLE ABOUT THE STATE'S BUDGET
13 ISSUES.
14
15 (III) THE MEMBERS OF THE TASK FORCE SHALL BE APPOINTED BY
16 THE OFFICE OF ECONOMIC DEVELOPMENT ON OR BEFORE JULY 1, 2012.
17
18 (IV) MEMBERS OF THE TASK FORCE SHALL SERVE AT THE WILL OF
19 THE PERSON APPOINTING THE MEMBER.
20
21 (V) MEMBERS OF THE TASK FORCE SHALL NOT BE COMPENSATED
22 FOR OR REIMBURSED FOR THEIR EXPENSES INCURRED IN ATTENDING
23 MEETINGS OF THE TASK FORCE.
24
25 (VI) THE TASK FORCE SHALL MEET AS OFTEN AS NECESSARY AND
26 MAY ADOPT POLICIES AND PROCEDURES NECESSARY TO CARRY OUT ITS
27 DUTIES.
28
29 (VII) THE TASK FORCE SHALL REVIEW:
30
31 (A) THE CRITERIA FOR DESIGNATION OF AN ENTERPRISE ZONE;
32
33 (B) THE TAX CREDITS AVAILABLE IN THIS ARTICLE TO ASSESS THEIR
34 EFFECTIVENESS IN ACHIEVING THE PURPOSES OF THE ENTERPRISE ZONES
35 AND EXPANDING ECONOMIC DEVELOPMENT IN SUCH ZONES; AND
36
37 (C) ALL OTHER ISSUES RELATED TO ENTERPRISE ZONES THAT THE
38 TASK FORCE FINDS NECESSARY.
39
40 (VIII) THE TASK FORCE SHALL REPORT ITS PROGRESS, FINDINGS,
41 AND RECOMMENDATIONS TO THE FINANCE COMMITTEES OF THE HOUSE OF
42 REPRESENTATIVES AND THE SENATE, THE HOUSE ECONOMIC AND BUSINESS
43 DEVELOPMENT COMMITTEE, AND THE SENATE BUSINESS, LABOR, AND
44 TECHNOLOGY COMMITTEE, OR ANY SUCCESSOR COMMITTEES, ON OR
45 BEFORE NOVEMBER 1, 2013.
46
47 (IX) (A) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE JULY 1,
48 2014.
49
50 (B) PRIOR TO SAID REPEAL, THE TASK FORCE CREATED PURSUANT
51 TO THIS SECTION SHALL BE REVIEWED AS PROVIDED IN SECTION 2-3-1203,
52 C.R.S.
53
54 (c) (I) COMMENCING JANUARY 1, 2016, THE DIRECTOR OF THE
55 COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND THE COLORADO
56 ECONOMIC DEVELOPMENT COMMISSION SHALL REVIEW THE ENTERPRISE

1 ZONE DESIGNATIONS NO LESS FREQUENTLY THAN ONCE EVERY FIVE YEARS
2 TO ENSURE THAT THE EXISTING ZONES CONTINUE TO MEET THE CRITERIA
3 SPECIFIED IN SUBSECTION (1) OF THIS SECTION. THE DIRECTOR AND THE
4 COMMISSION MAY MODIFY EXISTING ENTERPRISE ZONE DESIGNATIONS
5 BASED ON THE REVIEW SPECIFIED IN THIS PARAGRAPH (c). IF IT IS
6 DETERMINED THAT EXISTING ENTERPRISE ZONE DESIGNATIONS NEED TO BE
7 MODIFIED, SUCH MODIFICATION SHALL NOT BE UNDERTAKEN IN A HIGH
8 UNEMPLOYMENT PERIOD. ANY MODIFICATION SHALL BE REPORTED TO THE
9 LEGISLATIVE AUDIT COMMITTEE IN CONJUNCTION WITH THE ANNUAL
10 PRESENTATION DESCRIBED IN PARAGRAPH (b.7) OF SUBSECTION (4) OF THIS
11 SECTION, AND SHALL ALSO BE REPORTED TO THE FINANCE COMMITTEES OF
12 THE HOUSE OF REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR
13 COMMITTEES.

14
15 (II) FOR PURPOSES OF THIS SECTION, "HIGH UNEMPLOYMENT
16 PERIOD" MEANS A PERIOD IN WHICH THE AVERAGE OF THE SEASONALLY
17 ADJUSTED U-3 UNEMPLOYMENT RATE, OR SUCCESSOR INDEX, FOR
18 COLORADO AS DETERMINED BY THE UNITED STATES SECRETARY OF
19 LABOR, FOR THE MOST RECENT THREE MONTHS FOR WHICH DATA FOR
20 COLORADO IS PUBLISHED, EQUALS OR EXCEEDS EIGHT PERCENT.

21
22 ~~(4) (b) For any area designated as an enterprise zone or as a~~
23 ~~portion of an enterprise zone prior to July 1, 1999, The Colorado~~
24 ~~economic development commission shall work with the zone~~
25 ~~administrator ADMINISTRATORS OF EACH ENTERPRISE ZONE to ensure that~~
26 ~~the area EACH ZONE has specific economic development objectives with~~
27 ~~outcomes that can be measured with specific, verifiable data. The director~~
28 ~~of the Colorado office of economic development shall require the zone~~
29 ~~administrators for each zone to submit annual documentation of efforts~~
30 ~~to improve conditions in areas designated as enterprise zones and the~~
31 ~~results of those efforts. Such annual documentation shall include specific,~~
32 ~~verifiable data that can be used to measure whether the zone has achieved~~
33 ~~the specific economic development objectives for the zone that have~~
34 ~~measurable outcomes. In order for the commission to determine if the~~
35 ~~enterprise zones or portions thereof are achieving the specific economic~~
36 ~~development objectives submitted pursuant to this paragraph (b) or to~~
37 ~~paragraph (d) of subsection (3) of this section, such annual documentation~~
38 ~~shall include, but need not be limited to, the most recent statistics~~
39 ~~available for companies claiming enterprise zone tax credits on:~~

40
41 **SECTION 2.** In Colorado Revised Statutes, 2-3-1203, **add** (3)
42 (aa) (VI) as follows:

43
44 **2-3-1203. Sunset review of advisory committees.** (3) The
45 following dates are the dates for which the statutory authorization for the
46 designated advisory committees is scheduled for repeal:

47
48 (aa) July 1, 2014:

49
50 (VI) THE ENTERPRISE ZONE REVIEW TASK FORCE, CREATED IN
51 SECTION 39-30-103, C.R.S.;

52
53 **SECTION 3. Safety clause.** The general assembly hereby finds,
54 determines, and declares that this act is necessary for the immediate
55 preservation of the public peace, health, and safety."
56

1 **HB12-1251** be postponed indefinitely.

4 **HB12-1260** be postponed indefinitely.

7 **HB12-1275** be referred favorably to the Committee on Appropriations.

10 **HB12-1286** be amended as follows, and as so amended, be referred to
11 the Committee on Appropriations with favorable
12 recommendation:

14 Amend printed bill, page 9, after line 13 insert:

16 "(4) NO LATER THAN JULY 1, 2017, THE STATE AUDITOR SHALL
17 COMPLETE A PERFORMANCE AUDIT OF THE OFFICE, THE
18 PERFORMANCE-BASED INCENTIVE PROGRAM FOR FILM PRODUCTION IN
19 COLORADO SPECIFIED IN SECTION 24-48.5-116, AND THE LOAN
20 GUARANTEE PROGRAM SPECIFIED IN SUBSECTION (3) OF THIS SECTION. THE
21 STATE AUDITOR SHALL PRESENT THE PERFORMANCE AUDIT REPORT TO THE
22 LEGISLATIVE AUDIT COMMITTEE. AFTER THE PERFORMANCE AUDIT REPORT
23 IS RELEASED BY THE LEGISLATIVE AUDIT COMMITTEE, THE STATE AUDITOR
24 SHALL PROVIDE COPIES TO THE FINANCE COMMITTEES OF THE HOUSE OF
25 REPRESENTATIVES AND SENATE."

29 **HB12-1299** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

33 Amend printed bill, page 2, line 3, strike "(II)" and substitute "(II); and
34 **add** (2) (c)".

36 Page 2, after line 22 insert:

38 "(c) IF A MOTOR VEHICLE IS LEASED, THE LESSEE, NOT THE LESSOR,
39 IS ALLOWED TO CLAIM THE CREDIT ALLOWED PURSUANT TO THIS
40 SECTION."

PRINTING REPORT

46 The Chief Clerk reports the following bill has been correctly printed:
47 **HB12-1319**.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

53 The Speaker has signed: **HB12-1301, SB12-008, 043, 094**.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 1st day of March, 2012, at 2:00 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 1, 2012

To the Honorable House of Representatives
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB 12-1200 CONCERNING FUNDING FOR CAPITAL CONSTRUCTION,
AND MAKING SUPPLEMENTAL APPROPRIATIONS IN
CONNECTION THEREWITH

Approved March 1, 2012 at 12:33 pm

HB 12-1201 CONCERNING ADJUSTMENTS IN THE AMOUNT OF TOTAL
PROGRAM FUNDING FOR PUBLIC SCHOOLS FOR THE 2011-
12 BUDGET YEAR, AND, IN CONNECTION THEREWITH,
MAKING AND REDUCING APPROPRIATIONS

Approved March 1, 2012 at 12:34 pm

HB 12-1202 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

Approved March 1, 2012 at 12:34 pm

HB 12-1203 CONCERNING THE REENACTMENT OF THE STATUTES
THAT AUTHORIZE GRANTS FROM THE PRIMARY CARE
FUND FOR COMPREHENSIVE PRIMARY CARE SERVICES

Approved March 1, 2012 at 12:35 pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

INTRODUCTION OF BILLS
First Reading

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

SB12-031 by Senator(s) White; also Representative(s) Bradford and Baumgardner--Concerning federal mineral lease districts.
Committee on Local Government

SB12-120 by Senator(s) Foster; also Representative(s) Massey and Fischer--Concerning the existing ability of qualified interior designers to submit certain interior design construction documents to local government officials in connection with an application for a building permit.
Committee on Local Government

CHANGE IN SPONSORSHIP

The Speaker announced the following change in sponsorship:
SB12-031--Representative Baumgardner to be added as dual prime sponsor with Representative Bradford.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until March 2, retaining place on Calendar:

Consideration of General Orders--**HB12-1017, 1005, 1026, 1121, 1116, 1140, 1228, 1304, 1036, 1262, SB12-048, 097, HB12-1220, 1239.**
Consideration of Resolution(s)--**SJR12-016, HR12-1004.**
Consideration of Senate Amendment(s)--**HB12-1078, 1055, HJR12-1010, HB12-1177, 1212.**

On motion of Representative Stephens, the House adjourned until 9:00 a.m., March 2, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Fifty-second Legislative Day

Friday, March 2, 2012

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

2

3 Prayer by the Reverend Ken Dawdy, Dahlia Street Church of Christ,
4 Denver.

5

6 Pledge of Allegiance led by Kaleb Cain, St. Michael's Preschool, Aurora.

7

8 The roll was called with the following result:

9

10 Present--63.

11 Excused--Representative(s) Duran--1.

12 Absent--Representative(s) Kagan--1.

13 Present after roll call--Representative(s) Duran, Kagan.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Schafer, the reading of the journal of
19 March 1, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

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

25

26

27 **GENERAL ORDERS--SECOND READING OF BILLS**

28

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

33

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

36

37 **HB12-1017** by Representative(s) Swerdfeger and Pace; also Senator(s)
38 Giron--Concerning the extension of the local access to
39 health care pilot program operated under the authority of
40 the board of county commissioners of Pueblo county.

41

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

1 **HB12-1005** by Representative(s) Pabon; also Senator(s) Harvey--
2 Concerning investment of public funds.
3

4 Amendment No. 1, Finance Report, dated February 2, 2012, and placed
5 in member's bill file; Report also printed in House Journal, February 6,
6 page 157.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB12-1026** by Representative(s) Coram; also Senator(s) Roberts--
12 Concerning peace officer status for certain municipality
13 prosecuting attorneys.
14

15 Amendment No. 1, Judiciary Report, dated February 2, 2012, and placed
16 in member's bill file; Report also printed in House Journal, February 6,
17 page 158.
18

19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.
21

22 **HB12-1140** by Representative(s) Jones; also Senator(s) Newell--
23 Concerning the duties of the department of public health
24 and environment as coordinator for suicide prevention
25 programs throughout the state.
26

27 Amendment No. 1, Health & Environment Report, dated
28 February 16, 2012, and placed in member's bill file; Report also printed
29 in House Journal, February 17, pages 301-302.
30

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

34
35 **HB12-1228** by Representative(s) DelGrosso, McCann; also Senator(s)
36 Steadman--Concerning criminal background checks for
37 neighborhood youth organizations seeking to obtain a
38 license.
39

40 Amendment No. 1, Economic & Business Development Report, dated
41 February 23, 2012, and placed in member's bill file; Report also printed
42 in House Journal, February 24, page 374.
43

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

47 **HB12-1304** by Representative(s) Barker--Concerning measures to
48 prevent organized retail theft.
49

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

53 **HB12-1036** by Representative(s) Kerr J.--Concerning clarification of
54 the exemption from the "Colorado Open Records Act" for
55 investigative files.
56

1 Amendment No. 1, Judiciary Report, dated February 23, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 24, page 384.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1262** by Representative(s) Gardner B.; also Senator(s) Roberts--
9 Concerning enactment of amendments to the secured
10 transactions provisions of the "Uniform Commercial
11 Code".

12
13 Ordered engrossed and placed on the Calendar for Third Reading and
14 Final Passage.

15
16 **SB12-048** by Senator(s) Schwartz; also Representative(s) Coram--
17 Concerning the creation of the "Colorado Cottage Foods
18 Act" for locally produced home foods sold directly to
19 consumers.

20
21 Ordered revised and placed on the Calendar for Third Reading and Final
22 Passage.

23
24 **SB12-097** by Senator(s) Hodge; also Representative(s) Sonnenberg--
25 Concerning a simplified procedure for the adjudication of
26 certain changes of the points of diversion of water rights.

27
28 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
29 dated February 27, 2012, and placed in member's bill file; Report also
30 printed in House Journal, February 28, page 419.

31
32 As amended, ordered revised and placed on the Calendar for Third
33 Reading and Final Passage.

34
35 **HB12-1220** by Representative(s) Becker; also Senator(s) Bacon--
36 Concerning changes to the governance structure of the
37 board of governors of the Colorado state university
38 system, and, in connection therewith, establishing the
39 governance structure for Colorado state university - global
40 campus.

41
42 Ordered engrossed and placed on the Calendar for Third Reading and
43 Final Passage.

44
45 **HB12-1239** by Representative(s) Vaad; also Senator(s) Carroll--
46 Concerning the amount of approval required for certain
47 special district actions, and, in connection therewith,
48 allowing persons who own property that is outside the
49 boundaries of a special district but within the existing or
50 proposed service area of the special district to vote in
51 special district elections, allowing a special district to
52 expand its service area into a new county only with the
53 approval of the board of county commissioners of the
54 county, and increasing the percentage of the taxpaying
55 electors of a proposed metropolitan district who must sign
56 a petition for organization of the district.

1 Amendment No. 1, Local Government Report, dated February 27, 2012,
2 and placed in member's bill file; Report also printed in House Journal,
3 February 28, pages 419-421.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB12-024** by Senator(s) Harvey; also Representative(s) Holbert--
9 Concerning the obligations of a residential nonprofit
10 corporation to its residential members, and, in connection
11 therewith, clarifying open meeting provisions and limiting
12 the conditions under which the corporation must refund
13 moneys paid by a residential member.

14
15 Amendment No. 1, Economic & Business Development Report, dated
16 February 28, 2012, and placed in member's bill file; Report also printed
17 in House Journal, February 29, page 437.

18
19 As amended, ordered revised and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **SB12-037** by Senator(s) King S., Aguilar; also Representative(s)
23 Young--Concerning the ability to dispense a controlled
24 substance based on an electronically transmitted
25 prescription drug order.

26
27 Amendment No. 1, Health & Environment Report, dated
28 February 28, 2012, and placed in member's bill file; Report also printed
29 in House Journal, February 29, page 460.

30
31 As amended, ordered revised and placed on the Calendar for Third
32 Reading and Final Passage.

33
34 **SB12-029** by Senator(s) Morse, Brophy, Guzman, Roberts,
35 Schwartz; also Representative(s) Gardner B., Labuda,
36 Levy, Murray, Waller--Concerning the enactment of
37 Colorado Revised Statutes 2011 as the positive and
38 statutory law of the state of Colorado.

39
40 Ordered revised and placed on the Calendar for Third Reading and Final
41 Passage.

42
43 **SB12-042** by Senator(s) Spence; also Representative(s) Summers--
44 Concerning bringing certain statutory provisions related
45 to child support into compliance with federal law.

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

49
50 On motion of Representative Waller, the following bills on the General
51 Orders Calendar were laid over until March 5, retaining place on
52 Calendar: **HB12-1121, 1116, 1175.**

53
54
55
56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1017, 1005 amended, 1026 amended, 1140 amended, 1228 amended, 1304, 1036 amended, 1262, SB12-048, 097 amended, HB12-1220, 1239 amended, SB12-024 amended, 037 amended, 029, 042.**

Laid over until date indicated retaining place on Calendar: **HB12-1121, 1116, 1175--March 5, 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	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

CONSIDERATION OF RESOLUTION(S)

SJR12-016 by Senator(s) Morse; also Representative(s) Stephens--
Concerning modifications to the Joint Rules of the Senate
and the House of Representatives.

(Printed and placed in members' file)

On motion of Representative Stephens, the resolution was **adopted** by
viva voce vote.

Co-sponsor(s) added: Representative(s) Barker, Bradford, Brown, Coram,
Ferrandino, Gerou, Hamner, Kerr J., Labuda, Nikkel, Ramirez, Todd, Vigil,
Waller, Speaker.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR12- 017, amended as printed in Senate Journal, March 2, 2012.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

SJR12-017 by Senator(s) Williams S. and Spence, Giron, White; also Representative(s) Conti and Labuda, Acree, Looper, Williams A.--Concerning the recognition of National Women's History Month, and, in connection therewith, designating March as Colorado Women's History Month.

(Printed and placed in member's file).

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

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

CONSIDERATION OF RESOLUTION(S)

HR12-1004 by Representative(s) Scott--Concerning a request that the Bureau of Land Management's Colorado River Valley field office prepare a revised resource management plan.

(Printed and placed in members' file)

Representative Scott moved that the resolution be adopted and requested that it be read at length.

Amendment No. 1, moved by Representative Hamner.

Amend printed resolution, page 3, line 2, after "benefits" insert "and impacts".

The amendment was declared **passed** by **viva voce** vote.

On motion of Representative Scott, the resolution as amended was **adopted** by the following roll call vote:

	YES	39	NO	26	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	N	Looper	Y	Solano	N
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	N	Soper	N
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
7	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
10	Casso	Y	Kagan	N	Pace	Y	Todd	N
11	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
12	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
13	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
15	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
16	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
17	Fields	N	Liston	Y	Singer	N	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
 20 Beezley, Bradford, Brown, Conti, Coram, DelGrosso, Gardner B., Gerou,
 21 Holbert, Joshi, Kerr J., Liston, Looper, Massey, Nikkel, Priola, Ramirez,
 22 Sonnenberg, Stephens, Summers, Swalm, Swerdfeger, Vaad, Waller, Speaker.

23
 24
 25 House in recess. House reconvened.
 26
 27

28 REPORT(S) OF COMMITTEE(S) OF REFERENCE

29 APPROPRIATIONS

30
 31 After consideration on the merits, the Committee recommends the
 32 following:
 33

34
 35 **HB12-1083** be referred to the Committee of the Whole with favorable
 36 recommendation.
 37

38
 39 **HB12-1103** be referred to the Committee of the Whole with favorable
 40 recommendation.
 41

42
 43 **HB12-1126** be amended as follows, and as so amended, be referred to
 44 the Committee of the Whole with favorable
 45 recommendation:
 46

47 Amend printed bill, page 34, after line 14 insert:
 48

49 **"SECTION 9. Appropriation.** In addition to any other
 50 appropriation, there is hereby appropriated, out of any moneys in the
 51 water quality control fund created in section 25-8-502-(1) (c), Colorado
 52 Revised Statutes, not otherwise appropriated, to the department of public
 53 health and environment, for the fiscal year beginning July 1, 2012, the
 54 sum of \$8,530 and 0.1 FTE, or so much thereof as may be necessary, for
 55 allocation to the water quality control division for the water quality
 56 control commission related to the implementation of this act."

1 Renumber succeeding section accordingly.

2
3 Page 1, line 101, strike "SYSTEMS." and substitute "SYSTEMS, AND, IN
4 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

5
6
7
8 **HB12-1146** be referred to the Committee of the Whole with favorable
9 recommendation.

10
11
12 **HB12-1215** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16 **HB12-1226** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19
20 Amend printed bill, page 2, line 20, after "JUVENILE" insert "OR WHO IS
21 CONVICTED OF IDENTITY THEFT PURSUANT TO SECTION 18-5-902, WHEN
22 THE VICTIM IS AN AT-RISK ADULT OR AT-RISK JUVENILE,".

23
24 Page 7, after line 5 insert:

25
26 "SECTION 4. Appropriation. In addition to any other
27 appropriation, there is hereby appropriated, out of any moneys in the
28 crimes against at-risk persons cash fund created in section 18-6.5-107 (4),
29 Colorado Revised Statutes, not otherwise appropriated, to the department
30 of human services, for the fiscal year beginning July 1, 2012, the sum of
31 \$5,726, or so much thereof as may be necessary, for allocation to adult
32 assistance programs, community services for the elderly, for distributions
33 to a fiscal agent related to the implementation of this act."

34
35 Renumber succeeding section accordingly.

36
37 Page 1, line 102, strike "PERSONS." and substitute "PERSONS, AND, IN
38 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

39
40
41
42 **HB12-1236** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 6, after line 17 insert:

47
48 "SECTION 5. Appropriation. In addition to any other
49 appropriation, there is hereby appropriated, out of any moneys in the
50 department of state cash fund created in section 24-21-104 (3) (b),
51 Colorado Revised Statutes, not otherwise appropriated, to the department
52 of state, for the fiscal year beginning July 1, 2012, the sum of \$41,440, or
53 so much thereof as may be necessary, for allocation to information
54 technology services related to the implementation of this act."

55
56 Renumber succeeding section accordingly.

1 Page 1, line 101 strike "**SOLICITATIONS.**" and substitute "**SOLICITATIONS,**
2 **AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".
3
4
5

6 **HB12-1290** be referred to the Committee of the Whole with favorable
7 recommendation.
8
9

10 **SB12-111** be referred to the Committee of the Whole with favorable
11 recommendation.
12
13

14 **SB12-112** be referred to the Committee of the Whole with favorable
15 recommendation.
16
17

18 **SB12-113** be referred to the Committee of the Whole with favorable
19 recommendation.
20
21

22 **SB12-114** be referred to the Committee of the Whole with favorable
23 recommendation.
24
25

26 **SB12-115** be referred to the Committee of the Whole with favorable
27 recommendation.
28
29
30
31

32 **ECONOMIC & BUSINESS DEVELOPMENT**

33 After consideration on the merits, the Committee recommends the
34 following:
35

36 **HB12-1145** be postponed indefinitely.
37
38

39 **HB12-1294** be amended as follows, and as so amended, be referred to
40 the Committee on Health & Environment with favorable
41 recommendation:
42

43 Amend printed bill, page 5, line 27, after "(III)" insert "and (2) (b.5)".
44

45 Page 6, line 23, after "SHALL" insert "EXTEND THE SURVEY CYCLE OR" and
46 strike "ONLY".
47

48 Page 7, line 3, after "ESTABLISH" insert "A SCHEDULE FOR EXTENDED
49 SURVEY CYCLES OR".
50

51 Page 9, after line 9 insert:
52

53 "(b.5) "ENFORCEMENT ACTIVITY" MEANS THE IMPOSITION OF
54 REMEDIES SUCH AS CIVIL MONEY PENALTIES; APPOINTMENT OF A RECEIVER
55 OR TEMPORARY MANAGER; CONDITIONAL LICENSURE; SUSPENSION OR
56 REVOCATION OF A LICENSE; A DIRECTED PLAN OF CORRECTION;

1 INTERMEDIATE RESTRICTIONS OR CONDITIONS, INCLUDING RETAINING A
2 CONSULTANT, DEPARTMENT MONITORING, OR PROVIDING ADDITIONAL
3 TRAINING TO EMPLOYEES, OWNERS, OR OPERATORS; OR ANY OTHER
4 REMEDY PROVIDED BY STATE OR FEDERAL LAW OR AS AUTHORIZED BY
5 FEDERAL SURVEY, CERTIFICATION, AND ENFORCEMENT REGULATIONS AND
6 AGREEMENTS FOR VIOLATIONS OF FEDERAL OR STATE LAW.".

7
8 Page 13, line 12, strike "A CERTIFICATION, ACCREDITATION, OR" and
9 substitute "AN ACCREDITATION".

10
11 Page 13, line 13, strike "REGULATION".

12
13 Page 13, strike lines 15 and 16 and substitute "EVIDENCE THAT THE
14 HEALTH FACILITY IS ACCREDITED BY THE JOINT".

15
16 Page 13, line 18, strike "RECOGNIZED ACCREDITING" and substitute
17 "ACCREDITED".

18
19 Page 13, line 19, after "BODY" insert "RECOGNIZED BY THE CENTERS FOR
20 MEDICARE AND MEDICAID SERVICES" and strike "FACILITY;" and substitute
21 "FACILITY.".

22
23 Page 13, strike lines 20 through 25.

24
25 Page 13, line 27, strike "RECOGNIZED ACCREDITING" and substitute
26 "ACCREDITED" and after "BODY" insert "RECOGNIZED BY THE CENTERS FOR
27 MEDICARE AND MEDICAID SERVICES".

28
29 Page 14, strike lines 1 through 3.

30
31 Page 14, line 4, strike "FINANCING" and substitute "HEALTH FACILITY".

32
33 Page 14, line 5, strike "FACILITY OR PROVIDER," and substitute
34 "FACILITY,".

35
36 Page 14, line 8, strike "OR PROVIDER".

37
38 Page 14, line 9, strike "ACCREDITATION OR REGULATION PURSUANT" and
39 substitute "ACCREDITATION.".

40
41 Page 14, strike lines 10 through 19.

42
43 Page 14, before line 20 insert:

44
45 "(III) IF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
46 TAKES AN ENFORCEMENT ACTIVITY, AS DEFINED IN SECTION 25-1.5-103 (2)
47 (b.5), AGAINST A HEALTH FACILITY TO WHICH IT HAS GRANTED DEEMED
48 STATUS PURSUANT TO THIS PARAGRAPH (b), THE DEPARTMENT MAY
49 REVOKE THE HEALTH FACILITY'S DEEMED STATUS.".

50
51 Page 16, line 15, strike "~~and indirect~~" and substitute "and indirect".

52
53 Page 17, line 7, strike "SHALL NOT" and substitute "MAY".

54
55 Page 17, strike line 10 and substitute "SUBPARAGRAPH (I) THAT IS IN".

56

1 Page 17, line 11, strike "(B)." and substitute "(B), UPON THE
2 RECOMMENDATION OF THE HEALTH CARE INDUSTRY FACILITY ADVISORY
3 COUNCIL CREATED IN SECTION 25-3-112, BY AN AMOUNT NOT TO EXCEED
4 THE ANNUAL PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT
5 OF LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
6 DENVER-BOULDER-GREELEY FOR ALL URBAN CONSUMERS, ALL GOODS, OR
7 ITS SUCCESSOR INDEX."

8
9 Page 17, line 19, strike "TEN PERCENT".

10
11 Page 18, line 23, after "(a)" insert "(I)".

12
13 Page 19, after line 4 insert:

14
15 "(II) IN ADDITION TO THE MEMBERS APPOINTED PURSUANT TO
16 SUBPARAGRAPH (I) OF THIS PARAGRAPH (a), THE GOVERNOR SHALL
17 APPOINT ONE ADDITIONAL MEMBER TO THE ADVISORY COUNCIL WHO IS A
18 HEALTH CARE CONSUMER."

19
20 Page 21, after line 12 insert:

21
22 "(5) FOR PURPOSES OF SECTION 24-4-103 (2), C.R.S., AS AMENDED
23 BY HOUSE BILL 12-1008, ENACTED IN 2012, THE ADVISORY COUNCIL
24 ESTABLISHED PURSUANT TO THIS SECTION SHALL SERVE AS THE
25 REPRESENTATIVE GROUP FOR THE DEPARTMENT OF PUBLIC HEALTH AND
26 ENVIRONMENT."

27
28 Renumber succeeding subsection accordingly.

29
30 Page 23, line 5, strike "NOT REQUIRE" and substitute "ONLY REGULATE".

31
32 Page 23, line 6, strike "TO PROVIDE".

33
34 Page 23, strike line 7 and substitute "CONSISTENT WITH THE FEDERAL".

35
36 Page 23, line 11, strike "FINANCING." and substitute "FINANCING; EXCEPT
37 THAT THE DEPARTMENT MAY REQUIRE ADDITIONAL INFORMATION FROM
38 THE PROVIDER WITH REGARD TO REPORTING INSTANCES OF ABUSE."

39
40 Page 23, line 14, strike "portion" and substitute "portion; and **add** (7)".

41
42 Page 23, line 21, after "(b)" insert "(I)".

43
44 Page 23, line 24, strike "RECOGNIZED ACCREDITING" and substitute
45 "ACCREDITED".

46
47 Page 23, line 25, after "BODY" insert "RECOGNIZED BY THE CENTERS FOR
48 MEDICARE AND MEDICAID SERVICES".

49
50 Page 24, after line 7 insert:

51
52 "(II) IF THE DEPARTMENT TAKES AN ENFORCEMENT ACTIVITY
53 AGAINST A COMMUNITY RESIDENTIAL HOME TO WHICH IT HAS GRANTED
54 DEEMED STATUS PURSUANT TO THIS PARAGRAPH (b), THE DEPARTMENT
55 MAY REVOKE THE HEALTH FACILITY'S DEEMED STATUS."

56

1 Page 25, line 8, after "SHALL" insert "EXTEND THE SURVEY CYCLE OR" and
2 strike "ONLY".

3
4 Page 25, line 17, after "ESTABLISH" insert "A SCHEDULE FOR AN
5 EXTENDED SURVEY CYCLE OR".

6
7 Page 26, after line 5 insert:

8
9 "(IV) NOTHING IN SUBPARAGRAPH (III) OF THIS PARAGRAPH (c)
10 LIMITS THE ABILITY OF THE DEPARTMENT OF HUMAN SERVICES TO
11 CONDUCT A PERIODIC INSPECTION OR SURVEY THAT IS REQUIRED TO MEET
12 ITS OBLIGATIONS AS A STATE SURVEY AGENCY ON BEHALF OF THE CENTERS
13 FOR MEDICARE AND MEDICAID SERVICES OR THE DEPARTMENT OF HEALTH
14 CARE POLICY AND FINANCING TO ASSURE THAT THE COMMUNITY
15 RESIDENTIAL HOME MEETS THE REQUIREMENTS FOR PARTICIPATION IN THE
16 MEDICARE AND MEDICAID PROGRAMS.".

17
18 Page 26, line 8, strike "TEN".

19
20 Page 26, line 9, strike "PERCENT".

21
22 Page 27, after line 16 insert:

23
24 "(7) AS USED IN THIS SECTION, "ENFORCEMENT ACTIVITY" MEANS
25 THE IMPOSITION OF REMEDIES SUCH AS CIVIL MONEY PENALTIES;
26 APPOINTMENT OF A RECEIVER OR TEMPORARY MANAGER; CONDITIONAL
27 LICENSURE; SUSPENSION OR REVOCATION OF A LICENSE; A DIRECTED PLAN
28 OF CORRECTION; INTERMEDIATE RESTRICTIONS OR CONDITIONS, INCLUDING
29 RETAINING A CONSULTANT, DEPARTMENT MONITORING, OR PROVIDING
30 ADDITIONAL TRAINING TO EMPLOYEES, OWNERS, OR OPERATORS; OR ANY
31 OTHER REMEDY PROVIDED BY STATE OR FEDERAL LAW OR AS AUTHORIZED
32 BY FEDERAL SURVEY, CERTIFICATION, AND ENFORCEMENT REGULATIONS
33 AND AGREEMENTS FOR VIOLATIONS OF FEDERAL OR STATE LAW.".

34
35 Page 27, after line 20 insert:

36
37 "**SECTION 14. Effective date.** This act takes effect upon
38 passage; except that section 25-3-112 (5), Colorado Revised Statutes, as
39 enacted in section 8 of this act, takes effect only if House Bill 12-1008
40 becomes law and takes effect on the effective date of this act or of House
41 Bill 12-1008, whichever is later.".

42
43 Renumber succeeding section accordingly.

44
45
46
47
48 **FINANCE**

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

51
52 **HB12-1142** be amended as follows, and as so amended, be referred to
53 the Committee on Appropriations with favorable
54 recommendation:

55
56 Amend printed bill, page 2, strike lines 19 through 22 and substitute:

1 "(4) For purposes of this part 15:

2
3 (a) PRIOR TO JANUARY 1, 2013, "employer" means the state, the
4 general assembly, the office of a district attorney in a judicial district, any
5 state department that employs an eligible employee, and any community
6 college governed by the state board for community colleges and
7 occupational education. "Employer" shall not include any state college or
8 university as defined in section 24-54.5-102 (7), any institution under the
9 control of the board of regents of the university of Colorado, or an
10 institution governed pursuant to part 5 of article 21 of title 23, C.R.S.

11
12 (b) ON AND AFTER JANUARY 1, 2013, "EMPLOYER" HAS THE SAME
13 MEANING AS SET FORTH IN SECTION 24-51-101 (20), AND IN ADDITION
14 SHALL INCLUDE ANY COMMUNITY COLLEGE GOVERNED BY THE STATE
15 BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION."

16
17 Page 3, strike lines 1 through 20 and substitute:

18
19 "**SECTION 2.** In Colorado Revised Statutes, 24-51-1502, **amend**
20 (3) as follows:

21
22 **24-51-1502. New employees - election - definitions.** (3) An
23 eligible employee hired ~~by an employer~~ on or after May 2, 2009, BY AN
24 EMPLOYER AS DEFINED IN SECTION 24-51-1501 (4) (a) OR HIRED ON OR
25 AFTER JANUARY 1, 2013, BY AN EMPLOYER AS DEFINED IN SECTION
26 24-51-1501 (4) (b) is eligible for the election pursuant to subsection (1)
27 of this section."

28
29
30
31 **HB12-1150** be amended as follows, and as so amended, be referred to
32 the Committee of the Whole with favorable
33 recommendation:

34
35 Amend printed bill, page 2, strike lines 15 and 16 and substitute:

36
37 "(B) FOR A MEMBER OR INACTIVE MEMBER WITH LESS THAN FIVE
38 YEARS OF SERVICE CREDIT ON JANUARY 1, 2013, OR HIRED ON OR AFTER
39 SUCH DATE,".

40
41 Page 3, strike lines 24 and 25 and substitute "MEMBER OR INACTIVE
42 MEMBER WITH LESS THAN FIVE YEARS OF SERVICE CREDIT ON JANUARY 1,
43 2013, OR HIRED ON OR AFTER SUCH DATE, THE ASSOCIATION".

44
45
46
47
48 **JUDICIARY**

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

51
52 **HB12-1300** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:

55
56 Amend printed bill, strike everything below the enacting clause and

1 substitute:

2
3 "SECTION 1. In Colorado Revised Statutes, **amend** 12-36.5-107
4 as follows:

5
6 **12-36.5-107. Repeal of article.** This article is repealed, effective
7 ~~July 1, 2012~~ SEPTEMBER 1, 2019. Prior to such repeal, THE DEPARTMENT
8 OF REGULATORY AGENCIES SHALL REVIEW the functions of professional
9 review committees and the committee on anticompetitive conduct ~~shall~~
10 ~~be reviewed~~ in accordance with section 24-34-104, C.R.S.

11
12 **SECTION 2.** In Colorado Revised Statutes, 24-34-104, **amend**
13 (43) introductory portion and (50.5) introductory portion; **repeal** (43) (g);
14 and **add** (50.5) (e) as follows:

15
16 **24-34-104. General assembly review of regulatory agencies**
17 **and functions for termination, continuation, or reestablishment.**
18 (43) The following agencies, functions, or both, ~~shall~~ terminate on July
19 1, 2012:

20
21 (g) ~~The functions of professional review committees pursuant to~~
22 ~~article 36.5 of title 12, C.R.S.;~~

23
24 (50.5) The following agencies, functions, or both, ~~shall~~ terminate
25 on September 1, 2019:

26
27 (e) THE FUNCTIONS OF PROFESSIONAL REVIEW COMMITTEES
28 PURSUANT TO ARTICLE 36.5 OF TITLE 12, C.R.S.

29
30 **SECTION 3.** In Colorado Revised Statutes, **amend** 12-36.5-101
31 as follows:

32
33 **12-36.5-101. Legislative declaration.** (1) The general assembly
34 hereby finds, determines, and declares that the Colorado medical board
35 created ~~pursuant to~~ IN article 36 of this title ~~acts~~ AND THE STATE BOARD
36 OF NURSING CREATED IN ARTICLE 38 OF THIS TITLE ACT for the state in its
37 sovereign capacity to govern licensure, discipline, and professional
38 review of persons licensed to practice medicine, LICENSED AS PHYSICIAN
39 ASSISTANTS, AND LICENSED TO PRACTICE NURSING AND GRANTED AN
40 AUTHORITY AS ADVANCED PRACTICE NURSES, RESPECTIVELY, in this state.
41 The general assembly further finds, determines, and declares that:

42
43 (a) The authority to ~~practice medicine~~ PROVIDE HEALTH CARE in
44 this state is a privilege granted by the legislative authority of the state; and
45 ~~that~~

46
47 (b) It is necessary for the health, safety, and welfare of the people
48 of this state that the ~~Colorado medical board~~ APPROPRIATE REGULATORY
49 BOARDS exercise ~~its~~ THEIR authority to protect the people of this state
50 from the unauthorized practice of ~~medicine~~ and from unprofessional
51 conduct by persons licensed to ~~practice medicine~~ PROVIDE HEALTH CARE
52 under ~~article 36~~ ARTICLES 36 AND 38 of this title.

53
54 (2) The general assembly recognizes that:

55
56 (a) Many patients of persons licensed to ~~practice medicine~~

1 PROVIDE HEALTH CARE in this state have restricted choices of ~~physicians~~
2 HEALTH CARE PROVIDERS under a variety of circumstances and
3 conditions;
4

5 (b) Many patients lack the knowledge, experience, or education
6 to properly evaluate the quality of medical OR NURSING practice or the
7 professional conduct of those licensed to practice medicine, LICENSED TO
8 ACT AS PHYSICIAN ASSISTANTS, AND LICENSED TO PRACTICE NURSING AND
9 GRANTED AN AUTHORITY AS ADVANCED PRACTICE NURSES; and
10

11 (c) It is necessary and proper that the ~~Colorado medical board~~
12 RESPECTIVE REGULATORY BOARDS exercise ~~its~~ THEIR regulatory authority
13 to protect the health, safety, and welfare of the people of this state.
14

15 (3) The general assembly recognizes that, in the proper exercise
16 of ~~its~~ THEIR authority and responsibilities under this article, the Colorado
17 medical board AND THE STATE BOARD OF NURSING must, to some extent,
18 replace competition with regulation, and that ~~such~~ THE replacement of
19 competition by regulation, particularly with regard to ~~physicians~~ PERSONS
20 LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE
21 38 OF THIS TITLE AND GRANTED AN AUTHORITY AS ADVANCED PRACTICE
22 NURSES, is related to a legitimate state interest in the protection of the
23 health, safety, and welfare of the people of this state.
24

25 **SECTION 4.** In Colorado Revised Statutes, **amend** 12-36.5-102
26 as follows:
27

28 **12-36.5-102. Definitions.** As used in this article, unless the
29 context otherwise requires:
30

31 (1) ~~"Medical board" means the Colorado medical board created~~
32 ~~pursuant to section 12-36-103.~~ "AUTHORIZED ENTITY" MEANS A
33 CORPORATION, ORGANIZATION, OR ENTITY THAT IS AUTHORIZED TO
34 ESTABLISH A PROFESSIONAL REVIEW COMMITTEE UNDER SECTION
35 12-36.5-104 (3) OR (4) OR UNDER RULES OF THE MEDICAL BOARD OR
36 NURSING BOARD ADOPTED PURSUANT TO SECTION 12-36.5-104 (5).
37

38 (2) "CMS" MEANS THE FEDERAL CENTERS FOR MEDICARE AND
39 MEDICAID SERVICES.
40

41 ~~(2)~~ (3) "Governing board" means ~~any~~ A board, board of trustees,
42 governing board, or other body, or duly authorized subcommittee thereof,
43 of ~~any organization of health care providers~~ AN AUTHORIZED ENTITY,
44 which board or body has final authority pursuant to ~~such organization's~~
45 THE ENTITY'S written bylaws, policies, or procedures to take final action
46 regarding the recommendations of ~~any authorized~~ A professional review
47 committee.
48

49 (4) "JOINT COMMISSION" MEANS THE JOINT COMMISSION ON THE
50 ACCREDITATION OF HEALTHCARE ORGANIZATIONS OR ITS SUCCESSOR
51 ENTITY.
52

53 (5) "MEDICAL BOARD" MEANS THE COLORADO MEDICAL BOARD
54 CREATED IN SECTION 12-36-103 (1).
55

56 ~~(3)~~ (6) "Professional review committee" means any committee

1 authorized under the provisions of this article to review and evaluate the
2 QUALIFICATIONS, COMPETENCE, AND professional conduct of, and the
3 quality and appropriateness of patient care provided by, any physician
4 PERSON licensed under article 36 of this title OR LICENSED UNDER ARTICLE
5 38 OF THIS TITLE AND GRANTED AN AUTHORITY AS AN ADVANCED
6 PRACTICE NURSE. "PROFESSIONAL REVIEW COMMITTEE" INCLUDES A
7 GOVERNING BOARD, A HEARING PANEL APPOINTED BY A GOVERNING BODY
8 TO CONDUCT A HEARING UNDER SECTION 12-36.5-104 (7) (a), AND AN
9 INDEPENDENT THIRD PARTY DESIGNATED BY A GOVERNING BOARD UNDER
10 SECTION 12-36.5-104 (8) (b).

11
12 ~~(4)~~ (7) (a) "Records" means any and all written, ELECTRONIC, or
13 verbal ORAL communications by any person ~~any member of an~~
14 ~~investigative body, or any professional review committee or governing~~
15 ~~board, or the staff thereof~~ arising from any activities of a professional
16 review committee, INCLUDING A GOVERNING BOARD, ESTABLISHED BY AN
17 authorized by ENTITY UNDER this article OR BY THE AGENT OR STAFF
18 THEREOF, including the ANY:

19
20 (I) REFERENCE;

21
22 (II) Complaint, response, OR correspondence related ~~thereto~~ TO
23 THE COMPLAINT OR RESPONSE;

24
25 (III) INTERVIEWS OR STATEMENTS, REPORTS, MEMORANDA,
26 ASSESSMENTS, AND PROGRESS REPORTS DEVELOPED TO ASSIST IN
27 PROFESSIONAL REVIEW ACTIVITIES;

28
29 (IV) ASSESSMENTS AND PROGRESS REPORTS TO ASSIST IN
30 PROFESSIONAL REVIEW ACTIVITIES, INCLUDING REPORTS AND
31 ASSESSMENTS DEVELOPED BY INDEPENDENT CONSULTANTS IN
32 CONNECTION WITH PROFESSIONAL REVIEW ACTIVITIES; AND

33
34 (V) Recordings or transcripts of proceedings, minutes, formal
35 recommendations, decisions, exhibits, and other similar items or
36 documents RELATED TO PROFESSIONAL REVIEW ACTIVITIES AND typically
37 constituting the records of administrative proceedings.

38
39 (b) "RECORDS" DOES NOT INCLUDE ANY WRITTEN, ELECTRONIC, OR
40 ORAL COMMUNICATIONS BY ANY PERSON THAT ARE OTHERWISE
41 AVAILABLE FROM AN ORIGINAL SOURCE OUTSIDE THE SCOPE OF
42 PROFESSIONAL REVIEW ACTIVITIES, INCLUDING MEDICAL RECORDS AND
43 OTHER HEALTH INFORMATION.

44
45 (8) "STATE BOARD OF NURSING" OR "NURSING BOARD" MEANS THE
46 STATE BOARD OF NURSING CREATED IN SECTION 12-38-104.

47
48 **SECTION 5.** In Colorado Revised Statutes, **amend** 12-36.5-103
49 as follows:

50
51 **12-36.5-103. Use of professional review committees.**

52 (1) (a) The general assembly recognizes that:

53
54 (I) The medical board AND THE NURSING BOARD, while assuming
55 and retaining ultimate authority for licensure and discipline in accordance
56 with ~~article~~ ARTICLES 36 AND 38 of this title, RESPECTIVELY, and in

1 accordance with this article, cannot practically and economically assume
2 responsibility over every single allegation or instance of purported
3 deviation from the standards of quality for the practice of medicine OR
4 NURSING, from the standards of professional conduct, or from the
5 standards of appropriate care; and ~~that~~

6
7 (II) An attempt to exercise such oversight would result in
8 extraordinary delays in the determination of the legitimacy of ~~such~~ THE
9 allegations and would result in the inappropriate and unequal exercise of
10 ~~its~~ THEIR authority to license and discipline ~~physicians~~ PERSONS LICENSED
11 UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE 38 OF THIS
12 TITLE AND GRANTED AUTHORITY AS ADVANCED PRACTICE NURSES.

13
14 (b) It is therefore the intent of the general assembly that the
15 medical board AND THE NURSING BOARD utilize and allow professional
16 review committees and governing boards to assist ~~it~~ THEM in meeting ~~its~~
17 THEIR responsibilities under ~~article~~ ARTICLES 36 AND 38 of this title,
18 RESPECTIVELY, and under this article.

19
20 (2) All ~~physicians~~ PERSONS LICENSED UNDER ARTICLE 36 OF THIS
21 TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED
22 AUTHORITY AS ADVANCED PRACTICE NURSES are encouraged to serve
23 upon ~~such~~ professional review committees when called to do so and to
24 study and review in ~~good faith~~ AN OBJECTIVELY REASONABLE MANNER the
25 professional conduct of ~~physicians~~ PERSONS LICENSED UNDER ARTICLE 36
26 OF THIS TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND
27 GRANTED AUTHORITY AS ADVANCED PRACTICE NURSES, including the
28 QUALIFICATIONS, COMPETENCE, AND PROFESSIONAL CONDUCT OF, AND
29 THE quality and appropriateness of patient care PROVIDED BY, THOSE
30 PERSONS.

31
32 (3) (a) The use of professional review committees is ~~declared to~~
33 ~~be~~ an extension of the authority of the medical board AND NURSING
34 BOARD. However, except as otherwise provided in this article, nothing in
35 this article ~~shall limit~~ LIMITS the authority of professional review
36 committees properly constituted under this article.

37
38 (b) Professional review committees, the members who constitute
39 ~~such~~ THE committees, governing boards, AUTHORIZED ENTITIES, and
40 persons who participate directly or indirectly in professional review
41 ~~proceedings~~ ACTIVITIES are granted certain immunities from SUIT AND
42 liability FOR DAMAGES arising from actions ~~which~~ THAT are within the
43 scope of their activities ~~and taken in good faith~~ as provided in section
44 12-36.5-105. ~~Such~~ THESE grants of immunity from SUIT AND liability FOR
45 DAMAGES are ~~declared to be~~ necessary to ensure that professional review
46 committees and governing boards can exercise their professional
47 knowledge and judgment.

48
49 **SECTION 6.** In Colorado Revised Statutes, **amend** 12-36.5-104
50 as follows:

51
52 **12-36.5-104. Establishment of professional review committees**
53 **- function - rules.** (1) A professional review committee may be
54 established pursuant to this section to review and evaluate the
55 QUALIFICATIONS AND COMPETENCE OF, THE quality and appropriateness
56 of patient care provided by, and the professional conduct of, any

1 ~~physician licensed under article 36 of this title~~ PERSON LICENSED UNDER
2 ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE
3 AND GRANTED AN AUTHORITY AS AN ADVANCED PRACTICE NURSE.
4

5 (2) ~~Persons Licensed to practice medicine under article 36 of this~~
6 ~~title~~ PHYSICIANS who are actively engaged in the practice of medicine in
7 this state ~~shall~~ MUST constitute a majority of THE VOTING MEMBERS OF any
8 professional review committee established pursuant to this section FOR
9 PHYSICIANS AND PHYSICIAN ASSISTANTS; ~~except for those boards THAT~~
10 PHYSICIANS NEED NOT CONSTITUTE THE MAJORITY OF THE VOTING
11 MEMBERS OF A BOARD authorized by paragraph (g) of subsection (4) of
12 this section OR AN INDEPENDENT THIRD PARTY DESIGNATED BY A
13 GOVERNING BOARD UNDER PARAGRAPH (b) OF SUBSECTION (8) OF THIS
14 SECTION.
15

16 (3) A utilization and quality control peer review organization, as
17 defined pursuant to 42 U.S.C. sec. 1320c-1, or any other organization
18 performing similar review services under federal or state law ~~shall be~~ IS
19 an approved professional review committee under this article.
20

21 (4) ~~Any~~ A professional review committee established by any of
22 the following ~~organizations, entities, or professional societies shall be~~
23 AUTHORIZED ENTITIES IS an approved professional review committee
24 under this article if it operates ~~pursuant to~~ IN SUBSTANTIAL COMPLIANCE
25 WITH written bylaws, policies, or procedures that are in compliance with
26 this article and that have been approved by ~~its~~ THE AUTHORIZED ENTITY'S
27 governing board:
28

29 (a) The medical OR NURSING staff of a hospital licensed pursuant
30 to part 1 of article 3 of title 25, C.R.S., or certified pursuant to section
31 25-1.5-103 (1) (a) (II), C.R.S.;
32

33 (b) The medical OR NURSING staff of a hospital-related
34 corporation. For the purposes of this paragraph (b), ~~a corporation~~ AN
35 ENTITY IS A "hospital-related CORPORATION" if the licensed or certified
36 hospital or holding company of ~~such~~ THE LICENSED OR CERTIFIED hospital
37 has ownership or control of ~~such corporation~~ THE ENTITY;
38

39 (c) A society or association of physicians whose membership
40 includes not less than one-third of the doctors of medicine or doctors of
41 osteopathy licensed to practice and residing in this state, if the physician
42 whose services are the subject of the review is a member of ~~such~~ THE
43 society or association;
44

45 (d) A society or association of physicians licensed to practice and
46 residing in this state and specializing in a specific discipline of medicine,
47 whose society or association has been designated by the medical board as
48 ~~the~~ A specialty society or association representative of physicians
49 practicing ~~such~~ THE specific discipline of medicine, if the physician
50 whose services are the subject of the review is a member of ~~such~~ THE
51 specialty society or association;
52

53 (e) An individual practice association or a preferred provider
54 organization ~~comprised~~ CONSISTING of ~~at least twenty-five~~ physicians or
55 a medical group ~~which~~ THAT predominantly serves members of a health
56 maintenance organization licensed pursuant to parts 1 and 4 of article 16

1 of title 10, C.R.S. A professional review committee established pursuant
2 to this paragraph (e) ~~shall have~~ HAS jurisdiction to review only physicians
3 who are members of the association or organization creating and
4 authorizing that committee; except that ~~such~~ THE professional review
5 committee may review the care provided to a particular patient referred
6 by a member of ~~such~~ THE association or organization to another physician
7 who is not a member of ~~such~~ THE association or organization.
8

9 (f) A corporation authorized to insure ~~physicians~~ PERSONS
10 LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE
11 38 OF THIS TITLE AND GRANTED AUTHORITY AS ADVANCED PRACTICE
12 NURSES pursuant to article 3 of title 10, C.R.S., or any other ~~corporation~~
13 ORGANIZATION authorized to insure ~~such physicians~~ PERSONS in this state
14 when designated by the medical board OR NURSING BOARD under
15 subsection (5) of this section;
16

17 (g) THE governing ~~boards~~ BOARD of any AUTHORIZED entity ~~which~~
18 THAT has a professional review committee established pursuant to article
19 36 OR ARTICLE 38 of this title;
20

21 (h) Any ~~peer~~ PROFESSIONAL review committee established or
22 created by a combination or pooling of any ~~of the organizations~~
23 authorized ~~by this section to have a professional review committee~~
24 ENTITIES;
25

26 (i) (I) A nonprofit corporation or association ~~comprised~~
27 CONSISTING of representatives from a statewide ~~medical~~ PROFESSIONAL
28 society and a statewide hospital association. ~~Such~~ THE association ~~shall~~
29 ~~be comprised~~ MUST CONSIST of ~~physicians~~ PERSONS LICENSED UNDER
30 ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE
31 AND GRANTED AUTHORITY AS ADVANCED PRACTICE NURSES, hospital
32 administrators, and hospital trustees, with a majority of ~~such~~ THE
33 representatives being ~~physicians~~ PERSONS LICENSED UNDER ARTICLE 36 OF
34 THIS TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED
35 AUTHORITY AS ADVANCED PRACTICE NURSES. The association may
36 establish, or contract for, one or more ~~peer~~ PROFESSIONAL review
37 committees to review the care by hospital staff ~~physicians~~ HEALTH CARE
38 PROVIDERS, with priority given to small rural ~~medical~~ HOSPITAL staffs.
39 ~~Such peer~~ THESE PROFESSIONAL review services ~~shall~~ MUST be available
40 statewide on a fee-for-service basis to licensed or certified hospitals at the
41 joint request of the governing ~~body~~ BOARD and the medical OR NURSING
42 staff of the hospital or at the sole request of the governing ~~body~~ BOARD
43 of the hospital. If a ~~physician~~ MEMBER being reviewed specializes in a
44 generally recognized specialty of medicine OR NURSING, at least one of
45 the ~~physicians~~ HEALTH CARE PROVIDERS on the ~~peer~~ PROFESSIONAL
46 review committee ~~shall~~ MUST be a ~~physician practicing~~ PERSON LICENSED
47 UNDER ARTICLE 36 OF THIS TITLE, OR LICENSED UNDER ARTICLE 38 OF THIS
48 TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE NURSE, WHO
49 PRACTICES such specialty.
50

51 (II) For purposes of the introductory portion to this subsection (4)
52 AND THIS PARAGRAPH (i), the bylaws, policies, ~~and~~ OR procedures ~~shall~~
53 MUST be in SUBSTANTIAL compliance with this article and ~~be~~ approved by
54 the nonprofit corporation or association.
55

56 (j) The medical OR NURSING staff of an ambulatory surgical center

1 licensed pursuant to part 1 of article 3 of title 25, C.R.S.;

2
3 (k) A PROFESSIONAL SERVICES ENTITY ORGANIZED PURSUANT TO
4 SECTION 12-36-134;

5
6 (l) A PROVIDER NETWORK THAT INCLUDES HEALTH CARE
7 PROVIDERS ORGANIZED PURSUANT TO PART 3 OF ARTICLE 18 OF TITLE 6,
8 C.R.S.;

9
10 (m) A HEALTH SYSTEM THAT INCLUDES TWO OR MORE
11 AUTHORIZED ENTITIES WITH A COMMON GOVERNING BOARD;

12
13 (n) A TRUST ORGANIZATION ESTABLISHED UNDER ARTICLE 70 OF
14 TITLE 11, C.R.S.;

15
16 (o) AN ENTITY LICENSED PURSUANT TO PARTS 1 AND 4 OF ARTICLE
17 16 OF TITLE 10, C.R.S.; AND

18
19 (p) AN ACCOUNTABLE CARE ORGANIZATION ESTABLISHED UNDER
20 THE FEDERAL "PATIENT PROTECTION AND AFFORDABLE CARE ACT",
21 PUB.L. 111-148, OR OTHER ORGANIZATION WITH A SIMILAR FUNCTION.

22
23 (5) The medical board AND THE NURSING BOARD, WITH RESPECT
24 TO THE LICENSEES SUBJECT TO THEIR JURISDICTION, may establish by rule
25 procedures necessary to authorize other health care or physician
26 organizations or professional societies to AS AUTHORIZED ENTITIES THAT
27 MAY establish professional review committees.

28
29 (6) (a) A professional review committee acting pursuant to this
30 part 1 may investigate or cause to be investigated:

31
32 (I) The qualifications AND COMPETENCE of any ~~physician licensed~~
33 ~~under article 36 of this title~~ PERSON LICENSED UNDER ARTICLE 36 OF THIS
34 TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED
35 AUTHORITY AS AN ADVANCED PRACTICE NURSE who seeks to subject
36 himself or herself to the authority of any ~~organization, entity, or~~
37 ~~professional society listed in subsection (4) of this section or any~~
38 ~~organization or professional society that has been authorized by the~~
39 ~~medical board to establish a professional review committee pursuant to~~
40 ~~subsection (5) of this section~~ AUTHORIZED ENTITY; or

41
42 (II) The quality or appropriateness of patient care rendered by, or
43 the professional conduct of, any ~~physician licensed under article 36 of this~~
44 ~~title~~ PERSON LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED
45 UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN
46 ADVANCED-PRACTICE NURSE who is subject to the authority of ~~such~~
47 ~~organization, entity, or professional society~~ THE AUTHORIZED ENTITY.

48
49 (b) ~~Such~~ THE PROFESSIONAL REVIEW COMMITTEE SHALL CONDUCT
50 THE investigation ~~shall be conducted~~ in SUBSTANTIAL conformity with
51 written bylaws, policies, or procedures adopted by ~~such organization,~~
52 ~~entity, or professional society~~ THE AUTHORIZED ENTITY'S GOVERNING
53 BOARD.

54
55 (7) The written bylaws, policies, or procedures of any professional
56 review committee ~~shall~~ FOR LICENSED PHYSICIANS AND PHYSICIAN

1 ASSISTANTS MUST provide for at least the following:

2
3 (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
4 PARAGRAPH (a), if the findings of any investigation indicate that the
5 LICENSED physician OR PHYSICIAN ASSISTANT who is the subject of the
6 investigation is lacking in qualifications OR COMPETENCY, has provided
7 substandard or inappropriate patient care, or has exhibited inappropriate
8 professional conduct AND THE PROFESSIONAL REVIEW COMMITTEE TAKES
9 OR RECOMMENDS AN ACTION TO ADVERSELY AFFECT THE PHYSICIAN'S OR
10 PHYSICIAN ASSISTANT'S MEMBERSHIP, AFFILIATION, OR PRIVILEGES WITH
11 THE AUTHORIZED ENTITY, the professional review committee shall hold
12 a hearing ~~unless the physician waives his right to a hearing~~, to consider
13 the findings ~~except that~~, AND RECOMMENDATIONS UNLESS THE PHYSICIAN
14 OR PHYSICIAN ASSISTANT WAIVES, IN WRITING, THE RIGHT TO A HEARING.
15

16 (II) If the professional review committee is submitting its findings
17 AND RECOMMENDATIONS to another professional review committee for
18 review, only one hearing ~~shall be~~ IS necessary prior to any appeal before
19 the governing ~~body~~ BOARD.
20

21 (b) ~~Any~~ A person who has participated in the course of ~~any~~ AN
22 investigation ~~shall be~~ IS disqualified as a member of the PROFESSIONAL
23 REVIEW committee ~~at any~~ THAT CONDUCTS A hearing ~~held~~ pursuant to
24 paragraph (a) of this subsection (7), but ~~such~~ THE person may participate
25 as a witness in ~~such~~ THE hearing.
26

27 (c) ~~The physician~~ AUTHORIZED ENTITY SHALL GIVE REASONABLE
28 NOTICE OF THE HEARING, AND OF ANY FINDING OR RECOMMENDATION
29 THAT WOULD ADVERSELY AFFECT THE PHYSICIAN'S OR PHYSICIAN
30 ASSISTANT'S MEMBERSHIP, AFFILIATION, OR PRIVILEGES WITH THE
31 AUTHORIZED ENTITY TO THE PHYSICIAN OR PHYSICIAN ASSISTANT who is
32 the subject of ~~any~~ AN investigation, ~~shall be given reasonable notice of~~
33 ~~such hearing~~ and ~~shall have~~ THE PHYSICIAN OR PHYSICIAN ASSISTANT HAS
34 a right to be present, to be represented by legal counsel at ~~such~~ THE
35 hearing, and to offer evidence in his OR HER own behalf.
36

37 (d) After ~~such~~ THE hearing, the professional review committee
38 THAT CONDUCTED THE HEARING shall make any recommendations it
39 deems necessary to the governing board, unless OTHERWISE provided by
40 federal law or regulation.
41

42 (e) THE PROFESSIONAL REVIEW COMMITTEE SHALL GIVE a copy of
43 ~~such~~ THE recommendations ~~shall be given~~ to the subject physician OR
44 PHYSICIAN ASSISTANT, who then ~~shall have~~ HAS the right to appeal ~~the~~
45 ~~findings and recommendations of the professional review committee~~ to
46 the governing board to which the recommendations are made WITH
47 REGARD TO ANY FINDING OR RECOMMENDATION THAT WOULD ADVERSELY
48 AFFECT THE PHYSICIAN'S OR PHYSICIAN ASSISTANT'S MEMBERSHIP,
49 AFFILIATION, OR PRIVILEGES WITH THE AUTHORIZED ENTITY.
50

51 (f) THE PROFESSIONAL REVIEW COMMITTEE SHALL FORWARD a
52 copy of any recommendations made pursuant to paragraph (d) of this
53 subsection (7) ~~shall be promptly forwarded~~ to the medical board.
54

55 (8) (a) All governing boards shall adopt written bylaws, policies,
56 or procedures UNDER which ~~provide that~~ a physician OR PHYSICIAN

1 ASSISTANT who is the subject of an adverse recommendation by a
2 professional review committee may appeal to the governing board ~~Such~~
3 FOLLOWING A HEARING IN ACCORDANCE WITH SUBSECTION (7) OF THIS
4 SECTION. THE bylaws, policies, or procedures ~~shall~~ MUST provide that the
5 physician OR PHYSICIAN ASSISTANT ~~shall~~ be given reasonable notice of his
6 OR HER right to appeal and, unless waived by the physician ~~shall have~~ OR
7 PHYSICIAN ASSISTANT, HAS the right to appear before the governing board,
8 to be represented by legal counsel, and to offer ~~such~~ THE argument on the
9 record as he OR SHE deems appropriate.

10

11 (b) The bylaws may provide that a committee of not fewer than
12 three members of the governing board may hear the appeal. ~~such~~ ALSO,
13 THE bylaws may ~~also~~ allow for an appeal to be heard by an independent
14 third party designated by ~~the~~ A GOVERNING board UNDER THIS PARAGRAPH
15 (b).

16

17 (9) THE WRITTEN BYLAWS, POLICIES, OR PROCEDURES OF ANY
18 PROFESSIONAL REVIEW COMMITTEE FOR ADVANCED PRACTICE NURSES
19 MUST PROVIDE FOR AT LEAST THE FOLLOWING:

20

21 (a) ONE OR MORE LICENSED NURSES WHO ARE REGISTERED AS
22 ADVANCED PRACTICE NURSES WHO ARE ACTIVELY ENGAGED IN THE
23 PRACTICE OF NURSING IN THIS STATE MUST BE MEMBERS OF THE
24 PROFESSIONAL REVIEW COMMITTEE ESTABLISHED PURSUANT TO THIS
25 SECTION FOR ADVANCED PRACTICE NURSES, EXCEPT THAT ADVANCED
26 PRACTICE NURSES NEED NOT BE MEMBERS OF A GOVERNING BOARD OR AN
27 INDEPENDENT THIRD PARTY DESIGNATED BY A GOVERNING BOARD, IF
28 APPLICABLE TO THE PROFESSIONAL REVIEW PROCESS.

29

30 (b) THE PROFESSIONAL REVIEW PROCESS FOR ADVANCED PRACTICE
31 NURSES CONDUCTED BY AUTHORIZED ENTITIES THAT ARE NOT LICENSED
32 HEALTH FACILITIES MAY BE SUBSTANTIALLY SIMILAR TO THE PROCESS
33 UNDER SUBSECTIONS (7) AND (8) OF THIS SECTION FOR PHYSICIANS AND
34 PHYSICIAN ASSISTANTS, EXCEPT THAT ADVANCED PRACTICE NURSES WILL
35 SUBSTITUTE FOR PHYSICIAN ASSISTANTS. THE PROFESSIONAL REVIEW
36 COMMITTEE SHALL FORWARD A COPY OF ANY RECOMMENDATIONS TO THE
37 NURSING BOARD.

38

39 (c) THE PROFESSIONAL REVIEW PROCESS FOR ADVANCED PRACTICE
40 NURSES CONDUCTED BY AUTHORIZED ENTITIES THAT ARE LICENSED
41 HEALTH FACILITIES AND THAT PARTICIPATE IN ANY FEDERAL HEALTH CARE
42 PROGRAM, INCLUDING THE FEDERAL MEDICARE AND MEDICAID PROGRAMS,
43 MAY BE ESTABLISHED IN A MANNER TO COMPLY WITH THE APPLICABLE
44 HEALTH FACILITY LICENSING REQUIREMENTS UNDER TITLE 25, C.R.S., AND
45 ASSOCIATED REGULATIONS, THE FEDERAL "SOCIAL SECURITY ACT", AND
46 THE CONDITIONS FOR COVERAGE OR CONDITIONS OF PARTICIPATION
47 PROMULGATED BY THE CMS, AS APPLICABLE TO THE TYPE OF HEALTH
48 FACILITY. THE PROFESSIONAL REVIEW COMMITTEE SHALL FORWARD A
49 COPY OF ANY RECOMMENDATIONS TO THE NURSING BOARD.

50

51 ~~(9)~~ (10) All governing boards that are required to report their final
52 actions to the medical board OR THE NURSING BOARD, AS APPROPRIATE,
53 are not otherwise relieved of ~~such~~ THEIR obligations by virtue of ~~any~~
54 ~~provision~~ of this article.

55

56 ~~(10)~~ (11) (a) EXCEPT AS SPECIFIED IN PARAGRAPH (b) OF THIS

1 SUBSECTION (11), the records of a AN AUTHORIZED ENTITY AND ITS
2 professional review committee, a ITS governing board, or the committee
3 on anticompetitive conduct shall ARE not be subject to subpoena or
4 discovery and shall ARE not be admissible in any civil suit. brought
5 against a physician who is the subject of such records.

6
7 (b) ~~Notwithstanding the provisions of paragraph (a) of this~~
8 ~~subsection (10), such~~ SUBJECT TO SUBSECTION (14) OF THIS SECTION, THE
9 records shall be ARE subject to subpoena and available for use:

10
11 (I) By the committee on anticompetitive conduct;

12
13 (II) By either party in any AN appeal or de novo proceeding
14 brought pursuant to this part 1;

15
16 (III) By a ~~physician~~ PERSON LICENSED UNDER ARTICLE 36 OF THIS
17 TITLE, OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED
18 AUTHORITY AS AN ADVANCED PRACTICE NURSE, in a suit seeking judicial
19 review of any AN action by the governing board;

20
21 (IV) BY THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND
22 ENVIRONMENT IN ACCORDANCE WITH ITS AUTHORITY TO ISSUE OR
23 CONTINUE A HEALTH FACILITY LICENSE OR CERTIFICATION FOR AN
24 AUTHORIZED ENTITY;

25
26 (V) BY THE CMS IN ACCORDANCE WITH ITS EVALUATION PROCESS
27 FOR FEDERAL HEALTH CARE PROGRAM PARTICIPATION BY AN AUTHORIZED
28 ENTITY;

29
30 ~~(IV)~~ (VI) By a governing board seeking judicial review;

31
32 (VII) BY THE MEDICAL BOARD WITHIN THE SCOPE OF ITS
33 AUTHORITY OVER LICENSED PHYSICIANS AND PHYSICIAN ASSISTANTS; AND

34
35 (VIII) BY THE NURSING BOARD WITHIN THE SCOPE OF ITS
36 AUTHORITY OVER ADVANCED PRACTICE NURSES.

37
38 (12) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
39 SUBSECTION (12), THE RECORDS OF AN AUTHORIZED ENTITY OR ITS
40 PROFESSIONAL REVIEW COMMITTEE MAY BE DISCLOSED TO:

41
42 (I) THE MEDICAL BOARD, AS REQUESTED BY THE MEDICAL BOARD
43 ACTING WITHIN THE SCOPE OF ITS AUTHORITY OR AS REQUIRED OR
44 APPROPRIATE UNDER THIS ARTICLE OR ARTICLE 36 OF THIS TITLE;

45
46 (II) THE NURSING BOARD, AS REQUESTED BY THE NURSING BOARD
47 ACTING WITHIN THE SCOPE OF ITS AUTHORITY OR AS REQUIRED OR
48 APPROPRIATE UNDER THIS ARTICLE OR ARTICLE 38 OF THIS TITLE;

49
50 (III) THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND
51 ENVIRONMENT ACTING WITHIN THE SCOPE OF ITS HEALTH FACILITY
52 LICENSING AUTHORITY OR AS THE AGENT OF CMS;

53
54 (IV) CMS, IN CONNECTION WITH THE SURVEY AND CERTIFICATION
55 PROCESSES FOR FEDERAL HEALTH CARE PROGRAM PARTICIPATION BY AN
56 AUTHORIZED ENTITY; AND

1 (V) THE JOINT COMMISSION OR OTHER ENTITY GRANTED DEEMING
2 AUTHORITY BY CMS, IN CONNECTION WITH A SURVEY OR REVIEW FOR
3 ACCREDITATION.

4
5 (b) THE MEDICAL BOARD, NURSING BOARD, AND COLORADO
6 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL NOT MAKE
7 FURTHER DISCLOSURES OF ANY RECORDS DISCLOSED BY AN AUTHORIZED
8 ENTITY OR ITS PROFESSIONAL REVIEW COMMITTEE UNDER THIS SECTION.

9
10 (13) THE RECORDS OF AN AUTHORIZED ENTITY OR ITS
11 PROFESSIONAL REVIEW COMMITTEE OR GOVERNING BOARD MAY BE
12 SHARED BY AND AMONG AUTHORIZED ENTITIES AND THEIR PROFESSIONAL
13 REVIEW COMMITTEES AND GOVERNING BOARDS CONCERNING THE
14 QUALIFICATIONS, COMPETENCE, AND PROFESSIONAL CONDUCT OF, AND
15 QUALITY AND APPROPRIATENESS OF PATIENT CARE PROVIDED BY, A
16 HEALTH CARE PROVIDER WHO SEEKS TO SUBJECT HIMSELF OR HERSELF TO,
17 OR IS CURRENTLY SUBJECT TO, THE AUTHORITY OF THE AUTHORIZED
18 ENTITY.

19
20 (14) RESPONDING TO A SUBPOENA OR DISCLOSING OR SHARING OF
21 OTHERWISE PRIVILEGED RECORDS AND INFORMATION PURSUANT TO
22 SUBSECTION (11), (12), OR (13) OF THIS SECTION DOES NOT CONSTITUTE A
23 WAIVER OF THE PRIVILEGE SPECIFIED IN PARAGRAPH (a) OF SUBSECTION
24 (11) OF THIS SECTION OR A VIOLATION OF THE CONFIDENTIALITY
25 REQUIREMENTS OF SUBSECTION (15) OF THIS SECTION. RECORDS PROVIDED
26 TO ANY GOVERNMENTAL AGENCY, INCLUDING THE DEPARTMENT OF PUBLIC
27 HEALTH AND ENVIRONMENT, THE MEDICAL BOARD, AND THE NURSING
28 BOARD PURSUANT TO SUBSECTION (11) OR (12) OF THIS SECTION ARE NOT
29 PUBLIC RECORDS SUBJECT TO THE "COLORADO OPEN RECORDS ACT", PART
30 2 OF ARTICLE 72 OF TITLE 24, C.R.S. A PERSON PROVIDING THE RECORDS
31 TO AN AUTHORIZED ENTITY OR ITS PROFESSIONAL REVIEW COMMITTEE OR
32 GOVERNING BOARD, THE DEPARTMENT OF PUBLIC HEALTH AND
33 ENVIRONMENT, THE MEDICAL BOARD, THE NURSING BOARD, CMS, THE
34 JOINT COMMISSION, OR OTHER GOVERNMENTAL AGENCY IS ENTITLED TO
35 THE SAME IMMUNITY FROM SUIT AND LIABILITY FOR DAMAGES AS
36 PROVIDED UNDER SECTION 12-36.5-105 FOR THE DISCLOSURE OF THE
37 RECORDS.

38
39 ~~(11) At the request of the medical board, a governing board shall~~
40 ~~provide the medical board with the complete record of all professional~~
41 ~~review proceedings, including, but not limited to, the findings,~~
42 ~~recommendations, and actions taken.~~

43
44 ~~(12)~~ (15) Investigations, examinations, hearings, meetings, ~~or any~~
45 AND other proceedings of a professional review committee or governing
46 board conducted pursuant to ~~the provisions of this part 1 shall be~~ ARE
47 exempt from ~~the provisions of~~ any law requiring that proceedings be
48 conducted publicly or that the ~~minutes or~~ records, INCLUDING ANY
49 MINUTES, be open to public inspection.

50
51 ~~(13)~~ (16) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (11),
52 (12), OR (13) OF THIS SECTION, all proceedings, recommendations, records,
53 and reports involving professional review committees or governing
54 boards ~~shall be~~ ARE confidential.

55
56 ~~(14)~~ (17) A professional review committee or governing board

1 ~~which~~ THAT is constituted and conducts its reviews and activities pursuant
2 ~~to the provisions of~~ SUBSTANTIALLY IN ACCORDANCE WITH this part 1 is
3 ~~declared not to be~~ an unlawful conspiracy in violation of section 6-4-104
4 or 6-4-105, C.R.S.

5
6 **SECTION 7.** In Colorado Revised Statutes, 12-36.5-104.4,
7 **amend** (1) as follows:

8
9 **12-36.5-104.4. Hospital professional review committees.**
10 (1) The quality and appropriateness of patient care rendered by
11 ~~physicians~~ PERSONS LICENSED UNDER ARTICLE 36 OF THIS TITLE, LICENSED
12 UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS
13 ADVANCED PRACTICE NURSES, and other licensed health care professionals
14 so influence the total quality of patient care that a review of care provided
15 in a hospital is ineffective without concomitantly reviewing THE overall
16 QUALIFICATIONS, COMPETENCE, AND PROFESSIONAL CONDUCT OF, AND
17 THE quality and appropriateness of care rendered by, ~~physicians and other~~
18 ~~licensed health care professionals~~ SUCH PERSONS.

19
20 **SECTION 8.** In Colorado Revised Statutes, **add** 12-36.5-104.6
21 as follows:

22
23 **12-36.5-104.6. Governing boards to register with medical**
24 **board - annual reports - aggregation and publication of data - rules.**

25 (1) EACH GOVERNING BOARD THAT ESTABLISHES OR USES ONE OR MORE
26 PROFESSIONAL REVIEW COMMITTEES TO REVIEW THE PRACTICE OF
27 PHYSICIANS OR PHYSICIAN ASSISTANTS SHALL:

28
29 (a) REGISTER WITH THE MEDICAL BOARD IN A FORM SATISFACTORY
30 TO THE MEDICAL BOARD ON OR BEFORE JULY 1, 2013, IF THE GOVERNING
31 BOARD HAS EXISTING PROFESSIONAL REVIEW COMMITTEES, OR, IF THE
32 GOVERNING BOARD ESTABLISHES A PROFESSIONAL REVIEW COMMITTEE ON
33 OR AFTER JULY 1, 2013, WITHIN THIRTY DAYS AFTER APPROVING THE
34 WRITTEN BYLAWS, POLICIES, OR PROCEDURES FOR THE PROFESSIONAL
35 REVIEW COMMITTEE; AND

36
37 (b) REPORT ON ITS PROFESSIONAL REVIEW ACTIVITIES DURING THE
38 IMMEDIATELY PRECEDING CALENDAR YEAR IN A FORM SATISFACTORY TO
39 THE MEDICAL BOARD. THESE REPORTS MUST INCLUDE THE NUMBER AND
40 TYPE OF CASES REVIEWED AND THE RESULTS OF SUCH REVIEWS, IN
41 AGGREGATE FORM AND WITHOUT INDIVIDUALLY IDENTIFIABLE
42 INFORMATION CONCERNING THE SUBJECT PHYSICIANS OR PHYSICIAN
43 ASSISTANTS.

44
45 (2) THE MEDICAL BOARD SHALL PUBLISH THE DATA PROVIDED
46 PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION IN
47 AGGREGATE FORM AND WITHOUT INDIVIDUALLY IDENTIFIABLE
48 INFORMATION CONCERNING THE SUBJECT PHYSICIANS OR PHYSICIAN
49 ASSISTANTS OR THE AUTHORIZED ENTITY.

50
51 (3) THE MEDICAL BOARD SHALL ADOPT RULES TO IMPLEMENT THIS
52 SECTION AND MAY COLLECT A REASONABLE REGISTRATION FEE TO
53 RECOVER ITS DIRECT AND INDIRECT COSTS OF ADMINISTERING THE
54 REGISTRATION AND PUBLICATION SYSTEMS REQUIRED BY THIS SECTION.

55
56 **SECTION 9.** In Colorado Revised Statutes, **add** 12-36.5-104.8

1 as follows:

2
3 **12-36.5-104.8. Governing boards to register with nursing**
4 **board - annual reports - aggregation and publication of data - rules.**

5 (1) EACH GOVERNING BOARD THAT ESTABLISHES OR USES ONE OR MORE
6 PROFESSIONAL REVIEW COMMITTEES TO REVIEW THE PRACTICE OF
7 ADVANCED PRACTICE NURSES SHALL:

8
9 (a) REGISTER WITH THE NURSING BOARD IN A FORM SATISFACTORY
10 TO THE NURSING BOARD ON OR BEFORE JULY 1, 2013, IF THE GOVERNING
11 BOARD HAS EXISTING PROFESSIONAL REVIEW COMMITTEES, OR, IF THE
12 GOVERNING BOARD ESTABLISHES A PROFESSIONAL REVIEW COMMITTEE ON
13 OR AFTER JULY 1, 2013, WITHIN THIRTY DAYS AFTER APPROVING THE
14 WRITTEN BYLAWS, POLICIES, OR PROCEDURES FOR THE PROFESSIONAL
15 REVIEW COMMITTEE; AND

16
17 (b) REPORT ON ITS PROFESSIONAL REVIEW ACTIVITIES DURING THE
18 IMMEDIATELY PRECEDING CALENDAR YEAR IN A FORM SATISFACTORY TO
19 THE NURSING BOARD. THESE REPORTS MUST INCLUDE THE NUMBER AND
20 TYPE OF CASES REVIEWED AND THE RESULTS OF SUCH REVIEWS, IN
21 AGGREGATE FORM AND WITHOUT INDIVIDUALLY IDENTIFIABLE
22 INFORMATION CONCERNING THE SUBJECT ADVANCED PRACTICE NURSES.

23
24 (2) THE NURSING BOARD SHALL PUBLISH THE DATA PROVIDED
25 PURSUANT TO PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION IN
26 AGGREGATE FORM AND WITHOUT INDIVIDUALLY IDENTIFIABLE
27 INFORMATION CONCERNING THE SUBJECT ADVANCED PRACTICE NURSES OR
28 THE AUTHORIZED ENTITY.

29
30 (3) THE NURSING BOARD SHALL ADOPT RULES TO IMPLEMENT THIS
31 SECTION AND MAY COLLECT A REASONABLE REGISTRATION FEE TO
32 RECOVER ITS DIRECT AND INDIRECT COSTS OF ADMINISTERING THE
33 REGISTRATION AND PUBLICATION SYSTEMS REQUIRED BY THIS SECTION.

34
35 **SECTION 10.** In Colorado Revised Statutes, **amend** 12-36.5-105
36 as follows:

37
38 **12-36.5-105. Immunity from suit and liability.** (1) A member
39 of a professional review committee, GOVERNING BOARD, HEARING PANEL,
40 OR INDEPENDENT THIRD PARTY DESIGNATED BY A GOVERNING BOARD
41 UNDER SECTION 12-36.5-104 (8) (b); A PERSON SERVING ON THE STAFF OF
42 THAT COMMITTEE, BOARD, PANEL, OR THIRD PARTY; a witness OR
43 CONSULTANT before a professional review committee; ~~or~~ AND any person
44 who files a complaint or otherwise participates in the professional review
45 process ~~shall be~~ IS immune from suit in any civil or criminal action,
46 including antitrust actions, ~~brought by a physician who is the subject of~~
47 ~~the review by such professional review committee, if such member made~~
48 ~~a reasonable effort to obtain the facts of the matter as to which he acted,~~
49 ~~acted in the reasonable belief that the action taken by him was warranted~~
50 ~~by the facts, and otherwise acted in good faith within the scope of such~~
51 ~~professional review committee process and if such witness or participant~~
52 ~~acted in good faith within the scope of such professional review~~
53 ~~committee process~~ AND IS IMMUNE FROM LIABILITY FOR DAMAGES UNLESS,
54 IN CONNECTION WITH THE PROFESSIONAL REVIEW PROCESS, THE PERSON
55 PROVIDED FALSE INFORMATION AND KNEW THAT THE INFORMATION WAS
56 FALSE.

1 (2) The governing board ~~the individual members of such board~~
2 and the AUTHORIZED entity that has established a ~~peer~~ PROFESSIONAL
3 review committee pursuant to section 12-36.5-104 ~~the board's staff, any~~
4 ~~person acting as a witness or consultant to the board, any witness~~
5 ~~testifying in a proceeding authorized under this article, and any person~~
6 ~~who lodges a complaint pursuant to this article shall be immune from~~
7 ~~liability in any civil action brought against him or her for acts occurring~~
8 ~~while acting in his or her capacity as board member, staff, consultant, or~~
9 ~~witness, respectively, if such individual was acting in good faith within~~
10 ~~the scope of his or her respective capacity, made a reasonable effort to~~
11 ~~obtain the facts of the matter as to which he or she acted, and acted in the~~
12 ~~reasonable belief that the action taken by him or her was warranted by the~~
13 ~~facts. Any person participating in good faith in lodging a complaint or~~
14 ~~participating in any investigative or administrative proceeding pursuant~~
15 ~~to this article shall be immune from any civil or criminal liability that may~~
16 ~~result from such participation~~ IS IMMUNE FROM SUIT IN ANY CIVIL OR
17 CRIMINAL ACTION, INCLUDING ANTITRUST ACTIONS, AND IS IMMUNE FROM
18 LIABILITY FOR DAMAGES IF THE PROFESSIONAL REVIEW ACTION WAS
19 TAKEN WITHIN THE SCOPE OF THE PROFESSIONAL REVIEW PROCESS AND
20 WAS TAKEN:

21
22 (a) IN THE OBJECTIVELY REASONABLE BELIEF THAT THE ACTION
23 WAS IN THE FURTHERANCE OF QUALITY HEALTH CARE;

24
25 (b) AFTER AN OBJECTIVELY REASONABLE EFFORT TO OBTAIN THE
26 FACTS OF THE MATTER;

27
28 (c) IN THE OBJECTIVELY REASONABLE BELIEF THAT THE ACTION
29 TAKEN WAS WARRANTED BY THE FACTS; AND

30
31 (d) IN ACCORDANCE WITH PROCEDURES THAT, UNDER THE
32 CIRCUMSTANCES, WERE FAIR TO THE PERSON LICENSED UNDER ARTICLE 36
33 OF THIS TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND
34 GRANTED AN AUTHORITY AS AN ADVANCED PRACTICE NURSE.

35
36 **SECTION 11.** In Colorado Revised Statutes, 12-36.5-106,
37 **amend** (2), (5), (7), (8), (9) introductory portion, (9) (a), (9) (b), (9) (e),
38 (9) (f), (9) (k), (9) (n), (10), (12), and (13) as follows:

39
40 **12-36.5-106. Committee on anticompetitive conduct - rules.**

41 (2) The committee ~~shall be composed~~ CONSISTS of five persons, none of
42 whom ~~shall be~~ IS a member of the medical board, APPOINTED AS
43 FOLLOWS:

44
45 (a) THE MEDICAL BOARD SHALL APPOINT four members of the
46 committee, ~~shall~~ WHO MUST be licensed to ~~practice medicine~~ PROVIDE
47 HEALTH CARE and actively engaged in the practice of medicine in this
48 state. ~~and shall be appointed by the medical board.~~ No A member
49 APPOINTED PURSUANT TO THIS PARAGRAPH (a) shall NOT practice in the
50 same medical subspecialty as any other member ~~nor~~ AND SHALL NOT
51 conduct his or her primary practice in the same county as any other
52 member.

53
54 (b) THE GOVERNOR SHALL APPOINT one member ~~shall be~~
55 ~~appointed by the governor and shall be~~ WHO IS an attorney licensed to
56 practice in this state AND who has particular expertise and experience in

1 the area of antitrust law.

2
3 (5) The committee shall annually elect a ~~chairman~~ CHAIR from
4 among its members. Any three members of the committee ~~shall constitute~~
5 a quorum. Any action of a majority of those present comprising ~~such~~ THE
6 quorum ~~shall be~~ IS the action of the committee. Committee members ~~shall~~
7 ~~be~~ ARE compensated as provided in section 24-34-102 (13), C.R.S. The
8 committee may ~~in its discretion~~, utilize the expertise of consultants,
9 including ~~but not limited to~~, legal, medical, and business specialists. THE
10 COMMITTEE SHALL ASSESS AND COLLECT costs of ~~such~~ THE consultants
11 ~~shall be assessed and collected~~ as provided in subsection (11) of this
12 section.

13
14 (7) ~~Any physician~~ A HEALTH CARE PROVIDER who is the subject
15 of a final action by a governing board, which action results in the denial,
16 termination, or restriction of privileges at or membership ~~in~~ or
17 participation in an organization, and who believes that ~~such~~ THE action
18 resulted from unreasonable anticompetitive conduct ~~shall have, as his sole~~
19 ~~and exclusive remedy~~, MAY SEEK direct review of the record by the
20 committee. ~~such~~ THE review, ~~shall be~~ WHICH IS THE HEALTH CARE
21 PROVIDER'S EXCLUSIVE REMEDY, IS limited to the sole issue of whether
22 ~~such~~ THE final board action resulted from unreasonable anticompetitive
23 conduct. Failure to exhaust this administrative remedy before the
24 committee ~~shall preclude~~ PRECLUDES the right of de novo review on the
25 merits of the issue of unreasonable anticompetitive conduct.

26
27 (8) Nothing in this article ~~shall preclude~~ PRECLUDES a ~~physician~~
28 ~~or~~ health care provider otherwise aggrieved by the final action of a
29 governing board from seeking other remedies available to them by law,
30 except as provided in subsection (7) of this section.

31
32 (9) ~~Review by~~ The committee shall ~~be~~ CONDUCT THE REVIEW in
33 accordance with the following procedures and, to the extent practicable,
34 in accordance with the procedures used in the district courts of this state:

35
36 (a) ~~Review shall be initiated~~ THE AGGRIEVED HEALTH CARE
37 PROVIDER MUST INITIATE THE REVIEW by filing a verified complaint with
38 the committee, no later than thirty days after receipt of a notice of final
39 action by the governing board, alleging, with specificity, all facts
40 disclosed in the record and all additional facts known to the complainant
41 ~~which~~ THAT would support his OR HER allegation that the final action
42 taken by the governing board resulted from unreasonable anticompetitive
43 conduct.

44
45 (b) The committee shall mail a copy of ~~such~~ THE complaint to the
46 governing board and the professional review committee by certified mail,
47 return receipt requested, within five days ~~of~~ AFTER the receipt of ~~such~~ THE
48 complaint by the committee, advising them of their right to file a verified
49 answer to the allegations stated ~~therein~~ Receipt of such complaint by mail
50 ~~shall make~~ IN THE COMPLAINT. The recipients ~~thereof~~ OF THE COMPLAINT
51 BECOME a party to these proceedings UPON RECEIPT OF THE COMPLAINT.

52
53 (e) If the committee finds THAT no ~~such~~ probable cause exists, it
54 shall dismiss the complaint, which dismissal ~~shall constitute~~ CONSTITUTES
55 final administrative action.

56

- 1 (f) If the committee finds ~~such~~ THAT probable cause exists, it shall
2 schedule a hearing. At ~~such~~ THE hearing, the committee shall review the
3 record below on the sole issue of whether the final action of the
4 governing board resulted from unreasonable anticompetitive conduct and
5 shall take evidence only with regard to the additional facts specifically
6 alleged in the complaint or answer regarding unreasonable
7 anticompetitive conduct, except when, in the discretion of the committee,
8 the interests of a fair hearing demand otherwise.
9
- 10 (k) If the committee finds by a preponderance of evidence that the
11 final action of the governing board resulted from unreasonable
12 anticompetitive conduct, it shall issue its final order disapproving and
13 setting aside ~~such~~ THE action or modifying the action taken by the
14 governing board in whole or in part, which final order ~~shall be~~ IS binding
15 on the parties. THE COMMITTEE SHALL MAIL a copy of ~~such~~ THE order
16 ~~shall be mailed~~ by certified mail, return receipt requested, to the parties.
17
- 18 (n) In any case presented to the committee where the ~~medical~~
19 HEALTH CARE practice of the complainant constitutes a clear and present
20 danger to patients, the committee shall refer the case to the medical board
21 OR NURSING BOARD, AS APPLICABLE, for ~~such~~ action as the board deems
22 appropriate.
23
- 24 (10) (a) Following final administrative action by the committee,
25 ~~such action of the committee may be reviewed only by~~ the court of
26 appeals MAY REVIEW THE ACTION OF THE COMMITTEE through appropriate
27 proceedings brought pursuant to section 24-4-106 (11), C.R.S.
28
- 29 (b) Following final administrative action by the committee, ~~any~~
30 A party aggrieved by the final action of a governing board who wishes to
31 challenge the action of ~~such~~ THE governing board, rather than the
32 committee's review of ~~such~~ THE action, ~~shall have~~ HAS the right to seek
33 de novo review on the merits in a district court in Colorado. In no event
34 shall the medical board, NURSING BOARD, or the committee be made
35 parties to ~~such a~~ THE district court action.
36
- 37 (c) As a condition of filing a complaint under paragraph (a) of
38 subsection (9) of this section, the complainant shall post a cash bond or
39 equivalent liquid security of three thousand dollars to cover anticipated
40 costs ~~which~~ THAT may be assessed against him OR HER. Within thirty days
41 ~~of~~ AFTER receipt of service of a complaint on a governing board, or
42 concurrently with the filing of an answer, whichever is earlier, the
43 governing board shall post a cash bond or equivalent liquid security of
44 three thousand dollars to cover anticipated costs ~~which~~ THAT may be
45 assessed against it as a party. The committee may enforce this latter
46 requirement through the district court.
47
- 48 (12) The committee shall promulgate ~~such~~ rules ~~and regulations~~
49 as ~~may be~~ necessary for the implementation of this section, including
50 mechanisms to secure the payment of costs as provided in paragraph (c)
51 of subsection (10) and subsection (11) of this section.
52
- 53 (13) ~~Any~~ A member of the committee, ~~any~~ A member of the
54 committee's staff, ~~any~~ A person acting as a witness or consultant to the
55 committee, ~~any~~ A witness testifying in a proceeding authorized under this
56 article, and ~~any~~ A person who lodges a complaint pursuant to this article

1 ~~shall be~~ ARE immune from liability in any civil action brought against him
2 or her for acts occurring while acting in his or her capacity as committee
3 member, staff, consultant, or witness, respectively, if ~~such~~ THE individual
4 was acting in ~~good faith~~ AN OBJECTIVELY REASONABLE MANNER within
5 the scope of his or her respective capacity, made a reasonable effort to
6 obtain the facts of the matter as to which he or she acted, and acted in the
7 reasonable belief that the action taken by him or her was warranted by the
8 facts. Any person participating in good faith in lodging a complaint or
9 participating in any investigative or administrative proceeding pursuant
10 to this article ~~shall be~~ IS immune from any civil or criminal liability that
11 may result from ~~such~~ THE participation.
12

13 **SECTION 12.** In Colorado Revised Statutes, **amend** 12-36.5-202
14 as follows:
15

16 **12-36.5-202. Rules - compliance with reporting requirements**
17 **of federal act.** ~~Upon implementation of~~ THE MEDICAL BOARD MAY
18 PROMULGATE RULES TO COMPLY WITH THE REPORTING REQUIREMENTS OF
19 the federal "Health Care Quality Improvement Act of 1986", as amended,
20 42 U.S.C. secs. 11101 through 11152, and ~~upon implementation of~~ TO
21 PARTICIPATE IN the federal data bank. ~~the medical board shall promulgate~~
22 ~~rules to comply with such act which rules are consistent with the~~
23 ~~standards and the reporting requirements of such act.~~
24

25 **SECTION 13.** In Colorado Revised Statutes, **amend** 12-36.5-203
26 as follows:
27

28 **12-36.5-203. Limitations on liability relating to professional**
29 **review actions.** (1) The following persons ~~shall~~ ARE IMMUNE FROM SUIT
30 AND not ~~be~~ liable for damages in ~~any~~ A civil action with respect to their
31 participation in, assistance to, or reporting of information to a
32 professional review ~~body~~ COMMITTEE in connection with a professional
33 review action in this state, and ~~such~~ THE persons ~~shall~~ ARE IMMUNE FROM
34 SUIT AND not ~~be~~ liable for damages in ~~any~~ A civil action with respect to
35 their participation in, assistance to, or reporting of information to a
36 professional review ~~body which~~ COMMITTEE THAT meets the standards of
37 and is in conformity with ~~the provisions of~~ the federal "Health Care
38 Quality Improvement Act of 1986", as amended, 42 U.S.C. secs. 11101
39 through 11152: ~~upon implementation of such act by the federal~~
40 ~~government:~~
41

42 (a) ~~The~~ AN AUTHORIZED ENTITY, professional review ~~body~~
43 COMMITTEE, OR GOVERNING BOARD;
44

45 (b) Any person acting as a member of or staff to the AUTHORIZED
46 ENTITY, professional review ~~body~~ COMMITTEE, OR GOVERNING BOARD;
47

48 (c) ~~Any person under a contract or other formal agreement with~~
49 ~~the professional review body~~ A WITNESS, CONSULTANT, OR OTHER PERSON
50 WHO PROVIDED INFORMATION TO THE AUTHORIZED ENTITY, PROFESSIONAL
51 REVIEW COMMITTEE, OR GOVERNING BOARD; AND
52

53 (d) Any person who participates with or assists the professional
54 review ~~body~~ COMMITTEE OR GOVERNING BOARD with respect to the
55 professional review ~~action~~ ACTIVITIES.
56

1 (2) ~~Notwithstanding any other provision of law, no person,~~
2 ~~whether as a witness or otherwise, who provides information to a~~
3 ~~professional review body regarding the competence or professional~~
4 ~~conduct of a physician shall be held, by reason of having provided such~~
5 ~~information, liable in damages in any civil action unless such information~~
6 ~~is false and the person providing it knew that such information was false.~~

7
8 (3) For the purposes of this section, unless the context otherwise
9 requires:

10
11 (a) "Professional review action" means an action or
12 recommendation of a professional review ~~body~~ ~~which~~ COMMITTEE,
13 INCLUDING A GOVERNING BOARD, THAT is taken or made in the conduct
14 of professional review activity and ~~which~~ THAT is based on the QUALITY
15 AND APPROPRIATENESS OF PATIENT CARE PROVIDED BY, AND THE
16 QUALIFICATIONS, competence, or professional conduct of, an individual
17 ~~physician~~ PERSON LICENSED UNDER ARTICLE 36 OF THIS TITLE OR
18 LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AN AUTHORITY
19 AS AN ADVANCED PRACTICE NURSE, ~~which~~ ~~conduct~~ ACTION affects or may
20 affect adversely the PERSON'S clinical privileges of or membership in a
21 ~~professional society of the physician~~ AN AUTHORIZED ENTITY.
22 "Professional review action" includes a formal decision by the
23 professional review ~~body~~ COMMITTEE, INCLUDING A GOVERNING BOARD,
24 not to take an action or make a recommendation as provided in this
25 paragraph (a) and also includes professional review activities relating to
26 a professional review action. An action ~~shall~~ IS not ~~be considered to be~~
27 based upon the competence or professional conduct of a ~~physician~~
28 HEALTH CARE PROVIDER if the action is primarily based on:

29
30 (I) The ~~physician's~~ PERSON'S association or lack of association
31 with a professional society or association;

32
33 (II) The ~~physician's~~ PERSON'S fees or his OR HER advertising or
34 engaging in other competitive acts intended to solicit or retain business;

35
36 (III) The ~~physician's~~ PERSON'S association with, supervision of,
37 delegation of authority to, support for, training of, or participation in a
38 private group practice with a member or members of a particular class of
39 health care practitioners or professionals;

40
41 (IV) The ~~physician's~~ PERSON'S participation in prepaid group
42 health plans, salaried employment, or any other manner of delivering
43 health services whether on a fee-for-service basis or other basis;

44
45 (V) Any other matter that does not relate to the QUALITY AND
46 APPROPRIATENESS OF PATIENT CARE PROVIDED BY, OR THE
47 QUALIFICATIONS, competence, or professional conduct of, a ~~physician~~
48 PERSON LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER
49 ARTICLE 38 OF THIS TITLE AND GRANTED AN AUTHORITY AS AN ADVANCED
50 PRACTICE NURSE.

51
52 (b) ~~"Professional review body" means a health care entity and the~~
53 ~~governing body or any committee of a health care entity which conducts~~
54 ~~professional review actions and includes any committee of the medical~~
55 ~~staff of such an entity when assisting the governing body in a professional~~
56 ~~review activity.~~

1 **SECTION 14.** In Colorado Revised Statutes, 12-36-118, **amend**
2 (10) (b) as follows:

3
4 **12-36-118. Disciplinary action by board - immunity - rules.**
5 (10) (b) For purposes of the records related to a complaint filed pursuant
6 to this section against a licensee, the board ~~shall be considered~~ IS a
7 professional review committee, the records related to the complaint ~~shall~~
8 include all records described in section 12-36.5-102 ~~(4)~~ (7), and section
9 12-36.5-104 ~~(10)~~ ~~shall apply~~ (11) APPLIES to those records.

10
11 **SECTION 15. Effective date.** (1) Except as otherwise provided
12 in subsection (2) of this section, this act takes effect July 1, 2012.

13
14 (2) Section 11 of this act takes effect only if House Bill 12-1297
15 does not become law.

16
17 **SECTION 16. Safety clause.** The general assembly hereby finds,
18 determines, and declares that this act is necessary for the immediate
19 preservation of the public peace, health, and safety."
20

21
22
23 **SB12-020** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:

26
27 Amend reengrossed bill, page 3, strike lines 3 and 4 and substitute:

28
29 "intends to encourage:

30
31 (I) Persons who otherwise would be reluctant to report such an
32 event due to a fear of criminal prosecution to do so without delay; and

33
34 (II) Persons who abuse alcohol or drugs to seek treatment and
35 assistance as necessary to obtain a safer, healthier lifestyle."
36

37
38
39
40 **STATE, VETERANS, & MILITARY AFFAIRS**

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

43
44 **HB12-1080** be referred favorably to the Committee on Education.

45
46
47 **HB12-1091** be postponed indefinitely.

48
49
50 **HB12-1234** be postponed indefinitely.

51
52
53 **HB12-1235** be postponed indefinitely.

1 **HB12-1274** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend printed bill, page 4, line 8, after "(5)" insert "and (6)".

6
7 Page 4, after line 20 insert:
8

9 "(6) IN ACCORDANCE WITH SECTION 42-1-211, C.R.S., THE
10 DEPARTMENT OF STATE AND THE DEPARTMENT OF REVENUE SHALL ALLOW
11 FOR THE EXCHANGE OF INFORMATION BETWEEN THE SYSTEMS USED BY
12 THE DEPARTMENTS TO COLLECT INFORMATION ON LEGAL NAMES,
13 RESIDENTIAL ADDRESSES, AND SIGNATURES OF ALL APPLICANTS FOR
14 DRIVER'S LICENSES OR STATE IDENTIFICATION CARDS."
15

16 Page 10, after line 9 insert:
17

18 "SECTION 11. In Colorado Revised Statutes, 42-1-211, add
19 (1.9) as follows:
20

21 **42-1-211. Colorado state titling and registration system.**

22 (1.9) (a) IN ACCORDANCE WITH SECTION 12-55-104 (6), C.R.S., THE
23 DEPARTMENT OF REVENUE AND THE DEPARTMENT OF STATE SHALL ALLOW
24 FOR THE EXCHANGE OF INFORMATION ON LEGAL NAMES AND SIGNATURES
25 BETWEEN THE SYSTEMS USED BY THE DEPARTMENT OF REVENUE AND THE
26 NOTARY PUBLIC FILING SYSTEM MAINTAINED BY THE DEPARTMENT OF
27 STATE FOR THE PURPOSE OF ELECTRONIC FILING OF NOTARY APPLICATIONS
28 AND RENEWALS.
29

30 (b) FOR PURPOSES OF THIS SUBSECTION (1.9), "SYSTEMS USED BY
31 THE DEPARTMENT OF REVENUE" MEANS, BUT IS NOT LIMITED TO, THE
32 COLORADO STATE TITLING AND REGISTRATION SYSTEM, THE DRIVER'S
33 LICENSE DATABASE, AND THE MOTOR VEHICLE REGISTRATION DATABASE."
34

35 Renumber succeeding section accordingly.
36
37
38

39 **HB12-1279** be postponed indefinitely.
40
41

42 **HB12-1292** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:
45

46 Amend printed bill, page 7, line 12, strike "**amend** (3)".
47

48 Page 7, strike lines 13 through 22 and substitute "**repeal** (3) (a) and (3)
49 (b) as follows:
50

51 **1-2-703. Violations - penalties.** (3) (a) ~~A voter registration drive~~
52 ~~organizer that willfully fails to deliver a voter registration application to~~
53 ~~the proper county clerk and recorder within the time prescribed by section~~
54 ~~1-2-702 (2) shall be punished by a fine not to exceed fifty dollars for each~~
55 ~~business day of violation.~~
56

1 (b) ~~A voter registration drive organizer that has been fined three~~
2 ~~times or more under paragraph (a) of this subsection (3) for failure to~~
3 ~~deliver a voter registration application to the proper county clerk and~~
4 ~~recorder in the manner and time prescribed by section 1-2-702 (2) shall~~
5 ~~be punished by an additional fine not to exceed one thousand dollars."~~

6
7 Page 19, strike lines 19 through 23 and substitute "in which the elector is
8 fluent and in English. No person, other than an election judge or person
9 selected by the designated election official to provide assistance, shall be
10 permitted to assist more than one elector per election unless the person is
11 the elector's spouse, parent, grandparent, sibling, or child eighteen years
12 or older."

13
14 Page 22, line 3, strike "SIXTY" and substitute "NINETY".

15
16 Page 22, line 10, strike "SIXTY" and substitute "NINETY".

17
18
19
20 **HB12-1298** be postponed indefinitely.

21
22
23
24
25 **TRANSPORTATION**

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

28
29 **HB12-1302** be referred favorably to the Committee on Finance.

30
31
32 **HB12-1312** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend printed bill, page 4, strike lines 10 through 12 and substitute "said
37 THE duplication upon such terms as are just and reasonable, having due
38 regard to due process of law and to all the rights of the respective parties
39 and to public convenience and necessity."

40
41 Page 4, line 26, after "county." add "NOTHING IN THIS SUBSECTION (3)
42 RESTRICTS THE RIGHT OF A PUBLIC UTILITY OR POWER AUTHORITY TO
43 APPEAL TO THE PUBLIC UTILITIES COMMISSION A LOCAL GOVERNMENT
44 ACTION UNDER SECTION 29-20-108, C.R.S."

45
46
47
48 **DELIVERY OF BILLS TO GOVERNOR**

49
50 The Chief Clerk of the House of Representatives reports the following
51 bills have been delivered to the Office of the Governor: **HB12-1073,**
52 **1100, 1198, 1301** at 9:46 a.m. on March 2, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has postponed indefinitely HB12-1024. The bill is returned herewith.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1320 by Representative(s) Acree--Concerning energy-related assistance to low-income households.
Committee on Agriculture, Livestock, & Natural Resources

SB12-038 by Senator(s) Tochtrop; also Representative(s) Vaad--Concerning measures to protect consumers who engage a roofing contractor to perform roofing services on residential property.
Committee on Economic and Business Development

SB12-041 by Senator(s) Spence; also Representative(s) Priola--Concerning the continuous appropriation of the moneys in the commercial vehicle enterprise tax fund to the department of revenue for sales and use tax refunds.
Committee on Finance

SB12-060 by Senator(s) Roberts; also Representative(s) Gerou--Concerning improving medicaid fraud prosecution, and, in connection therewith, making and reducing appropriations.
Committee on Health and Environment

SB12-093 by Senator(s) Carroll, Boyd; also Representative(s) Duran--Concerning a requirement that a licensed hospital provide notice to patients of any service not provided by the hospital because of moral convictions based on religious beliefs.
Committee on State, Veterans, & Military Affairs

SB12-148 by Senator(s) Guzman, Newell, Nicholson, King S.; also Representative(s) Duran, Hamner, Hulinghorst, Kerr A., Massey, Scott, Summers, Todd--Concerning changing the name of Metropolitan state college of Denver to Metropolitan state university of Denver.
Committee on Education

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Brown, the following item(s) on the Calendar was (were) laid over until March 5, retaining place on Calendar:

Consideration of Senate Amendment(s)--**HB12-1078, 1055, HJR12-1010, HB12-1177, 1212.**

On motion of Representative Brown, the House adjourned until 10:00 a.m., March 5, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Fifty-fifth Legislative Day

Monday, March 5, 2012

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

2

3 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

4

5 Pledge of Allegiance led by Rob Blackman, Metropolitan State College,
 6 Denver.

7

8 The roll was called with the following result:

9

10 Present--65.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Ryden, the reading of the journal of
 16 March 2, 2012, was declared dispensed with and approved as corrected
 17 by the Chief Clerk.

18

19

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

21

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

25

26 **HB12-1017** by Representative(s) Swerdfeger and Pace; also Senator(s)
 27 Giron--Concerning the extension of the local access to
 28 health care pilot program operated under the authority of
 29 the board of county commissioners of Pueblo county.

30

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

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

35

	YES	46	NO	19	EXCUSED	0	ABSENT	0
37	Acree	N	Fischer	Y	Looper	N	Solano	Y
38	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
42	Beezley	N	Hullingerhorst	Y	Murray	N	Swalm	Y
43	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y

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

11 Co-sponsor(s) added: Representative(s) Fields, Fischer, Hulinghorst, Kefalas,
 12 Kerr A., Labuda, Lee, Massey, Miklosi, Singer, Summers, Todd, Vigil,
 13 Williams A., Young.

14
 15 **HB12-1005** by Representative(s) Pabon; also Senator(s) Harvey--
 16 Concerning investment of public funds.

17
 18 The question being "Shall the bill pass?".

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

22	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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) Becker, Brown, Casso, Ferrandino,
 42 Fischer, Gerou, Holbert, Hulinghorst, Jones, Kefalas, Kerr A., Kerr J., Labuda,
 43 Levy, Massey, McCann, Miklosi, Pace, Ryden, Schafer S., Solano, Soper,
 44 Summers, Todd, Vigil, Williams A., Wilson, Young.

45
 46
 47 **HB12-1026** by Representative(s) Coram; also Senator(s) Roberts--
 48 Concerning peace officer status for certain municipality
 49 prosecuting attorneys.

50
 51 The question being "Shall the bill pass?".

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

55

	YES	48	NO	17	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	N
3	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	N	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	N
15	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	N
16	Ferrandino	N	Levy	N	Scott	Y	Wilson	Y
17	Fields	N	Liston	Y	Singer	N	Young	Y
18							Speaker	Y

19
20 **HB12-1140** by Representative(s) Jones; also Senator(s) Newell--
21 Concerning the duties of the department of public health
22 and environment as coordinator for suicide prevention
23 programs throughout the state.
24

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

	YES	55	NO	10	EXCUSED	0	ABSENT	0
31	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
32	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
33	Barker	N	Gerou	Y	McCann	Y	Soper	Y
34	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
35	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
36	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
37	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
38	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
39	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
40	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
41	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
42	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
43	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
44	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
45	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
46	Fields	Y	Liston	N	Singer	Y	Young	Y
47							Speaker	Y

48 Co-sponsor(s) added: Representative(s) Casso, Court, Fields, Fischer, Hamner,
49 Hullinghorst, Kefalas, Kerr A., Labuda, Lee, Pace, Peniston, Schafer S., Singer,
50 Solano, Todd, Tyler, Vigil, Wilson, Young.
51

52 **HB12-1228** by Representative(s) DelGrosso, McCann; also Senator(s)
53 Steadman--Concerning criminal background checks for
54 neighborhood youth organizations seeking to obtain a
55 license.
56

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	65	NO	0	EXCUSED	0	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	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

24 Co-sponsor(s) added: Representative(s) Conti, Court, Fields, Hamner, Kerr A.,
 25 Kerr J., Labuda, Massey, Nikkel, Schafer S., Scott, Stephens, Todd, Wilson,
 26 Young.

27
 28 **HB12-1036** by Representative(s) Kerr J.; also Senator(s) Boyd--
 29 Concerning clarification of the exemption from the
 30 "Colorado Open Records Act" for investigative files.

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	64	NO	1	EXCUSED	0	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	Y	Hamner	Y	McKinley	N	Stephens	Y
42	Becker	Y	Holbert	Y	Miklosi	Y	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) Labuda.

1 **HB12-1262** by Representative(s) Gardner B.; also Senator(s) Roberts--
 2 Concerning enactment of amendments to the secured
 3 transactions provisions of the "Uniform Commercial
 4 Code".

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

	YES	64	NO	1	EXCUSED	0	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	Y	Soper	Y
15	Baumgardner	Y	Hamner	Y	McKinley	N	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

29
 30
 31
 32 **SB12-048** by Senator(s) Schwartz; also Representative(s) Coram--
 33 Concerning the creation of the "Colorado Cottage Foods
 34 Act" for locally produced home foods sold directly to
 35 consumers.

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

	YES	53	NO	12	EXCUSED	0	ABSENT	0
43	Acree	Y	Fischer	Y	Looper	N	Solano	Y
44	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
45	Barker	N	Gerou	Y	McCann	N	Soper	Y
46	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
47	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
48	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
49	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
50	Brown	Y	Joshi	N	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	N	Vaad	Y
54	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
55	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
56	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y

1	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
2	Fields	Y	Liston	N	Singer	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Brown, Fischer, Hamner, Kerr J.,
5 Labuda, Massey, Pabon, Pace, Vigil, Wilson.

6
7 **SB12-097** by Senator(s) Hodge; also Representative(s) Sonnenberg--
8 Concerning a simplified procedure for the adjudication of
9 certain changes of the points of diversion of water rights.

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**.

15	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	Y	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) Brown, Casso, Coram, Fischer, Nikkel,
35 Pace, Schafer S., Scott.

36
37 **HB12-1220** by Representative(s) Becker; also Senator(s) Bacon--
38 Concerning changes to the governance structure of the
39 board of governors of the Colorado state university
40 system, and, in connection therewith, establishing the
41 governance structure for Colorado state university - global
42 campus.

43
44 The question being "Shall the bill pass?".

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

49	YES	65	NO	0	EXCUSED	0	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
53	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y

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

11 Co-sponsor(s) added: Representative(s) Conti, Fields, Fischer, Gerou, Holbert,
 12 Kefalas, Liston, Massey, Nikkel, Pace, Priola, Schafer S., Todd, Vigil, Young,
 13 Speaker.

14
 15 **HB12-1239** by Representative(s) Vaad; also Senator(s) Carroll--
 16 Concerning required county approval for the expansion of
 17 special district domestic water or sanitary service into a
 18 county that has not previously approved the special
 19 district's service plan.

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

25	YES	65	NO	0	EXCUSED	0	ABSENT	0
26								
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Hullinghorst, Vigil.

45
 46 **SB12-024** by Senator(s) Harvey; also Representative(s) Holbert--
 47 Concerning the obligations of a residential nonprofit
 48 corporation to its residential members, and, in connection
 49 therewith, clarifying open meeting provisions and limiting
 50 the conditions under which the corporation must refund
 51 moneys paid by a residential member.

52
 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	64	NO	1	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Todd, Williams A.

20
21 **SB12-037** by Senator(s) King S., Aguilar; also Representative(s)
22 Young--Concerning the ability to dispense a controlled
23 substance based on an electronically transmitted
24 prescription drug order.

25
26 The question being "Shall the bill pass?".

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
33	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
34	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
35	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
36	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
37	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
38	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
39	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
40	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
41	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
42	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
43	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
44	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
45	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
46	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
47	Fields	Y	Liston	Y	Singer	Y	Young	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Brown, Conti, Fields, Hamner, Kefalas,
50 Kerr A., Kerr J., Labuda, Massey, Schafer S., Scott, Summers, Todd, Wilson.

51
52 **SB12-029** by Senator(s) Morse, Brophy, Guzman, Roberts, Schwartz;
53 also Representative(s) Gardner B., Labuda, Levy, Murray,
54 Waller--Concerning the enactment of Colorado Revised
55 Statutes 2011 as the positive and statutory law of the state
56 of Colorado.

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	64	NO	1	EXCUSED	0	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	Y	Hamner	Y	McKinley	N	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

24 Co-sponsor(s) added: Representative(s) Kerr J., Schafer S.

25
 26 **SB12-042** by Senator(s) Spence; also Representative(s) Summers--
 27 Concerning bringing certain statutory provisions related to
 28 child support into compliance with federal law.

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

	YES	61	NO	4	EXCUSED	0	ABSENT	0
36	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
37	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
38	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
40	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
41	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
42	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
43	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
47	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
48	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
49	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
51	Fields	Y	Liston	Y	Singer	Y	Young	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Fields, Hamner, Kerr A., Kerr J.,
 54 Labuda, Pace, Schafer S., Todd, Williams A., Young.

1 On motion of Representative Waller, **SB12-111, 112, 113, 114, 115,**
2 **HB12-1175, 1116, 1063, 1299, 1083, 1126, 1215, 1236, 1290, 1300,**
3 **1312, 1241** were made Special Orders on Monday, March 5, 2012, at
4 10:32 a.m.

5
6
7 The hour of 10:32 a.m., having arrived, on motion of Representative
8 DelGrosso, the House resolved itself into Committee of the Whole for
9 consideration of Special Orders and he was called to the Chair to act as
10 Chairman.

11
12
13 **SPECIAL ORDERS--SECOND READING OF BILLS**
14

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

19
20 (Amendments to the committee amendment are to the printed committee
21 report which was printed and placed in the members' bill file.)

22
23 **SB12-111** by Senator(s) Hodge, Steadman, Lambert; also
24 Representative(s) Levy, Becker, Gerou--Concerning
25 departmental reporting of full-time equivalent employees.

26
27 Ordered revised and placed on the Calendar for Third Reading and Final
28 Passage.

29
30 **SB12-112** by Senator(s) Hodge, Steadman, Lambert; also
31 Representative(s) Levy, Becker, Gerou--Concerning the
32 headnote definition of full-time equivalent employees used
33 in the annual general appropriation act.

34
35 Ordered revised and placed on the Calendar for Third Reading and Final
36 Passage.

37
38 **SB12-113** by Senator(s) Lambert, Hodge, Steadman; also
39 Representative(s) Gerou, Becker, Levy--Concerning the
40 designation in the annual general appropriations act of the
41 portion to be redirected to the counties of the state's share
42 of recoveries for public assistance paid for family support
43 obligations.

44
45 Ordered revised and placed on the Calendar for Third Reading and Final
46 Passage.

47
48 **SB12-114** by Senator(s) Lambert, Hodge, Steadman; also
49 Representative(s) Levy, Becker, Gerou--Concerning the
50 crediting of all disputed payments received by the state
51 pursuant to the tobacco litigation settlement agreement on
52 or after July 1, 2008, to the state general fund.

53
54 Ordered revised and placed on the Calendar for Third Reading and Final
55 Passage.
56

1 **SB12-115** by Senator(s) Steadman, Hodge, Lambert; also
2 Representative(s) Becker, Gerou, Levy--Concerning a
3 requirement that the limited gaming control commission
4 take into account the impact on all authorized recipients of
5 gaming tax revenue when considering changes in rules
6 governing the taxes on limited gaming activity.
7

8 Ordered revised and placed on the Calendar for Third Reading and Final
9 Passage.
10

11 **HB12-1175** by Representative(s) Stephens; also Senator(s) Cadman--
12 Concerning the encouragement of a state agency to pursue
13 Colorado-specific solutions in lieu of federal regulation
14 whenever possible, and, in connection therewith, requiring
15 a state agency to report annually regarding opportunities
16 for waiver from newly adopted federal regulations.
17

18 Ordered engrossed and placed on the Calendar for Third Reading and
19 Final Passage.
20

21 **HB12-1116** by Representative(s) Murray, Summers, Barker,
22 Baumgardner, Brown, Casso, Holbert, McCann, Miklosi,
23 Williams A.; also Senator(s) Nicholson--Concerning
24 deceptive trade practices related to time share resale
25 transactions.
26

27 Laid over until March 6, retaining place on Calendar.
28

29 **HB12-1063** by Representative(s) Ramirez; also Senator(s) Schwartz--
30 Concerning the state veterans nursing home at Homelake,
31 Colorado.
32

33 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
34 February 9, 2012, and placed in member's bill file; Report also printed in
35 House Journal, February 10, page 233.
36

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

40 **HB12-1299** by Representative(s) Singer--Concerning the specification
41 that a motor vehicle lessee is entitled to claim the
42 innovative motor vehicle tax credit.
43

44 Amendment No. 1, Finance Report, dated February 29, 2012, and placed
45 in member's bill file; Report also printed in House Journal, March 1,
46 page 503.
47

48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50

51
52 **HB12-1083** by Representative(s) Sonnenberg; also Senator(s)
53 Schwartz--Concerning maintenance of the current fee
54 structure on certain feeding operations under the
55 "Colorado Water Quality Control Act".
56

1 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
2 dated January 30, 2012, and placed in member's bill file; Report also
3 printed in House Journal, January 31, page 119.
4

5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7

8 **HB12-1126** by Representative(s) Gerou--Concerning on-site
9 wastewater treatment systems.
10

11 Amendment No. 1, Health & Environment Report, dated
12 February 16, 2012, and placed in member's bill file; Report also printed
13 in House Journal, February 17, pages 300-301.
14

15 Amendment No. 2, Appropriations Report, dated March 2, 2012, and
16 placed in member's bill file; Report also printed in House Journal,
17 March 2, pages 513-514.
18

19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.
21

22 **HB12-1215** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning changes to the
24 "Nonadmitted Insurance Act" to conform it to the
25 requirements of the federal "Nonadmitted and Reinsurance
26 Reform Act of 2010".
27

28 Amendment No. 1, Finance Report, dated February 16, 2012, and placed
29 in member's bill file; Report also printed in House Journal, February 17,
30 pages 297-299.
31

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

35 **HB12-1236** by Representative(s) Summers, Holbert; also Senator(s)
36 Jahn, Boyd--Concerning the regulation of charitable
37 solicitations.
38

39 Amendment No. 1, Finance Report, dated February 15, 2012, and placed
40 in member's bill file; Report also printed in House Journal, February 16,
41 pages 282-283.
42

43 Amendment No. 2, Appropriations Report, dated March 2, 2012, and
44 placed in member's bill file; Report also printed in House Journal,
45 March 2, pages 514-515.
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49

50 **HB12-1290** by Representative(s) Brown; also Senator(s) Tochtrop--
51 Concerning the voluntary contribution designation
52 benefiting the Colorado for Healthy Landscapes fund that
53 appears on the state individual income tax return forms.
54

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

1 **HB12-1312** by Representative(s) Sonnenberg, Levy; also Senator(s)
 2 Brophy and Johnston--Concerning the exclusion of land
 3 use issues addressed by local governing bodies from the
 4 public utilities commission's proper scope of review with
 5 respect to applications for certificates of public
 6 convenience and necessity for transmission lines.

7
 8 Amendment No. 1, Transportation Report, dated March 1, 2012, and
 9 placed in member's bill file; Report also printed in House Journal,
 10 March 2, page 540.

11
 12 As amended, ordered engrossed and placed on the Calendar for Third
 13 Reading and Final Passage.

14
 15 **HB12-1241** by Representative(s) Ferrandino, Hulinghorst, Court,
 16 Fischer, Labuda, Levy, Pabon, Singer; also Senator(s)
 17 Heath--Concerning enterprise zone designations.

18
 19 Laid over until March 6, retaining place on Calendar.

20
 21 On motion of Representative Waller, consideration of **HB12-1300** was
 22 laid over until March 6, retaining place on Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

23
 24
 25
 26
 27
 28
 29
 30 Passed Second Reading: **SB12-111, 112, 113, 114, 115, HB12-1175,**
 31 **1063 amended, 1299 amended, 1083 amended, 1126 amended, 1215**
 32 **amended, 1236 amended, 1290, 1312 amended.**

33
 34 Laid over until date indicated retaining place on Calendar: **HB12-1116,**
 35 **1300, 1241--March 6, 2012.**

36
 37 The Chairman moved the adoption of the Committee of the Whole
 38 Report. As shown by the following roll call vote, a majority of those
 39 elected to the House voted in the affirmative, and the Report was
 40 **adopted.**

	YES	64	NO	0	EXCUSED	0	ABSENT	1
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	Y	Soper	Y
46	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
47	Becker	Y	Holbert	Y	Miklosi	-	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

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4
5
6
7 On motion of Representative Waller, the bills on the Special Orders
8 Calendar that were laid over until March 6, 2012 (**HB12-1116, 1300,**
9 **1241**), were moved to the bottom of the General Orders Calendar for
10 Tuesday, March 6, 2012.

11 12 13 14 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

15 **STATE, VETERANS, & MILITARY AFFAIRS**

16 After consideration on the merits, the Committee recommends the
17 following:
18

19
20 **HB12-1259** be postponed indefinitely.
21
22

23 24 **PRINTING REPORT**

25
26 The Chief Clerk reports the following bill has been correctly printed:
27 **HB12-1320.**
28
29

30 **INTRODUCTION OF BILLS** 31 **First Reading**

32
33 The following bills were read by title and referred to the committees
34 indicated:
35

36 **SB12-021** by Senator(s) Nicholson; also Representative(s) Lee--
37 Concerning the creation of a financial literacy pilot
38 program for residents of counties, and, in connection
39 therewith, making an appropriation.
40 Committee on State, Veterans, & Military Affairs
41

42 **SB12-022** by Senator(s) Williams S., Boyd, Hudak; also
43 Representative(s) Massey, Fields, Kefalas--Concerning
44 maintaining child care assistance for working families.
45 Committee on Health and Environment
46

47 **SB12-091** by Senator(s) Tochtrop; also Representative(s) Bradford--
48 Concerning modifications to provisions governing the
49 practice of nursing home administration, and, in
50 connection therewith, modifying the criteria for nursing
51 home administrators to qualify to serve on the board of
52 examiners of nursing home administrators, modifying the
53 experience requirements for persons applying to take the
54 nursing home administrator licensure examination or to
55 participate in the administrator-in-training program, and
56 permitting a nursing home administrator who has passed

1 a national examination and an examination in another state
2 to sit for the Colorado licensure examination.

3 Committee on Health and Environment
4

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

8 Committee on Local Government
9

10
11 **APPOINTMENT**
12
13

14 The Speaker announced the following temporary appointment:
15

16 **CAPITAL DEVELOPMENT**

17 Representative Baumgardner to replace Representative Brown
18 (temporary appointment for the Capital Development meeting on
19 Thursday, March 8, 2012).
20

21
22 **LAY OVER OF CALENDAR ITEM(S)**
23

24
25 On motion of Representative Waller, the following item(s) on the
26 Calendar was (were) laid over until March 6, retaining place on Calendar:
27

28
29 Consideration of Third Reading--**HB12-1304.**

30 Consideration of General Orders--**HB12-1121.**

31 Consideration of Senate Amendment(s)--**HB12-1078, 1055,**
32 **HJR12-1010, HB12-1177, 1212.**
33

34
35
36 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
37 March 6, 2012.
38

39 Approved:
40 FRANK McNULTY,
41 Speaker

42 Attest:
43 MARILYN EDDINS,
44 Chief Clerk

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

Fifty-sixth Legislative Day

Tuesday, March 6, 2012

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

2

3 Prayer by Father Drew Kirschman, Arrupe Jesuit High School, Denver.

4

5 Pledge of Allegiance led by Theresa Joseph, Maureen Spiegleman,
 6 Community College, Denver.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) Nikkel--1.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Ryden, the reading of the journal of
 17 March 5, 2012, was declared dispensed with and approved as corrected
 18 by the Chief Clerk.

19

20

21

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

23

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

27

28 **SB12-111** by Senator(s) Hodge, Steadman, Lambert; also
 29 Representative(s) Levy, Becker, Gerou--Concerning
 30 departmental reporting of full-time equivalent employees.

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**.

36

37	YES	64	NO	0	EXCUSED	1	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
43	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

12
13 **SB12-112** by Senator(s) Hodge, Steadman, Lambert; also
14 Representative(s) Levy, Becker, Gerou--Concerning the
15 headnote definition of full-time equivalent employees used
16 in the annual general appropriation act.

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

22	YES	64	NO	0	EXCUSED	1	ABSENT	0
23								
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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
29	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
30	Bradford	Y	Jones	Y	Nikkel	E	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
42 **SB12-113** by Senator(s) Lambert, Hodge, Steadman; also
43 Representative(s) Gerou, Becker, Levy--Concerning the
44 designation in the annual general appropriations act of the
45 portion to be redirected to the counties of the state's share
46 of recoveries for public assistance paid for family support
47 obligations.

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
52 bill was declared **passed**.

53	YES	62	NO	2	EXCUSED	1	ABSENT	0
54								
55	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
56	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	N	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	Jones	Y	Nikkel	E	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	Y	Singer	Y	Young	Y
15							Speaker	Y

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

17
18
19 **SB12-114** by Senator(s) Lambert, Hodge, Steadman; also
20 Representative(s) Levy, Becker, Gerou--Concerning the
21 crediting of all disputed payments received by the state
22 pursuant to the tobacco litigation settlement agreement on
23 or after July 1, 2008, to the state general fund.
24

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

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

30	YES	50	NO	14	EXCUSED	1	ABSENT	0
31	Acree	Y	Fischer	Y	Looper	N	Solano	Y
32	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
33	Barker	N	Gerou	Y	McCann	Y	Soper	Y
34	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
35	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
36	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
37	Bradford	N	Jones	Y	Nikkel	E	Swerdfeger	Y
38	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
39	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
40	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
41	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
42	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
43	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
44	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
45	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
46	Fields	Y	Liston	N	Singer	Y	Young	Y
47							Speaker	Y

48
49
50 **SB12-115** by Senator(s) Steadman, Hodge, Lambert; also
51 Representative(s) Becker, Gerou, Levy--Concerning a
52 requirement that the limited gaming control commission
53 take into account the impact on all authorized recipients of
54 gaming tax revenue when considering changes in rules
55 governing the taxes on limited gaming activity.
56

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	63	NO	1	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	Y	Soper	Y
10	Baumgardner	Y	Hamner	Y	McKinley	N	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	E	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 Co-sponsor(s) added: Representative(s) Ferrandino, Jones, Murray.

25
 26 **HB12-1063** by Representative(s) Ramirez; also Senator(s) Schwartz--
 27 Concerning the state veterans nursing home at Homelake,
 28 Colorado.

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

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

53 Co-sponsor(s) added: Representative(s) Barker, Conti, Kerr J., Liston, Pace,
 54 Summers, Todd, Vigil, Young.

55

1 **HB12-1299** by Representative(s) Singer; also Senator(s) Shaffer--
 2 Concerning the specification that a motor vehicle lessee is
 3 entitled to claim the innovative motor vehicle tax credit.
 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	50	NO	14	EXCUSED	1	ABSENT	0
11	Acree	Y	Fischer	Y	Looper	N	Solano	Y
12	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
13	Barker	Y	Gerou	N	McCann	Y	Soper	Y
14	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
15	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
16	Beezley	Y	Hullinghorst	Y	Murray	N	Swalm	Y
17	Bradford	Y	Jones	Y	Nikkel	E	Swerdfeger	Y
18	Brown	N	Joshi	Y	Pabon	Y	Szabo	N
19	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
20	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
21	Coram	N	Kerr A.	Y	Priola	N	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.	N	Williams A.	Y
25	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
26	Fields	Y	Liston	Y	Singer	Y	Young	Y
27							Speaker	N

28 Co-sponsor(s) added: Representative(s) Fields, Fischer, Holbert, Jones, Kefalas,
 29 Labuda, Tyler, Vigil, Wilson.
 30
 31

32 **HB12-1083** by Representative(s) Sonnenberg; also Senator(s)
 33 Schwartz--Concerning maintenance of the current fee
 34 structure on certain feeding operations under the
 35 "Colorado Water Quality Control Act".
 36

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

	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	Y	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	E	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

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Coram, Fischer.

5
6 **HB12-1126** by Representative(s) Gerou; also Senator(s) Roberts--
7 Concerning on-site wastewater treatment systems, and in
8 connection therewith, making an appropriation.
9

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

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

15	YES	60	NO	4	EXCUSED	1	ABSENT	0
16	Acree	N	Fischer	Y	Looper	Y	Solano	Y
17	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
18	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
19	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
20	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
21	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
22	Bradford	N	Jones	Y	Nikkel	E	Swerdfeger	Y
23	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
24	Casso	N	Kagan	Y	Pace	Y	Todd	Y
25	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
26	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
27	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
28	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
29	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
30	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
31	Fields	Y	Liston	Y	Singer	Y	Young	Y
32							Speaker	Y

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

35 **HB12-1215** by Representative(s) Gerou, Becker, Levy; also Senator(s)
36 Hodge, Steadman, Lambert--Concerning changes to the
37 "Nonadmitted Insurance Act" to conform it to the
38 requirements of the federal "Nonadmitted and Reinsurance
39 Reform Act of 2010".
40

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

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

46	YES	64	NO	0	EXCUSED	1	ABSENT	0
47	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
48	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
49	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
50	Baumgardner	Y	Hamner	Y	McKinley	Y	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	E	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	Y	Schafer S.	Y	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Brown, DelGrosso.

9
10 **HB12-1236** by Representative(s) Summers, Holbert; also Senator(s)
11 Jahn, Boyd--Concerning the regulation of charitable
12 solicitations, and, in connection therewith, making an
13 appropriation.
14

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

16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.
19

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	Y	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	E	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

38 Co-sponsor(s) added: Representative(s) Fields, Kerr A., Labuda, Young.

39
40 **HB12-1290** by Representative(s) Brown; also Senator(s) Tochtrop--
41 Concerning the voluntary contribution designation
42 benefiting the Colorado for Healthy Landscapes fund that
43 appears on the state individual income tax return forms.
44

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

46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative and the bill
48 was declared **passed**.
49

50	YES	61	NO	3	EXCUSED	1	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

12 Co-sponsor(s) added: Representative(s) Coram, Fischer, Gerou, Holbert,
13 Kerr J., Pace.

14
15 **HB12-1312** by Representative(s) Sonnenberg, Levy; also Senator(s)
16 Brophy and Johnston--Concerning the exclusion of land
17 use issues addressed by local governing bodies from the
18 public utilities commission's proper scope of review with
19 respect to applications for certificates of public
20 convenience and necessity for transmission lines.

21
22 The question being "Shall the bill pass?".

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

27	YES	62	NO	2	EXCUSED	1	ABSENT	0
28	Acree	Y	Fischer	N	Looper	Y	Solano	N
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	Y	Jones	Y	Nikkel	E	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	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	Y	Singer	Y	Young	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Brown, Priola, Vigil, Wilson.

46 47 48 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

49 **LOCAL GOVERNMENT**

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

52
53
54 **SB12-030** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend reengrossed bill, page 3, strike lines 2 through 5 and substitute:

2
3 "(2) ANY OVERBID, AS DEFINED IN SECTION 38-38-100.3, C.R.S.,
4 THAT IS EQUAL TO OR GREATER THAN TWENTY-FIVE DOLLARS AND THAT
5 REMAINS UNCLAIMED FOR FIVE YEARS FROM THE DATE OF SALE IS
6 PRESUMED ABANDONED."
7

8 Page 3, after line 20 insert:

9
10 "SECTION 3. In Colorado Revised Statutes, 38-38-100.3, add
11 (17.3) as follows:

12
13 **38-38-100.3. Definitions.** As used in articles 37 to 39 of this title,
14 unless the context otherwise requires:

15
16 (17.3) "OVERBID" MEANS THE AMOUNT A PROPERTY IS SOLD FOR
17 AT A FORECLOSURE SALE THAT IS IN EXCESS OF THE WRITTEN OR AMENDED
18 BID AMOUNT EXECUTED BY THE HOLDER OF THE EVIDENCE OF DEBT
19 SECURED BY THE DEED OF TRUST OR OTHER LIEN BEING FORECLOSED."
20

21 Renumber succeeding sections accordingly.

22
23 Page 3, line 21, after "38-38-101," insert "**amend** (10); and".

24
25 Page 4, after line 7 insert:

26
27 "(10) **Deposit.** The public trustee may require a deposit of up to
28 six hundred fifty dollars or the amount of the fee permitted pursuant to
29 section 38-37-104 (1) (b) (I), whichever is greater, at the time the notice
30 of election and demand is filed, to be applied against the fees and costs
31 of the public trustee. The public trustee may allow the attorney for the
32 holder of the evidence of debt to establish one or more accounts with the
33 public trustee, which the public trustee may use to pay the fees and costs
34 of the public trustee in any foreclosure filed by the holder or the attorney
35 for the holder, or through which the public trustee may transmit refunds
36 or cures, ~~excess proceeds~~ OVERBIDS, or redemption proceeds."
37

38 Page 15, line 8, before "(3);" insert "(1), (2), and".

39
40 Page 15, strike lines 9 through 11 and substitute:

41
42 **"38-38-111. Treatment of an overbid - definition.** (1) ~~If, at a~~
43 ~~sale, the property is sold for an amount in excess of the written or~~
44 ~~amended bid amount executed by the holder of the evidence of debt~~
45 ~~secured by the deed of trust or other lien being foreclosed, such excess~~
46 ~~proceeds~~ AN OVERBID shall be first applied to any deficiency as indicated
47 in the holder's bid, and then paid to the ~~officer~~ PUBLIC TRUSTEE to be held
48 in escrow until the end of all redemption periods as provided in section
49 38-38-302.
50

51 (2) Upon the expiration of all redemption periods provided in
52 section 38-38-302, any remaining ~~excess proceeds~~ OVERBID shall be paid
53 in order of recording priority to junior lienors, determined as of the
54 recording date of the notice of election and demand or lis pendens
55 according to the records, who have duly filed a notice of intent to redeem
56 and whose liens have not been redeemed pursuant to section 38-38-302,

1 in each case up to the unpaid amount of each such lienor's lien plus fees
2 and costs. A lienor holding a lien that is not entitled to redeem by virtue
3 of being recorded after the notice of election and demand, a lienor that
4 has not timely filed a notice of intent to redeem pursuant to section
5 38-38-302, or a lienor who accepts less than a full redemption pursuant
6 to section 38-38-302 (4) (c) shall not have any claim to any portion of the
7 ~~excess proceeds~~ OVERBID. After payment to all lienors and the holder
8 entitled to receive ~~excess proceeds~~ A PORTION OF THE OVERBID pursuant
9 to this section, any remaining ~~excess proceeds~~ OVERBID shall be paid to
10 the owner. ~~of the property as of the date and time of the recording of the~~
11 ~~notice of election and demand or lis pendens.~~

12
13 (2.5) (a) IF A PUBLIC TRUSTEE MAINTAINS A WEB SITE FOR HIS OR
14 HER OFFICE, THE PUBLIC TRUSTEE SHALL INCLUDE THE FOLLOWING
15 STATEMENT ON SUCH WEB SITE:".

16
17 Page 15, line 20, strike "EXCESS PROCEEDS IS" and substitute "REMAINING
18 OVERBID IS EQUAL TO OR".

19
20 Page 15, strike lines 24 through 27 and substitute "REMAINING OVERBID
21 TO THE BEST AVAILABLE ADDRESS NO LATER THAN".

22
23 Page 16, strike lines 5 through 8 and substitute "COURT, any unclaimed
24 ~~excess proceeds~~ REMAINING OVERBID shall be transferred by the officer
25 ~~to the county treasurer within ninety calendar days after the expiration of~~
26 ~~all redemption periods as provided in section 38-38-302 and held BY THE~~
27 PUBLIC TRUSTEE in escrow for five years from the date of sale. The
28 county".

29
30 Page 16, line 9, strike "TREASURER" and substitute "PUBLIC TRUSTEE".

31
32 Page 16, line 12, strike "EXCESS PROCEEDS" and substitute "REMAINING
33 OVERBIDS".

34
35 Page 16, line 14, strike "by the county treasurer" and substitute "~~by the~~
36 ~~county treasurer~~".

37
38 Page 16, strike lines 15 through 17 and substitute "general fund of the
39 county, ~~After the lapse of five years from the date of sale, no claim~~
40 ~~therefor having been made and established by any person entitled thereto,~~
41 ~~said~~ AND SUCH moneys PAID TO THE GENERAL FUND OF THE".

42
43 Page 16, line 18, strike "~~and~~ UNCLAIMED EXCESS" and substitute "~~and the~~
44 ~~county treasurer and officer~~ UNCLAIMED".

45
46 Page 16, line 19, strike "PROCEEDS" and substitute "REMAINING
47 OVERBIDS".

48
49 Page 16, strike lines 22 through 26 and substitute:

50
51 "THE "UNCLAIMED PROPERTY ACT" AND TRANSFERRED TO THE
52 ADMINISTRATOR IN ACCORDANCE WITH SUCH ACT. AFTER THE UNCLAIMED
53 REMAINING OVERBIDS ARE TRANSFERRED TO THE ADMINISTRATOR OR TO
54 THE GENERAL FUND OF THE COUNTY, THE PUBLIC TRUSTEE shall be
55 discharged from any further liability or responsibility for the moneys.
56 ~~except that,~~".

1 Page 16, line 27, strike "EXCESS PROCEEDS" and substitute "REMAINING
2 OVERBIDS".

3
4 Page 17, strike lines 3 through 10 and substitute "as provided by section
5 38-38-302, the ~~county treasurer~~ PUBLIC TRUSTEE SHALL, within ninety
6 calendar days from the expiration of all".

7
8 Page 17, line 18, strike "excess" and substitute "~~excess~~".

9
10 Page 17, line 19, strike "proceeds were" and substitute "~~proceeds were~~ AN
11 OVERBID WAS".

12
13 Page 17, line 25, strike "county treasurer" and substitute "~~county treasurer~~
14 PUBLIC TRUSTEE".

15
16 Page 18, line 4, strike "county treasurer." and substitute "~~county treasurer~~
17 PUBLIC TRUSTEE.".

18
19
20
21 **SB12-072** be referred to the Committee of the Whole with favorable
22 recommendation.

23
24
25 **SB12-079** be referred to the Committee of the Whole with favorable
26 recommendation.

27
28
29 **SB12-146** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32
33 Amend reengrossed bill, page 3, line 17, strike "MATERIAL ADVANTAGE"
34 and substitute "SUBSTANTIAL BENEFIT".

35
36 Page 4, line 19, strike "MATERIAL ADVANTAGE" and substitute
37 "SUBSTANTIAL BENEFIT".

40 MESSAGE(S) FROM THE SENATE

41
42 The Senate has passed on Third Reading and transmits to the Revisor of
43 Statutes: SB12-141.

44
45 SB12-095 amended as printed in Senate Journal, March 2, 2012,
46 page 369.

47 SB12-143 amended as printed in Senate Journal, March 2, 2012,
48 page 369.

49 SB12-118 amended as printed in Senate Journal, March 2, 2012,
50 page 370.

51 HB12-1221 amended as printed in Senate Journal, March 2, 2012,
52 page 368.

53
54 The Senate has passed on Third Reading and returns herewith:
55 HB12-1071, HB12-1231, HB12-1139.

56

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB12-141.
Without comment, as amended, HB12-1221.
Without comment, as amended, SB12-095, 118, and 143.

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SJR12-016, 017.**

MESSAGE(S) FROM THE SENATE

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

SB12-023 amended as printed in Senate Journal, March 5, 2012,
page 379.
HB12-1074 amended as printed in Senate Journal, March 5, 2012,
page 378.

The Senate has passed on Third Reading and returns herewith HB12-1077, HB12-1018, HB12-1127, HB12-1120, HB12-1079, HB12-1117, HB12-1013.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB12-1074.
Without comment, as amended, SB12-023.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1321 by Representative(s) Ferrandino and Vaad; also Senator(s) Johnston and King K.--Concerning the state personnel system, and, in connection therewith, enacting the "Modernization of the State Personnel System Act".
Committee on State, Veterans, & Military Affairs

- 1 **SB12-095** by Senator(s) Lundberg; also Representative(s) Barker--
2 Concerning requirements for the valid transfer of title to a
3 motor vehicle.
4 Committee on Transportation
5
6 **SB12-118** by Senator(s) White, Jahn; also Representative(s) Acree--
7 Concerning the repeal of the requirement for a hotel and
8 restaurant alcohol license that twenty-five percent of sales
9 must be from meals.
10 Committee on Local Government
11
12 **SB12-141** by Senator(s) Shaffer B.; also Representative(s) Kerr A.--
13 Concerning measures to alleviate difficulties faced by
14 military personnel in qualifying for home mortgage loans.
15 Committee on Judiciary
16
17 **SB12-143** by Senator(s) Carroll; also Representative(s) Pabon--
18 Concerning the development of a local businesses
19 database by the Colorado office of economic development.
20 Committee on State, Veterans, & Military Affairs
21
22
23

24 INTRODUCTION OF CONCURRENT RESOLUTION

25
26 The following resolution was read by title and referred to the committee
27 indicated:
28

- 29 **HCR12-1001** by Representative(s) Ferrandino and Vaad; also Senator(s)
30 Johnston and King K.--Submitting to the registered
31 electors of the state of Colorado amendments to the
32 Colorado constitution concerning the state personnel
33 system, and, in connection therewith, expanding the
34 veterans' preference; increasing the number of candidates
35 eligible to be appointed to a position; adjusting the
36 duration of allowable temporary employment; allowing the
37 flexibility to remove a limited number of positions from
38 the system; modifying the residency requirement;
39 adjusting the terms of service for members of the state
40 personnel board; and requiring merit-based appointments
41 to be made through a comparative analysis process.
42 Committee on State, Veterans, & Military Affairs
43
44
45

46 LAY OVER OF CALENDAR ITEM(S)

47
48 On motion of Representative Stephens, the following item(s) on the
49 Calendar was (were) laid over until March 7, retaining place on Calendar:
50

- 51 Consideration of Third Reading--**HB12-1304, 1175.**
52 Consideration of General Orders--**HB12-1121, 1103, 1146, 1226, 1150,**
53 **SB12-020, HB12-1116, 1300, 1241.**
54 Consideration of Senate Amendment(s)--**HB12-1078, 1055,**
55 **HJR12-1010, HB12-1177, 1212.**
56

1 On motion of Representative Stephens, the House adjourned until
2 10:00 a.m., March 7, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

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

Fifty-seventh Legislative Day

Wednesday, March 7, 2012

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

2

3 Prayer by the Reverend Kay Palmer Marsh, United Methodist Church,
4 Westminster.

5

6 Pledge of Allegiance led by Audrey McGlothlen, Good Shepherd School,
7 Denver.

8

9 The roll was called with the following result:

10

11 Present--62.

12 Excused--Representative(s) Balmer, Bradford--2.

13 Absent--Representative(s) Singer--1.

14 Present after roll call--Representative(s) Singer.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Ryden, the reading of the journal of
20 March 6, 2012, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

26

PRINTING REPORT

27

28 The Chief Clerk reports the following bills have been correctly printed:
29 **HB12-1321, HCR12-1001.**

30

31

32

33

34

MESSAGE(S) FROM THE SENATE

35

36 The Senate has postponed indefinitely HB12-1088, HB12-1064. The
37 bills are returned herewith.

38

39

40

41

42

43

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over until March 21, 2012 under the rules:

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

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB12-1317 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, line 5, after "**plan** -" insert "**legislative declaration** -".

Page 3, line 11, strike "APPOINTMENTS." and substitute "APPOINTMENTS;".

Page 3, strike lines 12 through 14.

Page 3, line 18, strike "AND".

Page 3, line 19, strike "FIVE" and substitute "THREE" and strike "A REASONABLE" and substitute "THAT THEY".

Page 3, line 20, strike "KNOWLEDGE OF WILDLIFE ISSUES AND WHO".

Page 3, after line 25 insert:

"(IV) ONE MEMBER WHO IS AN OUTFITTER REGISTERED PURSUANT TO ARTICLE 55.5 OF TITLE 12, C.R.S.; AND

(V) ONE MEMBER WHO REPRESENTS A NONPROFIT ORGANIZATION THAT SUPPORTS AND PROMOTES THE CONSERVATION AND ENHANCEMENT OF COLORADO'S WILDLIFE AND HABITAT; RECOGNIZES AND PROMOTES PRIMARILY NONCONSUMPTIVE WILDLIFE USE; AND HAS EXPERTISE IN WILDLIFE ISSUES, WILDLIFE HABITAT, OR WILDLIFE MANAGEMENT.".

Page 3, line 26, after "(b)" insert "(I)".

Page 3, line 27, strike "SUBPARAGRAPH (III) OF".

Page 4, line 3, strike "BUSINESS," and substitute "OUTDOOR BUSINESS,".

1 Page 4, line 4, strike "CONSERVATION," and substitute "BENEFICIAL USES
2 OF WATER, AND".

3
4 Page 4, strike lines 5 and 6 and substitute "CONSERVATION AND WILDLIFE
5 HABITAT AND MANAGEMENT.".

6
7 Page 4, after line 9 insert:

8
9 "(II) REGARDLESS OF THE PARTICULAR INTERESTS OR
10 QUALIFICATIONS POSSESSED BY EACH MEMBER APPOINTED TO THE
11 COMMISSION PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3), EACH
12 COMMISSIONER REPRESENTS DIVERSE PARKS, WILDLIFE, AND OUTDOOR
13 RECREATION THROUGHOUT COLORADO.".

14
15 Page 4, line 15, strike "No".

16
17 Page 4, strike lines 16 and 17.

18
19 Page 5, line 17, after "SIX" insert "VOTING".

20
21 Page 6, line 22, strike "AT LEAST MONTHLY" and substitute "AS OFTEN AS
22 NECESSARY".

23
24 Page 7, line 12, strike "24-1-136 (5), C.R.S.," and substitute "24-1-136
25 (11), C.R.S.,".

26
27 Page 7, after line 20 insert:

28
29 "(12) (a) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES,
30 AND DECLARES THAT IT IS THE POLICY OF THE STATE THAT:

31
32 (I) COLORADO'S WILDLIFE, NATURAL, SCENIC, AND SCIENTIFIC
33 RESOURCES MUST BE PROTECTED, PRESERVED, ENHANCED, AND MANAGED
34 FOR THE USE, BENEFIT, AND ENJOYMENT OF THE PEOPLE OF THE STATE
35 AND ITS VISITORS;

36
37 (II) A COMPREHENSIVE PROGRAM DESIGNED TO OFFER THE
38 GREATEST POSSIBLE VARIETY OF RECREATIONAL OPPORTUNITY TO THE
39 PEOPLE OF THE STATE AND ITS VISITORS IS PROVIDED;

40
41 (III) THERE MUST BE A CONTINUOUS OPERATION OF PLANNING,
42 ACQUISITION, DEVELOPMENT, AND MANAGEMENT OF WILDLIFE HABITATS,
43 STATE PARKS, OUTDOOR RECREATION LANDS, TRAILS, WATERS, AND
44 FACILITIES; AND

45
46 (IV) BOTH EDUCATION AND OUTREACH ACTIVITIES MUST BE USED
47 TO PROMOTE NATURAL RESOURCES STEWARDSHIP.

48
49 (b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
50 THE MISSION OF THE COMMISSION AND THE DIVISION IS TO PERPETUATE
51 THE WILDLIFE RESOURCES OF THE STATE, TO PROVIDE A QUALITY STATE
52 PARKS SYSTEM, AND TO PROVIDE ENJOYABLE AND SUSTAINABLE OUTDOOR
53 RECREATION OPPORTUNITIES THAT EDUCATE AND INSPIRE CURRENT AND
54 FUTURE GENERATIONS TO SERVE AS ACTIVE STEWARDS OF COLORADO'S
55 NATURAL RESOURCES.".

56

MESSAGE(S) FROM THE SENATE

The Senate voted to concur in House amendments to SB12-097, SB12-024, SB12-037 and repassed the bills as amended.

The Senate has passed on Third Reading and returns herewith HB12-1005.

INTRODUCTION OF RESOLUTION

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

HJR12-1015 by Representative(s) Sonnenberg; also Senator(s) Schwartz--Concerning recognition of March 8, 2012, as "National Agriculture Day".

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until March 8, retaining place on Calendar:

Consideration of Third Reading--**HB12-1304, 1175.**

Consideration of General Orders--**HB12-1121, 1103, 1146, 1226, 1150, SB12-020, HB12-1116, 1300, 1241.**

Consideration of Senate Amendment(s)--**HB12-1078, 1055, HJR12-1010, HB12-1177, 1212, 1221, 1074.**

On motion of Representative Waller, the House adjourned until 9:00 a.m., March 8, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Fifty-eighth Legislative Day

Thursday, March 8, 2012

1 The Speaker called the House to order at 9:00 a.m.
2
3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.
4
5 Pledge of Allegiance led by Melissa Ralston and Rebecca Harrison,
6 Colorado State University, Fort Collins.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Absent--Representative(s) Casso, Schafer--2.
12 Present after roll call--Representative(s) Casso, Schafer.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Ryden, the reading of the journal of
18 March 7, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21
22

CONSIDERATION OF RESOLUTION(S)

23
24
25 **HJR12-1015** by Representative(s) Sonnenberg; also Senator(s)
26 Schwartz--Concerning recognition of March 8, 2012, as
27 "National Agriculture Day".
28

29 (Printed and placed in members' file)
30

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

34 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
35 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
36 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
37 Hamner, Holbert, Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
38 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi,
39 Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S.,
40 Scott, Singer, Solano, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo,
41 Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.
42
43

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

2
3 **EDUCATION**

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

6
7 **HB12-1261** be amended as follows, and as so amended, be referred to
8 the Committee on Appropriations with favorable
9 recommendation:

10
11 Amend printed bill, strike everything below the enacting clause and
12 substitute:

13
14 **"SECTION 1. Legislative declaration.** (1) The general assembly
15 hereby finds that:

16
17 (a) Research demonstrates that the negative effects of teacher and
18 principal shortages and distribution challenges have a disproportionate
19 impact on the nation's most disadvantaged students, leaving poor and
20 minority children more likely to be taught by less-qualified and
21 under-prepared teachers.

22
23 (b) Teachers who are truly highly qualified teach well-designed,
24 standards-based lessons and are able to teach those lessons successfully
25 because they know how and why their students learn. These teachers
26 work effectively with their colleagues to push and lead school
27 improvement and work steadily to sharpen their skills and increase their
28 knowledge because they believe it is part of their professional
29 responsibility to do so.

30
31 (c) National board certification is a nationally accepted sign of
32 quality in the education profession and offers a nationwide standard for
33 evaluating and encouraging quality teachers and principals. It is a means
34 to recognize and reward the accomplished teachers and principals the
35 state needs to build competitive, world-class schools. National board
36 certified teachers and principals advance the quality of teaching and
37 learning by maintaining high and rigorous standards for what
38 accomplished teachers and principals should know and be able to do.

39
40 (2) The general assembly further finds and declares that, for
41 purposes of section 17 of article IX of the state constitution,
42 implementation of measures designed to improve teacher and principal
43 quality, recruitment, and retention is a critical element of accountable
44 education reform, accountable programs to meet state academic
45 standards, and performance incentives for teachers and principals and,
46 therefore, may receive funding from the state education fund created in
47 section 17 (4) of article IX of the state constitution.

48
49 **SECTION 2.** In Colorado Revised Statutes, **amend** 22-2-502 as
50 follows:

51
52 **22-2-502. Definitions.** As used in this part 5, unless the context
53 otherwise requires:

54
55 (1) "Department" means the department of education created and
56 existing pursuant to section 24-1-115, C.R.S.

1 (2) "LOW-PERFORMING, HIGH-NEEDS SCHOOL" MEANS A SCHOOL
2 THAT IS REQUIRED TO SUBMIT A PRIORITY IMPROVEMENT OR TURNAROUND
3 PLAN PURSUANT TO SECTION 22-11-210.

4
5 **SECTION 3.** In Colorado Revised Statutes, 22-2-504, **amend** (1)
6 and (2) as follows:

7
8 **22-2-504. National board for professional teaching and**
9 **principal standards certification compensation - study.** (1) Beginning
10 with the 2009-10 school year ~~and ending with the 2011-12 school year~~,
11 the department, subject to available appropriations, shall award an annual
12 stipend of one thousand six hundred dollars to any teacher OR PRINCIPAL
13 who is employed ~~to teach~~ in a school district, a program operated by a
14 board of cooperative services, a charter school authorized by a school
15 district pursuant to part 1 of article 30.5 of this title, or a charter school
16 authorized by the state charter school institute pursuant to part 5 of article
17 30.5 of this title, and who holds a certification from the national board for
18 professional teaching OR PRINCIPAL standards. For any stipends that are
19 awarded, the department shall allocate the stipend moneys to the school
20 district that employs the teacher OR PRINCIPAL who is to receive the
21 stipend, and the school district shall then make payment directly to the
22 eligible teacher OR PRINCIPAL. A school district may, at its discretion,
23 withhold any required employer retirement and medicare contributions
24 associated with the stipend pursuant to this section from the one thousand
25 six hundred dollar stipend amount. For any stipends that are awarded, the
26 stipend shall be:

- 27
28 (a) Payable on May 1, 2009, and each May 1 thereafter;
29
30 (b) Prorated for less than full-time employment;
31
32 (c) Considered regular salary under section 24-51-101 (42) (a),
33 C.R.S.; and
34
35 (d) In addition to, and not in lieu of, any existing compensation
36 being awarded at the local level to a teacher OR PRINCIPAL who holds a
37 certification from the national board for professional teaching OR
38 PRINCIPAL standards.

39
40 (2) Beginning with the 2009-10 school year, ~~and ending with the~~
41 ~~2011-12 school year~~, subject to available appropriations, an additional
42 annual stipend of three thousand two hundred dollars shall be awarded to
43 any teacher OR PRINCIPAL who meets the criteria set forth in subsection
44 (1) of this section and who is employed as of May 1 in a given school
45 year in a LOW-PERFORMING, HIGH-NEEDS school. ~~that is required to~~
46 ~~implement a priority improvement or turnaround plan pursuant to section~~
47 ~~22-11-405 or 22-11-406, respectively.~~ Subject to available appropriations,
48 a teacher OR PRINCIPAL shall continue to receive the additional stipend
49 award pursuant to this subsection (2) if he or she remains employed in a
50 school that was previously ~~required to implement a priority improvement~~
51 ~~or turnaround plan but improves~~ A LOW-PERFORMING, HIGH-NEEDS
52 SCHOOL BUT IMPROVED sufficiently to implement an improvement or
53 performance plan pursuant to section ~~22-11-404 or 22-11-403,~~
54 ~~respectively~~ 22-11-210. The additional stipend for such teachers AND
55 PRINCIPALS shall be subject to the same restrictions and requirements as
56 set forth in subsection (1) of this section.

1 **SECTION 4. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2012 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor."

11

12

13

14 **HB12-1306** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:

17

18 Amend printed bill, page 5, line 23, strike "AND".

19

20 Page 6, line 2, strike "COUNT." and substitute "COUNT;"

21

22 Page 6, after line 2, insert:

23

24 "(d) DETERMINE, FOR EACH PARTICIPANT SCHOOL DISTRICT AND
25 EACH PARTICIPANT INSTITUTE CHARTER SCHOOL IN WHICH THE TOTAL
26 NUMBER OF STUDENTS DESCRIBED IN PARAGRAPHS (a) AND (b) OF
27 SUBSECTION (3) OF THIS SECTION EXCEEDS THE TOTAL NUMBER OF
28 STUDENTS ENROLLED IN GRADES THREE THROUGH ELEVEN WHO WERE
29 INCLUDED IN THE OCTOBER 1 PUPIL ENROLLMENT COUNT, THE AVERAGE
30 PUPIL ENROLLMENT INCREASE FOR EACH SUCH GRADE;

31

32 (e) USING THE AVERAGE PUPIL ENROLLMENT INCREASE FOR EACH
33 OF GRADES THREE THROUGH ELEVEN, AS DETERMINED PURSUANT TO
34 PARAGRAPH (d) OF THIS SUBSECTION (3), PROJECT SUCH AVERAGE PUPIL
35 ENROLLMENT INCREASE FOR GRADES ONE, TWO, AND TWELVE; AND
36 PROJECT HALF OF SUCH AVERAGE PUPIL ENROLLMENT INCREASE FOR
37 KINDERGARTEN FOR EACH PARTICIPANT SCHOOL DISTRICT AND EACH
38 PARTICIPANT INSTITUTE CHARTER SCHOOL IN WHICH THE TOTAL NUMBER
39 OF STUDENTS DESCRIBED IN PARAGRAPHS (a) AND (b) OF SUBSECTION (3)
40 OF THIS SECTION EXCEEDS THE TOTAL NUMBER OF STUDENTS ENROLLED IN
41 GRADES THREE THROUGH ELEVEN WHO WERE INCLUDED IN THE OCTOBER
42 1 PUPIL ENROLLMENT COUNT; AND

43

44 (f) USING THE AVERAGE PUPIL ENROLLMENT INCREASE FOR EACH
45 OF GRADES THREE THROUGH ELEVEN, AS DETERMINED PURSUANT TO
46 PARAGRAPH (d) OF THIS SUBSECTION (3), AND THE AVERAGE PUPIL
47 ENROLLMENT INCREASE FOR GRADES ONE, TWO, AND TWELVE AND
48 KINDERGARTEN, AS DETERMINED PURSUANT TO PARAGRAPH (e) OF THIS
49 SUBSECTION (3), DETERMINE, FOR EACH PARTICIPANT SCHOOL DISTRICT
50 AND EACH PARTICIPANT INSTITUTE CHARTER SCHOOL IN WHICH THE TOTAL
51 NUMBER OF STUDENTS DESCRIBED IN PARAGRAPHS (a) AND (b) OF
52 SUBSECTION (3) OF THIS SECTION EXCEEDS THE TOTAL NUMBER OF
53 STUDENTS ENROLLED IN GRADES THREE THROUGH ELEVEN WHO WERE
54 INCLUDED IN THE OCTOBER 1 PUPIL ENROLLMENT COUNT, THE TOTAL
55 NUMBER OF STUDENTS IN GRADES ONE THROUGH TWELVE AND
56 KINDERGARTEN BY WHICH EACH SUCH SCHOOL DISTRICT'S AND EACH SUCH

1 INSTITUTE CHARTER SCHOOL'S PUPIL ENROLLMENT INCREASED."

2

3 Page 6, line 11, after "STUDENT" insert "IN GRADES ONE THROUGH
4 TWELVE AND KINDERGARTEN, AS DETERMINED PURSUANT TO PARAGRAPH
5 (f) OF SUBSECTION (3) OF THIS SECTION,".

6

7 Page 6, line 14, after "AVAILABLE" insert "FROM THE STATE EDUCATION
8 FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE
9 CONSTITUTION".

10

11 Page 6, line 25, after "STUDENT" insert "IN GRADES ONE THROUGH
12 TWELVE AND KINDERGARTEN, AS DETERMINED PURSUANT TO PARAGRAPH
13 (f) OF SUBSECTION (3) OF THIS SECTION,".

14

15 Page 7, line 1, after "AVAILABLE" insert "FROM THE STATE EDUCATION
16 FUND CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE
17 CONSTITUTION".

18

19

20

21

22 **FINANCE**

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

25

26 **HB12-1110** be amended as follows, and as so amended, be referred to
27 the Committee on Appropriations with favorable
28 recommendation:

29

30 Amend the Economic and Business Development Committee Report,
31 dated February 23, 2012, page 1, strike line 16 and substitute:

32

33 "Page 18, line 16 of the printed bill, after "ASSIGNMENT;" add "EXCEPT
34 THAT THIS PROVISION DOES NOT APPLY TO COMMUNICATIONS BETWEEN AN
35 APPRAISER AND AN APPRAISAL MANAGEMENT COMPANY'S CLIENT IF SUCH
36 CLIENT HAS ADOPTED AN EXPLICIT POLICY PROHIBITING SUCH
37 COMMUNICATION. IF THE CLIENT HAS ADOPTED AN EXPLICIT POLICY
38 PROHIBITING COMMUNICATION BY THE APPRAISER WITH THE CLIENT,
39 COMMUNICATION".

40

41 Page 1 of the committee report, line 17, strike "COMMUNICATION".

42

43 Page 2 of the committee report, after line 13, add:

44

45 "Amend printed bill, page 29, before line 19 insert:

46

47 "SECTION 18. Effective date. This act takes effect July 1,
48 2013".

49

50 Renumber succeeding section accordingly."

51

52

53

54 **HB12-1272** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend printed bill, page 2, line 3, strike "(6) introductory portion," and
2 substitute "(6),".
3

4 Page 4, after line 22 insert:
5

6 "(a) A demographic analysis of participants in the enhanced
7 unemployment insurance compensation benefits program under this
8 section, including the number of claimants per North American industry
9 classification system code and the gender, race, age, and geographic
10 representation of participants;
11

12 (b) The duration of the enhanced unemployment insurance
13 compensation benefits claimed per eligible unemployment insurance
14 claimant;
15

16 (c) ~~An analysis of the training provided to participants, including~~
17 ~~the occupational category supported by the training, those participants~~
18 ~~who completed training in relationship to those that do not complete~~
19 ~~training, and the reasons for noncompletion of approved training~~
20 ~~programs;~~
21

22 (d) The employment and wage history of participants, including
23 the pre-training and post-training wage and whether those participating
24 in training return to their previous employer or occupation after training;
25

26 (e) ~~An identification and analysis of administrative costs at both~~
27 ~~the local and state level for administering the enhanced unemployment~~
28 ~~insurance compensation benefits program~~ A RETURN ON INVESTMENT
29 CALCULATION TO DETERMINE THE BENEFITS AND FISCAL CONTRIBUTION OF
30 UNEMPLOYMENT INSURANCE CLAIMANTS PARTICIPATING IN THE PROGRAM
31 WHO BECOME EMPLOYED. EMPLOYERS PARTICIPATING IN THE PROGRAM
32 SHALL PROVIDE THE DEPARTMENT INFORMATION ON PERMANENT HIRES OF
33 PROGRAM PARTICIPANTS, AS WELL AS FEEDBACK ON PROGRAM VALUE AND
34 ISSUES, FOR USE BY THE DEPARTMENT IN CALCULATING THE RETURN ON
35 INVESTMENT."
36
37
38

39 **HB12-1302** be referred favorably to the Committee on Appropriations.
40

41
42 **HB12-1303** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:
45

46 Amend the Health and Environment Committee Report, dated February
47 28, 2012, page 1, line 12, strike "PATHOLOGISTS." and substitute
48 "PATHOLOGISTS, AS REQUIRED BY SECTION 24-34-105, C.R.S."
49
50
51

52 **HB12-1308** be postponed indefinitely.
53
54
55
56

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **HB12-1128** be postponed indefinitely.

6
7
8 **HB12-1257** be postponed indefinitely.

9
10
11 **HB12-1267** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14
15 Amend printed bill, page 2, line 8, strike "~~forwardable~~
16 NONFORWARDABLE" and substitute "EITHER forwardable OR
17 NONFORWARDABLE".

18
19 Page 2, line 9, strike "mail" and substitute "mail, IN THE DISCRETION OF
20 THE COUNTY CLERK AND RECORDER,".

21
22 Page 3, line 23, strike "~~forwardable~~ NONFORWARDABLE mail" and
23 substitute "EITHER forwardable OR NONFORWARDABLE mail, IN THE
24 DISCRETION OF THE COUNTY CLERK AND RECORDER,".

25
26 Page 4, line 20, after "BY" insert "EITHER FORWARDABLE OR" and strike
27 "MAIL" and substitute "MAIL, IN THE DISCRETION OF THE COUNTY CLERK
28 AND RECORDER,".

29
30 Page 5, strike lines 5 through 27.

31
32 Page 6, strike lines 1 through 7.

33
34 Renumber succeeding sections accordingly.

35
36
37
38
39 **TRANSPORTATION**

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

42
43 **HB12-1295** be referred favorably to the Committee on Finance.

44
45
46
47 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

48
49 The Speaker has signed: **HB12-1005, 1010, 1015, 1022, 1050, 1054,**
50 **1096, 1147, 1158.**

51
52
53
54
55

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB12-1005, 1010, 1015, 1022, 1050, 1054, 1096, 1147, 1158** at 5:26 p.m. on March 7, 2012.

MESSAGE(S) FROM THE SENATE

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

HB12-1058 amended as printed in Senate Journal, March 7, 2012, page 392.

HB12-1249 amended as printed in Senate Journal, March 7, 2012, page 393.

The Senate has passed on Third Reading and returns herewith HB12-1247, HB12-1248.

The Senate has postponed indefinitely HB12-1040. The bills are returned herewith.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1058 and 1249.

MESSAGE FROM THE LIEUTENANT GOVERNOR

I certify I received the following on the 8th day of March, 2012, at 8:10 a.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 7, 2012

To the Honorable House of Representatives
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

1 Ladies and Gentlemen:

2

3 I have the honor to inform you that I have approved and filed with
4 the Secretary of State the following Act:

5

6 **HB12-1005** CONCERNING INVESTMENT OF PUBLIC FUNDS

7

8 Approved March 7, 2012 at 5:30 pm

9

10 Sincerely,

11 (signed)

12 Joseph A. Garcia

13 Lt. Governor

14

15

16

17

LAY OVER OF CALENDAR ITEM(S)

18

19 On motion of Representative Barker, the following item(s) on the
20 Calendar was (were) laid over until March 9, retaining place on Calendar:

21

22

23 Consideration of Third Reading--**HB12-1304, 1175.**

24 Consideration of General Orders--**HB12-1121, 1103, 1146, 1226, 1150,**
25 **SB12-020, HB12-1116, 1300, 1241, SB12-030, 072, 079, 146.**

26 Consideration of Senate Amendment(s)--**HB12-1078, 1055,**
27 **HJR12-1010, HB12-1177, 1212, 1221, 1074.**

28

29

30

31 On motion of Representative Barker, the House adjourned until 9:00 a.m.,
32 March 9, 2012.

33

34

35

36

Approved:
FRANK McNULTY,
Speaker

37

38 Attest:

39 MARILYN EDDINS,

Chief Clerk

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

Fifty-ninth Legislative Day

Friday, March 9, 2012

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

2

3 Prayer by Pastor Kory Brunson, Crossroads Church, Denver.

4

5 Pledge of Allegiance led by Konner Brunson, Silver Creek Elementary,
 6 Thornton.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) Singer--1.

12 Present after roll call--Representative(s) Singer.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Ryden, the reading of the journal of
 18 March 8, 2012, was declared dispensed with and approved as corrected
 19 by the Chief Clerk.

20

21

22

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

24

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

28

29 **HB12-1304** by Representative(s) Barker; also Senator(s) Newell--
 30 Concerning measures to prevent organized retail theft.

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**.

36

37	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
43	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

12 Co-sponsor(s) added: Representative(s) Brown, Casso, Court, Holbert, Joshi,
 13 Kerr A., Kerr J., Liston, Nikkel, Pace, Priola, Stephens, Summers, Vigil,
 14 Young, Speaker.

15
 16 **HB12-1175** by Representative(s) Stephens; also Senator(s) Cadman--
 17 Concerning the encouragement of a state agency to pursue
 18 Colorado-specific solutions in lieu of federal regulation
 19 whenever possible, and, in connection therewith, requiring
 20 a state agency to report annually regarding opportunities
 21 for waiver from newly adopted federal regulations.

22
 23 The question being "Shall the bill pass?".

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

27	YES	45	NO	20	EXCUSED	0	ABSENT	0
29	Acree	Y	Fischer	N	Looper	Y	Solano	Y
30	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
31	Barker	Y	Gerou	Y	McCann	N	Soper	N
32	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
33	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
34	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
35	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
36	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
37	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
38	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
39	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
40	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
41	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
42	Duran	N	Lee	N	Schafer S.	Y	Williams A.	Y
43	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
44	Fields	N	Liston	Y	Singer	N	Young	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Barker, Becker, Beezley, Brown, Conti,
 47 Coram, DelGrosso, Holbert, Kerr J., Liston, Murray, Nikkel, Priola, Ramirez,
 48 Scott, Summers, Szabo, Waller, Speaker.

49
 50
 51
 52 On motion of Representative Baumgardner, the House resolved itself into
 53 Committee of the Whole for consideration of General Orders, and he was
 54 called to the Chair to act as Chairman.

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.)

HB12-1146 by Representative(s) Nikkel, Todd, Massey, Beezley, Murray, Solano, Summers; also Senator(s) Giron-- Concerning programs to allow students to enroll in postsecondary institutions to complete high school graduation requirements.

Amendment No. 1, Education Report, dated February 13, 2012, and placed in member's bill file; Report also printed in House Journal, February 14, page 254.

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

HB12-1226 by Representative(s) Barker; also Senator(s) Aguilar-- Concerning a surcharge on persons convicted of crimes against at-risk persons.

Amendment No. 1, Judiciary Report, dated February 16, 2012, and placed in member's bill file; Report also printed in House Journal, February 17, page 514.

Amendment No. 2, Appropriations Report, dated March 2, 2012, and placed in member's bill file; Report also printed in House Journal, March 2, page 514.

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

SB12-020 by Senator(s) Aguilar, Steadman; also Representative(s) Summers--Concerning immunity from certain criminal offenses when a person reports in good faith an emergency drug or alcohol overdose event.

Amendment No. 1, Judiciary Report, dated March 1, 2012, and placed in member's bill file; Report also printed in House Journal, March 2, page 538.

Amendment No. 2, by Representative(s) Summers.

Amend reengrossed bill, page 4, line 6, strike "18-18-403.5 (1); EXCEPT THAT THE IMMUNITY" and substitute "18-18-403.5 (1), IF THE OFFENSE IS PENALIZED AS A MISDEMEANOR;".

Page 4, strike lines 7 through 14.

1 Amendment No. 3, by Representative(s) Summers.

2
3 Amend reengrossed bill, page 3, line 9, strike "AND ONE OR TWO OTHER
4 PERSONS".

5
6 Page 3, strike lines 11 through 25 and substitute "OF THIS SECTION IF:

7
8 (a) THE PERSON REPORTS IN GOOD FAITH AN EMERGENCY DRUG OR
9 ALCOHOL OVERDOSE EVENT TO A LAW ENFORCEMENT OFFICER, TO THE 911
10 SYSTEM, OR TO A MEDICAL PROVIDER;

11
12 (b) THE PERSON REMAINS AT THE SCENE OF THE EVENT UNTIL A
13 LAW ENFORCEMENT OFFICER OR AN EMERGENCY MEDICAL RESPONDER
14 ARRIVES, OR THE PERSON REMAINS AT THE FACILITIES OF THE MEDICAL
15 PROVIDER UNTIL A LAW ENFORCEMENT OFFICER ARRIVES;

16
17 (c) THE PERSON IDENTIFIES HIMSELF OR HERSELF TO, AND
18 COOPERATES WITH, THE LAW ENFORCEMENT OFFICER, EMERGENCY
19 MEDICAL RESPONDER, OR MEDICAL PROVIDER; AND

20
21 (d) THE OFFENSE ARISES FROM THE SAME COURSE OF EVENTS FROM
22 WHICH THE EMERGENCY DRUG OR ALCOHOL OVERDOSE EVENT AROSE."

23
24 Amendment No. 4, by Representative(s) Summers.

25
26 Amend reengrossed bill, page 7, strike line 11 and substitute "(2) (a),
27 (4.5) introductory portion, (4.5) (a), (4.5) (b), and (4.5) (d) as follows:".

28
29 Page 7, after line 20, insert:

30
31 "(4.5) An underage person ~~and one or two other persons~~ shall be
32 immune from criminal prosecution under this section if ~~they establish~~ HE
33 OR SHE ESTABLISHES the following:

34
35 (a) ~~One of~~ The underage ~~persons~~ PERSON called 911 and reported
36 IN GOOD FAITH that another underage person was in need of medical
37 assistance due to alcohol consumption;

38
39 (b) The underage person who called 911 ~~and, if applicable, one or~~
40 ~~two other persons acting in concert with the underage person who called~~
41 ~~911 provided each of their names~~ HIS OR HER NAME to the 911 operator;

42
43 (d) The underage person ~~and, if applicable, one or two other~~
44 ~~persons acting in concert with the underage person~~ who made the 911 call
45 remained on the scene with the underage person in need of medical
46 assistance until assistance arrived and cooperated with medical assistance
47 ~~and~~ OR law enforcement personnel on the scene.

48
49 **SECTION 9.** In Colorado Revised Statutes, 12-47-901, **amend**
50 (1.5) introductory portion, (1.5) (a), (1.5) (b), and (1.5) (d) as follows:

51
52 **12-47-901. Unlawful acts - exceptions.** (1.5) An underage
53 person ~~and one or two other persons~~ shall be immune from criminal
54 prosecution under paragraph (b) or (c) of subsection (1) of this section if
55 ~~they establish~~ HE OR SHE ESTABLISHES the following:

56

1 (a) ~~One of The underage persons~~ PERSON called 911 and reported
2 that another underage person was in need of medical assistance due to
3 alcohol consumption;
4

5 (b) The underage person who called 911 ~~and, if applicable, one or~~
6 ~~two other persons acting in concert with the underage person who called~~
7 ~~911 provided each of their names~~ HIS OR HER NAME to the 911 operator;
8

9 (d) The underage person ~~and, if applicable, one or two other~~
10 ~~persons acting in concert with the underage person~~ who made the 911 call
11 remained on the scene with the underage person in need of medical
12 assistance until assistance arrived and cooperated with medical assistance
13 ~~and~~ OR law enforcement personnel on the scene."
14

15 Renumber succeeding section accordingly.

16
17 Amendment No. 5, by Representative(s) Summers.

18
19 Amend reengrossed bill, page 5, after line 10, insert:
20

21 "(4) IF A PERSON IS CONVICTED OF UNLAWFUL POSSESSION OF A
22 CONTROLLED SUBSTANCE, AS DESCRIBED IN SECTION 18-18-403.5 (2) (a)
23 OR (2) (b), AND, DURING THE SAME COURSE OF EVENTS FROM WHICH THE
24 OFFENSE ARISES, THE PERSON SATISFIED ALL OF THE CONDITIONS
25 DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE COURT SHALL
26 CONSIDER SUCH FACT AS A MITIGATING FACTOR IN SENTENCING THE
27 PERSON FOR SAID OFFENSE."
28

29 Renumber succeeding subsection accordingly.
30

31 As amended, ordered revised and placed on the Calendar for Third
32 Reading and Final Passage.
33

34 **HB12-1116** by Representative(s) Murray, Summers, Barker,
35 Baumgardner, Brown, Casso, Holbert, McCann, Miklosi,
36 Williams A.; also Senator(s) Nicholson--Concerning
37 deceptive trade practices related to time share resale
38 transactions.
39

40 Amendment No. 1, Economic & Business Development Report, dated
41 February 21, 2012, and placed in member's bill file; Report also printed
42 in House Journal, February 22, pages 345-346.
43

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

47
48 **HB12-1150** by Representative(s) Priola, Holbert, DelGrosso,
49 Gardner B., Becker, Murray, Nikkel, Sonnenberg; also
50 Senator(s) Lambert--Concerning an increase in the number
51 of years used to calculate the highest average salary of a
52 member of the public employees' retirement association
53 for the purpose of determining the amount of the member's
54 retirement benefit.
55

[illegible]

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB12-1078 by Representative(s) Vigil, Baumgardner, Sonnenberg, Swerdfeger, Wilson; also Senator(s) Schwartz, Brophy, Giron, Hodge, Roberts--Concerning the exemption of drinking water treatment facilities from the requirement to obtain a certificate of designation.

(Amended as printed in Senate Journal, February 15, page 181.)

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

YES	63	NO	2	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	N	Gerou	Y	McCann	Y	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	N	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

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**.

YES	64	NO	1	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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	N	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

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

3 Representative Brown requested his name be removed as co-sponsor.

4 Co-sponsor(s) added: Representative(s) Jones, Pace.

5
6 **HB12-1055** by Representative(s) Schafer S.; also Senator(s) White--
7 Concerning the division of registrations in the department
8 of regulatory agencies, and, in connection therewith,
9 renaming the division as the division of professions and
10 occupations and requiring periodic review of the functions
11 of the division.
12

13 (Amended as printed in Senate Journal, February 23, page 236.)

14
15 Representative Schafer S., moved that the House **concur** in Senate
16 amendments. The motion was declared **passed** by the following roll call
17 vote:
18

19	YES	58	NO	7	EXCUSED	0	ABSENT	0
20	Acree	N	Fischer	Y	Looper	Y	Solano	Y
21	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
22	Barker	N	Gerou	Y	McCann	Y	Soper	Y
23	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
24	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
25	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
26	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
27	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
28	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
29	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
30	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
32	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
33	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
34	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
35	Fields	Y	Liston	Y	Singer	Y	Young	Y
36							Speaker	Y

37
38 The question being, "Shall the bill, as amended, 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
41 bill, as amended, was declared **repassed**.
42

43	YES	35	NO	30	EXCUSED	0	ABSENT	0
44	Acree	N	Fischer	Y	Looper	N	Solano	Y
45	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
46	Barker	N	Gerou	N	McCann	Y	Soper	Y
47	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
48	Becker	N	Holbert	Y	Miklosi	Y	Summers	N
49	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
50	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
51	Brown	N	Joshi	N	Pabon	Y	Szabo	N
52	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
53	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
54	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
55	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
56	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N

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

5 Co-sponsor(s) added: Representative(s) Hamner.

6
7 **HB12-1177** by Representative(s) Gerou, Becker, Levy; also Senator(s)
8 Hodge, Steadman, Lambert--Concerning a grant program
9 to provide home care allowance benefits to certain eligible
10 individuals, and, in connection therewith, making and
11 reducing appropriations.
12

13 (Amended as printed in Senate Journal, February 28, page 315.)

14
15 Representative Gerou moved that the House **concur** in Senate
16 amendments. The motion was declared **passed** by the following roll call
17 vote:
18

19	YES	65	NO	0	EXCUSED	0	ABSENT	0
20	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
21	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
22	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
23	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
24	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
25	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
26	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
27	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
28	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
29	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
30	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
32	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
33	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
34	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
35	Fields	Y	Liston	Y	Singer	Y	Young	Y
36							Speaker	Y

37
38 The question being, "Shall the bill, as amended, 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
41 bill, as amended, was declared **repassed**.
42

43	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	Y	Miklosi	Y	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) Kefalas, Nikkel, Singer.

6
7 **HB12-1212** by Representative(s) Becker, Gerou, Levy; also Senator(s)
8 Hodge, Steadman, Lambert--Concerning the designation
9 of an on-line education program as a multi-district
10 program if the program is authorized by a board of
11 cooperative services.
12

13 (Amended as printed in Senate Journal, February 28, page 315.)

14
15 Representative Becker moved that the House **adhere** to its position on
16 **HB12-1212**. The motion was declared **passed** by the following roll call
17 vote:
18

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

37
38 **HB12-1221** by Representative(s) Liston, Kerr J., Balmer, Miklosi,
39 Summers, Swalm, Williams A.; also Senator(s) Tochtrop,
40 Boyd, Morse--Concerning billing for anatomic pathology
41 services.
42

43 (Amended as printed in Senate Journal, March 2, page 368.)

44
45 Representative Liston moved that the House **concur** in Senate
46 amendments. The motion was declared **passed** by the following roll call
47 vote:
48

49	YES	65	NO	0	EXCUSED	0	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
53	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y

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

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

17	YES	65	NO	0	EXCUSED	0	ABSENT	0
18	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
19	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
20	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
21	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
22	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
23	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
24	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
25	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
26	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
27	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
28	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
29	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
30	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
31	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
32	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
33	Fields	Y	Liston	Y	Singer	Y	Young	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Szabo.

36
 37 **HB12-1074** by Representative(s) Kerr J., Miklosi; also Senator(s)
 38 King S., Tochtrop--Concerning access to data to assist the
 39 courts in overseeing persons appointed to manage the
 40 affairs of persons under disability.

41
 42 (Amended as printed in Senate Journal, March 5, page 378.)

43
 44 Representative Kerr J., moved that the House **concur** in Senate
 45 amendments. The motion was declared **passed** by the following roll call
 46 vote:

48	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	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

11 The question being, "Shall the bill, as amended, 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
 14 bill, as amended, was declared **repassed**.

15

16	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	Y	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

35

36

37

House in recess. House reconvened.

38

39

40

41

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

43

44

45 **APPROPRIATIONS**

46

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

HB12-1019 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 23, after line 1, insert:

"SECTION 26. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C), Colorado Revised Statutes, not otherwise appropriated, to the department

1 of revenue, for the fiscal year beginning July 1, 2011, the sum of
2 \$156,124, or so much thereof as may be necessary, for allocation to the
3 information technology division, for the implementation of this act.

4
5 (2) In addition to any other appropriation, there is hereby
6 appropriated to the governor - lieutenant governor - state planning and
7 budgeting, for the fiscal year beginning July 1, 2011, the sum of
8 \$156,124, or so much thereof as may be necessary, for allocation to the
9 office of information technology for the provision of programming
10 services to the department of revenue related to the implementation of
11 this act. Said sum is from reappropriated funds received from the
12 department of revenue out of the appropriation made in subsection (1) of
13 this section.

14
15 **SECTION 27. Appropriation - adjustments in 2012 long bill.**

16 (1) For the implementation of this act, appropriations made in the annual
17 general appropriation act to the department of public safety for the fiscal
18 year beginning July 1, 2012, are adjusted as follows:

19
20 (a) The general fund appropriation for the executive director's
21 office is decreased by \$283,704.

22
23 (b) The cash funds appropriation for the executive director's office
24 is increased by \$1,977,056. Of this amount, \$1,938,360 is from the
25 highway users tax fund pursuant to section 43-4-201 (3) (a) (I) (B),
26 Colorado Revised Statutes, and \$38,696 is from the hazardous materials
27 safety fund pursuant to section 42-20-107 (1), Colorado Revised Statutes.

28
29 (c) The reappropriated funds appropriation for the executive
30 director's office is increased by \$601,394 and 4.5 FTE.

31
32 (d) The cash funds appropriation for the Colorado state patrol,
33 ports of entry, is increased by \$8,496,667 and 117.8 FTE. Of this amount,
34 \$8,286,457 is from the highway users tax fund pursuant to section 43-4-
35 201 (3) (a) (I) (B), Colorado Revised Statutes, and \$210,210 is from the
36 hazardous materials safety fund pursuant to section 42-20-107 (1),
37 Colorado Revised Statutes.

38
39 (2) In addition to any other appropriation, there is hereby
40 appropriated, to the department of public safety, for the fiscal year
41 beginning July 1, 2012, the sum of \$2,263,218, or so much thereof as may
42 be necessary, capital construction, for the Colorado state patrol, for the
43 Fort Morgan eastbound scale pit replacement, the Fort Collins parking lot
44 repair, the monument southbound building replacement, and the
45 monument northbound scale pit replacement related to the
46 implementation of this act. Said sum is from the highway users tax fund
47 pursuant to section 43-4-201 (3) (a) (I) (B), Colorado Revised Statutes.

48
49 (3) For the implementation of this act, appropriations made in the
50 annual general appropriation act to the department of revenue for the
51 fiscal year beginning July 1, 2012, are adjusted as follows:

52
53 (a) The general fund appropriation to the executive director's
54 office is increased by \$283,349.

55
56 (b) The cash funds appropriation to the executive director's office

1 is decreased by \$2,289,184 and 2.0 FTE. Of said sum, \$2,250,488 is
2 from the highway users tax fund pursuant to section 43-4-201 (3) (a) (III)
3 (C), Colorado Revised Statutes, and \$38,696 is from the hazardous
4 materials safety fund created in section 42-20-107 (1), Colorado Revised
5 Statutes.

6
7 (c) The cash funds appropriation to the executive director's office
8 is increased by \$99,983. Of said sum, \$5,420 is from the AIR account of
9 the highway users tax fund created in section 42-3-304 (18) (c), Colorado
10 Revised Statutes, \$8,364 is from the auto dealers license fund created in
11 section 12-6-123 (1), Colorado Revised Statutes, \$12,883 is from the
12 Colorado state titling and registration account of the highway users tax
13 fund, created in section 42-1-211 (2), Colorado Revised Statutes, \$9,732
14 is from the driver's license administrative revocation account of the
15 highway users tax fund created in section 42-2-132 (4) (b) (I) (A),
16 Colorado Revised Statutes, \$1,594 is from the first time drunk driving
17 offender account of the highway users tax fund created in section 42-2-
18 132 (4) (b) (II) (A), Colorado Revised Statutes, \$430 is from the highway
19 users tax fund exempt from the statutory limit pursuant to section 42-4-
20 201 (3) (a) (V), Colorado Revised Statutes, \$22,853 is from the licensing
21 services cash fund created in section 42-2-114.5 (1), Colorado Revised
22 Statutes, \$6,095 is from the liquor enforcement division and state
23 licensing authority cash fund created in section 24-35-401, Colorado
24 Revised Statutes, \$5,658 is from the limited gaming fund created in
25 section 12-47.1-701 (1), Colorado Revised Statutes, \$16,207 is from the
26 medical marijuana license cash fund created in section 12-43.3-501 (1),
27 Colorado Revised Statutes, \$319 is from the motorist insurance
28 identification account of the highway users tax fund created in section 42-
29 3-304 (18) (d) (I), Colorado Revised Statutes, \$2,788 is from the racing
30 cash fund created in section 12-60-205 (1), Colorado Revised Statutes,
31 and \$7,640 is from the state lottery fund created in section 24-35-210 (1),
32 Colorado Revised Statutes.

33
34 (d) The reappropriated funds appropriation to the executive
35 director's office is increased by \$24,700. Of said sum, \$16,563 is from
36 moneys appropriated from the state lottery division in subsection (p) of
37 this section and \$8,137 is from moneys appropriated from the
38 enforcement business group, limited gaming division in subsection (o) of
39 this section.

40
41 (e) The general fund appropriation to the central department
42 operations division is increased by \$75,927.

43
44 (f) The cash funds appropriation to the central department
45 operations division is decreased by \$14,437. Said sum is from the
46 highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),
47 Colorado Revised Statutes.

48
49 (g) The cash funds appropriation to the central department
50 operations division is increased by \$34,921. Of said sum, \$1,972 is from
51 the AIR account of the highway users tax fund created in section 42-3-
52 304 (18) (c), Colorado Revised Statutes, \$3,039 is from the auto dealers
53 license fund created in section 12-6-123 (1), Colorado Revised Statutes,
54 \$4,582 is from the Colorado state titling and registration account of the
55 highway users tax fund, created in section 42-1-211 (2), Colorado
56 Revised Statutes, \$3,733 is from the driver's license administrative

1 revocation account of the highway users tax fund created in section 42-2-
2 132 (4) (b) (I) (A), Colorado Revised Statutes, \$580 is from the first time
3 drunk driving offender account of the highway users tax fund created in
4 section 42-2-132 (4) (b) (II) (A), Colorado Revised Statutes, \$174 is from
5 the highway users tax fund exempt from the statutory limit pursuant to
6 section 42-4-201 (3) (a) (V), Colorado Revised Statutes, \$11,646 is from
7 the licensing services cash fund created in section 42-2-114.5 (1),
8 Colorado Revised Statutes, \$2,262 is from the liquor enforcement
9 division and state licensing authority cash fund created in section 24-35-
10 401, Colorado Revised Statutes, \$5,808 is from the medical marijuana
11 license cash fund created in section 12-43.3-501 (1), Colorado Revised
12 Statutes, \$116 is from the motorist insurance identification account of the
13 highway users tax fund created in section 42-3-304 (18) (d) (I), Colorado
14 Revised Statutes, and \$1,009 is from the racing cash fund created in
15 section 12-60-205 (1), Colorado Revised Statutes.

16
17 (h) The reappropriated funds appropriation to the central
18 department operations division is increased by \$11,373. Said sum is from
19 moneys appropriated to the enforcement business group, limited gaming
20 division in subsection (o) of this section.

21
22 (i) The general fund appropriation to the division of motor
23 vehicles, administration, is increased by \$20,124.

24
25 (j) The cash funds appropriation to the division of motor vehicles,
26 administration, is decreased by \$151,101 and 2.5 TE. Said sum is from
27 the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),
28 Colorado Revised Statutes.

29
30 (k) The cash funds appropriation to the division of motor vehicles,
31 administration, is increased by \$35,461. Of said sum, \$3,177 is from the
32 AIR account of the highway users tax fund created in section 42-3-304
33 (18) (c), Colorado Revised Statutes, \$8,764 is from the Colorado state
34 titling and registration account of the highway users tax fund, created in
35 section 42-1-211 (2), Colorado Revised Statutes, \$1,336 is from the
36 driver's license administrative revocation account of the highway users
37 tax fund created in section 42-2-132 (4) (b) (I) (A), Colorado Revised
38 Statutes, \$1,215 is from the first time drunk driving offender account of
39 the highway users tax fund created in section 42-2-132 (4) (b) (II) (A),
40 Colorado Revised Statutes, \$20,726 is from the licensing services cash
41 fund created in section 42-2-114.5 (1), Colorado Revised Statutes, and
42 \$243 is from the motorist insurance identification account of the highway
43 users tax fund created in section 42-3-304 (18) (d) (I), Colorado Revised
44 Statutes.

45
46 (l) The general fund appropriation to the division of motor
47 vehicles, driver and vehicle services, is increased by \$597,101 and 10.0
48 FTE, for the commercial driver's license and international registry
49 programs.

50
51 (m) The cash funds appropriation to the motor carrier services
52 division is decreased by \$7,470,440 and 117.8. Of said sum, \$7,260,230
53 is from the highway users tax fund pursuant to section 43-4-201 (3) (a)
54 (III) (C), Colorado Revised Statutes, and \$210,210 is from the hazardous
55 materials safety fund created in section 42-20-107 (1), Colorado Revised
56 Statutes.

1 (n) The general fund appropriation to the motor carrier services
2 division is decreased by \$597,101 and 10.0 FTE, for the commercial
3 driver's license and international registry programs.

4
5 (o) The cash funds appropriation to the enforcement business
6 group, limited gaming division, is increased by \$19,510. Said sum is
7 from the limited gaming fund created in section 12-47.1-701 (1),
8 Colorado Revised Statutes.

9
10 (p) The cash funds appropriation to the state lottery division is
11 increased by \$16,563. Said sum is from the state lottery fund created in
12 section 24-35-210 (1), Colorado Revised Statutes.

13
14 (4) For the implementation of this act, capital construction
15 appropriations made in the annual general appropriation act to the
16 department of revenue for the fiscal year beginning July 1, 2012, are
17 decreased by \$2,263,218 for the fort morgan eastbound scale pit
18 replacement, the fort collins parking lot repair, the monument southbound
19 building replacement, and the monument northbound scale pit
20 replacement related to the implementation of this act. Said sum is from
21 the highway users tax fund pursuant to section 43-4-201 (3) (a) (III) (C),
22 Colorado Revised Statutes."

23
24 Renumber succeeding sections accordingly.

25
26 Page 23, line 2, strike "2012." and substitute "2012; except that section
27 26 of this act takes effect upon passage."

28
29 Page 1, line 111, strike "REVENUE." and substitute "REVENUE, AND IN
30 CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."

31
32
33
34 **HB12-1059** be referred to the Committee of the Whole with favorable
35 recommendation.

36
37
38 **HB12-1068** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend engrossed bill, page 3, line 6, strike "THIS ARTICLE," and
43 substitute "SECTIONS 7-47-101 (1.5) AND 7-47-105,".

44
45 Page 3, line 8, strike "IF THE".

46
47 Page 3, strike lines 9 through 15 and substitute "THE".

48
49 Page 3, line 16, strike "OF THE CORRECTIVE ACTION".

50
51
52
53 **HB12-1130** be referred to the Committee of the Whole with favorable
54 recommendation.

1 **HB12-1131** 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 4, after line 7 insert:
6

7 **"SECTION 3. Appropriation.** (1) In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 Colorado state titling and registration account of the highway users tax
10 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
11 otherwise appropriated, to the department of revenue, for the fiscal year
12 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be
13 necessary, to be allocated to the information technology division for the
14 purchase of computer center services.
15

16 (2) In addition to any other appropriation, there is hereby
17 appropriated to the governor - lieutenant governor - state planning and
18 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
19 or so much thereof as may be necessary, for allocation to the office of
20 information technology, for the provision of computer center services for
21 the department of revenue related to the implementation of this act. Said
22 sum is from reappropriated funds received from the department of
23 revenue out of the appropriation made in subsection (1) of this section.
24

25 (3) In addition to any other appropriation, there is hereby
26 appropriated, out of any moneys in the license plate cash fund created in
27 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
28 appropriated, to the department of revenue, for the fiscal year beginning
29 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,
30 for allocation to the division of motor vehicles, driver and vehicle
31 services, for the purchase of special license plates related to the
32 implementation of this act."
33

34 Renumber succeeding section accordingly.
35

36 Page 1, line 102 strike "PLATE." and substitute "PLATE, AND, IN
37 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
38
39
40

41 **HB12-1141** be postponed indefinitely.
42
43

44 **HB12-1153** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:
47

48 Amend printed bill, page 2, after line 19 insert:
49

50 **"SECTION 2. Appropriation.** (1) In addition to any other
51 appropriation, there is hereby appropriated, out of any moneys in the
52 Colorado state titling and registration account of the highway users tax
53 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
54 otherwise appropriated, to the department of revenue, for the fiscal year
55 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be
56 necessary, to be allocated to the information technology division for the

1 purchase of computer center services.

2
3 (2) In addition to any other appropriation, there is hereby
4 appropriated to the governor - lieutenant governor - state planning and
5 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
6 or so much thereof as may be necessary, for allocation to the office of
7 information technology, for the provision of computer center services for
8 the department of revenue related to the implementation of this act. Said
9 sum is from reappropriated funds received from the department of
10 revenue out of the appropriation made in subsection (1) of this section.

11
12 (3) In addition to any other appropriation, there is hereby
13 appropriated, out of any moneys in the license plate cash fund created in
14 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
15 appropriated, to the department of revenue, for the fiscal year beginning
16 July 1, 2012, the sum of \$436, or so much thereof as may be necessary,
17 for allocation to the division of motor vehicles, driver and vehicle
18 services, for the purchase of special license plates related to the
19 implementation of this act."

20
21 Renumber succeeding section accordingly.

22
23 Page 1, line 103 strike "CROSS." and substitute "CROSS, AND, IN
24 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

25
26
27
28 **HB12-1205** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31
32 Amend printed bill, page 38, after line 18 insert:

33
34 **"SECTION 10. Appropriation.** (1) In addition to any other
35 appropriation, there is hereby appropriated, out of any moneys in the
36 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
37 Colorado Revised Statutes, not otherwise appropriated, to the department
38 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum
39 of \$15,571, or so much thereof as may be necessary, to be allocated for
40 the implementation of this act as follows:

41
42 (a) \$2,000 for temporary paralegal services for the division of
43 registrations;

44
45 (b) \$6,000 for licensing examination evaluation and proctors for
46 the division of registrations; and

47
48 (c) \$7,571 for the purchase of legal services.

49
50 (2) In addition to any other appropriation, there is hereby
51 appropriated to the department of law, for the fiscal year beginning July
52 1, 2012, the sum of \$7,571, or so much thereof as may be necessary, for
53 the provision of legal services for the department of regulatory agencies
54 related to the implementation of this act. Said sum is from reappropriated
55 funds received from the department of regulatory agencies out of the
56 appropriation made in subsection (1) of this section."

1 Renumber succeeding sections accordingly.

2
3 Page 1, line 105 strike "**PROVIDERS.**" and substitute "**PROVIDERS, AND,**
4 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

5
6
7
8 **SB12-064** be referred to the Committee of the Whole with favorable
9 recommendation.

10

11

12

13

14 **ECONOMIC & BUSINESS DEVELOPMENT**

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

17

18 **HB12-1119** be amended as follows, and as so amended, be referred to
19 the Committee on Finance with favorable
20 recommendation:

21

22 Amend printed bill, strike everything below the enacting clause and
23 substitute:

24

25 "SECTION 1. In Colorado Revised Statutes, **add** article 1.7 to
26 title 25 as follows:

27

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ARTICLE 1.7

**Fines Imposed by the Department of
Public Health and Environment - Limitations**

25-1.7-101. Short title. THIS ARTICLE SHALL BE KNOWN AND MAY
BE CITED AS THE "STOPPING UNNECESSARY COSTS AND CREATING AND
ENSURING STABILITY FOR SMALL BUSINESS ACT" OR THE "SUCCESS ACT".

**25-1.7-102. Fines levied by department of public health and
environment - limitations.** (1) AS USED IN THIS ARTICLE, UNLESS THE
CONTEXT OTHERWISE REQUIRES:

(a) "BUSINESS DAY" MEANS ANY CALENDAR DAY EXCLUDING
SATURDAYS, SUNDAYS, AND LEGAL HOLIDAYS.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC HEALTH
AND ENVIRONMENT AND ANY BOARD, BUREAU, COMMISSION, INSTITUTION,
DIVISION, SECTION, OR OFFICER LOCATED WITHIN OR EMPLOYED BY THE
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.

(c) "FINE" MEANS A PENALTY LEVIED BY THE DEPARTMENT AS
AUTHORIZED BY LAW AGAINST ANY NATURAL PERSON OR BUSINESS ENTITY
REGULATED BY THE DEPARTMENT FOR A VIOLATION OF A STATE LAW OR
A DEPARTMENT RULE. "FINE" DOES NOT INCLUDE:

(I) A LATE FEE IMPOSED FOR FAILURE TO PERFORM AN ACTION,
SUBMIT A PAYMENT, OR FILE A DOCUMENT AS REQUIRED BY STATE LAW OR
A DEPARTMENT RULE; OR

1 (II) THE RECOVERY OF ALL OR A PORTION OF A PAYMENT MADE BY
2 THE DEPARTMENT IN ERROR OR IN EXCESS OF THE AMOUNT TO WHICH THE
3 RECIPIENT IS ENTITLED.

4
5 (d) "INSPECTION-RELATED VIOLATION" MEANS A VIOLATION OF
6 STATE LAW OR A DEPARTMENT RULE, EXCLUDING WATER RIGHTS
7 ADMINISTRATION AND EXCLUDING A VIOLATION RELATED TO THE MINING,
8 EXTRACTION, OR PROCESSING OF MINERAL RESOURCES, THAT THE
9 DEPARTMENT OR ITS AGENT DISCOVERS THROUGH AN INSPECTION OF THE
10 FACILITIES OF OR WORK PERFORMED BY THE VIOLATOR.

11
12 (e) "MINOR VIOLATION" MEANS A VIOLATION THAT HAS NOT
13 HARMED OR THREATENED PUBLIC HEALTH OR SAFETY OR THE
14 ENVIRONMENT AND THAT IS EITHER AN INSPECTION-RELATED VIOLATION
15 OR A PAPERWORK VIOLATION.

16
17 (f) "PAPERWORK VIOLATION" MEANS A VIOLATION OF STATE LAW
18 OR A DEPARTMENT RULE THAT IS A NONSUBSTANTIVE TECHNICAL ERROR
19 OR, AS DETERMINED BY THE DEPARTMENT, A SUBSTANTIVE ERROR
20 REASONABLY MADE BY THE VIOLATOR IN GOOD FAITH, ON A REQUIRED
21 FORM OR FILING.

22
23 (2) THE DEPARTMENT SHALL NOT IMPOSE A FINE FOR A MINOR
24 VIOLATION THAT IS AN INSPECTION-RELATED VIOLATION IF, AS
25 DETERMINED BY THE DEPARTMENT, THE VIOLATOR MADE A REASONABLE
26 GOOD FAITH EFFORT TO COMPLY WITH THE STATE LAW OR DEPARTMENT
27 RULE THAT IT VIOLATED UNLESS:

28
29 (a) THE DEPARTMENT PROVIDES WRITTEN NOTICE OF THE
30 VIOLATION TO THE VIOLATOR WITHIN TWENTY BUSINESS DAYS OF THE
31 DATE OF THE INSPECTION; AND

32
33 (b) THE VIOLATOR FAILS TO CURE THE VIOLATION WITHIN TWENTY
34 BUSINESS DAYS OF RECEIVING THE NOTICE OF THE VIOLATION.

35
36 (3) THE DEPARTMENT SHALL NOT IMPOSE A FINE FOR A MINOR
37 VIOLATION THAT IS A PAPERWORK VIOLATION UNLESS:

38
39 (a) THE DEPARTMENT PROVIDES WRITTEN NOTICE OF THE
40 VIOLATION TO THE VIOLATOR WITHIN NINETY BUSINESS DAYS AFTER THE
41 VIOLATOR COMMITTED THE VIOLATION BY FILING AN ERRONEOUS FORM OR
42 OTHER FILING; AND

43
44 (b) THE VIOLATOR FAILS TO CURE THE VIOLATION WITHIN NINETY
45 BUSINESS DAYS OF RECEIVING THE NOTICE OF THE VIOLATION.

46
47 **SECTION 2. Safety clause.** The general assembly hereby finds,
48 determines, and declares that this act is necessary for the immediate
49 preservation of the public peace, health, and safety."

50
51 Page 1, line 101, strike "STATE".

52
53 Page 1, line 102, strike "AGENCIES" and substitute "THE DEPARTMENT OF
54 PUBLIC HEALTH AND ENVIRONMENT".

55
56

1 **SB12-096** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5
6

7 **FINANCE**

8 After consideration on the merits, the Committee recommends the
9 following:
10

11 **HB12-1307** be referred to the Committee of the Whole with favorable
12 recommendation.
13
14
15
16

17 **HEALTH & ENVIRONMENT**

18 After consideration on the merits, the Committee recommends the
19 following:
20

21 **SB12-011** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24
25
26

27 **JUDICIARY**

28 After consideration on the merits, the Committee recommends the
29 following:
30

31 **HB12-1232** be postponed indefinitely.
32
33

34 **HB12-1271** be amended as follows, and as so amended, be referred to
35 the Committee on Appropriations with favorable
36 recommendation:
37

38 Amend printed bill, page 5, line 21, strike "AFTER A JUVENILE CASE HAS
39 BEEN CHARGED BY DIRECT".
40

41 Page 5, strike lines 22 through line 27 and substitute "AFTER A JUVENILE
42 CASE HAS BEEN CHARGED BY DIRECT FILING OF INFORMATION OR BY AN
43 INDICTMENT IN DISTRICT COURT, THE JUVENILE MAY FILE IN DISTRICT
44 COURT A MOTION TO TRANSFER THE CASE TO JUVENILE COURT. THE
45 JUVENILE MUST FILE THE MOTION NO LATER THAN THE TIME TO REQUEST
46 A PRELIMINARY HEARING. UPON RECEIPT OF THE MOTION, THE COURT
47 SHALL SET THE REVERSE-TRANSFER HEARING WITH THE PRELIMINARY
48 HEARING."
49

50 Page 6, line 1, strike "THE PETITION."
51

52 Page 10, strike line 8 and substitute "C.R.S., UNLESS THE JUVENILE IS
53 CONVICTED OF A CLASS 1 FELONY OR A SEX OFFENSE THAT IS SUBJECT TO
54 PART 9 OF ARTICLE 1.3 OF TITLE 18, C.R.S.; or".
55

56 Page 10, line 27, after "nonenumerated" insert "FELONY".

1 Page 11, line 2, after the period add "If THE JUVENILE IS CONVICTED OF
2 ONLY A MISDEMEANOR OFFENSE OR MISDEMEANOR OFFENSES, THE COURT
3 SHALL ADJUDICATE THE JUVENILE A DELINQUENT AND SENTENCE THE
4 JUVENILE PURSUANT TO ARTICLE 2 OF THIS TITLE.".

5
6
7
8 **HB12-1305** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 2, strike lines 2 through 22.

13
14 Page 3, strike lines 1 through 8.

15
16 Renumber succeeding sections accordingly.

17
18
19
20 **HB12-1310** be amended as follows, and as so amended, be referred to
21 the Committee on Finance with favorable
22 recommendation:

23
24 Amend printed bill, page 5, strike lines 10 through 27.

25
26 Strike page 6.

27
28 Page 7, strike lines 1 through 11.

29
30 Renumber succeeding sections accordingly.

31
32 Page 7, line 22, strike "SHALL" and substitute "MAY".

33
34
35
36 **SB12-035** be referred to the Committee of the Whole with favorable
37 recommendation.

38
39
40
41
42 **STATE, VETERANS, & MILITARY AFFAIRS**

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

45
46 **HB12-1076** be postponed indefinitely.

47
48
49 **HB12-1118** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:

52
53 Amend printed bill, page 3, line 12, strike "PERSONNEL" and substitute
54 "PERSONNEL, OR OF ONE OR MORE REPRESENTATIVES OF MEMBERS OF A
55 BOARD OF EDUCATION OR SCHOOL ADMINISTRATION PERSONNEL,".

56

1 Page 4, line 7, strike "PERSONNEL" and substitute "PERSONNEL, OR ANY
2 REPRESENTATIVE OF THE BOARD OF EDUCATION OR SCHOOL
3 ADMINISTRATION PERSONNEL,".

4
5 Page 4, line 23, after "THEREOF," insert "AND ANY REPRESENTATIVES OF
6 MEMBERS OF A LOCAL BOARD OF EDUCATION OR SCHOOL ADMINISTRATION
7 PERSONNEL,".

8
9
10
11 **HB12-1219** be postponed indefinitely.

12
13
14 **HB12-1263** be amended as follows, and as so amended, be referred to
15 the Committee of the Whole with favorable
16 recommendation:

17
18 Amend printed bill, page 2, line 2, strike "(3)" and substitute "(3),"

19
20 Page 2, line 3, strike "and (4)" and substitute "(4), and (5)".

21
22 Page 3, line 17, strike "RESPONSIBILITIES;" and substitute
23 "RESPONSIBILITIES, INCLUDING, BUT NOT LIMITED TO, WHETHER THE
24 CONVICTION WAS FOR UNLAWFUL SEXUAL BEHAVIOR AS LISTED IN SECTION
25 16-22-102 (9), C.R.S., AND WHETHER THE EMPLOYMENT WOULD PLACE
26 THE APPLICANT IN CONTACT WITH VULNERABLE PERSONS;".

27
28 Page 3, after line 21 insert:

29 "(5) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
30 CONTRARY, THE PROVISIONS OF THIS SECTION APPLY TO THE OFFICE OF THE
31 GOVERNOR.".

32
33 Page 4, line 5, strike "OR".

34
35 Page 4, after line 5 insert:

36
37 "(b) THE OFFENSE WAS FOR UNLAWFUL SEXUAL BEHAVIOR AS
38 LISTED IN SECTION 16-22-102 (9), C.R.S., AND THE POSSIBLE EMPLOYMENT
39 THAT MAY BE ATTAINED THROUGH LICENSURE WOULD PLACE THE
40 APPLICANT IN CONTACT WITH VULNERABLE PERSONS; OR".

41
42 Page 4, line 6, strike "(b)" and substitute "(c)".

43
44 Page 1, line 101, after "EMPLOYMENT" insert "BY STATE OF COLORADO
45 AGENCIES"

46
47
48
49
50 **TRANSPORTATION**

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

53
54 **SB12-007** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend reengrossed bill, page 2, line 3, strike "**repeal** (2);".

2
3 Page 2, strike lines 5 through 13.
4

5
6
7
8 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
9

10 The Speaker has signed: **SB12-029, 042, 048.**
11
12
13

14 **MESSAGE(S) FROM THE SENATE**
15

16 The Senate has passed on Third Reading and transmits to the Revisor of
17 Statutes:

18
19 SB12-152 amended as printed in Senate Journal, March 8, 2012,
20 page 405.
21 SB12-116 amended as printed in Senate Journal, March 8, 2012,
22 page 407.
23 SB12-059 amended as printed in Senate Journal, March 8, 2012,
24 page 407.
25 HB12-1031 amended as printed in Senate Journal, March 8, 2012,
26 page 406.
27 HB12-1089 amended as printed in Senate Journal, March 8, 2012,
28 page 406.
29 HB12-1032 amended as printed in Senate Journal, March 8, 2012,
30 page 407.
31

32 The Senate has passed on Third Reading and returns herewith
33 HB12-1163, HB12-1233, HB12-1217, HB12-1090.
34
35

36 The Senate has adopted and returns herewith: HJR12-1015.
37
38
39

40
41 **MESSAGE(S) FROM THE REVISOR**
42

43 We herewith transmit:
44 Without comment, as amended, HB12-1031, 1032, and 1089.
45 Without comment, as amended, SB12-059, 116, and 152.
46
47
48

49 **MESSAGE(S) FROM THE GOVERNOR**
50

51 I certify I received the following on the 8th day of March , 2012, at
52 2:05 p.m. The original is on file in the records of the House of
53 Representatives of the General Assembly.
54

55 Marilyn Eddins,
56 Chief Clerk of the House

1 March 8, 2012

2
3 To the Honorable House of Representatives
4 Sixty-Eighth General Assembly
5 Second Regular Session
6 State Capitol
7 Denver, CO 80203
8
9

10 Ladies and Gentlemen:

11
12 I have the honor to inform you that I have approved and filed with the
13 Secretary of State the following Acts:

14
15 **HB 12-1198** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
16 DEPARTMENT OF STATE

17
18 Approved March 8, 2012 at 12:49 pm

19
20 **HB 12-1301** CONCERNING PAYMENT OF EXPENSES OF THE
21 LEGISLATIVE DEPARTMENT

22
23 Approved March 8, 2012 at 12:42 pm

24
25 Sincerely,
26 (signed)
27 John W. Hickenlooper
28 Governor
29

30
31
32 **INTRODUCTION OF BILLS**
33 **First Reading**
34

35 The following bills were read by title and referred to the committees
36 indicated:

37
38 **HB12-1322** by Representative(s) Sonnenberg; also Senator(s) Renfroe
39 and Scheffel--Concerning the disposition of federal
40 agricultural public lands.
41 Committee on Education

42
43 **HB12-1323** by Representative(s) Coram; also Senator(s) Roberts--
44 Concerning the associate county judge for Montrose
45 county.
46 Committee on Agriculture, Livestock, & Natural Resources

47
48 **HB12-1324** by Representative(s) Massey and Scott; also Senator(s)
49 Johnston and King S., Bacon, Heath--Concerning
50 Colorado Mesa university.
51 Committee on Education

52
53 **HB12-1325** by Representative(s) Summers; also Senator(s) Nicholson--
54 Concerning tracking transactions related to
55 methamphetamine precursor drugs.
56 Committee on Judiciary

1 **SB12-023** by Senator(s) Boyd; also Representative(s) Summers and
2 Kerr A.--Concerning the program of all-inclusive care for
3 the elderly, and, in connection therewith, addressing
4 enrollment of persons who are eligible for the PACE
5 program and addressing how the PACE program works
6 with integrative initiatives involving the medicaid
7 population in Colorado.

8 Committee on Health and Environment
9

10
11 **PRINTING REPORT**
12

13
14 The Chief Clerk reports the following bills have been correctly printed:
15 **HB12-1322, 1323, 1324, 1325.**
16

17
18 **LAY OVER OF CALENDAR ITEM(S)**
19

20
21 On motion of Representative Waller, the following item(s) on the
22 Calendar was (were) laid over until March 12, retaining place on
23 Calendar:
24

25 Consideration of General Orders--**HB12-1241, SB12-030, 072, 079, 146.**
26 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1058,**
27 **1249.**
28

29
30
31 On motion of Representative Waller, the House adjourned until
32 10:00 a.m., March 12, 2012.
33

34 Approved:
35 FRANK McNULTY,
36 Speaker

37 Attest:
38 MARILYN EDDINS,
39 Chief Clerk

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

Sixty-second Legislative Day

Monday, March 12, 2012

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

2

3 Prayer by Pastor Randle Loeb, Denver.

4

5 Pledge of Allegiance led by Girl Scouts, Chiara Degenhart, Ouray High
6 School; Estee Medberry, Mesa Middle School, Castle Rock;
7 Aspen Medberry and Blayn Masoner, Rock Ridge Elementary,
8 Castle Rock.

9

10 The roll was called with the following result:

11

12 Present--63.

13 Excused--Representative(s) Looper, Pabon--2.

14 Present after roll call--Representative(s) Looper, Pabon.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Ramirez, the reading of the journal of
20 March 9, 2012, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23

24

25

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

27

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

31

32 **HB12-1146** by Representative(s) Nikkel, Todd, Massey, Beezley,
33 Murray, Solano, Summers; also Senator(s) Giron--
34 Concerning programs to allow students to enroll in
35 postsecondary institutions to complete high school
36 graduation requirements.

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	59	NO	4	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	E	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	E	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Barker, Brown, Casso, Duran, Fields,
 20 Fischer, Gerou, Hamner, Hullinghorst, Kerr A., Kerr J., Labuda, Ryden,
 21 Schafer S., Vigil, Young.

22
 23 **HB12-1226** by Representative(s) Barker; also Senator(s) Aguilar--
 24 Concerning a surcharge on persons convicted of crimes
 25 against at-risk persons, and, in connection therewith,
 26 making an appropriation.

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

	YES	40	NO	23	EXCUSED	2	ABSENT	0
33								
34	Acree	N	Fischer	N	Looper	E	Solano	Y
35	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
36	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
37	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
38	Becker	N	Holbert	Y	Miklosi	N	Summers	Y
39	Beezley	N	Hullinghorst	N	Murray	N	Swalm	Y
40	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
41	Brown	N	Joshi	N	Pabon	E	Szabo	N
42	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
43	Conti	N	Kefalas	N	Peniston	Y	Tyler	N
44	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
45	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
46	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
47	Duran	Y	Lee	N	Schafer S.	Y	Williams A.	Y
48	Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
49	Fields	Y	Liston	Y	Singer	Y	Young	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Fields, Gardner B., Holbert, Labuda,
 52 Ryden.

53
 54
 55

1 **SB12-020** by Senator(s) Aguilar, Steadman; also Representative(s)
 2 Summers--Concerning immunity from certain criminal
 3 offenses when a person reports in good faith an emergency
 4 drug or alcohol overdose event.
 5

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

	YES	62	NO	1	EXCUSED	2	ABSENT	0
12	Acree	Y	Fischer	Y	Looper	E	Solano	Y
13	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
14	Barker	Y	Gerou	Y	McCann	Y	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	E	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	N
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

29 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Hullinghorst,
 30 Kerr A., Labuda, Lee, Singer, Soper, Todd, Vigil.
 31

32 **HB12-1116** by Representative(s) Murray, Summers, Barker,
 33 Baumgardner, Brown, Casso, Holbert, McCann, Miklosi,
 34 Williams A.; also Senator(s) Nicholson--Concerning
 35 deceptive trade practices related to time share resale
 36 transactions.
 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	42	NO	21	EXCUSED	2	ABSENT	0
44	Acree	Y	Fischer	Y	Looper	E	Solano	Y
45	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N
46	Barker	Y	Gerou	Y	McCann	N	Soper	Y
47	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	N
48	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
49	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	N
50	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
51	Brown	Y	Joshi	Y	Pabon	E	Szabo	Y
52	Casso	Y	Kagan	N	Pace	Y	Todd	Y
53	Conti	Y	Kefalas	Y	Peniston	N	Tyler	Y
54	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
55	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	N
56	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y

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

5 Co-sponsor(s) added: Representative(s) Kerr J., Liston, Nikkel.

6
7 On motion of Representative Stephens, the following bill on the Third
8 Reading Calendar was laid over until March 13, retaining place on
9 Calendar: **HB12-1150**.

10
11
12 On motion of Representative Waller, **HB12-1241, SB12-072, 079, 146,**
13 **HB12-1267, 1059, 1131, 1153, SB12-064, 096, HB12-1307, SB12-011,**
14 **HB12-1305, SB12-007** were made Special Orders on Monday,
15 March 12, 2012, at 10:19 a.m.

16
17
18 The hour of 10:19 a.m., having arrived, on motion of Representative
19 Murray, the House resolved itself into Committee of the Whole for
20 consideration of Special Orders and she was called to the Chair to act as
21 Chairman.

22 23 24 SPECIAL ORDERS--SECOND READING OF BILLS

25
26 The Committee of the Whole having risen, the Chairman reported the
27 titles of the following bills had been read (reading at length had been
28 dispensed with by unanimous consent), the bills considered and action
29 taken thereon as follows:

30
31 (Amendments to the committee amendment are to the printed committee
32 report which was printed and placed in the members' bill file.)

33
34 **HB12-1305** by Representative(s) Gardner B.--Concerning statutory
35 rates of interest.

36
37 Laid over until March 13, retaining place on Calendar.

38
39 **HB12-1241** by Representative(s) Ferrandino, Hullinghorst, Court,
40 Fischer, Labuda, Levy, Pabon, Singer; also Senator(s)
41 Heath--Concerning enterprise zone designations.

42
43 Amendment No. 1, Finance Report, dated February 29, 2012, and placed
44 in member's bill file; Report also printed in House Journal, March 1,
45 pages 499-502.

46
47 Amendment No. 2, by Representative(s) Ferrandino.

48
49 Amend the Finance Committee Report, dated February 29, 2012, page 1,
50 strike lines 14 through 21 and substitute:

51
52 "(a) An unemployment rate at least twenty-five percent above the
53 state average for the most recent period of twelve consecutive months for
54 which data is available from the ~~department of labor and employment~~
55 UNITED STATES CENSUS BUREAU OR THE DEPARTMENT OF LOCAL
56 AFFAIRS;"

1 Page 2 of the Committee Report, line 18, strike "THIRTEEN" and substitute
2 "FIFTEEN".

3
4 Page 2 of the Committee Report, after line 27 insert:

5
6 "(E) ONE PERSON REPRESENTING NONPROFIT ORGANIZATIONS;

7
8 (F) ONE PERSON FROM A HIGHER EDUCATION INSTITUTION WHO
9 HAS RESEARCHED THE URBAN AND RURAL ENTERPRISE ZONE ACT OR A
10 SIMILAR ECONOMIC DEVELOPMENT TOOL;".

11
12 Page 2 of the Committee Report, line 28, strike "(E)" and substitute "(G)".

13
14 Page 2 of the Committee Report, line 31, strike "(F)" and substitute "(H)".

15
16 Amendment No. 3, by Representative(s) DelGrosso.

17 Amend, Amendment No. 2 by Representative Ferrandino, page 617, after
18 line 2, insert:

19
20 "Page 2 of the Committee Report, line 23, strike "FOUR" and substitute
21 "FIVE".

22
23 Page 2 of the Committee Report, line 24, strike "DENSITIES;" and
24 substitute "DENSITIES, WITH AT LEAST ONE ZONE ADMINISTRATOR
25 REPRESENTING AN URBAN ENTERPRISE ZONE AND AT LEAST ONE ZONE
26 ADMINISTRATOR REPRESENTING A RURAL ENTERPRISE ZONE;".

27
28 Page 617 of Amendment No.2, by Representative Ferrandino strike
29 lines 6 through 10 and substitute:

30 ""(E) ONE PERSON REPRESENTING NONPROFIT ORGANIZATIONS;".

31
32 Page 617 of Amendment No. 2, by Representative Ferrandino, line 12,
33 strike ""(G)"" and substitute ""(F)"".

34
35 Page 617 of Amendment No. 2, by Representative Ferrandino, line 14,
36 strike ""(H)"" and substitute ""(G)"".

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

40
41 **SB12-072** by Senator(s) Lambert, Newell, Grantham, Scheffel,
42 Cadman, Aguilar, King K., Lundberg, Neville, Renfroe;
43 also Representative(s) Stephens, Holbert, Joshi, Looper,
44 DelGrosso, Gerou--Concerning the Colorado mounted
45 rangers.

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

49
50 **SB12-079** by Senator(s) King S., Cadman, Morse; also
51 Representative(s) Stephens, Fields, Priola, Schafer S.--
52 Concerning revisions to the safe2tell program relating to
53 advances in communications technology.

54
55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **SB12-146** by Senator(s) Hodge; also Representative(s) Peniston--
2 Concerning limitations on the acceptance of certain
3 benefits by specified governmental actors who are in a
4 position to reward persons offering such benefits with
5 official action.
6

7 Amendment No. 1, Local Government Report, dated March 5, 2012, and
8 placed in member's bill file; Report also printed in House Journal,
9 March 6, page 569.
10

11 As amended, ordered revised and placed on the Calendar for Third
12 Reading and Final Passage.
13

14
15 **HB12-1131** by Representative(s) Labuda; also Senator(s) Tochtrop--
16 Concerning the creation of a child loss awareness license
17 plate.
18

19 Amendment No. 1, Appropriations Report, dated March 9, 2012, and
20 placed in member's bill file; Report also printed in House Journal,
21 March 9, page 603.
22

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

26 **HB12-1153** by Representative(s) Soper; also Senator(s) Lambert--
27 Concerning the creation of a special license plate
28 commemorating recipients of the distinguished flying
29 cross.
30

31 Amendment No. 1, Appropriations Report, dated March 9, 2012, and
32 placed in member's bill file; Report also printed in House Journal,
33 March 9, pages 603-604.
34

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

38
39 **SB12-064** by Senator(s) Nicholson; also Representative(s) Massey--
40 Concerning the Colorado children's trust fund.
41

42 Ordered revised and placed on the Calendar for Third Reading and Final
43 Passage.
44

45
46 **SB12-096** by Senator(s) Lambert, Hodge, Steadman; also
47 Representative(s) Levy, Becker, Gerou--Concerning the
48 continuation of the office of information technology's
49 authority to amend existing contracts for information
50 technology resources.
51

52 Ordered revised and placed on the Calendar for Third Reading and Final
53 Passage.
54
55
56

1 **HB12-1307** by Representative(s) Kerr J. and Summers; also Senator(s)
2 Roberts--Concerning the authority of a nonlawyer trustee
3 of a certain size trust to represent the trust before the board
4 of assessment appeals.
5

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

9 **SB12-011** by Senator(s) Spence; also Representative(s) Summers--
10 Concerning the differential response pilot program for
11 child abuse or neglect cases of low or moderate risk.
12

13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.
15

16 **SB12-007** by Senator(s) Hudak and Spence, Williams S.; also
17 Representative(s) Hamner--Concerning the standardization
18 of the procedural requirements for the issuance of special
19 license plates.
20

21 Amendment No. 1, by Representative(s) Hamner.
22

23 Strike the Transportation Committee Report, dated March 8, 2012, and
24 substitute:
25

26 "Amend reengrossed bill, page 2, line 3, strike "(5) and (6)" and substitute
27 "(5), (6), and (7)".
28

29 Page 3, before line 3, insert:
30

31 "(6) THE DEPARTMENT SHALL VERIFY THAT THE NONPROFIT
32 ORGANIZATION PROPOSING A GROUP SPECIAL LICENSE PLATE HAS
33 COLLECTED THE SIGNATURES OF AT LEAST THREE THOUSAND PERSONS
34 COMMITTED TO PURCHASING THE PROPOSED LICENSE PLATE."
35

36 Renumber succeeding subsection accordingly."
37

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

41 On motion of Representative Waller, the following bills on the Special
42 Orders Calendar were laid over until March 13, retaining place on
43 Calendar: **HB12-1267, 1059**.
44

45

46 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

47
48
49 Passed Second Reading: **HB12-1241 amended, SB12-072, 079, 146**
50 **amended, HB12-1131 amended, 1153 amended, SB12-064, 096,**
51 **HB12-1307, SB12-011, 007 amended.**
52

53 Laid over until date indicated retaining place on Calendar: **HB12-1305,**
54 **1267, 1059**--March 13, 2012.
55

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
7	Acree	Y	Fischer	Y	Looper	E	Solano	Y
8	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
9	Barker	Y	Gerou	Y	McCann	Y	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

MESSAGE(S) FROM THE SENATE

29 The Senate has adopted and transmits herewith: SJR12- 015.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

37 **SJR12-015** by Senator(s) Boyd and Roberts; also Representative(s)
 38 Bradford and Hamner--Concerning celebration of the
 39 100th anniversary of Girl Scouts, and, in connection
 40 therewith, designating 2012 as the "Year of the Girl" in the
 41 state of Colorado.

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

45 On motion of Representative Hamner, the resolution was read at length
 46 and **adopted** by **viva voce** vote.

48 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
 49 Barker, Baumgardner, Becker, Beezley, Brown, Casso, Conti, Coram, Court,
 50 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Holbert,
 51 Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
 52 Liston, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace,
 53 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
 54 Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd,
 55 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**HEALTH & ENVIRONMENT**

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

SB12-033 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, after line 17 insert:

"(b) THERE IS A NEED FOR AGENCY TRANSPARENCY AND ACCOUNTABILITY TO THE PUBLIC REGARDING AN INCIDENT OF EGREGIOUS ABUSE OR NEGLECT AGAINST A CHILD, A NEAR FATALITY, OR A CHILD FATALITY THAT INVOLVES A SUSPICION OF ABUSE OR NEGLECT WHEN THE CHILD OR FAMILY HAS HAD PREVIOUS INVOLVEMENT WITH THE STATE OR COUNTY THAT WAS DIRECTLY RELATED TO THE INCIDENT."

Page 2, line 18, strike "(b)" and substitute "~~(b)~~ (c)".

Page 3, line 10, strike "(c)" and substitute "~~(c)~~ (d)".

Page 3, line 18, strike "(d)" and substitute "(e)".

Page 3, line 27, strike "MULTIPLE VICTIMS,".

Page 8, after line 18 insert:

"(b) WITHIN THREE BUSINESS DAYS AFTER RECEIVING THE INFORMATION PROVIDED UNDER PARAGRAPH (a) OF THIS SUBSECTION (5), THE DEPARTMENT SHALL DISCLOSE TO THE PUBLIC THAT INFORMATION HAS BEEN RECEIVED, WHETHER THE DEPARTMENT IS CONDUCTING A REVIEW OF THE INCIDENT, WHETHER THE CHILD WAS IN HIS OR HER OWN HOME OR IN FOSTER CARE, AS DEFINED IN SECTION 19-1-103 (51.3), C.R.S., AND THE CHILD'S GENDER AND AGE. THE DEPARTMENT MAY DISCLOSE THE SCOPE OF THE REVIEW."

Page 8, line 19, strike "(b)" and substitute "~~(b)~~ (c)".

Page 8, strike line 24 and substitute "within ~~one hundred twenty calendar days after all necessary information~~".

Page 8, line 25, strike "is available to initiate review." and substitute "is ~~available to initiate review~~ THIRTY CALENDAR DAYS AFTER THE REVIEW TEAM MEETING."

Page 9, line 4, strike "(d)" and substitute "~~(d)~~ (e)".

Page 9, line 9, strike "(c)" and substitute "~~(c)~~ (d)".

Page 9, line 14, strike "(c)" and substitute "~~(c)~~ (d)".

Page 9, line 18, strike "(d)" and substitute "~~(d)~~ (e)".

Page 9, line 25, strike "(e)" and substitute "~~(e)~~ (f)" and strike "site" and

1 substitute "site, WITHIN SEVEN BUSINESS DAYS AFTER THE REPORT'S
2 FINALIZATION,".

3
4 Page 9, line 27, strike "information," and substitute "information AS
5 DESCRIBED IN PARAGRAPH (i) OF THIS SUBSECTION (5),".

6
7 Page 10, after line 2 insert:

8
9 "(g) THE CASE-SPECIFIC EXECUTIVE SUMMARY FOR A CHILD WHO
10 WAS IN HIS OR HER OWN HOME AT THE TIME OF THE INCIDENT SHALL
11 INCLUDE:

12
13 (I) THE AGE AND GENDER OF THE CHILD AND A DESCRIPTION OF
14 THE CHILD'S FAMILY;

15
16 (II) A STATEMENT OF WHETHER ANY CHILD WELFARE SERVICES, AS
17 DEFINED IN SECTION 26-5-101 (3), WERE BEING PROVIDED TO THE CHILD,
18 ANY MEMBER OF THE CHILD'S FAMILY, OR THE PERSON SUSPECTED OF THE
19 ABUSE OR NEGLECT;

20
21 (III) THE DATE OF THE LAST CONTACT BETWEEN THE AGENCY
22 PROVIDING ANY CHILD WELFARE SERVICE AND THE CHILD, THE CHILD'S
23 FAMILY, OR THE PERSON SUSPECTED OF THE ABUSE OR NEGLECT; AND

24
25 (IV) ANY OTHER INFORMATION REQUIRED BY RULES
26 PROMULGATED BY THE STATE DEPARTMENT PURSUANT TO SUBSECTION (7)
27 OF THIS SECTION.

28
29 (h) THE CASE-SPECIFIC EXECUTIVE SUMMARY FOR A CHILD WHO
30 WAS IN FOSTER CARE, AS DEFINED IN SECTION 19-1-103 (51.3), C.R.S., AT
31 THE TIME OF THE INCIDENT SHALL INCLUDE:

32
33 (I) THE AGE, GENDER, AND RACE OR ETHNICITY OF THE CHILD;

34
35 (II) A DESCRIPTION OF THE FOSTER CARE PLACEMENT;

36
37 (III) THE LICENSING HISTORY OF THE FOSTER CARE PLACEMENT;
38 AND

39
40 (IV) ANY OTHER INFORMATION REQUIRED BY RULES
41 PROMULGATED BY THE STATE DEPARTMENT PURSUANT TO SUBSECTION (7)
42 OF THIS SECTION.

43
44 (i) THE CASE-SPECIFIC EXECUTIVE SUMMARY OR OTHER RELEASE
45 OR DISCLOSURE OF INFORMATION PURSUANT TO THIS SECTION SHALL NOT
46 INCLUDE:

47
48 (I) ANY INFORMATION THAT WOULD REVEAL THE IDENTITY OF THE
49 CHILD WHO IS THE SUBJECT OF THE EXECUTIVE SUMMARY, ANY MEMBER
50 OF THE CHILD'S FAMILY, ANY MEMBER OF THE CHILD'S HOUSEHOLD WHO IS
51 A CHILD, OR ANY CAREGIVER OF THE CHILD;

52
53 (II) ANY INFORMATION THAT WOULD REVEAL THE IDENTITY OF THE
54 PERSON SUSPECTED OF THE ABUSE OR NEGLECT OR ANY EMPLOYEE OF ANY
55 AGENCY THAT PROVIDED CHILD WELFARE SERVICES, AS DEFINED IN
56 SECTION 26-5-101 (3), TO THE CHILD OR THAT PARTICIPATED IN THE

1 INVESTIGATION OF THE INCIDENT OF FATALITY, NEAR FATALITY, OR
2 EGREGIOUS ABUSE OR NEGLECT;
3

4 (III) ANY INFORMATION THAT WOULD REVEAL THE IDENTITY OF A
5 REPORTER OR OF ANY OTHER PERSON WHO PROVIDES INFORMATION
6 RELATING TO THE INCIDENT OF FATALITY, NEAR FATALITY, OR EGREGIOUS
7 ABUSE OR NEGLECT;
8

9 (IV) ANY INFORMATION WHICH, IF DISCLOSED, WOULD NOT BE IN
10 THE BEST INTERESTS OF THE CHILD WHO IS THE SUBJECT OF THE REPORT,
11 ANY MEMBER OF THE CHILD'S FAMILY, ANY MEMBER OF THE CHILD'S
12 HOUSEHOLD WHO IS A CHILD, OR ANY CAREGIVER OF THE CHILD, AS
13 DETERMINED BY THE STATE DEPARTMENT IN CONSULTATION WITH THE
14 COUNTY THAT REPORTED THE INCIDENT OF FATALITY, NEAR FATALITY, OR
15 EGREGIOUS ABUSE OR NEGLECT AND THE DISTRICT ATTORNEY OF THE
16 COUNTY IN WHICH THE INCIDENT OCCURRED, AND AFTER BALANCING THE
17 INTERESTS OF THE CHILD, FAMILY, HOUSEHOLD MEMBER, OR CAREGIVER
18 IN AVOIDING THE STIGMA THAT MIGHT RESULT FROM DISCLOSURE AGAINST
19 THE INTEREST OF THE PUBLIC IN OBTAINING THE INFORMATION.
20

21 (V) ANY INFORMATION FOR WHICH DISCLOSURE IS NOT
22 AUTHORIZED BY STATE LAW OR RULE OR FEDERAL LAW OR REGULATION.
23

24 (j) THE STATE DEPARTMENT MAY NOT RELEASE THE CASE-SPECIFIC
25 EXECUTIVE SUMMARY IF THE STATE DEPARTMENT, IN CONSULTATION WITH
26 THE COUNTY, DETERMINES THAT MAKING THE EXECUTIVE SUMMARY
27 AVAILABLE WOULD JEOPARDIZE ANY OF THE FOLLOWING:
28

29 (I) ANY ONGOING OR FUTURE CRIMINAL INVESTIGATION OR
30 PROSECUTION OR A DEFENDANT'S RIGHT TO A FAIR TRIAL; OR
31

32 (II) ANY ONGOING OR FUTURE CIVIL INVESTIGATION OR
33 PROCEEDING OR THE FAIRNESS OF SUCH PROCEEDING."
34

35 Page 10, line 3, strike "(f)" and substitute "(f) (k)".
36

37 Page 10, after line 6 insert:
38

39 "(l) THE STATE DEPARTMENT OR ANY COUNTY DEPARTMENT MAY
40 RELEASE TO THE PUBLIC ANY INFORMATION AT ANY TIME TO CORRECT ANY
41 INACCURATE INFORMATION REPORTED IN THE NEWS MEDIA, SO LONG AS
42 THE INFORMATION RELEASED BY THE STATE DEPARTMENT OR COUNTY
43 DEPARTMENT IS NOT EXPLICITLY IN CONFLICT WITH FEDERAL LAW."
44

45 46 47 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

48
49 The Speaker has signed: **HB-1013, 1018, 1071, 1077, 1079, 1117, 1120,**
50 **1127, 1139, 1231.**
51
52
53
54
55

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 9th day of March, 2012, at 1:45 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 9, 2012

To the Honorable House of Representatives
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Act:

HB12-1100 CONCERNING THE ADMISSIBILITY IN CRIMINAL PROCEEDINGS OF THE RESULT OF A PRENATAL SCREENING FOR ILLEGAL SUBSTANCES.

Approved March 9, 2012 at 11:50 am

HB12-1073 CONCERNING THE TRANSFER OF A JUDGESHIP FROM THE FIRST JUDICIAL DISTRICT TO THE SIXTH JUDICIAL DISTRICT.

Approved March 9, 2012 at 11:55 am

Sincerely,
(signed)
John W. Hickenlooper
Governor

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**HEALTH & ENVIRONMENT**

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

HB12-1311 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

Amend printed bill, page 5, line 13, strike "part 1," and substitute "part 1 ARTICLE,".

1 Page 5, line 15, strike "part 1 shall be" and substitute "part 1 shall be
2 ARTICLE".

3
4 Page 6, after line 10 insert:

5
6 "(3.5) [Formerly 12-22-801 (1) (b)] "Authorized distributor of
7 record" means a wholesaler with whom a manufacturer has established an
8 ongoing relationship to distribute the manufacturer's prescription drug.
9 FOR PURPOSES OF THIS SUBSECTION (3.5), an ongoing relationship is
10 deemed to exist between a wholesaler and a manufacturer when the
11 wholesaler, including any affiliated group of the wholesaler as defined in
12 section 1504 of the federal "Internal Revenue Code of 1986", complies
13 with the following:

14
15 (⊕) (a) The wholesaler has a written agreement currently in effect
16 with the manufacturer evidencing such ongoing relationship; and

17
18 (⊕) (b) The wholesaler is listed on the manufacturer's current list
19 of authorized distributors of record, which list is updated by the
20 manufacturer on no less than a monthly basis."

21
22 Page 6, after line 21 insert:

23
24 "(6.5) [Formerly 12-22-801 (1) (d)] "Chain pharmacy
25 warehouse" means a physical location for prescription drugs that acts
26 SERVES as a central warehouse and performs intracompany sales or
27 transfers of such PRESCRIPTION drugs to a group of chain pharmacies or
28 other chain pharmacy warehouses that are under common ownership or
29 control. Notwithstanding any other provision of this part 8 ARTICLE, a
30 chain pharmacy warehouse receiving distributions on behalf of, or
31 making distributions to, an intracompany pharmacy is not required to
32 NEED NOT be an authorized distributor of record to be considered part of
33 the normal distribution channel."

34
35 Page 8, line 19, strike "'INPATIENT HOSPITAL" and substitute
36 "'HOSPITAL".

37
38 Page 8, line 20, strike "IS ELIGIBLE TO REGISTER" and substitute
39 "REGISTERS".

40
41 Page 8, strike line 21 and substitute "12-42.5-117 (10) FOR THE PURPOSE
42 OF ADMINISTRATION OF DRUGS TO PATIENTS WHILE BEING TREATED IN THE
43 FACILITY."

44
45 Page 8, line 22, strike "who is attending, or who is in" and substitute
46 "who is: attending, or who is in".

47
48 Page 8, strike lines 23 through 25 and substitute "good standing with, an
49 accredited school of pharmacy, who has graduated from an accredited
50 school of pharmacy and is completing an internship to satisfy board
51 requirements for licensure, or who is licensed

52
53 (a) (I) ENROLLED IN A PROFESSIONAL DEGREE PROGRAM OF A
54 SCHOOL OR COLLEGE OF PHARMACY THAT HAS BEEN APPROVED BY THE
55 BOARD;

56

1 (II) CURRENTLY LICENSED BY THE BOARD TO ENGAGE IN THE
2 PRACTICE OF PHARMACY; AND

3
4 (III) IS SATISFACTORILY PROGRESSING TOWARD MEETING THE
5 REQUIREMENTS FOR LICENSURE AS A PHARMACIST;

6
7 (b) LICENSED AS A PHARMACIST IN COLORADO OR ANOTHER STATE
8 OR TERRITORY OF THE UNITED STATES and in good".

9
10 Page 9, line 1, strike "board." and substitute "board;".

11
12 Page 9, after line 1 insert:

13
14 "(c) A GRADUATE OF AN APPROVED PROFESSIONAL DEGREE
15 PROGRAM OF A SCHOOL OR COLLEGE OF PHARMACY OR A GRADUATE WHO
16 HAS ESTABLISHED EDUCATION EQUIVALENCY BY OBTAINING A
17 BOARD-APPROVED FOREIGN PHARMACY GRADUATE CERTIFICATION AND
18 WHO IS CURRENTLY LICENSED BY THE BOARD FOR THE PURPOSE OF
19 OBTAINING PRACTICAL EXPERIENCE AS A REQUIREMENT FOR LICENSURE AS
20 A PHARMACIST; OR

21
22 (d) A QUALIFIED APPLICANT AWAITING EXAMINATION FOR
23 LICENSURE AS A PHARMACIST OR MEETING BOARD REQUIREMENTS FOR
24 LICENSURE."

25
26 Page 9, after line 8 insert:

27
28 "(19.5) "LONG-TERM CARE FACILITY" MEANS A NURSING FACILITY,
29 AS DEFINED IN SECTION 25.5-4-103 (14), C.R.S., THAT IS LICENSED
30 PURSUANT TO SECTION 25-1.5-103, C.R.S."

31
32 Page 9, after line 14 insert:

33
34 "(20.5) [Formerly 12-22-801 (1) (h)] "Manufacturer's exclusive
35 distributor" means ~~anyone~~ A PERSON who contracts with a manufacturer
36 to provide or coordinate warehousing, distribution, or other services on
37 behalf of a manufacturer and who takes title to the manufacturer's
38 prescription drug but who does not have general responsibility to direct
39 the sale or disposition of the manufacturer's prescription drug. ~~Such~~
40 ~~manufacturer's exclusive distributor shall be licensed as a wholesaler~~
41 ~~under this part 8 and,~~ To be considered part of the normal distribution
42 channel, AS DEFINED IN SECTION 12-42.5-301 (6), A MANUFACTURER'S
43 EXCLUSIVE DISTRIBUTOR shall also be an authorized distributor of
44 record."

45
46 Page 10, line 11, strike "hospital" and substitute "hospital, MEDICAL
47 CLINIC OPERATED BY A HOSPITAL, AMBULATORY SURGICAL CENTER,
48 HOSPICE,".

49
50 Page 10, line 17, strike "pharmacy;" and substitute "pharmacy,".

51
52 Page 10, strike lines 18 and 19 and substitute "any rural health clinic,
53 FEDERALLY QUALIFIED HEALTH CENTER, AS DEFINED IN SECTION 1861 (aa)
54 (4) OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395x (aa)
55 (4), family planning clinic, school, jail,".

1 Page 10, strike lines 21 through 24 and substitute "university, or college
2 that:"

3
4 Page 10, strike line 27 and substitute "drugs or devices; OR

5
6 (b) AN AMBULATORY SURGICAL CENTER LICENSED PURSUANT TO
7 PART 1 OF ARTICLE 3 OF TITLE 25, C.R.S., A MEDICAL CLINIC OPERATED BY
8 A HOSPITAL, OR A HOSPICE LICENSED PURSUANT TO PART 1 OF ARTICLE 3
9 OF TITLE 25, C.R.S., THAT:

10
11 (I) HAS FACILITIES IN THIS STATE REGISTERED PURSUANT TO THIS
12 ARTICLE; AND

13
14 (II) ENGAGES IN THE COMPOUNDING, DISPENSING, AND DELIVERY
15 OF DRUGS OR DEVICES FOR ADMINISTRATION TO PATIENTS WHILE BEING
16 TREATED IN THE FACILITY."

17
18 Page 11, after line 24 insert:

19
20 "(29.5) **[Formerly 12-22-801 (1) (k)]** "Pharmacy buying
21 cooperative warehouse" means a permanent physical location that acts as
22 a central warehouse for prescription drugs and from which sales of ~~such~~
23 PRESCRIPTION drugs are made to an exclusive group of pharmacies that
24 are members or member owners of the buying cooperative operating the
25 warehouse. ~~that shall be licensed as a wholesaler."~~

26
27 Page 12, line 21, strike "that, prior" and substitute "that:

28
29 (a) IS REQUIRED BY ANY APPLICABLE FEDERAL OR STATE LAW OR
30 RULE TO BE DISPENSED ONLY PURSUANT TO AN ORDER;

31
32 (b) IS RESTRICTED BY ANY APPLICABLE FEDERAL OR STATE LAW OR
33 RULE TO USE BY PRACTITIONERS ONLY; OR

34
35 (c) Prior".

36
37 Page 12, line 22, after "required" insert "UNDER FEDERAL LAW" and after
38 "with" insert "ONE OF".

39
40 Page 12, strike lines 23 and 24 and substitute "~~statement: "Caution:~~
41 ~~Federal law prohibits dispensing without a prescription."~~, STATEMENTS:

42
43 (I) "Rx only"; or

44
45 (II) "Caution: Federal law restricts this drug to".

46
47 Page 13, line 3, strike "12-42.5-118 (9)." and substitute "12-42.5-117 (9)
48 OR SPECIALIZED PRESCRIPTION DRUG OUTLET REGISTERED PURSUANT TO
49 SECTION 12-42.5-117 (11).".

50
51 Page 13, after line 6 insert:

52
53 "(36.3) **[Formerly 12-22-801 (1) (m)]** "Repackage" means
54 repackaging or otherwise changing the container, wrapper, or labeling to
55 further the distribution of a prescription drug, excluding ~~that~~
56 REPACKAGING OR LABELING completed by the pharmacist responsible for

1 dispensing product to the patient.

2
3 (36.5) [Formerly 12-22-801 (1) (n)] "Repackager" means a
4 person who repackages prescription drugs."

5
6 Page 14, strike lines 2 through 5 and substitute:

7
8 "(42) [Formerly 12-22-801 (2)] (a) ~~For the purposes of this part~~
9 8, "Wholesale distribution" means distribution of prescription drugs to
10 persons or entities other than a consumer or patient.

11
12 (b) "Wholesale distribution" does not include:

13
14 (a) (I) Intracompany sales or transfers of prescription drugs,
15 including a transaction or transfer between a division, subsidiary, parent,
16 or affiliated or related company under common ownership or control of
17 an entity;

18
19 (b) (II) The sale, purchase, distribution, trade, or transfer of a
20 prescription drug or offer to sell, purchase, distribute, trade, or transfer a
21 prescription drug for emergency medical reasons or during a state or
22 national declaration of emergency;

23
24 (c) (III) The sale or transfer of a drug for medical reasons by a
25 retail pharmacy to another retail pharmacy to alleviate a temporary
26 shortage; ~~pursuant to Colorado law;~~

27
28 (d) (IV) The distribution of prescription drug samples by a
29 manufacturer's representative;

30
31 (e) (V) Drug returns, when conducted by a hospital, health care
32 entity, or charitable institution in accordance with 21 CFR 203.23;

33
34 (f) (VI) The sale of minimal quantities of prescription drugs by
35 retail pharmacies to licensed practitioners for office use;

36
37 (g) (VII) A retail pharmacy's delivery of prescription drugs to a
38 patient or patient's agent pursuant to the lawful order of a licensed
39 practitioner;

40
41 (h) (VIII) The sale, transfer, merger, or consolidation of all or part
42 of the business of a pharmacy or pharmacies from or with another
43 pharmacy or pharmacies, whether accomplished as a purchase and sale of
44 stock or business assets;

45
46 (i) (IX) The direct sale, purchase, distribution, trade, or transfer
47 of a prescription drug from a manufacturer to an authorized distributor of
48 record to one additional authorized distributor of record but only if an
49 authorized distributor of record that purchases a prescription drug from
50 an authorized distributor of record that purchased the prescription drug
51 directly from the manufacturer;

52
53 (j) (A) Provides the supplying authorized distributor of record
54 with a verifiable statement that the product is unavailable from the
55 manufacturer; and

56

1 (H) (B) Receives a verifiable statement from the supplying
2 authorized distributor of record that the product was purchased directly
3 from the manufacturer;

4
5 (j) ~~(Deleted by amendment, L. 2007, p. 1246, § 1, effective~~
6 ~~August 3, 2007.)~~

7
8 (k) (X) The delivery of, or offer to deliver, a prescription drug by
9 a common carrier solely in the common carrier's usual course of business
10 of transporting prescription drugs where the common carrier does not
11 store, warehouse, or take legal ownership of the prescription drug;

12
13 (l) (XI) The sale or transfer from a retail pharmacy or chain
14 pharmacy warehouse of expired, damaged, returned, or recalled
15 prescription drugs to the original manufacturer or to a third-party returns
16 processor;

17
18 (m) (XII) The sale or transfer of compounded drugs compounded
19 by a retail pharmacy as defined in ~~section 12-22-102 (6)~~ SUBSECTION (7)
20 OF THIS SECTION and as authorized by section ~~12-22-121~~ 12-42.5-119 (6)
21 (b);

22
23 (n) (XIII) The transfer of prescription drugs within Colorado
24 purchased with public funds by the department of public health and
25 environment, created in section 25-1-102, C.R.S., or a district or county
26 public health agency, created pursuant to section 25-1-506, C.R.S., and
27 procured by a physician licensed in Colorado who is either the executive
28 director or the chief medical officer appointed pursuant to section
29 25-1-105, C.R.S., or a public health director or medical officer of a
30 county or district public health agency selected pursuant to section
31 25-1-508 (5) (c) (I), C.R.S. The transfers may only be made to the
32 department of public health and environment pursuant to the Colorado
33 medical license of the executive director or chief medical officer, a
34 district or county public health agency pursuant to the Colorado medical
35 license of the public health director or medical officer, or a physician
36 licensed in Colorado.

37
38 ~~(34) (43) "Wholesaler" means a corporation, individual, or other~~
39 ~~entity with facilities in this state that buys drugs or devices for resale or~~
40 ~~distributes drugs or devices to corporations, individuals, or entities~~
41 ~~entitled to possess such drugs or devices, other than consumers~~ PERSON
42 ENGAGED IN THE WHOLESALE DISTRIBUTION OF PRESCRIPTION DRUGS TO
43 PERSONS, OTHER THAN CONSUMERS, WHO ARE ENTITLED TO POSSESS
44 PRESCRIPTION DRUGS, INCLUDING: REPACKAGERS; OWN-LABEL
45 DISTRIBUTORS; PRIVATE-LABEL DISTRIBUTORS; JOBBERS; BROKERS;
46 WAREHOUSES, INCLUDING MANUFACTURERS' AND DISTRIBUTORS'
47 WAREHOUSES; MANUFACTURERS' EXCLUSIVE DISTRIBUTORS; AUTHORIZED
48 DISTRIBUTORS OF RECORD; DRUG WHOLESALERS OR DISTRIBUTORS;
49 INDEPENDENT WHOLESALE DRUG TRADERS; PHARMACY BUYING
50 COOPERATIVE WAREHOUSES; RETAIL PHARMACIES THAT CONDUCT
51 WHOLESALE DISTRIBUTION; AND CHAIN PHARMACY WAREHOUSES THAT
52 CONDUCT WHOLESALE DISTRIBUTION."

53
54 Page 14, line 8, strike "part 1" and substitute "~~part 1~~ ARTICLE".

55
56 Page 14, line 11, strike "part 1," and substitute "~~part 1~~ ARTICLE,".

- 1 Page 14, line 17, strike "part 1" and substitute "~~part 1~~ ARTICLE".
- 2
- 3 Page 17, line 8, strike "grant and renew" and substitute "grant, ~~and~~ renew,
- 4 REACTIVATE, AND REINSTATE".
- 5
- 6 Page 17, line 17, strike "renewals" and substitute "renewals,
- 7 REACTIVATIONS, AND REINSTATEMENTS".
- 8
- 9 Page 21, strike lines 19 through 27.
- 10
- 11 Strike page 22.
- 12
- 13 Page 23, strike lines 1 through 15.
- 14
- 15 Renumber succeeding C.R.S. sections accordingly.
- 16
- 17 Page 24, line 8, strike "pharmacists," and substitute "pharmacists AND
- 18 PHARMACIES,".
- 19
- 20 Page 25, line 4, strike "12-42.5-113" and substitute "12-42.5-112".
- 21
- 22 Page 25, line 7, strike "12-42.5-113" and substitute "12-42.5-112".
- 23
- 24 Page 25, line 9, strike "12-42.5-115" and substitute "12-42.5-114".
- 25
- 26 Page 25, line 11, strike "12-42.5-115" and substitute "12-42.5-114".
- 27
- 28 Page 25, line 13, strike "12-42.5-117" and substitute "12-42.5-116".
- 29
- 30 Page 25, line 15, strike "12-42.5-117" and substitute "12-42.5-116".
- 31
- 32 Page 25, line 22, strike "12-42.5-117" and substitute "12-42.5-116".
- 33
- 34 Page 25, line 25, strike "12-42.5-117" and substitute "12-42.5-116".
- 35
- 36 Page 26, line 1, strike "12-42.5-117" and substitute "12-42.5-116".
- 37
- 38 Page 26, line 5, strike "12-42.5-118" and substitute "12-42.5-117".
- 39
- 40 Page 26, line 7, strike "12-42.5-131;" and substitute "12-42.5-130;".
- 41
- 42 Page 26, line 10, strike "12-42.5-118 (11)." and substitute "12-42.5-117
- 43 (12).".
- 44
- 45 Page 26, line 13, strike "part 1 ~~but shall be~~" and substitute "~~part 1 but~~
- 46 ~~shall be~~ ARTICLE".
- 47
- 48 Page 27, line 1, strike "part 1 ~~shall apply~~" and substitute "~~part 1 shall~~
- 49 ~~apply~~ ARTICLE".
- 50
- 51 Page 27, line 3, after "manufacture," insert "DISPENSING,".
- 52
- 53 Page 27, line 6, strike "part 1" and substitute "~~part 1~~".
- 54
- 55 Page 27, line 7, after "~~to~~" insert "ARTICLE".
- 56

- 1 Page 27, line 17, strike "part 3 1" and substitute "~~part 3~~ ARTICLE".
2
3 Page 28, line 10, strike "part 1" and substitute "~~part 1~~ ARTICLE".
4
5 Page 29, line 6, after "license," insert "REACTIVATION,".
6
7 Page 29, strike lines 23 and 24 and substitute "manufactures drugs as
8 ~~defined in section 12-22-102 (17)~~, and any wholesaler of drugs as ~~defined~~
9 ~~in section 12-22-102 (34)~~,".
10
11 Page 29, line 25, strike "12-42.5-102 (42),".
12
13 Page 30, line 6, strike "12-42.5-118" and substitute "12-42.5-117".
14
15 Page 30, line 16, strike "part 1" and substitute "~~part 1~~ ARTICLE".
16
17 Page 31, line 24, strike "PART 1." and substitute "ARTICLE."
18
19 Page 32, line 18, strike "12-42.5-111" and substitute "12-42.5-110".
20
21 Page 32, line 26, strike "renew" and substitute "renew, REINSTATE,".
22
23 Page 37, line 9, strike "part 1" and substitute "~~part 1~~ ARTICLE".
24
25 Page 37, line 13, strike "12-42.5-118" and substitute "12-42.5-117".
26
27 Page 37, line 24, strike "part 1," and substitute "~~part 1~~ ARTICLE,".
28
29 Page 38, line 13, strike "12-42.5-127" and substitute "12-42.5-126".
30
31 Page 38, line 26, strike "12-42.5-113" and substitute "12-42.5-112".
32
33 Page 39, line 5, strike "specification of forms for use in applying" and
34 substitute "~~specification of forms~~ SPECIFICATIONS for use in applying
35 APPLICATION".
36
37 Page 39, line 14, strike "part 1 which" and substitute "~~part 1 which~~
38 ARTICLE".
39
40 Page 40, line 20, strike "AN INPATIENT" and substitute "A".
41
42 Page 40, line 22, strike "BUILDING" and substitute "FACILITY".
43
44 Page 40, line 23, strike "OWNERSHIP" and substitute "MANAGEMENT".
45
46 Page 41, line 2, strike "AN INPATIENT" and substitute "A".
47
48 Page 41, after line 4 insert:
49
50 "(11) ON OR AFTER JANUARY 1, 2013, A PRESCRIPTION DRUG
51 OUTLET MAY REGISTER AS A SPECIALIZED PRESCRIPTION DRUG OUTLET IF
52 IT ENGAGES IN THE COMPOUNDING, DISPENSING, AND DELIVERY OF DRUGS
53 AND DEVICES TO, OR THE PROVISION OF PHARMACEUTICAL CARE TO
54 RESIDENTS OF, A LONG-TERM CARE FACILITY. THE BOARD SHALL ADOPT
55 RULES AS NECESSARY TO IMPLEMENT THIS SUBSECTION (11).".
56

- 1 Renumber succeeding subsections accordingly.
- 2
- 3 Page 42, line 6, strike "12-42.5-119" and substitute "12-42.5-118".
- 4
- 5 Page 42, line 8, strike "(11)" and substitute "(12)".
- 6
- 7 Page 42, line 9, strike "12-42.5-119" and substitute "12-42.5-118".
- 8
- 9 Page 42, line 15, strike "(11)" and substitute "(12)".
- 10
- 11 Page 43, line 25, strike "OR AN ORAL".
- 12
- 13 Page 43, line 27, strike "(15.5)." and substitute "(15.5); EXCEPT THAT, IF
- 14 THE PRESCRIPTION ORDER IS FOR A DRUG THAT IS NOT A CONTROLLED
- 15 SUBSTANCE OR IS A CONTROLLED SUBSTANCE LISTED ON SCHEDULE III, IV,
- 16 OR V, THE LICENSED VETERINARIAN MAY ISSUE AN ORAL PRESCRIPTION
- 17 ORDER FOR THAT DRUG.".
- 18
- 19 Page 44, line 1, strike "ORDER," and substitute "ORDER FOR A
- 20 CONTROLLED SUBSTANCE LISTED ON SCHEDULE III, IV, OR V,".
- 21
- 22 Page 44, line 6, strike "12-42.5-118" and substitute "12-42.5-117".
- 23
- 24 Page 44, line 8, after "~~12-22-120(1)(e).~~" add "INITIAL INTERPRETATION
- 25 AND FINAL EVALUATION, AS DEFINED BY THE BOARD, MAY BE CONDUCTED
- 26 AT A LOCATION OTHER THAN A REGISTERED PRESCRIPTION DRUG OUTLET
- 27 OR OTHER OUTLET REGISTERED PURSUANT TO THIS ARTICLE IN
- 28 ACCORDANCE WITH RULES ADOPTED BY THE BOARD.".
- 29
- 30 Page 44, line 15, after "kit" insert "OR STARTER DOSE, AS DEFINED BY THE
- 31 BOARD BY RULE,".
- 32
- 33 Page 44, line 18, strike "certified" and substitute "~~certified~~ LICENSED".
- 34
- 35 Page 45, line 20, strike "part 1" and substitute "~~part 1~~ ARTICLE".
- 36
- 37 Page 45, strike line 21 and substitute "12-42.5-126.".
- 38
- 39 Page 47, strike lines 18 through 20 and substitute "supervision of a
- 40 pharmacist".
- 41
- 42 Page 47, line 21, strike "BOARD," and after "pharmacy." add "AN INTERN,
- 43 AS DEFINED IN SECTION 12-42.5-102 (17) (a), ENGAGED IN THE PRACTICE
- 44 OF PHARMACY WITHIN THE CURRICULUM OF A SCHOOL OR COLLEGE OF
- 45 PHARMACY IN ACCORDANCE WITH SECTION 12-42.5-102 (17) (a), MAY BE
- 46 SUPERVISED BY A MANUFACTURER REGISTERED PURSUANT TO SECTION
- 47 12-42.5-112 OR BY ANOTHER REGULATED INDIVIDUAL AS PROVIDED FOR
- 48 IN RULES ADOPTED BY THE BOARD.".
- 49
- 50 Page 48, line 5, strike "12-42.5-118" and substitute "12-42.5-117".
- 51
- 52 Page 49, line 13, strike "12-42.5-118 (11)" and substitute "12-42.5-117
- 53 (12)".
- 54
- 55 Page 49, line 23, strike "12-42.5-118 (11)" and substitute "12-42.5-117
- 56 (12)".

- 1 Page 55, line 22, strike "part 1," and substitute "~~part 1~~ ARTICLE,".
- 2
- 3 Page 55, line 24, strike "12-42.5-127;" and substitute "12-42.5-126;".
- 4
- 5 Page 57, line 17, strike "12-42.5-135;" and substitute "12-42.5-134;".
- 6
- 7 Page 58, line 3, strike "12-42.5-118 (11)" and substitute "12-42.5-117
- 8 (12)".
- 9
- 10 Page 58, line 6, strike "12-42.5-118(11) AND 12-42.5-119" and substitute
- 11 "12-42.5-117 (12) AND 12-42.5-118".
- 12
- 13 Page 58, line 18, strike "12-42.5-124" and substitute "12-42.5-123".
- 14
- 15 Page 65, line 14, strike "12-42.5-126." and substitute "12-42.5-125.".
- 16
- 17 Page 66, line 10, strike "12-42.5-119" and substitute "12-42.5-118".
- 18
- 19 Page 66, line 11, strike "12-42.5-123;" and substitute "12-42.5-122;".
- 20
- 21 Page 66, line 12, strike "12-42.5-123," and substitute "12-42.5-122,".
- 22
- 23 Page 67, line 6, strike "12-42.5-117" and substitute "12-42.5-116".
- 24
- 25 Page 69, line 20, strike "PART 1" and substitute "ARTICLE".
- 26
- 27 Page 71, line 23, strike "PART 1" and substitute "ARTICLE".
- 28
- 29 Page 72, line 17, strike "part 1," and substitute "~~part 1~~ ARTICLE,".
- 30
- 31 Page 72, line 18, strike "part 1 shall be" and substitute "~~part 1 shall be~~
- 32 ARTICLE".
- 33
- 34 Page 72, line 26, strike "part 1 shall be" and substitute "~~part 1 shall be~~
- 35 ARTICLE".
- 36
- 37 Page 76, line 20, strike "12-42.5-124." and substitute "12-42.5-123.".
- 38
- 39 Page 76, line 24, strike "12-42.5-124" and substitute "12-42.5-123".
- 40
- 41 Page 76, line 26, strike "12-42.5-125." and substitute "12-42.5-124.".
- 42
- 43 Page 77, line 2, strike "12-42.5-124" and substitute "12-42.5-123".
- 44
- 45 Page 84, strike lines 5 through 16 and substitute:
- 46
- 47 ~~"(b) "Authorized distributor of record" means a wholesaler with~~
- 48 ~~whom a manufacturer has established an ongoing relationship to~~
- 49 ~~distribute the manufacturer's prescription drug. An ongoing relationship~~
- 50 ~~is deemed to exist between a wholesaler and a manufacturer when the~~
- 51 ~~wholesaler, including any affiliated group of the wholesaler as defined in~~
- 52 ~~section 1504 of the federal "Internal Revenue Code of 1986", complies~~
- 53 ~~with the following:~~
- 54
- 55 ~~(I) The wholesaler has a written agreement currently in effect with~~
- 56 ~~the manufacturer evidencing such ongoing relationship; and~~

1 ~~(H) The wholesaler is listed on the manufacturer's current list of~~
2 ~~authorized distributors of record, which list is updated by the~~
3 ~~manufacturer on no less than a monthly basis."~~

4
5 Renumber succeeding subsections accordingly.

6
7 Page 84, strike lines 21 through 27.

8
9 Page 85, strike lines 1 and 2 and substitute:

10
11 ~~"(d) "Chain pharmacy warehouse" means a physical location for~~
12 ~~prescription drugs that acts as a central warehouse and performs~~
13 ~~intracompany sales or transfers of such drugs to a group of chain~~
14 ~~pharmacies or other chain pharmacy warehouses that are under common~~
15 ~~ownership or control. Notwithstanding any other provision of this part 8,~~
16 ~~a chain pharmacy warehouse receiving distributions on behalf of, or~~
17 ~~making distributions to, an intracompany pharmacy is not required to be~~
18 ~~an authorized distributor of record to be considered part of the normal~~
19 ~~distribution channel."~~

20
21 Renumber succeeding subsections accordingly.

22
23 Page 85, strike lines 17 through 25 and substitute:

24
25 ~~"(h) "Manufacturer's exclusive distributor" means anyone who~~
26 ~~contracts with a manufacturer to provide or coordinate warehousing,~~
27 ~~distribution, or other services on behalf of a manufacturer and who takes~~
28 ~~title to the manufacturer's prescription drug but who does not have~~
29 ~~general responsibility to direct the sale or disposition of the~~
30 ~~manufacturer's prescription drug. Such manufacturer's exclusive~~
31 ~~distributor shall be licensed as a wholesaler under this part 8 and, to be~~
32 ~~considered part of the normal distribution channel, shall also be an~~
33 ~~authorized distributor of record."~~

34
35 Renumber succeeding subsections accordingly.

36
37 Page 87, strike lines 2 through 20 and substitute:

38
39 ~~"(k) "Pharmacy buying cooperative warehouse" means a~~
40 ~~permanent physical location that acts as a central warehouse for~~
41 ~~prescription drugs and from which sales of such drugs are made to an~~
42 ~~exclusive group of pharmacies that are members or member owners of the~~
43 ~~buying cooperative operating the warehouse that shall be licensed as a~~
44 ~~wholesaler.~~

45
46 ~~(l) "Prescription drug" means any drug, including any biological~~
47 ~~product, except for blood and blood components, including factor,~~
48 ~~intended for transfusion or biological products that are also medical~~
49 ~~devices, required by federal law or regulation to be dispensed only by a~~
50 ~~prescription, including finished dosage forms and bulk drug substances~~
51 ~~subject to section 503(b) of the "Federal Food, Drug, and Cosmetic Act".~~

52
53 ~~(m) "Repackage" means repackaging or otherwise changing the~~
54 ~~container, wrapper, or labeling to further the distribution of a prescription~~
55 ~~drug, excluding that completed by the pharmacist responsible for~~
56 ~~dispensing product to the patient.~~

1 ~~(n) "Repackager" means a person who repackages prescription~~
2 ~~drugs."~~

3
4 Renumber succeeding subsections accordingly.

5
6 Page 88, strike lines 16 through 27.

7
8 Strike page 89 and 90.

9
10 Page 91, strike lines 1 through 9 and substitute:

11
12 ~~"(2) For the purposes of this part 8, "wholesale distribution"~~
13 ~~means distribution of prescription drugs to persons or entities other than~~
14 ~~a consumer or patient. "Wholesale distribution" does not include:~~

15
16 ~~(a) Intracompany sales or transfers of prescription drugs,~~
17 ~~including a transaction or transfer between a division, subsidiary, parent,~~
18 ~~or affiliated or related company under common ownership or control of~~
19 ~~an entity;~~

20
21 ~~(b) The sale, purchase, distribution, trade, or transfer of a~~
22 ~~prescription drug or offer to sell, purchase, distribute, trade, or transfer a~~
23 ~~prescription drug for emergency medical reasons or during a state or~~
24 ~~national declaration of emergency;~~

25
26 ~~(c) The sale or transfer of a drug for medical reasons by a retail~~
27 ~~pharmacy to another retail pharmacy to alleviate a temporary shortage~~
28 ~~pursuant to Colorado law;~~

29
30 ~~(d) The distribution of prescription drug samples by a~~
31 ~~manufacturer's representative;~~

32
33 ~~(e) Drug returns, when conducted by a hospital, health care entity,~~
34 ~~or charitable institution in accordance with 21 CFR 203.23;~~

35
36 ~~(f) The sale of minimal quantities of prescription drugs by retail~~
37 ~~pharmacies to licensed practitioners for office use;~~

38
39 ~~(g) A retail pharmacy's delivery of prescription drugs to a patient~~
40 ~~or patient's agent pursuant to the lawful order of a licensed practitioner;~~

41
42 ~~(h) The sale, transfer, merger, or consolidation of all or part of the~~
43 ~~business of a pharmacy or pharmacies from or with another pharmacy or~~
44 ~~pharmacies, whether accomplished as a purchase and sale of stock or~~
45 ~~business assets;~~

46
47 ~~(i) The direct sale, purchase, distribution, trade, or transfer of a~~
48 ~~prescription drug from a manufacturer to an authorized distributor of~~
49 ~~record to one additional authorized distributor of record but only if an~~
50 ~~authorized distributor of record that purchases a prescription drug from~~
51 ~~an authorized distributor of record that purchased the prescription drug~~
52 ~~directly from the manufacturer;~~

53
54 ~~(I) Provides the supplying authorized distributor of record with a~~
55 ~~verifiable statement that the product is unavailable from the~~
56 ~~manufacturer; and~~

1 (H) ~~Receives a verifiable statement from the supplying authorized~~
2 ~~distributor of record that the product was purchased directly from the~~
3 ~~manufacturer;~~

4
5 (j) ~~(Deleted by amendment, L. 2007, p. 1246, § 1, effective~~
6 ~~August 3, 2007.)~~

7
8 (k) ~~The delivery of, or offer to deliver, a prescription drug by a~~
9 ~~common carrier solely in the common carrier's usual course of business~~
10 ~~of transporting prescription drugs where the common carrier does not~~
11 ~~store, warehouse, or take legal ownership of the prescription drug;~~

12
13 (l) ~~The sale or transfer from a retail pharmacy or chain pharmacy~~
14 ~~warehouse of expired, damaged, returned, or recalled prescription drugs~~
15 ~~to the original manufacturer or to a third-party returns processor;~~

16
17 (m) ~~The sale or transfer of compounded drugs compounded by a~~
18 ~~retail pharmacy as defined in section 12-22-102 (6) and as authorized by~~
19 ~~section 12-22-121 (6) (b);~~

20
21 (n) ~~The transfer of prescription drugs within Colorado purchased~~
22 ~~with public funds by the department of public health and environment,~~
23 ~~created in section 25-1-102, C.R.S., or a district or county public health~~
24 ~~agency, created pursuant to section 25-1-506, C.R.S., and procured by a~~
25 ~~physician licensed in Colorado who is either the executive director or the~~
26 ~~chief medical officer appointed pursuant to section 25-1-105, C.R.S., or~~
27 ~~a public health director or medical officer of a county or district public~~
28 ~~health agency selected pursuant to section 25-1-508 (5) (c) (I), C.R.S. The~~
29 ~~transfers may only be made to the department of public health and~~
30 ~~environment pursuant to the Colorado medical license of the executive~~
31 ~~director or chief medical officer, a district or county public health agency~~
32 ~~pursuant to the Colorado medical license of the public health director or~~
33 ~~medical officer, or a physician licensed in Colorado."~~

34
35 Page 91, line 10, strike "**Exemption for**" and substitute "**Exemptions.**".

36
37 Page 91, line 11, strike "**pharmacy benefits entity.**".

38
39 Page 107, line 1, strike "12-42.5-113" and substitute "12-42.5-112".

40
41 Page 107, line 15, strike "12-22-306.1" and substitute "12-22-111,
42 12-22-306.1,".

43
44 Page 109, line 10, strike "12-42.5-119" and substitute "12-42.5-118".

45
46 Page 135, line 25, strike "12-42.5-119" and substitute "12-42.5-118".

47
48 Page 136, line 16, strike "12-42.5-119" and substitute "12-42.5-118".

49
50 Page 140, line 22, strike "12-42.5-119," and substitute "12-42.5-118,".

51
52 Page 141, line 10, strike "12-42.5-119," and substitute "12-42.5-118,".

53
54 Page 142, line 12, strike "12-42.5-119" and substitute "12-42.5-118".

55
56 Page 145, line 16, strike "12-42.5-126," and substitute "12-42.5-125,".

- 1 Page 151, line 16, strike "12-42.5-118(11)," and substitute "12-42.5-117
2 (12),".
3
4 Page 152, line 27, strike "~~parts~~ PART 1" and substitute "~~parts~~1".
5
6 Page 153, line 1, strike the first "of" and substitute "~~of~~".
7
8 Page 153, line 21, strike "part 1 of" and substitute "~~part 1~~ of".
9
10 Page 156, line 11, strike "12-42.5-132," and substitute "12-42.5-131,".
11
12 Page 156, line 13, strike "12-42.5-132" and substitute "12-42.5-131".
13
14 Page 157, line 22, strike "12-42.5-132" and substitute "12-42.5-131".
15
16 Page 164, line 2, strike "part 1 of" and substitute "~~part 1~~ of".
17
18 Page 166, line 3, strike "12-42.5-134" and substitute "12-42.5-133".
19
20
21

MESSAGE(S) FROM THE SENATE

- 22
23
24 The Senate has passed on Third Reading and transmits to the Revisor of
25 Statutes:
26
27 SB12-128 amended as printed in Senate Journal, March 9, 2012,
28 page 436.
29 HB12-1008 amended as printed in Senate Journal, March 9, 2012,
30 page 436.
31
32 The Senate has passed on Third Reading and returns herewith
33 HB12-1047.
34
35

MESSAGE(S) FROM THE REVISOR

- 36
37
38
39 We herewith transmit:
40 Without comment, as amended, HB12-1008.
41 Without comment, as amended, SB12-128.
42
43

LAY OVER OF CALENDAR ITEM(S)

- 44
45
46
47 On motion of Representative Becker, the following item(s) on the
48 Calendar was (were) laid over until March 13, retaining place on
49 Calendar:
50
51 Consideration of General Orders--**HB12-1121, 1103, SB12-030.**
52 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1058,**
53 **1249, 1031, 1032, 1089.**
54
55
56

1 On motion of Representative Becker, the House adjourned until
2 9:00 a.m., March 13, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

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

Sixty-third Legislative Day

Tuesday, March 13, 2012

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

2

3 Prayer by Father Timothy McMahon, Arrupe Jesuit High School, Denver.

4

5 Pledge of Allegiance led by Speaker Frank McNulty, Highlands Ranch.

6

7 The roll was called with the following result:

8

9 Present--62.

10 Excused--Representative(s) Scott--1.

11 Absent--Representative(s) McCann, Pabon--2.

12 Present after roll call--Representative(s) McCann, Pabon, Scott.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Ramirez, the reading of the journal of
18 March 12, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22 House in recess. House reconvened.

23

24

25

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

27

28 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

31

32 **HB12-1161** be amended as follows, and as so amended, be referred to
33 the Committee on Appropriations with favorable
34 recommendation:

35

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

38

39 **"SECTION 1. Legislative declaration.** (1) The general
40 assembly hereby:

41

42 (a) Finds that:

43

(I) The nutrients nitrogen and phosphorus are widely present in

1 the environment from both natural and anthropogenic sources;

2
3 (II) Colorado has historically established nutrient reduction
4 requirements where necessary to protect uses, water resources, and
5 aquatic life from excessive plant growth;

6
7 (III) In response to environmental protection agency requirements,
8 the Colorado water quality control division (division) has proposed
9 nutrient control regulations and the Colorado water quality control
10 commission has scheduled a rule-making hearing in March 2012 to
11 consider changes to its nutrient regulations; and

12
13 (IV) Governor Hickenlooper has established a policy by executive
14 order D 2011-005, dated January 11, 2011, stating that no state agency
15 shall promulgate any regulation unless it is specifically mandated by law,
16 and only then in consultation with local governments, and funding is
17 provided to comply with the mandate;

18
19 (b) Determines that:

20
21 (I) Controlling nutrients as recommended by the environmental
22 protection agency and proposed by the division will impose a widespread
23 economic burden on those entities responsible for meeting numeric
24 standards, and this economic burden may affect the viability of urban and
25 rural communities; and

26
27 (II) Implementing nutrient regulations may also have
28 environmental benefits, including protection of drinking water supplies,
29 that need to be better understood; and

30
31 (c) Declares that:

32
33 (I) It is in Colorado's interests to minimize nutrient reduction costs
34 by developing a program that is flexible, effectively protects drinking
35 water supplies, and allows consideration of basin-specific concerns; and

36
37 (II) This act is necessary to ensure that the division's proposal:

38
39 (A) Complies with executive order D 2011-005;

40
41 (B) Reflects active stakeholder participation;

42
43 (C) Fully considers applicable cost-benefit study conclusions;

44
45 (D) Is structured to avoid unnecessary regulation and minimize
46 the fiscal impact to state agencies and local governments; and

47
48 (E) Is designed to address basin-specific conditions.

49
50 **SECTION 2.** In Colorado Revised Statutes, 25-8-402, **amend**
51 (1); and **add** (6) as follows:

52
53 **25-8-402. Procedures to be followed in classifying state waters**
54 **and setting standards and control regulations - nutrients**
55 **subcommittee.** (1) EXCEPT AS SPECIFIED IN SUBSECTION (6) OF THIS
56 SECTION, prior to the classification of state waters and promulgating any

1 water quality standard or any control regulation authorized in this article,
2 the commission shall conduct a public hearing ~~thereon~~ as provided in
3 section 24-4-103, C.R.S. Notice of ~~any such~~ THE hearing ~~shall~~ MUST
4 conform to the requirements of section 24-4-103, C.R.S., but ~~such~~ THE
5 notice ~~shall~~ MUST be given at least sixty days prior to the hearing and
6 ~~shall~~ MUST include each proposed standard or regulation.

7
8 (6) REVISIONS TO THE BASIC STANDARDS AND METHODOLOGIES
9 RELATED TO TOTAL NITROGEN, TOTAL INORGANIC NITROGEN, TOTAL
10 PHOSPHOROUS, AND CHLOROPHYLL A FOR SURFACE WATER REGULATION
11 NO. 31, 5 CCR 1002-31, AND ADOPTION OF A NEW NUTRIENTS
12 MANAGEMENT CONTROL REGULATION, REGULATION NO. 85, 5 CCR
13 1002-85, CANNOT TAKE EFFECT UNLESS AND UNTIL SPECIFICALLY
14 APPROVED BY THE GENERAL ASSEMBLY ACTING BY A BILL OTHER THAN
15 THE ANNUAL BILL INTRODUCED PURSUANT TO SECTION 24-4-103, C.R.S.

16
17 **SECTION 3.** In Colorado Revised Statutes, 37-98-102, **add** (7)
18 as follows:

19
20 **37-98-102. Water resources review committee - creation -**
21 **repeal.** (7) (a) DURING THE 2012 INTERIM, THE COMMITTEE SHALL HOLD
22 AT LEAST ONE PUBLIC MEETING, ON OR BEFORE OCTOBER 1, 2012, TO
23 CONSIDER WHETHER THE PROPOSED REVISIONS TO THE BASIC STANDARDS
24 AND METHODOLOGIES RELATED TO TOTAL NITROGEN, TOTAL INORGANIC
25 NITROGEN, TOTAL PHOSPHOROUS, AND CHLOROPHYLL A FOR SURFACE
26 WATER REGULATION NO. 31, 5 CCR 1002-31, AND ADOPTION OF A NEW
27 NUTRIENTS MANAGEMENT CONTROL REGULATION, REGULATION NO. 85,
28 5 CCR 1002-85, AS REFERENCED IN SECTION 25-8-402 (6), C.R.S.:

29
30 (I) COMPLY WITH EXECUTIVE ORDER D 2011-005;

31
32 (II) REFLECT ACTIVE STAKEHOLDER PARTICIPATION;

33
34 (III) FULLY CONSIDER THE CONCLUSIONS OF THE COST-BENEFIT
35 STUDY CONDUCTED ON BEHALF OF THE COLORADO WATER RESOURCES
36 AND POWER DEVELOPMENT AUTHORITY;

37
38 (IV) ARE STRUCTURED TO AVOID UNNECESSARY REGULATION AND
39 MINIMIZE THE FISCAL IMPACT TO STATE AGENCIES AND LOCAL
40 GOVERNMENTS; AND

41
42 (V) ARE DESIGNED TO ADDRESS BASIN-SPECIFIC CONDITIONS.

43
44 (b) BY NOVEMBER 1, 2012, THE COMMITTEE SHALL DELIVER A
45 REPORT CONTAINING ITS FINDINGS ON THE FACTORS SPECIFIED IN
46 PARAGRAPH (a) OF THIS SUBSECTION (7) TO THE WATER QUALITY CONTROL
47 COMMISSION CREATED IN SECTION 25-8-201, C.R.S.

48
49 (c) THIS SUBSECTION (7) IS REPEALED, EFFECTIVE JULY 1, 2013.

50
51 **SECTION 4. Applicability.** The provisions of this act apply to
52 rules adopted before, on, or after the effective date of this act.

53
54 **SECTION 5. Safety clause.** The general assembly hereby finds,
55 determines, and declares that this act is necessary for the immediate
56 preservation of the public peace, health, and safety."

1 **APPROPRIATIONS**

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

4
5 **HB12-1111** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **HB12-1271** be referred to the Committee of the Whole with favorable
10 recommendation.

11
12
13 **HB12-1275** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16
17 Amend printed bill, page 5, after line 6 insert:

18
19 **"SECTION 3. Appropriation.** (1) In addition to any other
20 appropriation, there is hereby appropriated, out of any moneys in the
21 Colorado state titling and registration account of the highway users tax
22 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
23 otherwise appropriated, to the department of revenue, for the fiscal year
24 beginning July 1, 2012, the sum of \$68,080, or so much thereof as may
25 be necessary, to be allocated to the information technology division for
26 the purchase of computer programming services from the office of
27 information technology.

28
29 (2) In addition to any other appropriation, there is hereby
30 appropriated to the governor - lieutenant governor - state planning and
31 budgeting, for the fiscal year beginning July 1, 2012, the sum of 68,080,
32 or so much thereof as may be necessary, for allocation to the office of
33 information technology, for the provision of computer center services for
34 the department of revenue related to the implementation of this act. Said
35 sum is from reappropriated funds received from the department of
36 revenue out of the appropriation made in of subsection (1) of this section.

37
38 (3) In addition to any other appropriation, there is hereby
39 appropriated, out of any moneys in the license plate cash fund created in
40 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
41 appropriated, to the department of revenue, for the fiscal year beginning
42 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,
43 for allocation to the division of motor vehicles for the purchase of license
44 plates related to the implementation of this act."

45
46 Renumber succeeding section accordingly.

47
48 Page 1, line 103 strike "PLATE." and substitute "PLATE, AND, IN
49 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

50
51
52
53
54
55

1 **EDUCATION**

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

4
5 **HB12-1225** be postponed indefinitely.

6
7
8 **HB12-1238** 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 5, line 20, strike "AND".

13
14 Page 5, after line 20 insert:

15
16 "(e) AN IMPORTANT PARTNERSHIP BETWEEN A PARENT AND CHILD
17 BEGINS BEFORE THE CHILD ENTERS KINDERGARTEN, WHEN THE PARENT
18 HELPS THE CHILD DEVELOP RICH LINGUISTIC EXPERIENCES, INCLUDING
19 LISTENING COMPREHENSION AND SPEAKING, THAT HELP FORM THE
20 FOUNDATION FOR READING AND WRITING, WHICH ARE THE MAIN VEHICLES
21 FOR CONTENT ACQUISITION; AND".

22
23 Reletter succeeding paragraph accordingly.

24
25 Page 5, line 21, strike "TEACHERS" and substitute "THE GREATEST
26 IMPACT FOR ENSURING STUDENT SUCCESS LIES WITH THE TEACHER IN THE
27 CLASSROOM, SO IT IS PARAMOUNT THAT TEACHERS".

28
29 Page 6, line 8, strike "MASTERING" and substitute "ACHIEVING".

30
31 Page 6, line 22, strike "CLASSROOM." and substitute "CLASSROOM,
32 INCLUDING BUT NOT LIMITED TO THE SCHOOL READINESS ASSESSMENTS
33 ADOPTED PURSUANT TO SECTION 22-7-1004 (2) (a).".

34
35 Page 7, line 27, strike "A LEVEL THAT IS" and substitute "LEVELS THAT
36 ARE".

37
38 Page 8, line 1, strike "LEVEL FOR READING COMPETENCY" and substitute
39 "LEVELS FOR READING COMPETENCY IN THE AREAS OF PHONEMIC
40 AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY,
41 INCLUDING ORAL SKILLS, AND READING COMPREHENSION".

42
43 Page 8, line 4, strike "LEVEL" and substitute "LEVELS IN THE AREAS OF
44 PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING
45 FLUENCY, INCLUDING ORAL SKILLS, AND READING COMPREHENSION".

46
47 Page 8, line 10, strike "COLLECTION" and substitute "LIST".

48
49 Page 8, line 11, strike "READING ASSESSMENTS," and substitute "THE
50 READING ASSESSMENTS APPROVED BY THE STATE BOARD PURSUANT TO
51 SECTION 22-7-510 (1),".

52
53 Page 8, line 13, strike "AND ASSEMBLED".

54
55 Page 8, line 20, strike "EVIDENCE-BASED" and substitute "SCIENTIFICALLY
56 BASED".

1 Page 8, after line 26:

2
3 "(14) "SCIENTIFICALLY BASED" MEANS THAT THE INSTRUCTION OR
4 ITEM DESCRIBED IS BASED ON RESEARCH THAT APPLIES RIGOROUS,
5 SYSTEMATIC, AND OBJECTIVE PROCEDURES TO OBTAIN VALID KNOWLEDGE
6 THAT IS RELEVANT TO READING DEVELOPMENT, READING INSTRUCTION,
7 AND READING DIFFICULTIES."

8
9 Renumber succeeding subsections accordingly.

10
11 Page 9, strike lines 2 and 3 and substitute "LEVELS FOR READING
12 COMPETENCY IN THE AREAS OF PHONEMIC AWARENESS, PHONICS,
13 VOCABULARY DEVELOPMENT, READING FLUENCY, INCLUDING ORAL
14 SKILLS, AND READING COMPREHENSION ESTABLISHED BY THE STATE
15 BOARD PURSUANT TO SECTION 22-7-510 FOR THE STUDENT'S GRADE
16 LEVEL."

17
18 Page 9, line 20, strike "IN" and substitute "NO LATER THAN".

19
20 Page 10, line 1, strike "THE ASSESSMENTS TO BE" and substitute "FROM
21 AMONG THE APPROVED ASSESSMENTS INCLUDED IN THE RESOURCE BANK
22 THOSE ASSESSMENTS IT SHALL USE TO MEASURE A STUDENT'S READING
23 COMPETENCY. A LOCAL EDUCATION PROVIDER MAY CHOOSE TO USE OTHER
24 READING ASSESSMENTS IN ADDITION TO THE APPROVED ASSESSMENTS."

25
26 Page 10, strike line 2.

27
28 Page 10, line 4, before "READING" insert "APPROVED".

29
30 Page 10, line 8, strike "THE DIAGNOSTIC" and substitute "FROM AMONG
31 THE APPROVED ASSESSMENTS INCLUDED IN THE RESOURCE BANK THOSE
32 ASSESSMENTS IT SHALL USE TO DETERMINE A STUDENT'S SPECIFIC READING
33 SKILL DEFICIENCIES. A LOCAL EDUCATION PROVIDER MAY CHOOSE TO USE
34 OTHER DIAGNOSTIC READING ASSESSMENTS IN ADDITION TO THE
35 APPROVED ASSESSMENTS."

36
37 Page 10, strike lines 9 and 10.

38
39 Page 11, line 7, strike "TARGETED" and substitute "TARGETED,
40 SCIENTIFICALLY BASED".

41
42 Page 12, line 1, strike "THREE" and substitute "TWO".

43
44 Page 12, line 12, strike "TEACHER" and substitute "TEACHER, WHICH MAY
45 OCCUR THROUGH EXISTING METHODS OF COMMUNICATION,".

46
47 Page 12, line 21, strike "READING TO ENSURE ACADEMIC" and substitute
48 "READ".

49
50 Page 12, line 22, strike "DEVELOPMENT".

51
52 Page 13, line 20, strike "OR".

53
54 Page 13, line 21, strike "NEEDING MODIFICATIONS THAT IMPACT" and
55 substitute "THAT IMPACTS".

56

- 1 Page 13, strike lines 26 and 27 and substitute "READING ISSUES IN LIEU OF
2 A READ PLAN."
3
- 4 Page 14, strike lines 1 through 3.
5
- 6 Page 14, strike lines 10 and 11 and substitute:
7
8 "(c) THE AMOUNT OF ADDITIONAL INSTRUCTION TIME THE
9 STUDENT WILL RECEIVE IN READING;"
10
- 11 Page 14, line 12, strike "EVIDENCE-BASED" and substitute
12 "SCIENTIFICALLY BASED".
13
- 14 Page 14, line 14, after "READING" insert "APPROACHES, STRATEGIES,
15 INTERVENTIONS, AND".
16
- 17 Page 15, line 6, strike "THIRTY" and substitute "FORTY-FIVE".
18
- 19 Page 16, line 6, strike "THE TEACHER" and substitute "PERSONNEL FROM
20 THE STUDENT'S SCHOOL".
21
- 22 Page 16, line 12, strike "THE TEACHER" and substitute "PERSONNEL FROM
23 THE STUDENT'S SCHOOL".
24
- 25 Page 16, line 16, strike "THE TEACHER IS" and substitute "PERSONNEL
26 FROM THE STUDENT'S SCHOOL ARE".
27
- 28 Page 17, strike lines 1 through 6 and substitute:
29
30 "(II) DISCUSS THE IMPORTANCE OF ACHIEVING READING
31 COMPETENCY BY THE END OF THIRD GRADE, BECAUSE STUDENTS WHO
32 ACHIEVE READING COMPETENCY BY THE END OF THIRD GRADE ARE MORE
33 LIKELY TO GRADUATE FROM HIGH SCHOOL AND ATTAIN A POSTSECONDARY
34 CREDENTIAL."
35
- 36 Page 19, line 10, strike "AND".
37
- 38 Page 19, line 14, strike "EVALUATION." and substitute "EVALUATION;
39 AND".
40
- 41 Page 19, after line 14 insert:
42
43 "(d) THE LOCAL EDUCATION PROVIDER, WITH THE APPROVAL OF
44 THE STUDENT'S PARENT, MAY PROVIDE TO THE STUDENT MENTAL HEALTH
45 SUPPORT FROM THE SCHOOL PSYCHOLOGIST, SCHOOL SOCIAL WORKER, OR
46 SCHOOL COUNSELOR."
47
- 48 Page 19, line 15, before the first "THE" insert "THE PROVISIONS OF THIS
49 SECTION SPECIFY THE CIRCUMSTANCES UNDER WHICH A LOCAL EDUCATION
50 PROVIDER, IN COLLABORATION WITH A STUDENT'S TEACHER AND PARENT,
51 ARE REQUIRED TO DECIDE WHETHER A STUDENT WHO HAS A SIGNIFICANT
52 READING DEFICIENCY SHOULD ADVANCE TO THE NEXT GRADE LEVEL."
53
- 54 Page 19, strike lines 18 and 19 and substitute "AT ANY GRADE LEVEL
55 SHOULD NOT ADVANCE TO THE NEXT GRADE LEVEL FOR ANY REASON
56 DEEMED SUFFICIENT BY THE LOCAL EDUCATION PROVIDER.".

1 Page 21, line 25, after "LEVELS" insert "IN THE AREAS OF PHONEMIC
2 AWARENESS, PHONICS, VOCABULARY DEVELOPMENT, READING FLUENCY,
3 INCLUDING ORAL SKILLS, AND READING COMPREHENSION".

4
5 Page 21, strike line 27 and substitute:

6
7 "(b) THE MINIMUM READING COMPETENCY SKILL LEVELS IN THE
8 AREAS OF PHONEMIC AWARENESS, PHONICS, VOCABULARY DEVELOPMENT,
9 READING FLUENCY, INCLUDING ORAL SKILLS, AND READING
10 COMPREHENSION FOR".

11
12 Page 22, strike line 4 and substitute "APPROVED BY THE STATE BOARD
13 PURSUANT TO PARAGRAPH (c) OF THIS SUBSECTION (1)".

14
15 Page 22, line 5, strike "SECTION".

16
17 Page 22, strike lines 12 through 14 and substitute:

18
19 "(c) THE APPROVED READING ASSESSMENTS, BASED ON THE
20 RECOMMENDATIONS OF THE DEPARTMENT, THAT LOCAL EDUCATION
21 PROVIDERS MAY USE TO MEET THE REQUIREMENTS SPECIFIED IN SECTION
22 22-7-505;"

23
24 Page 22, line 22, after "SHALL" insert "RECOMMEND TO THE STATE BOARD
25 READING ASSESSMENTS FOR APPROVAL PURSUANT TO PARAGRAPH (c) OF
26 SUBSECTION (1) OF THIS SECTION. THE DEPARTMENT SHALL".

27
28 Page 22, line 23, strike "APPROVED" and substitute "THE".

29
30 Page 22, line 24, after "GRADES" insert "THAT THE STATE BOARD
31 APPROVES".

32
33 Page 22, line 25, strike "THE" and substitute "IN RECOMMENDING
34 READING ASSESSMENTS TO THE STATE BOARD, THE".

35
36 Page 22, line 26, strike "APPROVED" and substitute "RECOMMENDED".

37
38 Page 23, strike lines 1 and 2 and substitute "THE AREAS OF PHONEMIC
39 AWARENESS; PHONICS; VOCABULARY DEVELOPMENT; READING FLUENCY,
40 INCLUDING ORAL SKILLS; AND READING COMPREHENSION;"

41
42 Page 23, line 3, strike "APPROVED" and substitute "RECOMMENDED".

43
44 Page 23, line 4, strike "DEFICIENCIES." and substitute "DEFICIENCIES;
45 AND".

46
47 Page 23, after line 4 insert:

48
49 "(III) AT LEAST ONE OF THE RECOMMENDED READING
50 ASSESSMENTS IS NORMED FOR THE PERFORMANCE OF STUDENTS WHO
51 SPEAK SPANISH AS THEIR NATIVE LANGUAGE, WHICH ASSESSMENT IS
52 AVAILABLE IN BOTH ENGLISH AND SPANISH."

53
54 Page 23, line 5, strike "EVIDENCE-BASED" and substitute "SCIENTIFICALLY
55 BASED".

56

1 Page 23, strike line 14 and substitute "PHONEMIC AWARENESS; PHONICS;
2 VOCABULARY DEVELOPMENT; READING FLUENCY, INCLUDING ORAL
3 SKILLS; AND READING".

4
5 Page 23, line 16, strike "EVIDENCE-BASED" and substitute
6 "SCIENTIFICALLY BASED".

7
8 Page 24, line 3, strike "FROM" and substitute "AND ACCEPT FROM EACH"
9 and strike "PROVIDERS" and substitute "PROVIDER".

10
11 Page 24, line 6, after "SHALL" insert "PROMPTLY" and strike "AND" and
12 substitute "AND, IF IT IS A READING ASSESSMENT, RECOMMEND IT TO THE
13 STATE BOARD FOR APPROVAL IF THE ASSESSMENT MEETS THE
14 REQUIREMENTS SPECIFIED IN THIS SUBSECTION (2) OR, IF IT IS
15 INSTRUCTIONAL PROGRAMMING IN READING OR PROFESSIONAL
16 DEVELOPMENT PROGRAMS,".

17
18 Page 24, line 12, strike "SHALL" and substitute "MAY".

19
20 Page 24, line 19, after the period add "ANY ASSESSMENTS,
21 INSTRUCTIONAL PROGRAMMING, OR PROFESSIONAL DEVELOPMENT
22 PROGRAMS THAT THE DEPARTMENT ACQUIRES PURSUANT TO A LICENSE
23 AND DEPOSITS IN THE RESOURCE BANK MAY BE USED ONLY IN
24 ACCORDANCE WITH THE LICENSE.".

25
26 Page 24, line 26, strike "PROVIDERS" and substitute "PROVIDERS,
27 RECOMMEND READING ASSESSMENTS TO THE STATE BOARD FOR APPROVAL
28 IF THE ASSESSMENTS MEET THE REQUIREMENTS SPECIFIED IN THIS
29 SUBSECTION (2),".

30
31 Page 24, line 27, strike "THOSE ITEMS" and substitute "THE
32 INSTRUCTIONAL PROGRAMMING IN READING AND PROFESSIONAL
33 DEVELOPMENT PROGRAMS".

34
35 Page 25, after line 1 insert:

36
37 "(g) EACH LOCAL EDUCATION PROVIDER SHALL SELECT FROM
38 AMONG THE APPROVED READING ASSESSMENTS THOSE READING
39 ASSESSMENTS THAT IT WILL ADMINISTER TO STUDENTS IN KINDERGARTEN
40 AND FIRST AND SECOND GRADES. EACH LOCAL EDUCATION PROVIDER IS
41 ENCOURAGED TO USE THE INSTRUCTIONAL PROGRAMMING IN READING
42 AND PROFESSIONAL DEVELOPMENT PROGRAMS INCLUDED IN THE
43 RESOURCE BANK. THE DEPARTMENT AND EACH LOCAL EDUCATION
44 PROVIDER, IN USING THE MATERIALS, TEST ITEMS, ASSESSMENTS,
45 INSTRUCTIONAL PROGRAMMING IN READING, OR PROFESSIONAL
46 DEVELOPMENT PROGRAMS THAT ARE INCLUDED IN OR DISTRIBUTED FROM
47 THE RESOURCE BANK, SHALL COMPLY WITH THE FEDERAL COPYRIGHT
48 LAWS, 17 U.S.C. SEC. 101 ET SEQ.".

49
50 Page 25, line 26, strike "PROGRAMS" and substitute "PROGRAMS,
51 INCLUDING BUT NOT LIMITED TO RELATED PROFESSIONAL DEVELOPMENT
52 PROGRAMS,".

53
54 Page 26, line 10, strike "NUMBER" and substitute "PERCENTAGE".

55
56 Page 28, strike lines 6 through 22 and substitute "APPROPRIATION BY THE

1 GENERAL ASSEMBLY TO THE DEPARTMENT. THE DEPARTMENT SHALL
2 ANNUALLY EXPEND THE MONEYS IN THE FUND IN ACCORDANCE WITH THE
3 FOLLOWING PRIORITIES:

4
5 (I) THE DEPARTMENT SHALL FIRST USE UP TO ONE MILLION
6 DOLLARS TO PROVIDE LITERACY SUPPORT ON A REGIONAL BASIS TO LOCAL
7 EDUCATION PROVIDERS TO ASSIST THEM IN IMPLEMENTING THE
8 REQUIREMENTS OF THIS PART 5;

9
10 (II) THE DEPARTMENT SHALL NEXT USE UP TO TWO PERCENT OF
11 THE AMOUNT ANNUALLY APPROPRIATED FROM THE FUND TO OFFSET THE
12 COSTS INCURRED IN ADMINISTERING THE EARLY LITERACY GRANT
13 PROGRAM;

14
15 (III) THE DEPARTMENT SHALL NEXT USE AT LEAST THREE MILLION
16 DOLLARS TO PAY GRANTS AWARDED THROUGH THE EARLY LITERACY
17 GRANT PROGRAM; AND

18
19 (IV) THE DEPARTMENT SHALL USE SIXTY PERCENT OF THE
20 REMAINING MONEYS IN THE FUND TO REIMBURSE LOCAL EDUCATION
21 PROVIDERS FOR ALL OR A PORTION OF THE COSTS INCURRED IN
22 ADMINISTERING THE READING ASSESSMENTS PURSUANT TO SECTION
23 22-7-505. IN ADDITION TO THE AMOUNT SPECIFIED IN SUBPARAGRAPH (III)
24 OF THIS PARAGRAPH (d), THE DEPARTMENT SHALL USE FORTY PERCENT OF
25 THE REMAINING MONEYS IN THE FUND TO PAY GRANTS AWARDED
26 THROUGH THE EARLY LITERACY GRANT PROGRAM."

27
28 Page 38, strike lines 13 through 27.

29
30 Strike page 39.

31
32 Page 40, strike lines 1 through 19.

33
34 Renumber succeeding sections accordingly.

35
36
37
38
39 **LOCAL GOVERNMENT**

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

42
43 **HB12-1282** be referred favorably to the Committee on Appropriations.
44

45
46
47 **DELIVERY OF BILLS TO GOVERNOR**

48
49 The Chief Clerk of the House of Representatives reports the following
50 bills have been delivered to the Office of the Governor: **HB12-1013,**
51 **1018, 1071, 1077, 1079, 1117, 1120, 1127, 1139, 1231** at 8:53 a.m. on
52 March 13, 2012.

53
54
55 House in recess. House reconvened.
56

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith:
HB12-1033, HB12-1095, HB12-1169, HB12-1207, HB12-1288.

The Senate voted to recede from its position on HB12-1212, and
repassed the bill. The bill is returned herewith.

**INTRODUCTION OF BILLS
First Reading**

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

HB12-1326 by Representative(s) Acree and Kefalas--Concerning
assistance to the elderly, and, in connection therewith,
making an appropriation.

Committee on Finance

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

Committee on Transportation

SB12-116 by Senator(s) Foster, Carroll, Johnston, Mitchell, Scheffel;
also Representative(s) Brown, Levy, Beezley, Kagan--
Concerning penalties associated with cathinones, and, in
connection therewith, establishing a misdemeanor penalty
for possession of a cathinone.

Committee on Judiciary

SB12-128 by Senator(s) Roberts; also Representative(s) Summers--
Concerning achieving efficiencies in the medicaid long-
term care program through greater utilization of
alternative care facilities.

Committee on Health and Environment

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

Committee on State, Veterans, & Military Affairs

INTRODUCTION OF RESOLUTION

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

HJR12-1016 by Representative(s) Gerou, Becker, Levy, Barker, Brown,
Coram, Ferrandino, Hamner, Holbert, Joshi, Kerr A., Kerr

1 J., Massey, McNulty, Murray, Pace, Peniston, Priola,
2 Schafer S., Solano, Stephens, Summers, Swerdfeger,
3 Todd; also Senator(s) Hodge, Lambert, Steadman, Brophy,
4 Cadman, Grantham, Roberts--Concerning support for
5 federal legislation (S. 484 and H.R. 3040) to reimburse
6 Colorado for costs of federal mandates associated with the
7 Fort Lewis College Native American Tuition Waiver
8 Program.
9

10
11
12 **LAY OVER OF CALENDAR ITEM(S)**
13

14 On motion of Representative DelGrosso, the following item(s) on the
15 Calendar was (were) laid over until March 14, retaining place on
16 Calendar:
17

18 Consideration of Special Orders--**HB12-1267, 1059, 1305.**

19 Consideration of Third Reading--**HB12-1150, 1241, SB12-072, 079,**
20 **146, HB12-1131, 1153, SB12-064, 096, HB12-1307, SB12-011, 007.**

21 Consideration of General Orders--**HB12-1121, 1103, 1300, SB12-030,**
22 **HB12-1019, 1068, 1130, 1205, SB12-035, HB12-1118, 1263.**

23 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1058,**
24 **1249, 1031, 1032, 1089, 1008.**
25

26
27
28 On motion of Representative DelGrosso, the House adjourned until
29 9:00 a.m., March 14, 2012.
30

31 Approved:
32 FRANK McNULTY,
33 Speaker

34 Attest:
35 MARILYN EDDINS,
36 Chief Clerk

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

Sixty-fourth Legislative Day

Wednesday, March 14, 2012

1 Representative Nikkel called the House to order at 9:00 a.m.

2

3 Prayer by Father Eamon Kelly, Pontifical Institute of Notre Dame,
4 Jerusalem.

5

6 Pledge of Allegiance led by Devin Holiday, University of Colorado,
7 Boulder.

8

9 The roll was called with the following result:

10

11 Present--64.

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

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

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Ramirez, the reading of the journal of
19 March 13, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 House in recess. House reconvened.

24

25

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

27

28 The Senate has adopted and transmits herewith: SJR12- 018, 019.

29

30

31 **INTRODUCTION AND CONSIDERATION OF RESOLUTIONS**

32

33 On motion of Representative Stephens, the rules were suspended and the
34 following resolutions were given immediate consideration.

35

36 **SJR12-019** by Senator(s) Brophy, Schwartz; also Representative(s)
37 McKinley--Concerning the contribution of wind energy to
38 Colorado's economy.

39

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

41

42 On motion of Representative McKinley, the resolution was **adopted** by
43 the following roll call vote:

	YES	53	NO	10	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	N	Solano	Y
3	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
7	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
8	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	E
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	N	Singer	Y	Young	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Barker, Brown, Casso, Court,
 20 Ferrandino, Fischer, Hamner, Hullinghorst, Jones, Kefalas, Kerr A., Labuda,
 21 Lee, Levy, Massey, McCann, Miklosi, Nikkel, Pace, Peniston, Ryden,
 22 Schafer S., Singer, Solano, Sonnenberg, Soper, Swerdfeger, Todd, Tyler, Vigil,
 23 Williams A., Wilson, Young.

24
 25 **SJR12-018** by Senator(s) Boyd; also Representative(s) Pabon--
 26 Concerning honoring Coloradans living with multiple
 27 sclerosis, and, in connection therewith, recognizing
 28 March 14 as "Multiple Sclerosis Awareness Day".
 29

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

31
 32 On motion of Representative Pabon, the resolution was read at length and
 33 **adopted** by **viva voce** vote.
 34

35 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
 36 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
 37 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
 38 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
 39 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi,
 40 Murray, Nikkel, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott,
 41 Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
 42 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young.
 43

44
 45 House in recess. House reconvened.
 46
 47

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

49 **APPROPRIATIONS**

50 After consideration on the merits, the Committee recommends the
 51 following:
 52

53
 54 **HB12-1238** be amended as follows, and as so amended, be referred to
 55 the Committee of the Whole with favorable
 56 recommendation:

1 Amend the Education Committee Report, dated March 12, 2012, page 8,
2 line 5, strike "AND".

3

4 Page 8, after line 5, insert:

5

6 "(IV) THE DEPARTMENT SHALL NEXT USE THE MONEYS IN THE
7 FUND TO REIMBURSE SCHOOL DISTRICTS FOR EDUCATIONAL SERVICES
8 PROVIDED PURSUANT TO SECTION 22-32-141 TO JUVENILES HELD IN JAILS
9 OR OTHER FACILITIES FOR THE DETENTION OF ADULT OFFENDERS; AND".

10

11 Page 8, line 6, strike "(IV)" and substitute "(V)".

12

13 Page 8, after line 17, insert:

14

15 "Page 44, after line 11, insert:

16

17 **"SECTION 11. Appropriation.** (1) In addition to any other
18 appropriation, there is hereby appropriated, out of any moneys in the early
19 literacy fund created in section 22-7-511 (3), Colorado Revised Statutes,
20 not otherwise appropriated, to the department of education, for the fiscal
21 year beginning July 1, 2012, the sum of \$5,291,943 and 9.8 FTE, or so
22 much thereof as may be necessary, for allocation to the assistance to
23 public schools division for reading and literacy programs related to the
24 implementation of this act.

25

26 (2) In addition to any other appropriation, there is hereby
27 appropriated, out of any moneys in the early literacy fund created in
28 section 22-7-511 (3), Colorado Revised Statutes, not otherwise
29 appropriated, to the department of education, for the fiscal year beginning
30 July 1, 2012, the sum of \$20,046 and 0.2 FTE, or so much thereof as may
31 be necessary, for allocation to the public school finance division for
32 administrative expenses related to district per pupil reimbursements for
33 juveniles held in jail.

34

35 (3) In addition to any other appropriation, there is hereby
36 appropriated, out of any moneys in the early literacy fund created in
37 section 22-7-511 (3), Colorado Revised Statutes, not otherwise
38 appropriated, to the department of education, for the fiscal year beginning
39 July 1, 2012, the sum of \$100,000, or so much thereof as may be
40 necessary, for allocation to the public school finance division for district
41 per pupil reimbursements for juveniles held in jail.

42

43 **SECTION 12. Appropriation - adjustments in 2012 long bill.**

44 (1) For the implementation of this act, appropriations made in the annual
45 general appropriation act to the department of education for the fiscal
46 year beginning July 1, 2012, are adjusted as follows:

47

48 (a) The cash funds appropriation for public school finance
49 administration is decreased by \$20,046 and 0.2 FTE. Said sum is from the
50 read-to-achieve cash fund created in section 22-7-908 (1), Colorado
51 Revised Statutes.

52

53 (b) The cash funds appropriation for district per pupil
54 reimbursements for juveniles held in jail is decreased by \$100,000. Said
55 sum is from the read-to-achieve cash fund created in section 22-7-908 (1),
56 Colorado Revised Statutes.

1 (c) The cash funds appropriation for the read-to-achieve grant
2 program is decreased by \$5,242,516 and 1.0 FTE. Said sum is from the
3 read-to-achieve cash fund created in section 22-7-908 (1), Colorado
4 Revised Statutes."

5
6 Renumber succeeding sections accordingly.

7
8 Page 1 of the bill, line 104, strike "ACT"." and substitute "ACT" AND
9 MAKING AND REDUCING APPROPRIATIONS."."

10

11

12

13 **HB12-1268** be rereferred favorably to the Committee on Health &
14 Environment.

15

16

17

18

19 **ECONOMIC & BUSINESS DEVELOPMENT**

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

22

23 **HB12-1156** be postponed indefinitely.

24

25

26 **SB12-058** be postponed indefinitely.

27

28

29

30

31 **HEALTH & ENVIRONMENT**

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

34

35 **SB12-077** be referred to the Committee of the Whole with favorable
36 recommendation.

37

38

39 **SB12-099** be referred to the Committee of the Whole with favorable
40 recommendation.

41

42

43

44

45 **JUDICIARY**

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

48

49 **SB12-066** be referred to the Committee of the Whole with favorable
50 recommendation.

51

52

53 **SB12-110** be referred favorably to the Committee on Finance.

54

55

56

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB12-1326.

MESSAGE(S) FROM THE SENATE

The Senate has voted not to concur in House Amendments to SB12-020, and requests that a Conference Committee be appointed. The President appointed Senators Aguilar - Chair, Carroll, and Roberts as members of the First Conference Committee on part of the Senate. The bill is transmitted herewith.

The Senate has passed on Third Reading and returns herewith HB12-1104, HB12-1065, HB12-1028, HB12-1072, HB12-1029, HB12-1061, HB12-1216.

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

HB12-1114 amended as printed in Senate Journal, March 8, 2012, page 465.

HB12-1034 amended as printed in Senate Journal, March 13, 2012, page 476.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1034 and 1114.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until March 15, retaining place on Calendar:

Consideration of Special Orders--**HB12-1267, 1059, 1305.**

Consideration of Third Reading---**HB12-1150, 1241, SB12-072, 079, 146, HB12-1131, 1153, SB12-064, 096, HB12-1307, SB12-011, 007.**

Consideration of General Orders--**HB12-1121, 1103, 1300, SB12-030, HB12-1019, 1068, 1130, 1205, SB12-035, HB12-1118, 1263, SB12-033.**

Consideration of Resolution(s)--**HJR12-1016.**

Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1058, 1249, 1031, 1032, 1089, 1008.**

1 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
2 March 15, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

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

Sixty-fifth Legislative Day

Thursday, March 15, 2012

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

2

3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4

5 Pledge of Allegiance led by Sydney Bennett, Legacy High School,
6 Thornton; Devyn Bennett, Denver School of the Arts; Gracie
7 Sprague, Century Middle School and Willow Sprague,
8 Cornerstone Christian Academy, Thornton.

9

10 The roll was called with the following result:

11

12 Present--64.

13

14 Excused--Representative(s) Brown--1.

15

16 Present after roll call--Representative(s) Brown.

17

18 The Speaker declared a quorum present.

19

20 On motion of Representative Ramirez, the reading of the journal of
21 March 14, 2012, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23

24

25

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

27

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

31

32 **HB12-1150** by Representative(s) Priola, Holbert, DelGrosso,
33 Gardner B., Becker, Murray, Nikkel, Sonnenberg; also
34 Senator(s) Lambert--Concerning an increase in the number
35 of years used to calculate the highest average salary of a
36 member of the public employees' retirement association
37 for the purpose of determining the amount of the member's
38 retirement benefit.

39

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

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

44

	YES	33	NO	32	EXCUSED	0	ABSENT	
1								
2	Acree	Y	Fischer	N	Looper	Y	Solano	N
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	N	Soper	N
5	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
7	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
10	Casso	N	Kagan	N	Pace	N	Todd	N
11	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
12	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
13	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
14	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
15	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
16	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
17	Fields	N	Liston	Y	Singer	N	Young	N
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Acree, Barker, Beezley, Gerou, Joshi,
20 Kerr J., Liston, Swalm, Szabo, Speaker.

21
22
23 **HB12-1241** by Representative(s) Ferrandino, Hullinghorst, Court,
24 Fischer, Labuda, Levy, Pabon, Singer; also Senator(s)
25 Heath--Concerning enterprise zone designations.

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	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
37	Becker	Y	Holbert	Y	Miklosi	Y	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) Duran, Fields, Kagan, Kefalas, Kerr A.,
51 McCann, Miklosi, Pace, Peniston, Ryden, Schafer S., Soper, Todd, Vigil,
52 Wilson, Young, Speaker.

53
54
55 **SB12-072** by Senator(s) Lambert, Newell, Grantham, Scheffel,
56 Cadman, Aguilar, King K., Lundberg, Neville, Renfroe;

also Representative(s) Stephens, Holbert, Joshi, Looper,
DelGrosso, Gerou--Concerning the Colorado mounted
rangers.

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	31	EXCUSED	0	ABSENT	0
Acree	N	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	N	Soper	Y
Baumgardner	N	Hamner	N	McKinley	N	Stephens	Y
Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	N	Joshi	Y	Pabon	N	Szabo	Y
Casso	N	Kagan	N	Pace	Y	Todd	N
Conti	Y	Kefalas	N	Peniston	Y	Tyler	N
Coram	N	Kerr A.	N	Priola	Y	Vaad	Y
Court	N	Kerr J.	N	Ramirez	Y	Vigil	N
DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
Duran	N	Lee	Y	Schafer S.	N	Williams A.	N
Ferrandino	N	Levy	N	Scott	Y	Wilson	N
Fields	Y	Liston	Y	Singer	N	Young	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Liston, Nikkel, Priola.

SB12-079 by Senator(s) King S., Cadman, Morse; also
Representative(s) Stephens, Fields, Priola, Schafer S.--
Concerning revisions to the safe2tell program relating to
advances in communications technology.

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	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

1 Fields Y Liston Y Singer Y Young Y
 2 Speaker Y
 3 Co-sponsor(s) added: Representative(s) Barker, Casso, Conti, Ferrandino,
 4 Gardner B., Gerou, Hamner, Kerr J., Labuda, Nikkel, Szabo, Todd, Vigil,
 5 Williams A., Wilson, Young.

6
 7 **SB12-146** by Senator(s) Hodge; also Representative(s) Peniston--
 8 Concerning limitations on the acceptance of certain
 9 benefits by specified governmental actors who are in a
 10 position to reward persons offering such benefits with
 11 official action.
 12

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
19	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
20	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
21	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
22	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
23	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
24	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
25	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
26	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
27	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
28	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
29	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
30	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
31	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
32	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
33	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
34	Fields	Y	Liston	Y	Singer	Y	Young	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Fields, Fischer,
 37 Hamner, Jones, Kerr A., Pabon, Pace, Schafer S., Solano, Todd, Tyler, Vigil,
 38 Young.
 39

40 **HB12-1131** by Representative(s) Labuda; also Senator(s) Tochtrop--
 41 Concerning the creation of a child loss awareness license
 42 plate, and, in connection therewith, making an
 43 appropriation.
 44

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

	YES	51	NO	14	EXCUSED	0	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
55	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

12 Co-sponsor(s) added: Representative(s) Schafer S., Singer, Todd, Young.

13
14 **HB12-1153** by Representative(s) Soper; also Senator(s) Lambert--
15 Concerning the creation of a special license plate
16 commemorating recipients of the distinguished flying
17 cross, and, in connection therewith, making an
18 appropriation.
19

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

21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative and the bill
23 was declared **passed**.
24

25	YES	58	NO	7	EXCUSED	0	ABSENT	0
26	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
27	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
28	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
29	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
30	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
31	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
32	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
33	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
34	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
35	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
36	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
37	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
38	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
39	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
40	Ferrandino	N	Levy	N	Scott	Y	Wilson	Y
41	Fields	Y	Liston	Y	Singer	Y	Young	Y
42							Speaker	Y

43 Co-sponsor(s) added: Representative(s) Labuda, Liston, Looper, Schafer S.,
44 Todd, Wilson.
45

46 **SB12-064** by Senator(s) Nicholson; also Representative(s) Massey--
47 Concerning the Colorado children's trust fund.
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

54	YES	65	NO	0	EXCUSED	0	ABSENT	0
55	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
56	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	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	Y	Singer	Y	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Casso, Court, Duran, Fields, Fischer,
 17 Hamner, Kefalas, Kerr A., Kerr J., Labuda, Miklosi, Schafer S., Todd, Tyler,
 18 Williams A., Wilson, Young.

19
 20 **SB12-096** by Senator(s) Lambert, Hodge, Steadman; also
 21 Representative(s) Levy, Becker, Gerou--Concerning the
 22 continuation of the office of information technology's
 23 authority to amend existing contracts for information
 24 technology resources.

25
 26 The question being "Shall the bill pass?".
 27 A roll call vote was taken. As shown by the following recorded vote, a
 28 majority of those elected to the House voted in the affirmative and the bill
 29 was declared **passed**.

31	YES	65	NO	0	EXCUSED	0	ABSENT	0
32	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
33	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
34	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
35	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
36	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
37	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
38	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
39	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
40	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
41	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
42	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
43	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
44	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
45	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
46	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
47	Fields	Y	Liston	Y	Singer	Y	Young	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Ferrandino, Fields, Wilson.

50
 51
 52 **HB12-1307** by Representative(s) Kerr J. and Summers; also Senator(s)
 53 Roberts--Concerning the authority of a nonlawyer trustee
 54 of a certain size trust to represent the trust before the board
 55 of assessment appeals.
 56

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	65	NO	0	EXCUSED	0	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	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

24 Co-sponsor(s) added: Representative(s) Brown, Labuda, Massey.

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

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
36	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
37	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
38	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
40	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
41	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
42	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
43	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
47	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
48	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
49	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
51	Fields	Y	Liston	Y	Singer	Y	Young	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Brown, Court, Fields, Fischer, Kefalas,
 54 Kerr A., Kerr J., Labuda, Massey, Schafer S., Singer, Todd.

55
 56

1 **SB12-007** by Senator(s) Hudak and Spence, Williams S.; also
 2 Representative(s) Hamner--Concerning the standardization
 3 of the procedural requirements for the issuance of special
 4 license plates.

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

10

	YES	63	NO	2	EXCUSED	0	ABSENT	0
12	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
13	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
14	Barker	Y	Gerou	Y	McCann	Y	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	N	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

29 Co-sponsor(s) added: Representative(s) Barker, Kerr J., Solano, Todd, Tyler,
 30 Vaad, Wilson, Young.

31

32

33

34 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

35

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

39

40 (Amended as printed in Senate Journal, March 8, page 392.)

41

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

45

	YES	65	NO	0	EXCUSED	0	ABSENT	0
47	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
48	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
49	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
50	Baumgardner	Y	Hamner	Y	McKinley	Y	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	Y	Schafer S.	Y	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	Y

8
9 The question being, "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 bill, as amended, was declared **repassed**.

14	YES	65	NO	0	EXCUSED	0	ABSENT	0
15	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
16	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
17	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
18	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
19	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
20	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
21	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
22	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
23	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
24	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
25	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
26	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
27	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
28	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
29	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
30	Fields	Y	Liston	Y	Singer	Y	Young	Y
31							Speaker	Y

32
33 **HB12-1249** by Representative(s) Gerou, Becker, Levy; also Senator(s)
34 Steadman, Hodge, Lambert--Concerning the manner in
35 which tobacco litigation settlement moneys are allocated
36 to the state auditor's office for the costs of conducting
37 program reviews and evaluations of the performance of
38 tobacco settlement programs.

39
40 (Amended as printed in Senate Journal, March 8, page 392.)

41
42 Representative Gerou moved that the House **concur** in Senate
43 amendments. The motion was declared **passed** by the following roll call
44 vote:

46	YES	65	NO	0	EXCUSED	0	ABSENT	0
47	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
48	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
49	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
50	Baumgardner	Y	Hamner	Y	McKinley	Y	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	Y	Schafer S.	Y	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	Y

8
9 The question being, "Shall the bill, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 bill, as amended, was declared **repassed**.

14	YES	65	NO	0	EXCUSED	0	ABSENT	0
15	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
16	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
17	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
18	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
19	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
20	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
21	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
22	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
23	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
24	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
25	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
26	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
27	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
28	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
29	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
30	Fields	Y	Liston	Y	Singer	Y	Young	Y
31							Speaker	Y

32
33 **HB12-1031** by Representative(s) Peniston, Labuda, Duran, Ramirez,
34 Schafer S.; also Senator(s) Tochtrop, King S., Morse--
35 Concerning the authority of the board of the fire and police
36 pension association to make amendments to plans for the
37 administration of benefits.

38
39 (Amended as printed in Senate Journal, March 8, page 406.)

40
41 Representative Peniston moved that the House **concur** in Senate
42 amendments. The motion was declared **passed** by the following roll call
43 vote:

45	YES	64	NO	1	EXCUSED	0	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	Y	Soper	Y
49	Baumgardner	N	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							Speaker	Y

7
8 The question being, "Shall the bill, as amended, pass?".
9 A roll call vote was taken. As shown by the following recorded vote, a
10 majority of those elected to the House voted in the affirmative, and the
11 bill, as amended, was declared **repassed**.
12

13	YES	59	NO	6	EXCUSED	0	ABSENT	0
14	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
15	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
16	Barker	N	Gerou	Y	McCann	Y	Soper	Y
17	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
18	Becker	Y	Holbert	N	Miklosi	Y	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	N	Vaad	Y
25	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
26	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
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 **HB12-1032** by Representative(s) Hamner; also Senator(s) Nicholson--
33 Concerning continuation of forestry-related programs, and,
34 in connection therewith, making an appropriation.
35

36 (Amended as printed in Senate Journal, March 8, page 407.)
37

38 Representative Hamner moved that the House **concur** in Senate
39 amendments. The motion was declared **passed** by the following roll call
40 vote:
41

42	YES	62	NO	3	EXCUSED	0	ABSENT	0
43	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
44	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
45	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
46	Baumgardner	N	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	N	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

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4
5 The question being, "Shall the bill, as amended, 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
8 bill, as amended, was declared **repassed**.

9								
10	YES	51	NO	14	EXCUSED	0	ABSENT	0
11	Acree	Y	Fischer	Y	Looper	N	Solano	Y
12	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
13	Barker	N	Gerou	Y	McCann	Y	Soper	Y
14	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
15	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
16	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
17	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
18	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
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	N	Vaad	Y
22	Court	Y	Kerr J.	Y	Ramirez	N	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	N

28 Co-sponsor(s) added: Representative(s) Labuda, Schafer S., Solano.

29
30
31 **HB12-1089** by Representative(s) Court; also Senator(s) Steadman--
32 Concerning the specific wording related to a statewide
33 ballot title.

34
35 (Amended as printed in Senate Journal, March 8, page 406.)

36
37 Representative Court moved that the House **concur** in Senate
38 amendments. The motion was declared **passed** by the following roll call
39 vote:

40								
41	YES	40	NO	25	EXCUSED	0	ABSENT	0
42	Acree	N	Fischer	Y	Looper	N	Solano	Y
43	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
44	Barker	N	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
46	Becker	N	Holbert	Y	Miklosi	Y	Summers	N
47	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
48	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
49	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
50	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
51	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
52	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
53	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
54	DelGrosso	N	Labuda	Y	Ryden	N	Waller	Y
55	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
56	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y

Fields	Y	Liston	N	Singer	Y	Young	Y
						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**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	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	

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

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

HB12-1323 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, strike lines 7 through 9 and substitute "IN MONTROSE COUNTY AND COURT CHAMBERS in that portion of Montrose county ~~which~~ THAT is included in the southwestern water conservation district as set forth and described in section 37-47-103, C.R.S."

EDUCATION

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

HB12-1080 be referred to the Committee of the Whole with favorable recommendation.

- 1 **HB12-1155** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4
- 5 Amend printed bill, page 3, line 3, strike "**remedial education**".
6
- 7 Page 3, line 19, after "INDICATORS" insert "MAY".
8
- 9 Page 4, line 2, strike "ESTABLISHED BY COMMISSION POLICY".
10
- 11 Page 4, line 3, strike "ADMITTED FRESHMEN." and substitute "FRESHMEN
12 STUDENTS ANNUALLY ADMITTED TO EACH INSTITUTION UNDER THE
13 GOVERNING BOARD'S CONTROL."
14
- 15 Page 5, line 24, after "INDICATORS" insert "MAY".
16
- 17 Page 6, line 11, strike "REMEDIAL EDUCATION POLICY" and substitute
18 "POLICY PURSUANT TO SECTION 23-1-113.3".
19
- 20 Page 6, line 17, strike "REMEDIAL EDUCATION".
21
- 22 Page 6, line 23, strike "REMEDIAL EDUCATION POLICY," and substitute
23 "POLICY ESTABLISHED PURSUANT TO THIS PARAGRAPH (a)."
24
- 25 Page 7, line 3, after "A", insert "COLLEGE-LEVEL".
26
- 27 Page 7, line 6, strike "COMMISSION'S REMEDIAL".
28
- 29 Page 7, line 7, strike "EDUCATION POLICY" and substitute "POLICY
30 ESTABLISHED BY THE COMMISSION PURSUANT TO PARAGRAPH (a) OF THIS
31 SUBSECTION (1.5)".
32
- 33 Page 7, line 8, before "COMMISSION" insert "THE".
34
- 35 Page 7, line 12, strike "COMMISSION'S REMEDIAL EDUCATION" and
36 substitute "COMMISSION".
37
- 38 Page 8, line 11, strike "REMEDIAL EDUCATION POLICY" and substitute
39 "POLICY ESTABLISHED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1.5)
40 OF THIS SECTION".
41
- 42 Page 8, line 15, strike "POLICIES" and substitute "POLICY".
43
- 44 Page 8, line 20, strike "REMEDIAL EDUCATION POLICIES," and substitute
45 "POLICY ESTABLISHED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1.5)
46 OF THIS SECTION,".
47
- 48 Page 8, line 24, strike "REMEDIAL EDUCATION POLICIES," and substitute
49 "POLICY ESTABLISHED PURSUANT TO PARAGRAPH (a) OF SUBSECTION (1.5)
50 OF THIS SECTION,".
51
- 52 Page 10, line 24, strike "WORK." and substitute "WORK THAT IS APPROVED
53 FOR STATEWIDE TRANSFER PURSUANT TO SECTION 23-1-125 (3).".
54
- 55 Page 11, line 3, strike "REMEDIAL EDUCATION".
56

1 Page 11, line 4, strike "23-1-113," and substitute "23-1-113 (1.5) (a),".

2
3 Page 13, line 10, strike "FURTHER".

4
5 Page 13, line 11, strike "DELINEATE" and substitute "REFER TO".

6
7 Page 13, line 12, after "INTERPRET" insert "JOINTLY WITH THE
8 INSTITUTION'S GOVERNING BOARD".

9
10
11
12 **SB12-148** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16
17
18 **FINANCE**

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

21
22 **HB12-1253** be postponed indefinitely.

23
24
25 **HB12-1318** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:

28
29 Amend printed bill, page 2, strike line 10 and substitute "DATES ON WHICH
30 ACQUISITION, CONSTRUCTION, ADDITIONS, RENOVATIONS, OR".

31
32 Page 2, line 11, strike "REPAIR" and substitute "REPAIRS".

33
34 Page 2, line 12, strike "FACILITY." and substitute "FACILITY OCCURRED.".

35
36
37
38 **HB12-1326** be referred favorably to the Committee on Appropriations.

39
40
41
42
43 **LOCAL GOVERNMENT**

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

46
47 **SB12-031** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:

50
51 Amend reengrossed bill, page 8, line 7, after "**appointment**" insert "**or
52 election**".

53
54 Page 8, line 8, strike "Immediately" and substitute "(I) EXCEPT AS
55 PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), immediately".

56

1 Page 8, after line 11 insert:

2

3 "(II) IF THE BOARD OF COUNTY COMMISSIONERS FINDS THAT THE
4 BOARD OF DIRECTORS FOR THE DISTRICT SHOULD BE ELECTED RATHER
5 THAN APPOINTED, THE BOARD OF COUNTY COMMISSIONERS SHALL OUTLINE
6 THE METHOD OF SUCH AN ELECTION BY DULY ADOPTING BY MAJORITY
7 VOTE A RESOLUTION TO THAT EFFECT. THE ELECTION PROCEDURES SHALL
8 COMPLY WITH THE ELECTION REQUIREMENTS SET FORTH IN ARTICLES 1 TO
9 13 OF TITLE 1, C.R.S.".

10

11 Page 8, line 27, strike "APPOINTMENTS MADE TO" and substitute
12 "MEMBERS OF".

13

14 Page 9, line 1, strike "BE" and substitute "SERVE" and after "STAGGERED"
15 insert "TERMS".

16

17 Page 9, line 3, strike "APPOINTMENTS" and substitute "TERMS".

18

19 Page 9, line 18, after "APPOINTED" insert "OR ELECTED".

20

21 Page 9, line 19, strike "APPOINTED." and substitute "APPOINTED OR
22 ELECTED.".

23

24

25

26 **SB12-133** be referred to the Committee of the Whole with favorable
27 recommendation.

28

29

30

31

32 **STATE, VETERANS, & MILITARY AFFAIRS**

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

35

36 **HB12-1313** be referred to the Committee of the Whole with favorable
37 recommendation.

38

39

40 **HB12-1321** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43

44 Amend printed bill, page 4, line 23, strike "an" and substitute "the".

45

46 Page 4, line 24, strike "pay".

47

48 Page 5, line 15, strike "12-____" and substitute "12-1001".

49

50 Page 10, line 19, strike "AND" and substitute "OR".

51

52 Page 11, line 17, strike "PAY" and substitute "SALARY".

53

54 Page 26, line 9, strike "12-____." and substitute "12-1001.".

55

56 Page 26, line 20, strike "12-____" and substitute "12-1001".

1 **HCR12-1001** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **SB12-062** be referred to the Committee of the Whole with favorable
6 recommendation.
7

8
9
10 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
11

12 The Speaker has signed: **HB12-1247, 1248, SB12-024, 037, 097, 111,**
13 **112, 113, 114, 115.**
14

15
16
17 **MESSAGE(S) FROM THE SENATE**
18

19 The Senate has postponed indefinitely HB12-1030. The bill is returned
20 herewith.
21

22
23 House in recess. House reconvened.
24

25
26
27 **MESSAGE(S) FROM THE SENATE**
28

29 The Senate has passed on Third Reading and transmits to the Revisor of
30 Statutes:

31
32 **HB12-1151** amended as printed in Senate Journal, March 13, 2012,
33 page 475.
34

35
36
37 The Senate voted to reconsider SB12-116, and requests the return of the
38 bill.
39

40
41
42 **MESSAGE(S) FROM THE REVISOR**
43

44 We herewith transmit:
45 Without comment, as amended, **HB12-1151.**
46

47
48
49 **LAY OVER OF CALENDAR ITEM(S)**
50

51 On motion of Representative Waller, the following item(s) on the
52 Calendar was (were) laid over until March 16, retaining place on
53 Calendar:
54

55 Consideration of Special Orders--**HB12-1267, 1059, 1305.**
56

1 Consideration of General Orders--**HB12-1121, 1103, 1300, SB12-030,**
2 **HB12-1019, 1068, 1130, 1205, SB12-035, HB12-1118, 1263, SB12-033,**
3 **HB12-1111, 1271, 1275.**

4 Consideration of Resolution(s)--**HJR12-1016.**

5 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,**
6 **1034, 1114.**

7

8

9

10 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
11 March 16, 2012.

12

13

14

15

16

17

18

Approved:
FRANK McNULTY,
Speaker

Attest:

MARILYN EDDINS,

Chief Clerk

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

Sixty-sixth Legislative Day

Friday, March 16, 2012

1 The Speaker *Pro tempore* called the House to order at 9:00 a.m.
2
3 Prayer by the Reverend Eugene Downing, Jr., New Hope Baptist Church,
4 Denver.
5
6 Pledge of Allegiance led by Jalan Thomas, Ananda Zaragoza, McKenna
7 Wingate, Geneva Schafer, R. J. Wooten, Kori Robideau,
8 Cherrelyn and Clayton Elementary Schools, Englewood.
9

10 The roll was called with the following result:

11
12 Present--63.
13 Excused--Representative(s) McNulty--1.
14 Absent--Representative(s) Casso--1.
15 Present after roll call--Representative(s) McNulty.
16

17 The Speaker declared a quorum present.
18
19

20 On motion of Representative Ramirez, the reading of the journal of
21 March 15, 2012, was declared dispensed with and approved as corrected
22 by the Chief Clerk.
23

MESSAGE(S) FROM THE SENATE

24
25
26
27 The Senate has adopted and transmits herewith: SJR12- 020.
28
29

30
31 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**
32

33 On motion of Representative Waller, the rules were suspended and the
34 following resolution was given immediate consideration.
35

36 **SJR12-020** by Senator(s) Heath; also Representative(s) Waller--
37 Concerning the recognition of achievements by the
38 university of Colorado.
39

40 (Printed and placed in member's file).
41

42 On motion of Representative Waller, the resolution was read at length
43 and **adopted** by **viva voce** vote.

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

9
10
11 House in recess. House reconvened.
12
13

14
15 On motion of Representative DelGrosso, the House resolved itself into
16 Committee of the Whole for consideration of General Orders, and he was
17 called to the Chair to act as Chairman.

18
19
20 **GENERAL ORDERS--SECOND READING OF BILLS**
21

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

26
27 (Amendments to the committee amendment are to the printed committee
28 report which was printed and placed in the members' bill file.)
29

30 **HB12-1121** by Representative(s) Scott--Concerning enactment of the
31 utility ratepayers' bill of rights for customers of investor-
32 owned utilities in Colorado.
33

34 Laid over until May 10, 2012. Bill deemed lost.
35

36 **HB12-1300** by Representative(s) Gardner B., Barker, Ryden, Waller;
37 also Senator(s) Aguilar--Concerning professional review
38 committees, and, in connection therewith, implementing
39 the sunset review recommendations of the department of
40 regulatory agencies.
41

42 Amendment No. 1, Judiciary Report, dated March 1, 2012, and placed in
43 member's bill file; Report also printed in House Journal, March 2,
44 pages 519-538.
45

46 Amendment No. 2, by Representative(s) Gardner B.
47

48 Amend the Judiciary Committee Report, dated March 1, 2012, page 3,
49 after line 12 insert:

50
51 "(2.5) "DIVISION" MEANS THE DIVISION OF REGISTRATIONS IN THE
52 DEPARTMENT OF REGULATORY AGENCIES."
53

54 Page 6, after line 9 insert:

55
56 "(2.5) A PROFESSIONAL REVIEW COMMITTEE THAT IS REVIEWING

1 THE QUALIFICATIONS AND COMPETENCE OF, THE QUALITY AND
2 APPROPRIATENESS OF PATIENT CARE PROVIDED BY, OR THE PROFESSIONAL
3 CONDUCT OF, A PERSON LICENSED UNDER ARTICLE 38 OF THIS TITLE AND
4 GRANTED AUTHORITY AS AN ADVANCED PRACTICE NURSE MUST EITHER:

5
6 (a) HAVE, AS A VOTING MEMBER, AT LEAST ONE PERSON LICENSED
7 UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN
8 ADVANCED PRACTICE NURSE WITH A SCOPE OF PRACTICE SIMILAR TO THAT
9 OF THE PERSON WHO IS THE SUBJECT OF THE REVIEW; OR

10
11 (b) ENGAGE, TO PERFORM AN INDEPENDENT REVIEW AS
12 APPROPRIATE, AN INDEPENDENT PERSON LICENSED UNDER ARTICLE 38 OF
13 THIS TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE NURSE
14 WITH A SCOPE OF PRACTICE SIMILAR TO THAT OF THE PERSON WHO IS THE
15 SUBJECT OF THE REVIEW."

16
17 Page 6, strike line 20 and substitute "governing board AND IF, AT ALL
18 TIMES AFTER JULY 1, 2013, IT IS REGISTERED WITH THE DIVISION IN
19 ACCORDANCE WITH SECTION 12-36.5-104.6:".

20
21 Page 6, line 21, strike "OR NURSING".

22
23 Page 6, line 24, strike "OR NURSING".

24
25 Page 6, after line 33 insert:

26
27 "(c.5) A SOCIETY OR ASSOCIATION OF ADVANCED PRACTICE
28 NURSES LICENSED AND REGISTERED PURSUANT TO ARTICLE 38 OF THIS
29 TITLE AND RESIDING IN THIS STATE, IF THE ADVANCED PRACTICE NURSE
30 WHOSE SERVICES ARE THE SUBJECT OF THE REVIEW IS A MEMBER OF THE
31 SOCIETY OR ASSOCIATION;".

32
33 Page 6, after line 40 insert:

34
35 "(d.5) A SOCIETY OR ASSOCIATION OF ADVANCED PRACTICE
36 NURSES LICENSED AND REGISTERED PURSUANT TO ARTICLE 38 OF THIS
37 TITLE AND PRACTICING IN A SPECIFIED NURSING ROLE AND POPULATION
38 FOCUS, AS DEFINED BY THE NURSING BOARD, WHICH SOCIETY OR
39 ASSOCIATION HAS BEEN DESIGNATED BY THE NURSING BOARD AS THE
40 SPECIFIC NURSING SOCIETY OR ASSOCIATION REPRESENTATIVE OF THOSE
41 ADVANCED PRACTICE NURSES PRACTICING IN THAT NURSING ROLE AND
42 POPULATION FOCUS, IF THE ADVANCED PRACTICE NURSE WHOSE SERVICES
43 ARE THE SUBJECT OF THE REVIEW IS A MEMBER OF THE DESIGNATED
44 NURSING SOCIETY OR ASSOCIATION."

45
46 Page 7, line 1, strike "physicians" and substitute "~~physicians~~ PERSONS
47 LICENSED UNDER ARTICLE 36 OF THIS TITLE, OR LICENSED UNDER ARTICLE
48 38 OF THIS TITLE AND GRANTED AUTHORITY AS ADVANCED PRACTICE
49 NURSES,".

50
51 Page 8, line 24, strike "AND".

52
53 Page 8, line 27, strike "FUNCTION." and substitute "FUNCTION; AND".

54
55 Page 8, after line 27, insert:

56

- 1 "(q) A HOSPITAL LICENSED PURSUANT TO PART 1 OF ARTICLE 3 OF
2 TITLE 25, C.R.S., OR CERTIFIED PURSUANT TO SECTION 25-1.5-103 (1) (a)
3 (II), C.R.S.".
- 4
5 Page 9, strike lines 15 and 16 and substitute "review committee ~~shall~~ FOR
6 PERSONS LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER
7 ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS ADVANCED
8 PRACTICE NURSES MUST provide for at least the following:".
- 9
10 Page 9, strike lines 18 and 19 and substitute "PARAGRAPH (a), if the
11 findings of any investigation indicate that ~~the physician~~ A PERSON
12 LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE
13 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE
14 NURSE, AND who is the subject of the".
- 15
16 Page 9, line 20, insert a comma after "investigation".
- 17
18 Page 9, line 23, strike "PHYSICIAN'S OR".
- 19
20 Page 9, line 24, strike "PHYSICIAN ASSISTANT'S" and substitute
21 "PERSON'S".
- 22
23 Page 9, line 27, strike "PHYSICIAN".
- 24
25 Page 9, line 28, strike "OR PHYSICIAN ASSISTANT" and substitute
26 "PERSON".
- 27
28 Page 9, line 38, after "~~physician~~" insert "~~who is the subject of any~~
29 ~~investigation, shall be given reasonable notice of such hearing~~" and after
30 "GIVE" insert "TO THE SUBJECT OF ANY INVESTIGATION UNDER THIS
31 SUBSECTION (7)".
- 32
33 Page 9, line 40, strike "PHYSICIAN'S OR PHYSICIAN".
- 34
35 Page 9, line 41, strike "ASSISTANT'S" and substitute "PERSON'S".
- 36
37 Page 10, strike lines 1 through 3 and substitute "AUTHORIZED ENTITY, and
38 ~~shall have~~ THE SUBJECT OF THE INVESTIGATION HAS".
- 39
40 Page 10, line 11, strike "physician OR".
- 41
42 Page 10, line 12, strike "PHYSICIAN ASSISTANT," and substitute "~~physician~~
43 OF THE INVESTIGATION,".
- 44
45 Page 10, strike line 16 and substitute "AFFECT HIS OR HER MEMBERSHIP,".
- 46
47 Page 10, line 20, strike the period and add "IF THE SUBJECT OF THE
48 INVESTIGATION IS LICENSED UNDER ARTICLE 36 OF THIS TITLE, OR TO THE
49 NURSING BOARD IF THE SUBJECT OF THE INVESTIGATION IS LICENSED
50 UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN
51 ADVANCED PRACTICE NURSE.".
- 52
53 Page 10, line 22, strike "physician OR PHYSICIAN".
- 54
55 Page 10, line 23, strike "ASSISTANT" and substitute "~~physician~~ PERSON
56 LICENSED UNDER ARTICLE 36 OF THIS TITLE OR LICENSED UNDER ARTICLE

- 1 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE
2 NURSE".
3
4 Page 10, line 27, strike "physician OR PHYSICIAN ASSISTANT ~~shall~~" and
5 substitute "physician ~~shall~~ PERSON".
6
7 Page 10, strike lines 37 through 41.
8
9 Page 11, strike lines 1 through 25.
10
11 Page 11, line 26, strike "(9) (10)" and substitute "(9)".
12
13 Page 11, line 30, strike "(10) (11)" and substitute "(10)".
14
15 Page 11, line 31, strike "(11)," and substitute "(10),".
16
17 Page 11, line 37, strike "(14)" and substitute "(13)".
18
19 Page 12, line 17, strike "(12)" and substitute "(11)".
20
21 Page 12, line 18, strike "(12)," and substitute "(11),".
22
23 Page 12, line 39, strike "(13)" and substitute "(12)".
24
25 Page 13, line 7, strike "(14)" and substitute "(13)".
26
27 Page 13, line 9, strike "(11), (12), OR (13)" and substitute "(10), (11), OR
28 (12)".
29
30 Page 13, line 11, strike "(11)" and substitute "(10)".
31
32 Page 13, line 12, strike "(15)" and substitute "(14)".
33
34 Page 13, line 15, strike "(11) OR (12)" and substitute "(10) OR (11)".
35
36 Page 13, line 29, strike "(15)" and substitute "(14)".
37
38 Page 13, line 35, strike "(16)" and substitute "(15)" and strike "(11)," and
39 substitute "(10),".
40
41 Page 13, line 36, strike "(12), OR (13)" and substitute "(11), OR (12)".
42
43 Page 13, line 39, strike "(17)" and substitute "(16)".
44
45 Page 14, line 17, strike "**medical**".
46
47 Page 14, line 18, strike "**board**" and substitute "**division**".
48
49 Page 14, line 21, strike "PHYSICIANS OR PHYSICIAN ASSISTANTS" and
50 substitute "PERSONS LICENSED UNDER ARTICLE 36 OF THIS TITLE OR
51 LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY AS
52 ADVANCED PRACTICE NURSES".
53
54 Page 14, line 22, strike "MEDICAL BOARD" and substitute "DIVISION".
55
56 Page 14, strike lines 29 through 35 and substitute:

1 "(b) (I) REPORT ON ITS PROFESSIONAL REVIEW ACTIVITIES DURING
2 THE IMMEDIATELY PRECEDING CALENDAR YEAR IN A FORM SATISFACTORY
3 TO THE DIVISION. THESE REPORTS MUST INCLUDE AGGREGATE DATA ON
4 THE NUMBER AND TYPE OF CASES REVIEWED AND THE RESULTS OF SUCH
5 REVIEWS. AS USED IN THIS PARAGRAPH (b), "AGGREGATE DATA"
6 INCLUDES, WITHOUT LIMITATION, NONIDENTIFIABLE INFORMATION ABOUT
7 PROFESSIONAL REVIEW ACTIVITIES CONDUCTED BY THE AUTHORIZED
8 PROFESSIONAL REVIEW ENTITY THAT IS NOT OTHERWISE REPORTABLE
9 PURSUANT TO FEDERAL OR STATE LAW.

10
11 (II) THE DIVISION SHALL NOT PUBLISH ANY INFORMATION
12 IDENTIFYING THE PROFESSIONAL REVIEW COMMITTEE OR AUTHORIZED
13 ENTITY MAKING A REPORT UNDER THIS PARAGRAPH (b), AND THE IDENTITY
14 INFORMATION IS NOT A PUBLIC RECORD UNDER THE "COLORADO OPEN
15 RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S.

16
17 (III) REPORTS SUBMITTED PURSUANT TO THIS PARAGRAPH (b)
18 MUST INCLUDE ONLY INVESTIGATIONS IN WHICH NO FINAL ACTION
19 ADVERSELY AFFECTING THE SUBJECT OF THE INVESTIGATION, AS
20 "ADVERSELY AFFECTING" IS DEFINED IN 45 CFR 60.3, WAS TAKEN OR
21 RECOMMENDED."

22
23 Page 14, line 36, after "(2)" insert "(a)" and strike "MEDICAL BOARD" and
24 substitute "DIVISION".

25
26 Page 14, line 39, strike "SUBJECT PHYSICIANS OR PHYSICIAN".

27
28 Page 14, strike line 40 and substitute:

29
30 "LICENSED PROFESSIONALS SUBJECT TO REVIEW.

31
32 (b) THE DIVISION SHALL MAINTAIN AND SHALL PUBLISH ON LINE,
33 THROUGH ITS WEB SITE, A CURRENT LIST OF ALL PROFESSIONAL REVIEW
34 COMMITTEES THAT ARE REGISTERED IN ACCORDANCE WITH THIS SECTION
35 AND THAT OTHERWISE ARE IN COMPLIANCE WITH THIS ARTICLE."

36
37 Page 14, line 41, strike "MEDICAL BOARD" and substitute "DIVISION".

38
39 Page 15, strike lines 4 through 32.

40
41 Renumber succeeding sections accordingly.

42
43 Page 17, strike lines 10 and 11 and substitute "committee, ~~shall~~ WHO
44 MUST be licensed to practice medicine UNDER ARTICLE 36 OF THIS TITLE,
45 OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND GRANTED AUTHORITY
46 AS ADVANCED PRACTICE NURSES, and actively engaged in the practice of
47 ~~medicine~~ PRACTICING in this".

48
49 Page 17, line 31, strike "HEALTH CARE PROVIDER" and substitute "PERSON
50 LICENSED UNDER ARTICLE 36 OF THIS TITLE, OR LICENSED UNDER ARTICLE
51 38 OF THIS TITLE AND GRANTED AUTHORITY AS AN ADVANCED PRACTICE
52 NURSE, AND".

53
54 Page 17, line 37, strike "HEALTH CARE".

55
56 Page 17, line 38, strike "PROVIDER'S" and substitute "PERSON'S".

- 1 Page 18, line 3, strike "health care provider" and substitute "health care
2 provider PERSON".
3
- 4 Page 18, line 9, strike "HEALTH CARE".
5
- 6 Page 18, line 10, strike "PROVIDER" and substitute "PERSON".
7
- 8 Page 19, line 2, strike "HEALTH CARE".
9
- 10 Page 19, line 31, after "(13)" insert "(a)".
11
- 12 Page 19, strike lines 35 through 41.
13
- 14 Page 20, strike lines 1 through 4 and substitute:
15
- 16 ~~"shall be immune from liability in any civil action brought against him or
17 her for acts occurring while acting in his or her capacity as committee
18 member, staff, consultant, or witness, respectively, if such individual was
19 acting in good faith within the scope of his or her respective capacity,
20 made a reasonable effort to obtain the facts of the matter as to which he
21 or she acted, and acted in the reasonable belief that the action taken by
22 him or her was warranted by the facts. Any person participating in good
23 faith in lodging a complaint or participating in any investigative or
24 administrative proceeding pursuant to this article shall be immune from
25 any civil or criminal liability that may result from such participation IS
26 IMMUNE FROM SUIT IN ANY CIVIL OR CRIMINAL ACTION, INCLUDING
27 ANTITRUST ACTIONS, AND IS IMMUNE FROM LIABILITY FOR DAMAGES
28 UNLESS, IN CONNECTION WITH THE PROFESSIONAL REVIEW PROCESS, THE
29 PERSON PROVIDED FALSE INFORMATION AND KNEW THAT THE
30 INFORMATION WAS FALSE.~~
31
- 32 (b) THE COMMITTEE IS IMMUNE FROM SUIT IN ANY CIVIL OR
33 CRIMINAL ACTION, INCLUDING ANTITRUST ACTIONS, AND IS IMMUNE FROM
34 LIABILITY FOR DAMAGES IF THE PROFESSIONAL REVIEW ACTION WAS
35 TAKEN WITHIN THE SCOPE OF THE PROFESSIONAL REVIEW PROCESS AND
36 WAS TAKEN:
37
- 38 (I) IN THE OBJECTIVELY REASONABLE BELIEF THAT THE ACTION
39 WAS IN THE FURTHERANCE OF QUALITY HEALTH CARE;
40
- 41 (II) AFTER AN OBJECTIVELY REASONABLE EFFORT TO OBTAIN THE
42 FACTS OF THE MATTER;
43
- 44 (III) IN THE OBJECTIVELY REASONABLE BELIEF THAT THE ACTION
45 TAKEN WAS WARRANTED BY THE FACTS; AND
46
- 47 (IV) IN ACCORDANCE WITH PROCEDURES THAT, UNDER THE
48 CIRCUMSTANCES, WERE FAIR TO THE PERSON LICENSED UNDER ARTICLE 36
49 OF THIS TITLE OR LICENSED UNDER ARTICLE 38 OF THIS TITLE AND
50 GRANTED AUTHORITY AS AN ADVANCED PRACTICE NURSE."
51
- 52 Page 20, line 8, after "BOARD" insert "AND NURSING BOARD".
53
- 54 Page 20, line 11, strike "TO" and substitute "MAY".
55
- 56 Page 20, line 19, after "civil" insert "OR CRIMINAL".

1 Page 21, line 9, strike the comma.

2
3 Page 21, line 10, strike "INCLUDING A GOVERNING BOARD,".

4
5 Page 21, line 20, strike "COMMITTEE, INCLUDING A GOVERNING BOARD,"
6 and substitute "COMMITTEE".

7
8 Page 21, line 25, strike "HEALTH CARE PROVIDER" and substitute
9 "PERSON".

10
11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.

13
14 **SB12-030** by Senator(s) Jahn; also Representative(s) Liston--
15 Concerning administrative matters related to a foreclosure
16 sale.

17
18 Amendment No. 1, Local Government Report, dated March 5, 2012, and
19 placed in member's bill file; Report also printed in House Journal,
20 March 6, pages 566-569.

21
22 Amendment No. 2, by Representative(s) Liston.

23
24 Amend the Local Government Committee Report, dated March 5, 2012,
25 page 2, line 18, strike "~~officer~~ PUBLIC TRUSTEE" and substitute "officer".

26
27 Page 3 of the report, strike lines 5 through 11 and substitute "Page 16 of
28 the bill, strike lines 5 through 9 and substitute "COURT, any unclaimed
29 ~~excess proceeds~~ REMAINING OVERBID FROM A FORECLOSURE SALE HELD
30 PRIOR TO SEPTEMBER 1, 2012, shall be transferred by the officer to the
31 county treasurer within ninety calendar days after the expiration of all
32 redemption periods as provided in section 38-38-302 and held in escrow,
33 ~~for five years from the date of sale~~ AND ANY UNCLAIMED REMAINING
34 OVERBID FROM A FORECLOSURE SALE HELD ON OR AFTER SEPTEMBER 1,
35 2012, SHALL BE HELD BY THE OFFICER IN ESCROW. IN EITHER CASE, THE
36 REMAINING OVERBID SHALL BE HELD FOR FIVE YEARS FROM THE DATE OF
37 THE SALE. The county TREASURER OR OFFICER, WHOMEVER HOLDS THE
38 REMAINING OVERBID IN ESCROW, shall be answerable for the funds
39 without interest at any time".

40
41 Page 3 of the report, strike lines 20 and 21 and substitute "Page 16 of the
42 bill, line 18, strike "EXCESS".

43
44 Page 3 of the report, line 24, strike "26" and substitute "24".

45
46 Page 3 of the report, strike lines 28 through 30 and substitute "THE
47 GENERAL FUND OF THE COUNTY, the county".

48
49 Page 4 of the report, strike line 4 and substitute "38-38-302, the county
50 treasurer OR OFFICER SHALL, within ninety".

51
52 Page 4 of the report, after line 5 insert:

53
54 "Page 17 of the bill, line 14, after "located." insert "THE COUNTY
55 TREASURER IS RESPONSIBLE FOR THE NOTICE OF AN OVERBID FROM A
56 FORECLOSURE SALE HELD PRIOR TO SEPTEMBER 1, 2012, AND THE OFFICER

1 IS RESPONSIBLE FOR THE NOTICE OF AN OVERBID FROM A FORECLOSURE
2 SALE HELD ON OR AFTER SEPTEMBER 1, 2012."."

3
4 Page 4 of the report, strike lines 9 and 10 and substitute "Page 17 of the
5 bill, line 25, after "treasurer" insert "OR OFFICER, WHOMEVER HOLDS THE
6 REMAINING OVERBID IN ESCROW,"."

7
8 Page 4 of the report, strike lines 11 and 12 and substitute:
9

10 "Page 18 of the bill, line 4, strike "treasurer." and substitute "treasurer OR
11 OFFICER, WHOMEVER HOLDS THE REMAINING OVERBID IN ESCROW."."

12
13 Page 20 of the bill, line 26, strike "The" and substitute "Excluding the
14 provisions of sections 1, 3, and 10 of this act and section 38-38-101 (10),
15 Colorado Revised Statutes, as amended in section 4 of this act, the"."

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

19
20 **HB12-1019** by Representative(s) Vaad, Barker, Looper, Ramirez,
21 Scott, Tyler; also Senator(s) King S., Spence, Williams S.-
22 -Concerning the abolition of the motor carrier services
23 division of the division of motor vehicles of the
24 department of revenue, and, in connection therewith,
25 transferring the powers, duties, and functions of the motor
26 carrier services division relating to ports of entry to the
27 Colorado state patrol of the department of public safety
28 and transferring the powers, duties, and functions of the
29 motor carrier services division relating to commercial
30 driver's licenses and the international registration plan to
31 the department of revenue.

32
33 Amendment No. 1, Transportation Report, dated January 25, 2012, and
34 placed in member's bill file; Report also printed in House Journal,
35 January 26, page 92.

36
37 Amendment No. 2, Appropriations Report, dated March 9, 2012, and
38 placed in member's bill file; Report also printed in House Journal,
39 March 9, pages 598-602.

40
41 Amendment No. 3, by Representative(s) Vaad.

42
43 Amend the Appropriations Committee Report, dated March 9, 2012, page
44 3, line 29, strike "\$14,437." and substitute "\$136,659.".

45
46 Page 4 of the report, line 21, strike "\$151,101 and 2.5 TE." and substitute
47 "\$207,087 and 2.5 FTE.".

48
49 As amended, ordered engrossed and placed on the Calendar for Third
50 Reading and Final Passage.

51
52
53 **HB12-1205** by Representative(s) Fields, Labuda, Soper; also
54 Senator(s) Tochtrop--Concerning the regulation of persons
55 who engage in business related to persons with hearing
56 impairments, and, in connection therewith, implementing

the department of regulatory agencies' sunset review recommendations for audiologists and hearing aid providers.

Amendment No. 1, Local Government Report, dated February 22, 2012, and placed in member's bill file; Report also printed in House Journal, February 23, page 354.

Amendment No. 2, Appropriations Report, dated March 9, 2012, and placed in member's bill file; Report also printed in House Journal, March 9, pages 604-605.

Amendment No. 3, by Representative(s) Fields.

Amend the Local Government Committee report, dated February 22, 2012, page 1, after line 12 insert:

"Page 28 of the printed bill, line 21, strike "12-____," and substitute "12-1205,"."

Page 2 of the report, strike lines 1 through 3.

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

SB12-035 by Senator(s) Hodge; also Representative(s) Gardner B.-- Concerning limited liability for spaceflight activities.

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

SB12-033 by Senator(s) Guzman; also Representative(s) Massey-- Concerning adding near fatalities to the responsibilities of the department of human services child fatality review team.

Amendment No. 1, Health & Environment Report, dated March 8, 2012, and placed in member's bill file; Report also printed in House Journal, March 12, pages 621-623.

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

HB12-1271 by Representative(s) Nikkel and McCann, Levy; also Senator(s) Giron--Concerning charging of juveniles by direct file of information or indictment in district court.

Amendment No. 1, Judiciary Report, dated March 8, 2012, and placed in member's bill file; Report also printed in House Journal, March 9, pages 607-608.

Amendment No. 2, by Representative(s) McCann.

Amend printed bill, page 2, line 15, after "(III)", insert "(A)".

Page 3, strike lines 1 and 2 and substitute "PARAGRAPH (a), OR IS ALLEGED

1 TO HAVE COMMITTED SEXUAL ASSAULT PURSUANT TO SECTION 18-3-402,
 2 C.R.S., SEXUAL ASSAULT ON A CHILD PURSUANT TO SECTION 18-3-405,
 3 C.R.S., OR SEXUAL ASSAULT ON A CHILD BY ONE IN A POSITION OF TRUST
 4 PURSUANT TO SECTION 18-3-405.3, C.R.S.; AND

5
 6 (B) IS FOUND TO HAVE A PRIOR ADJUDICATED FELONY OFFENSE;
 7 or".

8
 9 As amended, ordered engrossed and placed on the Calendar for Third
 10 Reading and Final Passage.

11
 12 **HB12-1130** by Representative(s) Joshi, Holbert, Acree, Baumgardner,
 13 Bradford, Brown, Murray; also Senator(s) Mitchell--
 14 Concerning offenses against an unborn child.

15
 16 Amendment No. 1, Judiciary Report, dated February 21, 2012, and placed
 17 in member's bill file; Report also printed in House Journal, February 22,
 18 pages 348-349.

19
 20 As amended, ordered engrossed and placed on the Calendar for Third
 21 Reading and Final Passage.

22
 23 On motion of Representative Waller, the following bills on the General
 24 Orders Calendar were laid over until March 19, retaining place on
 25 Calendar: **HB12-1103, 1068, 1118, 1263, 1238, SB12-099.**

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

26
 27
 28
 29
 30
 31 Passed Second Reading: **HB12-1300 amended, SB12-030 amended,**
 32 **HB12-1019 amended, 1205 amended, SB12-035, 033 amended,**
 33 **HB12-1271 amended, 1130 amended.**

34
 35 Laid over until date indicated retaining place on Calendar:
 36 **HB12-1121--May 10, 2012. Bill deemed lost.**
 37 **HB12-1103, 1068, 1118, 1263, 1238, SB12-099--March 19, 2012.**

38
 39 The Chairman moved the adoption of the Committee of the Whole
 40 Report. As shown by the following roll call vote, a majority of those
 41 elected to the House voted in the affirmative, and the Report was
 42 **adopted.**

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

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

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB12-1162 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, after line 25 insert:

"**SECTION 2. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be necessary, to be allocated for the information technology division for the purchase of computer center services.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be necessary, for allocation to the office of information technology, for the provision of computer center services for the department of revenue related to the implementation of this act. Said sum is from reappropriated funds received from the department of revenue out of the appropriation made in subsection (1) of this section.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2012, the sum of \$1,976, or so much thereof as may be necessary, for allocation to division of motor vehicles for the purchase of license plates related to the implementation of this act."

Renumber succeeding section accordingly.

Page 1, line 102, strike "PLATE." and substitute "PLATE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

HB12-1209 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 7, after line 1 insert:

2 **"SECTION 3. Appropriation.** In addition to any other
3 appropriation, there is hereby appropriated, out of any moneys in the
4 department of state cash fund created in section 24-21-104 (3) (b),
5 Colorado Revised Statutes, not otherwise appropriated, to the department
6 of state, for the fiscal year beginning July 1, 2012, the sum of \$198,912,
7 or so much thereof as may be necessary, for allocation to information
8 technology services related to the implementation of this act."

9
10 Renumber succeeding section accordingly.

11
12 Page 1, line 101, strike "ACT" and substitute "ACT", AND, IN
13 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

14
15
16
17 **HB12-1254** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:

20
21 Amend printed bill, page 2, line 23, strike "UNLESS" and substitute "IF"
22 and strike "DISTRICT," and substitute "DISTRICT HAS ONE THOUSAND OR
23 MORE INDIVIDUALS RESIDING WITHIN ITS TERRITORY, HAS ONLY ELECTED
24 BOARD MEMBERS, PROVIDES ONLY PARKS AND RECREATION FACILITIES
25 THAT ARE OPEN TO THE GENERAL PUBLIC INCLUDING INDIVIDUALS WHO
26 ARE NOT RESIDENTS OF THE DISTRICT, AND,".

27
28 Page 3, line 2, strike "NOT".

29
30 Page 3, before line 3 insert:

31 **"SECTION 2. Appropriation.** (1) In addition to any other
32 appropriation, there is hereby appropriated, out of any moneys in the
33 conservation trust fund allocation expense fund created in section 29-21-
34 101 (2) (a.5) (I), Colorado Revised Statutes, not otherwise appropriated,
35 to the department of local affairs, for the fiscal year beginning July 1,
36 2012, the sum of \$19,250 and 0.1 FTE, or so much thereof as may be
37 necessary, to be allocated for the implementation of this act as follows:

38
39 (a) \$3,010 and 0.1 FTE for personal services; and

40
41 (b) \$16,240 for the purchase of computer center services.

42
43 (2) In addition to any other appropriation, there is hereby
44 appropriated to the governor - lieutenant governor - state planning and
45 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$16,240
46 and 0.1 FTE, or so much thereof as may be necessary, for allocation to the
47 office of information technology, for the provision of computer center
48 services for the department of local affairs related to the implementation
49 of this act. Said sum is from reappropriated funds received from the
50 department of local affairs out of the appropriation made in paragraph (b)
51 of subsection (1) of this section."

52
53 Renumber succeeding sections accordingly.

54
55 Page 1, line 104, strike "ONLY." and substitute "ONLY, AND, IN
56 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

1 **HB12-1274** 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 10, before line 10 insert:
6

7 **"SECTION 12. Appropriation - adjustments in 2012 long bill.**

8 (1) For the implementation of this act, appropriations made in the annual
9 general appropriation act to the department of state for the fiscal year
10 beginning July 1, 2012, are adjusted as follows:
11

12 (a) The cash funds appropriation is decreased by \$190,100. Said
13 sum is from the notary administration cash fund created in section 12-55-
14 102.5 (1), Colorado Revised Statutes.
15

16 (b) The cash funds appropriation is increased by \$190,100. Said
17 sum is from the department of state cash fund created in section 24-21-
18 104 (3) (b), Colorado Revised Statutes.
19

20 **SECTION 13. Appropriation.** In addition to any other
21 appropriation, there is hereby appropriated, out of any moneys in the
22 department of state cash fund created in section 24-21-104 (3) (b),
23 Colorado Revised Statutes, not otherwise appropriated, to the department
24 of state, for the fiscal year beginning July 1, 2012, the sum of \$22,400, or
25 so much thereof as may be necessary, for allocation to information
26 technology services for contract programming services related to the
27 implementation of this act."
28

29 Renumber succeeding section accordingly.
30

31 Page 1, line 101 strike "**PUBLIC.**" and substitute "**PUBLIC, AND, IN**
32 **CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS.**".
33
34
35

36 **HB12-1292** be referred to the Committee of the Whole with favorable
37 recommendation.
38
39

40 **HB12-1302** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:
43

44 Amend printed bill, page 4, after line 14 insert:
45

46 **"SECTION 3. Appropriation.** (1) In addition to any other
47 appropriation, there is hereby appropriated, out of any moneys in the
48 Colorado state titling and registration account of the highway users tax
49 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
50 otherwise appropriated, to the department of revenue, for the fiscal year
51 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be
52 necessary, to be allocated for the information technology division for the
53 purchase of computer center services.
54

55 (2) In addition to any other appropriation, there is hereby
56 appropriated to the governor - lieutenant governor - state planning and

1 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
2 or so much thereof as may be necessary, for allocation to the office of
3 information technology, for the provision of computer center services for
4 the department of revenue related to the implementation of this act. Said
5 sum is from reappropriated funds received from the department of
6 revenue out of the appropriation made in subsection (1) of this section.
7

8 (3) In addition to any other appropriation, there is hereby
9 appropriated, out of any moneys in the license plate cash fund created in
10 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
11 appropriated, to the department of revenue, for the fiscal year beginning
12 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,
13 for allocation to division of motor vehicles for the purchase of license
14 plates related to the implementation of this act.".

15
16 Renumber succeeding section accordingly.

17
18 Page 1, line 102, strike "PLATE." and substitute "PLATE, AND, IN
19 CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

20
21
22
23 **HB12-1303** be amended as follows, and as so amended, be referred to
24 the Committee of the Whole with favorable
25 recommendation:
26

27 Amend printed bill, page 30, after line 19 insert:
28

29 **"SECTION 4. Appropriation.** (1) In addition to any other
30 appropriation, there is hereby appropriated, out of any moneys in the
31 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
32 Colorado Revised Statutes, not otherwise appropriated, to the department
33 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum
34 of \$111,148 and 1.2 FTE, or so much thereof as may be necessary, to be
35 allocated for the implementation of this act as follows:
36

37 (a) \$57,428 and 1.1 FTE for personal services;
38

39 (b) \$27,971 for temporary contract labor;
40

41 (c) \$7,909 for operating expenses;
42

43 (d) \$16,656 for the purchase of legal services; and
44

45 (e) \$1,184 for the purchase of computer center services.
46

47 (2) In addition to any other appropriation, there is hereby
48 appropriated to the department of law, for the fiscal year beginning July
49 1, 2012, the sum of \$16,656 and 0.1 FTE, or so much thereof as may be
50 necessary, for the provision of legal services for the department of
51 regulatory agencies related to the implementation of this act. Said sum is
52 from reappropriated funds received from the department of regulatory
53 agencies out of the appropriation made in paragraph (d) of subsection (1)
54 of this section.
55

56 (3) In addition to any other appropriation, there is hereby

1 appropriated to the governor - lieutenant governor - state planning and
2 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$1,184,
3 or so much thereof as may be necessary, for allocation to the office of
4 information technology, for the provision of computer center services for
5 the department of regulatory agencies related to the implementation of
6 this act. Said sum is from reappropriated funds received from the
7 department of regulatory agencies out of the appropriation made in
8 paragraph (e) of subsection (1) of this section."
9

10 Renumber succeeding section accordingly.
11

12 Page 1, line 102, strike "AGENCIES." and substitute "AGENCIES, AND, IN
13 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
14
15
16
17

18 **FINANCE**

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

22 **HB12-1240** be amended as follows, and as so amended, be referred to
23 the Committee on Appropriations with favorable
24 recommendation:
25

26 Amend the Education Committee Report, dated February 27, 2012, page
27 1, strike lines 14 through 19.
28

29 Page 2, strike lines 1 through 28.
30

31 Renumber succeeding sections accordingly.
32
33
34

35 **HB12-1295** be referred favorably to the Committee on Appropriations.
36
37

38 **SB12-055** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:
41

42 Amend reengrossed bill, page 2, line 2, after "**amend**" insert "(5) (b) (I)
43 and".
44

45 Page 2, strike line 5 and substitute "**contribution programs - queue -
46 notice.** (5) For income tax years commencing on or after January 1,
47 2005, every voluntary contribution established in this article shall receive
48 a minimum dollar amount of contributions in each income tax year as
49 follows:
50

51 (b) (I) (A) Notwithstanding ~~the provisions of~~ paragraph (a) of this
52 subsection (5), for any voluntary contribution that appears on Colorado
53 income tax returns for the first time in the 2002 income tax year or any
54 income tax year thereafter, the amount designated on Colorado income
55 tax returns as contributed under ~~the provisions of~~ any voluntary
56 contribution established in this article shall equal or exceed seventy-five

1 thousand dollars according to the records of the department of revenue
2 during the January 1 through September 30 period for which moneys are
3 collected for the third income tax year in which the voluntary contribution
4 appears on Colorado income tax returns. Any such voluntary contribution
5 shall not be required to collect seventy-five thousand dollars in either the
6 first or the second year that it appears on Colorado income tax returns.

7
8 (B) FOR THE PURPOSES OF SUB-SUBPARAGRAPH (A) OF THIS
9 SUBPARAGRAPH (I), A VOLUNTARY CONTRIBUTION THAT PREVIOUSLY
10 APPEARED ON INCOME TAX RETURNS AND WAS REMOVED FOR FAILURE TO
11 RECEIVE THE REQUISITE AMOUNT OF CONTRIBUTIONS PURSUANT TO EITHER
12 PARAGRAPH (a) OF THIS SUBSECTION (5) OR SUBPARAGRAPH (II) OF THIS
13 PARAGRAPH (b) IS DEEMED TO BE APPEARING ON THE FORM "FOR THE FIRST
14 TIME" IF THREE INCOME TAX YEARS OR MORE ELAPSES BETWEEN THE LAST
15 YEAR THE VOLUNTARY CONTRIBUTION APPEARED ON THE FORM AND THE
16 FIRST YEAR IT IS REPLACED ON THE FORM.

17
18 (6) ~~No more than fifteen~~.
19
20
21
22

23 **HEALTH & ENVIRONMENT**

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

26
27 **HB12-1242** be postponed indefinitely.
28
29

30 **HB12-1268** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:
33

34 Strike the Health and Environment Committee Report, dated February 23,
35 2012, and substitute:

36
37 "Amend printed bill, strike everything below the enacting clause and
38 substitute:
39

40 "SECTION 1. In Colorado Revised Statutes, 25-1.5-103, **add** (5)
41 as follows:
42

43 **25-1.5-103. Health facilities - powers and duties of department**
44 **- limitations on rules promulgated by department.** (5) (a) THIS
45 SUBSECTION (5) APPLIES TO CONSTRUCTION, INCLUDING SUBSTANTIAL
46 RENOVATION, OF A HEALTH CARE FACILITY BUILDING OR STRUCTURE ON
47 OR AFTER JULY 1, 2013. ALL HEALTH FACILITY BUILDINGS AND
48 STRUCTURES SHALL BE CONSTRUCTED IN CONFORMITY WITH THE
49 STANDARDS ADOPTED BY THE DIRECTOR OF THE DIVISION OF FIRE SAFETY
50 IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE
51 DEPARTMENT OF PUBLIC SAFETY.
52

53 (b) EXCEPT AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION
54 (5) BUT NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE
55 CONTRARY, THE DEPARTMENT SHALL NOT ISSUE OR RENEW ANY LICENSE
56 UNDER THIS ARTICLE UNLESS THE DEPARTMENT HAS RECEIVED A

1 CERTIFICATE OF COMPLIANCE FROM THE DIVISION OF FIRE SAFETY
2 CERTIFYING THAT THE BUILDING OR STRUCTURE OF THE HEALTH FACILITY
3 ARE IN CONFORMITY WITH THE STANDARDS ADOPTED BY THE DIRECTOR OF
4 THE DIVISION OF FIRE SAFETY.

5
6 (c) HOME CARE AGENCIES, ASSISTED LIVING RESIDENCES, AND
7 OTHER FACILITIES OF A LIKE NATURE THAT DO NOT MAINTAIN BUILDINGS
8 OR STRUCTURES AT WHICH HEALTH CARE SERVICES ARE PROVIDED ARE
9 NOT REQUIRED TO OBTAIN A CERTIFICATE OF COMPLIANCE IN ACCORDANCE
10 WITH PARAGRAPH (b) OF THIS SUBSECTION (5) AS A CONDITION OF
11 LICENSURE BY THE DEPARTMENT.

12
13 (d) THE DEPARTMENT HAS NO AUTHORITY TO ESTABLISH OR
14 ENFORCE STANDARDS RELATING TO BUILDING OR FIRE CODES. ALL
15 FUNCTIONS, PERSONNEL, AND PROPERTY OF THE DEPARTMENT AS OF JUNE
16 30, 2013, THAT ARE PRINCIPALLY DIRECTED TO THE ADMINISTRATION,
17 INSPECTION, AND ENFORCEMENT OF ANY BUILDING OR FIRE CODES OR
18 STANDARDS SHALL BE TRANSFERRED TO THE HEALTH FACILITY
19 CONSTRUCTION AND INSPECTION SECTION OF THE DIVISION OF FIRE SAFETY
20 PURSUANT TO SECTION 24-33.5-1201 (4), C.R.S.

21
22 (e) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
23 ALL HEALTH FACILITIES SEEKING CERTIFICATION PURSUANT TO THE
24 FEDERAL INSURANCE OR ASSISTANCE PROVIDED BY TITLE XIX OF THE
25 FEDERAL "SOCIAL SECURITY ACT", AS AMENDED AND COMMONLY KNOWN
26 AS "MEDICAID", OR THE FEDERAL INSURANCE OR ASSISTANCE PROVIDED BY
27 TITLE XVIII OF THE FEDERAL "SOCIAL SECURITY ACT", AS AMENDED AND
28 COMMONLY KNOWN AS "MEDICARE", OR ANY SUCCESSOR CODE ADOPTED
29 OR PROMULGATED BY THE APPROPRIATE FEDERAL AUTHORITIES, SHALL
30 CONTINUE TO MEET SUCH CERTIFICATION REQUIREMENTS.

31
32 **SECTION 2.** In Colorado Revised Statutes, 25-3-102, **amend** (1);
33 and **add** (3) as follows:

34
35 **25-3-102. License - application - issuance - certificate of**
36 **compliance required.** (1) An application for a license described in
37 section 25-3-101 shall be made to the department of public health and
38 environment annually upon such form and in such manner as prescribed
39 by the department; except that a community residential home shall make
40 application for a license pursuant to section 27-10.5-109, C.R.S. The
41 department has authority to administer oaths, subpoena witnesses or
42 documents, and take testimony in all matters relating to issuing, denying,
43 limiting, suspending, or revoking such license. The department shall issue
44 licenses to applicants furnishing satisfactory evidence of fitness to
45 conduct and maintain a facility described in section 25-3-101 in
46 accordance with ~~the provisions of this part 1 and the rules and regulations~~
47 ~~adopted by such~~ THE department. The license shall be signed by the
48 president and attested by the secretary of the state board of health and
49 have the seal thereof affixed thereto. ~~Such~~ THE license expires one year
50 from the date of issuance.

51
52 (3) (a) NOTWITHSTANDING ANY PROVISION OF LAW TO THE
53 CONTRARY, THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
54 SHALL NOT ISSUE OR RENEW ANY LICENSE DESCRIBED IN SECTION 25-3-101
55 FOR A FACILITY COVERED BY SECTION 25-1.5-103 (5) UNLESS THE
56 DEPARTMENT RECEIVES A CERTIFICATE OF COMPLIANCE FOR THE

1 APPLICANT'S BUILDING OR STRUCTURE FROM THE DIVISION OF FIRE SAFETY
2 IN THE OFFICE OF PREPAREDNESS, SECURITY, AND FIRE SAFETY WITHIN THE
3 DEPARTMENT OF PUBLIC SAFETY IN ACCORDANCE WITH PART 12 OF
4 ARTICLE 33.5 OF TITLE 24, C.R.S.

5
6 (b) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
7 SHALL TAKE ACTION ON AN APPLICATION FOR LICENSURE WITHIN THIRTY
8 DAYS AFTER THE DATE IT RECEIVES THE CERTIFICATE OF COMPLIANCE
9 FROM THE DIVISION OF FIRE SAFETY.

10
11 **SECTION 3.** In Colorado Revised Statutes, 25-3-105, **add** (4) as
12 follows:

13
14 **25-3-105. License - fee - rules - penalty.** (4) ON JUNE 30, 2013,
15 ANY MONEYS REMAINING IN THE HEALTH FACILITIES GENERAL LICENSURE
16 CASH FUND CREATED IN SECTION 25-3-103.1 (1) FROM FEES COLLECTED BY
17 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR HEALTH
18 FACILITY BUILDING AND STRUCTURE CODE PLAN REVIEWS AND
19 INSPECTIONS ARE TRANSFERRED TO THE HEALTH FACILITY CONSTRUCTION
20 AND INSPECTION CASH FUND CREATED IN SECTION 24-33.5-1207.8, C.R.S.

21
22 **SECTION 4.** In Colorado Revised Statutes, 24-33.5-1201, **add**
23 (4) as follows:

24
25 **24-33.5-1201. Division of fire safety - creation - public school**
26 **construction and inspection section - health facility construction and**
27 **inspection section.** (4) (a) THERE IS HEREBY CREATED WITHIN THE
28 DIVISION THE HEALTH FACILITY CONSTRUCTION AND INSPECTION SECTION
29 TO IMPLEMENT SECTION 24-33.5-1212.5 AND TO ADMINISTER AND
30 ENFORCE THE CODES IN ACCORDANCE WITH SECTIONS 24-33.5-1212.5 AND
31 24-33.5-1213. THE HEALTH FACILITY CONSTRUCTION AND INSPECTION
32 SECTION SHALL PERFORM ITS DUTIES AND FUNCTIONS UNDER THE DIVISION
33 AND THE EXECUTIVE DIRECTOR AS IF THE SAME WERE TRANSFERRED TO
34 THE DEPARTMENT BY A **TYPE 2** TRANSFER, AS SUCH TRANSFER IS DEFINED
35 IN THE "ADMINISTRATIVE ORGANIZATION ACT OF 1968", ARTICLE 1 OF
36 THIS TITLE.

37
38 (b) ON AND AFTER JULY 1, 2013, ALL POSITIONS OF EMPLOYMENT
39 IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR WHICH
40 PRINCIPAL DUTIES ARE CONCERNED WITH LIFE SAFETY INSPECTION AND
41 THAT ARE DETERMINED BY THE DIRECTOR TO BE NECESSARY TO CARRY
42 OUT THE PURPOSES OF THE HEALTH FACILITY CONSTRUCTION AND
43 INSPECTION SECTION ARE TRANSFERRED TO THE DIVISION AND ARE
44 EMPLOYMENT POSITIONS THEREIN. THE EXECUTIVE DIRECTOR SHALL
45 APPOINT SUCH EMPLOYEES AS ARE NECESSARY TO CARRY OUT THE DUTIES
46 AND EXERCISE THE POWERS SPECIFIED IN THIS PART 12. THE EXECUTIVE
47 DIRECTOR MAY DELEGATE APPOINTING AUTHORITY AS APPROPRIATE.

48
49 (c) ON AND AFTER JULY 1, 2013, ALL EMPLOYEES OF THE
50 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CARRYING OUT THE
51 DUTIES PRINCIPALLY RELATING TO LIFE SAFETY CODE COMPLIANCE ARE
52 EMPLOYEES OF THE HEALTH FACILITY CONSTRUCTION AND INSPECTION
53 SECTION IN THE DIVISION. THE EMPLOYEES RETAIN ALL RIGHTS UNDER THE
54 STATE PERSONNEL SYSTEM AND TO RETIREMENT BENEFITS PURSUANT TO
55 THE LAWS OF THIS STATE, AND THEIR SERVICES ARE DEEMED TO HAVE
56 BEEN CONTINUOUS.

(d) ON JULY 1, 2013, ALL ITEMS OF PROPERTY, REAL AND PERSONAL, INCLUDING OFFICE FURNITURE AND FIXTURES, BOOKS, DOCUMENTS, AND RECORDS OF THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT USED IN CARRYING OUT THE DUTIES PRINCIPALLY RELATING TO LIFE SAFETY CODE COMPLIANCE ARE TRANSFERRED TO THE HEALTH FACILITY CONSTRUCTION AND INSPECTION SECTION IN THE DIVISION AND BECOME THE PROPERTY OF THAT SECTION.

(e) BY OCTOBER 1, 2012, THE DIVISION AND THE GOVERNOR SHALL SUBMIT AN APPLICATION TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR A MODIFICATION TO THE AGREEMENT ENTERED INTO BETWEEN THE SECRETARY AND THE STATE OF COLORADO PURSUANT TO SECTION 1864 OF THE FEDERAL "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 1395AA, WHICH MODIFICATION ALLOWS THE DIVISION TO FULFILL THE DUTIES UNDER THAT LAW ASSOCIATED WITH THE ASSESSMENT OF COMPLIANCE WITH THE FEDERAL FIRE SAFETY CODE REQUIREMENTS FOR HEALTH FACILITIES, AND A MODIFICATION TO WAIVERS FOR RESIDENTIAL MEDICAID PROVIDER TYPES TO ALLOW THE DIVISION TO CONDUCT CONSTRUCTION PLANS AND INSPECTIONS.

SECTION 5. In Colorado Revised Statutes, 24-33.5-1202, **amend** (7.7); and **add** (7.9) as follows:

24-33.5-1202. Definitions. As used in this part 12, unless the context otherwise requires:

(7.7) ~~"Manufacturer" means any one or more of the following:~~

~~(a) An entity that manufactures or otherwise produces cigarettes or causes cigarettes to be manufactured with the intent that such cigarettes be sold in Colorado, regardless of where the cigarettes are manufactured or produced and regardless of whether they are imported from outside the United States;~~

~~(b) The first purchaser anywhere that intends to resell, in the United States, cigarettes manufactured anywhere that the original manufacturer or producer does not intend to be sold in the United States; or~~

~~(c) An entity that becomes a successor to an entity described in paragraph (a) or (b) of this subsection~~ (7.7) "HEALTH FACILITY" MEANS A GENERAL HOSPITAL, HOSPITAL UNIT AS DEFINED IN SECTION 25-3-101 (2), C.R.S., PSYCHIATRIC HOSPITAL, COMMUNITY CLINIC, REHABILITATION CENTER, CONVALESCENT CENTER, COMMUNITY MENTAL HEALTH CENTER, ACUTE TREATMENT UNIT, FACILITY FOR PERSONS WITH DEVELOPMENTAL DISABILITIES, HABILITATION CENTER FOR CHILDREN WITH BRAIN DAMAGE, CHIROPRACTIC CENTER AND HOSPITAL, MATERNITY HOSPITAL, NURSING CARE FACILITY, REHABILITATIVE NURSING FACILITY, HOSPICE CARE FACILITY, DIALYSIS TREATMENT CLINIC, AMBULATORY SURGICAL CENTER, BIRTHING CENTER, OR OTHER FACILITY OF A LIKE NATURE; EXCEPT THAT "HEALTH FACILITY" DOES NOT INCLUDE A FACILITY AT WHICH HEALTH SERVICES ARE NOT PROVIDED TO INDIVIDUALS.

(7.9) "MANUFACTURER" MEANS ANY ONE OR MORE OF THE FOLLOWING:

1 (a) AN ENTITY THAT MANUFACTURES OR OTHERWISE PRODUCES
2 CIGARETTES OR CAUSES CIGARETTES TO BE MANUFACTURED WITH THE
3 INTENT THAT SUCH CIGARETTES BE SOLD IN COLORADO, REGARDLESS OF
4 WHERE THE CIGARETTES ARE MANUFACTURED OR PRODUCED AND
5 REGARDLESS OF WHETHER THEY ARE IMPORTED FROM OUTSIDE THE
6 UNITED STATES;

7
8 (b) THE FIRST PURCHASER ANYWHERE THAT INTENDS TO RESELL,
9 IN THE UNITED STATES, CIGARETTES MANUFACTURED ANYWHERE THAT
10 THE ORIGINAL MANUFACTURER OR PRODUCER DOES NOT INTEND TO BE
11 SOLD IN THE UNITED STATES; OR

12
13 (c) AN ENTITY THAT BECOMES A SUCCESSOR TO AN ENTITY
14 DESCRIBED IN PARAGRAPH (a) OR (b) OF THIS SUBSECTION (7.9).

15
16 **SECTION 6.** In Colorado Revised Statutes, 24-33.5-1203,
17 **amend** (1) (b.5); and **add** (1) (p.5) as follows:

18
19 **24-33.5-1203. Duties of division.** (1) The division shall perform
20 the following duties:

21
22 (b.5) Advise the governor and the general assembly regarding
23 implementation of the public school construction and inspection program
24 AND THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM;

25
26 (p.5) CONDUCT, WHEN THERE IS NO LOCAL BUILDING DEPARTMENT
27 OR FIRE DEPARTMENT, CONSTRUCTION PLAN REVIEWS AND INSPECTIONS OF
28 HEALTH FACILITY BUILDINGS AND STRUCTURES AND ENFORCE THE CODES
29 IN ACCORDANCE WITH SECTIONS 24-33.5-1212.5 AND 24-33.5-1213;

30
31 **SECTION 7.** In Colorado Revised Statutes, 24-33.5-1204.5,
32 **amend** (1) (g); and **add** (1) (f.5) as follows:

33
34 **24-33.5-1204.5. Powers and duties of administrator - rules.**
35 (1) In addition to any other duties and powers granted by this section or
36 sections 24-33.5-1206.2 and 24-33.5-1206.4, the administrator has the
37 following duties and powers:

38
39 (f.5) TO ESTABLISH AND ADOPT RULES NECESSARY TO ADMINISTER
40 THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM FOR:

41
42 (I) WHERE THERE IS NO LOCAL BUILDING DEPARTMENT OR FIRE
43 DEPARTMENT, THE INSPECTION OF HEALTH FACILITY BUILDINGS AND
44 STRUCTURES AND PERFORMANCE OF PLAN REVIEWS; AND

45
46 (II) THE DEVELOPMENT OF A PROGRAM FOR CERTIFICATION OF
47 HEALTH FACILITY LIFE SAFETY INSPECTORS;

48
49 (g) To conduct hearings upon charges for discipline of a school
50 building inspector, HEALTH FACILITY LIFE SAFETY CODE INSPECTOR, OR
51 THIRD-PARTY INSPECTOR; issue subpoenas; compel attendance of
52 witnesses; compel the production of books, records, papers, and
53 documents; administer oaths to persons giving testimony at hearings; and
54 recommend prosecution of persons violating this part 12.

55
56 **SECTION 8.** In Colorado Revised Statutes, 24-33.5-1206,

1 **amend** (2) as follows:

2
3 **24-33.5-1206. Education and training programs - certification**
4 **programs - supervision and control.** (2) The public school construction
5 and inspection program, THE HEALTH FACILITY CONSTRUCTION AND
6 INSPECTION PROGRAM, and the certification ~~program~~ PROGRAMS for public
7 school and junior college building inspectors AND LIFE SAFETY CODE
8 INSPECTORS established pursuant to this part 12 ~~shall be~~ ARE under the
9 supervision and control of the director with the advice of the board of
10 appeals created in section 24-33.5-1213.7.

11
12 **SECTION 9.** In Colorado Revised Statutes, **add** 24-33.5-1207.8
13 as follows:

14
15 **24-33.5-1207.8. Health facility construction and inspection**
16 **cash fund - created.** ALL MONEYS COLLECTED BY THE DIVISION
17 PURSUANT TO SECTION 24-33.5-1212.5 SHALL BE TRANSMITTED TO THE
18 STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEALTH
19 FACILITY CONSTRUCTION AND INSPECTION CASH FUND, WHICH IS HEREBY
20 CREATED. ALL MONEYS CREDITED TO THE FUND AND ALL INTEREST
21 EARNED THEREON ARE SUBJECT TO ANNUAL APPROPRIATION BY THE
22 GENERAL ASSEMBLY FOR PAYING THE EXPENSES OF THE HEALTH FACILITY
23 CONSTRUCTION AND INSPECTION PROGRAM. ANY UNEXPENDED AND
24 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
25 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT BE CREDITED OR
26 TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

27
28 **SECTION 10.** In Colorado Revised Statutes, **add** 24-33.5-1212.5
29 as follows:

30
31 **24-33.5-1212.5. Health facility fire and building codes -**
32 **third-party inspections authorized - temporary certificate of**
33 **occupancy - fees - rules - board of appeals.** (1) (a) THIS SECTION
34 APPLIES TO HEALTH FACILITY BUILDINGS OR STRUCTURES, INCLUDING THE
35 CONSTRUCTION OR SUBSTANTIAL REMODELING THEREOF, WHEN THERE IS
36 NO LOCAL BUILDING DEPARTMENT OR FIRE DEPARTMENT TO PERFORM
37 SUCH FUNCTIONS.

38
39 (b) ON AND AFTER JULY 1, 2013, HEALTH FACILITY BUILDINGS AND
40 STRUCTURES SHALL BE MAINTAINED IN ACCORDANCE WITH THEIR LOCAL
41 BUILDING AND FIRE CODES OR, IF NO SUCH LOCAL BUILDING AND FIRE
42 CODES EXIST, WITH THE BUILDING AND FIRE CODES ADOPTED BY THE
43 DIRECTOR PURSUANT TO SECTION 24-33.5-1203.5.

44
45 (c) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (1),
46 UPON REQUEST OF THE LOCAL FIRE AUTHORITY, THE DIRECTOR OF THE
47 DIVISION SHALL PROVIDE TECHNICAL ASSISTANCE IN THE REVIEW OF
48 HEALTH FACILITY PLANS AND, IF APPROPRIATE, CONDUCT INSPECTIONS ON
49 BEHALF OF THE LOCAL FIRE AUTHORITY.

50
51 (2) EXCEPT AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION, IN
52 THE ABSENCE OF A LOCAL BUILDING DEPARTMENT OR FIRE DEPARTMENT,
53 THE DIVISION SHALL CONDUCT THE NECESSARY PLAN REVIEWS, ISSUE
54 BUILDING PERMITS, CAUSE THE NECESSARY INSPECTIONS TO BE
55 PERFORMED, PERFORM FINAL INSPECTIONS, AND ISSUE CERTIFICATES OF
56 OCCUPANCY TO ASSURE THAT A HEALTH FACILITY BUILDING OR

1 STRUCTURE HAS BEEN CONSTRUCTED IN CONFORMITY WITH THE BUILDING
2 AND FIRE CODES ADOPTED BY THE DIRECTOR AND THAT THE HEALTH
3 FACILITY HAS COMPLIED WITH THIS SECTION.

4
5 **(3) Third-party inspectors.** (a) THE DIVISION MAY CONTRACT
6 WITH THIRD-PARTY INSPECTORS WHO ARE CERTIFIED IN ACCORDANCE
7 WITH SECTION 24-33.5-1213.5 TO PERFORM INSPECTIONS.

8
9 (b) (I) A HEALTH FACILITY MAY HIRE AND COMPENSATE
10 THIRD-PARTY INSPECTORS UNDER CONTRACT WITH THE DIVISION OR HIRE
11 AND COMPENSATE OTHER THIRD-PARTY INSPECTORS WHO ARE CERTIFIED
12 IN ACCORDANCE WITH SECTION 24-33.5-1213.5 TO PERFORM INSPECTIONS.

13
14 (II) IF A THIRD-PARTY INSPECTOR IS USED, THE DIVISION SHALL
15 REQUIRE A SUFFICIENT NUMBER OF THIRD-PARTY INSPECTION REPORTS TO
16 BE SUBMITTED BY THE INSPECTOR TO THE DIVISION BASED UPON THE
17 SCOPE OF THE PROJECT TO ENSURE QUALITY INSPECTIONS ARE PERFORMED.
18 EXCEPT AS SPECIFIED IN SUBSECTION (4) OF THIS SECTION, THE
19 THIRD-PARTY INSPECTOR SHALL ATTEST THAT INSPECTIONS ARE COMPLETE
20 AND ALL VIOLATIONS ARE CORRECTED BEFORE THE HEALTH FACILITY IS
21 ISSUED A CERTIFICATE OF OCCUPANCY. INSPECTION RECORDS SHALL BE
22 RETAINED BY THE THIRD-PARTY INSPECTOR FOR TWO YEARS AFTER THE
23 CERTIFICATE OF OCCUPANCY IS ISSUED. IF THE DIVISION FINDS THAT
24 INSPECTIONS ARE NOT COMPLETED SATISFACTORILY, AS DETERMINED BY
25 RULE OF THE DIVISION, OR THAT ALL VIOLATIONS ARE NOT CORRECTED,
26 THE DIVISION SHALL TAKE ENFORCEMENT ACTION AGAINST THE
27 APPROPRIATE HEALTH FACILITY PURSUANT TO SECTION 24-33.5-1213.

28
29 **(4) Temporary certificate of occupancy.** IF INSPECTIONS ARE
30 NOT COMPLETED AND A BUILDING OR STRUCTURE REQUIRES IMMEDIATE
31 OCCUPANCY, AND IF THE HEALTH FACILITY HAS PASSED THE APPROPRIATE
32 INSPECTIONS THAT INDICATE THERE ARE NO LIFE SAFETY ISSUES, THE
33 DIVISION MAY ISSUE A TEMPORARY CERTIFICATE OF OCCUPANCY. THE
34 TEMPORARY CERTIFICATE OF OCCUPANCY EXPIRES NINETY DAYS AFTER
35 THE DATE OF OCCUPANCY. IF NO RENEWAL OF THE TEMPORARY
36 CERTIFICATE OF OCCUPANCY IS ISSUED OR A PERMANENT CERTIFICATE OF
37 OCCUPANCY IS NOT ISSUED, THE BUILDING OR STRUCTURE SHALL BE
38 VACATED UPON EXPIRATION OF THE TEMPORARY CERTIFICATE. THE
39 DIVISION SHALL ENFORCE THIS SUBSECTION (4) PURSUANT TO SECTION
40 24-33.5-1213.

41
42 **(5) Division fees.** IF THE DIVISION CONDUCTS THE NECESSARY
43 PLAN REVIEWS AND PERFORMS THE NECESSARY INSPECTIONS TO
44 DETERMINE THAT A BUILDING OR STRUCTURE HAS BEEN CONSTRUCTED IN
45 CONFORMITY WITH THE BUILDING AND FIRE CODES ADOPTED BY THE
46 DIRECTOR, THE DIVISION SHALL CHARGE FEES AS ESTABLISHED BY THE
47 DIRECTOR BY RULE, BASED ON THE DIRECT COST OF PROVIDING THE
48 SERVICE. THE FEES SHALL COVER THE ACTUAL, REASONABLE, AND
49 NECESSARY EXPENSES OF THE DIVISION. THE DIRECTOR, BY RULE OR AS
50 OTHERWISE PROVIDED BY LAW, MAY INCREASE OR REDUCE THE AMOUNT
51 OF THE FEES AS NECESSARY TO COVER THE ACTUAL, REASONABLE, AND
52 NECESSARY COSTS OF THE DIVISION. ANY FEES COLLECTED BY THE
53 DIVISION PURSUANT TO THIS SUBSECTION (5) SHALL BE TRANSMITTED TO
54 THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEALTH
55 FACILITY CONSTRUCTION AND INSPECTION CASH FUND CREATED IN
56 SECTION 24-33.5-1207.8.

1 (6) **Rules.** RULES PROMULGATED PURSUANT TO THIS SECTION
2 SHALL BE ADOPTED IN ACCORDANCE WITH ARTICLE 4 OF THIS TITLE.

3
4 (7) **Board of appeals.** (a) (I) THERE IS HEREBY CREATED IN THE
5 DIVISION THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM
6 BOARD OF APPEALS, REFERRED TO IN THIS SECTION AS THE "BOARD OF
7 APPEALS". THE BOARD OF APPEALS CONSISTS OF SEVEN MEMBERS
8 APPOINTED BY THE EXECUTIVE DIRECTOR.

9
10 (II) THE MEMBERS OF THE BOARD OF APPEALS SHALL BE PERSONS
11 WHO ARE QUALIFIED BY EXPERIENCE AND TRAINING TO PASS UPON
12 MATTERS PERTAINING TO HEALTH FACILITY BUILDING CONSTRUCTION AND
13 SHALL INCLUDE:

14
15 (A) THE FOUR MEMBERS OF THE BOARD OF APPEALS CREATED IN
16 SECTION 24-33.5-1213.7 WHO REPRESENT THE COLORADO CHAPTER OF
17 THE INTERNATIONAL CODE COUNCIL, THE FIRE MARSHAL'S ASSOCIATION OF
18 COLORADO, THE COLORADO STATE FIRE CHIEFS' ASSOCIATION, AND
19 COLORADO COUNTIES, INCORPORATED, OR ANY MEMBER APPOINTED FROM
20 A SUCCESSOR TO ANY OF THESE ORGANIZATIONS REPRESENTING
21 COMPARABLE INTERESTS; AND

22
23 (B) ONE REPRESENTATIVE FROM EACH OF THE FOLLOWING
24 ORGANIZATIONS OR A SUCCESSOR TO ANY OF SUCH ORGANIZATIONS
25 REPRESENTING COMPARABLE INTERESTS: THE COLORADO ASSOCIATION OF
26 HEALTHCARE ENGINEERS AND DIRECTORS; THE AMERICAN SOCIETY FOR
27 HEALTHCARE ENGINEERING; AND THE COLORADO CHAPTER OF THE
28 AMERICAN INSTITUTE OF ARCHITECTS.

29
30 (III) THE MEMBERS OF THE BOARD OF APPEALS SERVE AT THE
31 PLEASURE OF THE EXECUTIVE DIRECTOR.

32
33 (IV) FOR THE INITIAL APPOINTMENTS TO THE BOARD OF APPEALS:

34
35 (A) THE MEMBERS SERVING PURSUANT TO SUB-SUBPARAGRAPH
36 (A) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a) SERVE TERMS
37 COEXTENSIVE WITH THE TERMS TO WHICH THEY WERE APPOINTED UNDER
38 SECTION 24-33.5-1213.7; AND

39
40 (B) FOR THE MEMBERS APPOINTED PURSUANT TO
41 SUB-SUBPARAGRAPH (B) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a),
42 THE EXECUTIVE DIRECTOR SHALL APPOINT ONE MEMBER FOR A ONE-YEAR
43 TERM, ONE MEMBER FOR A TWO-YEAR TERM, AND ONE MEMBER FOR A
44 THREE-YEAR TERM. ALL SUBSEQUENT APPOINTMENTS ARE FOR
45 THREE-YEAR TERMS; EXCEPT THAT AN APPOINTMENT TO FILL A VACANCY
46 ON THE BOARD SHALL BE FOR THE REMAINDER OF THE PREDECESSOR'S
47 TERM.

48
49 (V) THE MEMBERS OF THE BOARD OF APPEALS SHALL NOT BE
50 COMPENSATED FOR THEIR SERVICE ON THE BOARD AND SHALL NOT BE
51 REIMBURSED FOR EXPENSES.

52
53 (b) THE BOARD OF APPEALS SHALL SELECT A CHAIR FROM AMONG
54 ITS MEMBERS AND SHALL ADOPT REASONABLE PROCEDURES FOR
55 CONDUCTING ITS DELIBERATIONS.

56

(c) (I) A HEALTH FACILITY REPRESENTATIVE MAY APPEAL TO THE BOARD OF APPEALS A FINAL WRITTEN DECISION OF A DIVISION INSPECTOR OR THIRD-PARTY INSPECTOR THAT CONDUCTS A PLAN REVIEW OR INSPECTION PURSUANT TO THIS SECTION. THE APPEAL SHALL BE FILED WITH THE DIVISION WITHIN THIRTY DAYS AFTER THE DATE OF THE DECISION. THE DIVISION SHALL SPECIFY THE FORM ON WHICH AN APPEAL SHALL BE MADE AND SHALL PROVIDE THE FORM TO A HEALTH FACILITY REPRESENTATIVE UPON REQUEST.

(II) UPON RECEIPT OF AN APPEAL, THE DIVISION SHALL NOTIFY THE CHAIR OF THE BOARD OF APPEALS AND SCHEDULE A HEARING NO MORE THAN FIFTEEN DAYS AFTER THE DATE ON WHICH THE APPEAL WAS FILED.

(III) THE BOARD OF APPEALS MAY REVIEW A FINAL WRITTEN DECISION BY AN INSPECTING ENTITY THAT IS BASED ON THE CODES OR STANDARDS ADOPTED BY THE DIRECTOR. THE BOARD OF APPEALS SHALL NOT WAIVE ANY REQUIREMENT OF THE CODES OR STANDARDS. THE BOARD OF APPEALS MAY RECOMMEND ALTERNATIVE MATERIALS AS PROVIDED IN THE CODES OR STANDARDS. THE FINAL WRITTEN DECISION OF THE BOARD IS FINAL AGENCY ACTION FOR PURPOSES OF SECTION 24-4-106.

(d) IN ADDITION TO HEARING APPEALS AS PROVIDED IN THIS SECTION, THE BOARD OF APPEALS SHALL ADVISE THE DIRECTOR IN PROMULGATING RULES AND ENACTING STANDARDS FOR THE HEALTH FACILITY CONSTRUCTION AND INSPECTION PROGRAM.

SECTION 11. In Colorado Revised Statutes, 24-33.5-1213, **amend** (1), (2) (a), and (4) (b) as follows:

24-33.5-1213. Fire and building code - violations - enforcement - inspections. (1) The director shall enforce ~~the provisions of sections 22-32-124 (2), and 23-71-122 (1) (v), C.R.S., and sections 24-33.5-1212.5, 24-33.5-1213.3, and 24-33.5-1213.5, C.R.S.,~~ by appropriate actions in courts of competent jurisdiction.

(2) (a) The director may issue a notice of violation to a person who is believed to have violated the codes as determined by an inspection pursuant to section 22-32-124 (2), ~~or 23-71-122 (1) (v), C.R.S., or section 24-33.5-1212.5, or 24-33.5-1213.3, C.R.S.~~ The notice shall be delivered to the alleged violator by certified mail, return receipt requested, or by any means that verifies receipt as reliably as certified mail, return receipt requested.

(4) (b) A civil penalty collected pursuant to this subsection (4) shall be deposited in the public school construction and inspection cash fund created in section 24-33.5-1207.7 OR THE HEALTH FACILITY CONSTRUCTION AND INSPECTION CASH FUND CREATED IN SECTION 24-33.5-1207.8, AS APPROPRIATE.

SECTION 12. In Colorado Revised Statutes, 24-33.5-1213.7, **add** (6) as follows:

24-33.5-1213.7. Board of appeals. (6) THIS SECTION ONLY APPLIES TO MATTERS RELATED TO SCHOOL REVIEWS AND INSPECTIONS.

SECTION 13. In Colorado Revised Statutes, 24-75-402, **amend**

1 (5) (y) as follows:

2
3 **24-75-402. Cash funds - limit on uncommitted reserves -**
4 **reduction in amount of fees - exclusions.** (5) Notwithstanding any
5 provision of this section to the contrary, the following cash funds are
6 excluded from the limitations specified in this section:

7
8 (y) The public school construction and inspection cash fund
9 created in section 24-33.5-1207.7 AND THE HEALTH FACILITY
10 CONSTRUCTION AND INSPECTION CASH FUND CREATED IN SECTION
11 24-33.5-1207.8;

12
13 **SECTION 14. Effective date.** (1) Except as otherwise provided
14 in subsection (2) of this section, this act takes effect July 1, 2013, only if
15 the division of fire safety in the department of public safety notifies the
16 revisor of statutes in writing, by June 30, 2013, that the secretary of the
17 United States department of health and human services has granted a
18 modification to the agreement entered into between said secretary and the
19 state of Colorado pursuant to section 1864 of the federal "Social Security
20 Act", 42 U.S.C. sec. 1395aa, which modification allows said division to
21 fulfill the duties under that law associated with the assessment of
22 compliance with the federal fire safety code requirements for health
23 facilities.

24
25 (2) Section 24-33.5-1201 (4) (e), Colorado Revised Statutes, as
26 enacted in section 4 of this act, takes effect upon passage.

27
28 **SECTION 15. Safety clause.** The general assembly hereby finds,
29 determines, and declares that this act is necessary for the immediate
30 preservation of the public peace, health, and safety."

31
32 Page 1, line 107, strike "RENAMING THE PUBLIC SCHOOL" and substitute
33 "CREATING THE HEALTH FACILITY".

34
35
36
37 **SB12-023** be referred to the Committee of the Whole with favorable
38 recommendation.

39
40
41
42
43 **JUDICIARY**

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

46
47 **HB12-1297** be amended as follows, and as so amended, be referred to
48 the Committee of the Whole with favorable
49 recommendation:

50
51 Amend printed bill, page 2, strike line 2 and substitute:

52
53 **"SECTION 1.** In Colorado Revised Statutes, 12-36.5-106, **add**
54 (14) as follows:

55
56 **12-36.5-106. Committee on anticompetitive conduct - repeal**

1 **- legislative declaration.** (14) THIS SECTION IS REPEALED, EFFECTIVE
2 SEPTEMBER 1, 2013. PRIOR TO SUCH REPEAL, THE GENERAL ASSEMBLY
3 ANTICIPATES THAT THERE WILL BE, AND DECLARES ITS SUPPORT FOR,
4 CONSTRUCTIVE DISCUSSION AMONG LICENSED PROFESSIONALS AND OTHER
5 INTERESTED PARTIES TO CONSIDER THE PROPER ROLE, STRUCTURE, AND
6 FUNCTIONS OF THE COMMITTEE ON ANTICOMPETITIVE CONDUCT AND TO
7 RECOMMEND LEGISLATION ON THIS SUBJECT FOR CONSIDERATION DURING
8 THE 2013 REGULAR SESSION."

9
10 Page 3, line 1, strike "**repeal**" and substitute "**amend**".

11
12 Page 3, strike lines 5 and 6 and substitute:

13
14 "(z) (I) Review final actions of the committee on anticompetitive
15 conduct established pursuant to section 12-36.5-106, C.R.S.

16
17 (II) THIS PARAGRAPH (z) IS REPEALED, EFFECTIVE SEPTEMBER 1,
18 2013."

19
20 Page 3, before line 15 insert:

21
22 "**SECTION 6. Effective date.** This act takes effect upon passage;
23 except that section 2 of this act is effective September 1, 2013."

24
25 Renumber succeeding section accordingly.

26
27 Page 1, strike lines 102 through 105 and substitute:

28
29 "**IN CONNECTION THEREWITH, CONTINUING THE COMMITTEE'S**
30 **STATUTORY AUTHORIZATION UNTIL SEPTEMBER 1, 2013.**"

31
32
33
34 **SB12-056** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37
38 Amend reengrossed bill, page 2, line 14, strike "TEN" and substitute
39 "SEVEN".

40
41 Page 3, line 2, strike "TEN" and substitute "SEVEN".

42
43 Page 3, line 6, strike "JUDGE" and substitute "JUDICIAL OFFICER".

44
45 Page 3, line 11, strike "TEN" and substitute "SEVEN".

46
47 Page 3, line 13, after the period add "IF A PARTY OBJECTS TO THE
48 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
49 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
50 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
51 THEN THE APPOINTMENT IS DEEMED CONFIRMED."

52
53 Page 3, line 26, strike "TEN" and substitute "SEVEN".

54
55 Page 4, line 2, strike "TEN" and substitute "SEVEN".

56

- 1 Page 4, line 6, strike "JUDGE" and substitute "JUDICIAL OFFICER".
2
3 Page 4, line 11, strike "TEN" and substitute "SEVEN".
4
5 Page 4, line 13, after the period add "IF A PARTY OBJECTS TO THE
6 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
7 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
8 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
9 THEN THE APPOINTMENT IS DEEMED CONFIRMED."
10
11 Page 4, line 15, strike "(1) (a) (I.3) and".
12
13 Page 4, line 19, strike "~~shall~~ MAY," and substitute "shall,".
14
15 Page 5, line 3, strike "TEN" and substitute "SEVEN".
16
17 Page 5, strike lines 11 through 23.
18
19 Page 6, line 6, strike "TEN" and substitute "SEVEN".
20
21 Page 6, line 10, strike "JUDGE" and substitute "JUDICIAL OFFICER".
22
23 Page 6, line 15, strike "TEN" and substitute "SEVEN".
24
25 Page 6, line 17, after the period add "IF A PARTY OBJECTS TO THE
26 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
27 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
28 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
29 THEN THE APPOINTMENT IS DEEMED CONFIRMED."
30
31 Page 7, line 3, strike "TEN" and substitute "SEVEN".
32
33 Page 7, line 8, strike "~~any documented~~" and substitute "any documented
34 evidence of".
35
36 Page 7, line 9, strike "~~evidence of~~ A CLAIM BY ONE OF THE PARTIES OF".
37
38 Page 7, line 12, strike "TEN" and substitute "SEVEN".
39
40 Page 7, line 16, strike "JUDGE" and substitute "JUDICIAL OFFICER".
41
42 Page 7, line 21, strike "TEN" and substitute "SEVEN".
43
44 Page 7, line 23, after the period add "IF A PARTY OBJECTS TO THE
45 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
46 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
47 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
48 THEN THE APPOINTMENT IS DEEMED CONFIRMED."
49
50 Page 8, line 17, strike "TEN" and substitute "SEVEN".
51
52 Page 8, line 21, strike "JUDGE" and substitute "JUDICIAL OFFICER".
53
54 Page 8, line 26, strike "TEN" and substitute "SEVEN".
55
56 Page 9, line 1, after the period add "IF A PARTY OBJECTS TO THE

1 APPOINTMENT, THE COURT SHALL APPOINT A DIFFERENT PERSON OR
2 CONFIRM THE APPOINTMENT WITHIN SEVEN DAYS AFTER THE DATE OF THE
3 PARTY'S OBJECTION. IF NO PARTY TIMELY OBJECTS TO THE APPOINTMENT,
4 THEN THE APPOINTMENT IS DEEMED CONFIRMED."

5
6
7
8 **SB12-074** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend reengrossed bill, page 2, line 4, after "(5)" insert "(a)".

13
14 Page 2, line 9, strike "25.5-6-1102 (6)," and substitute "25.5-6-1101 (4),".

15
16 Page 2, strike lines 15 through 20.

17
18
19
20 **SB12-131** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:

23
24 Amend reengrossed bill, page 2, line 13, strike "RECORDED," and
25 substitute "VALID,".

26
27
28
29
30 **TRANSPORTATION**

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

33
34 **HB12-1258** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37
38 Amend printed bill, page 2, line 11, strike "UTILIZING" and substitute
39 "UTILIZING, IN WHOLE OR IN PART, LIQUEFIED PETROLEUM GAS,".

40
41 Page 3, strike line 10 and substitute "ELECTRIC, NATURAL GAS, OR
42 LIQUEFIED PETROLEUM GAS EXTENSION OR CONNECTION OF SERVICE,".

43
44 Page 3, strike line 14 and substitute "GENERATING ELECTRICITY FOR USE
45 IN ALTERNATIVE FUEL VEHICLE CHARGING OR FUELING FACILITIES AS
46 AUTHORIZED BY SUBSECTION (4) OF THIS SECTION, PERSON'S RESELLING
47 ELECTRICITY SUPPLIED BY A PUBLIC UTILITY, OR PERSONS RESELLING
48 COMPRESSED OR LIQUEFIED NATURAL GAS, LIQUEFIED PETROLEUM GAS, OR
49 ANY".

50
51 Page 3, line 18, delete everything after "PUBLIC".

52
53 Page 3, strike lines 19 through 23 and substitute "UTILITY. ELECTRIC AND
54 NATURAL GAS PUBLIC UTILITIES MAY PROVIDE THE SERVICES DESCRIBED
55 IN THIS SUBSECTION (2) AS EITHER REGULATED OR UNREGULATED
56 SERVICES. IF PROVIDED AS UNREGULATED SERVICES, THESE UNREGULATED

1 SERVICES MAY NOT BE SUBSIDIZED BY THE REGULATED SERVICES OF THE
2 ELECTRIC OR NATURAL GAS PUBLIC UTILITY."

3
4 Page 4, line 1, strike "OR OTHER ENTITY".

5
6 Page 4, line 14, strike everything after "RESOURCE".

7
8 Page 4, strike lines 15 through 23 and substitute "THAT:

9
10 (I) QUALIFIES AS "RETAIL DISTRIBUTED GENERATION" AS DEFINED
11 IN SECTION 40-2-124 (1) (a) (V), IF LOCATED ON THE SYSTEM OF AN
12 ENTITY SUBJECT TO THE REQUIREMENTS OF SECTION 40-2-124. THE
13 ELECTRIC POWER REQUIREMENTS FOR THE PROPERTY PURSUANT TO
14 SECTION 40-2-124 (1) INCLUDE THE DEMAND FOR EXISTING OR PROPOSED
15 ALTERNATIVE FUEL VEHICLE CHARGING OR FUELING FACILITIES IN
16 ADDITION TO BUILDINGS AND OTHER IMPROVEMENTS.

17
18 (II) COMPLIES WITH SECTION 40-9.5-118, IF LOCATED ON THE
19 SYSTEM OF A COOPERATIVE ELECTRIC ASSOCIATION; OR

20
21 (III) COMPLIES WITH SECTION 40-2-124 (7), IF LOCATED ON THE
22 SYSTEM OF A MUNICIPALLY OWNED UTILITY."

23
24 Page 4, line 26, strike "NOT A WHOLESALE" and substitute "A RETAIL".

25
26 Page 4, strike line 27.

27
28 Strike page 5.

29
30 Page 6, strike lines 1 through 15 and substitute:

31
32 "(6) THE REGULATED EXPENDITURES AND INVESTMENTS MADE BY
33 A PUBLIC UTILITY TO ACCOMMODATE ALTERNATIVE FUEL VEHICLE
34 CHARGING AND FUELING FACILITIES ARE EQUAL IN PRIORITY TO ALL
35 OTHER".

36
37 Page 6, strike lines 19 through 21.

38
39
40
41 **SB12-012** be referred favorably to the Committee on Finance.

42
43
44 **SB12-034** be referred to the Committee of the Whole with favorable
45 recommendation.

46
47
48 **SB12-092** be referred to the Committee of the Whole with favorable
49 recommendation.

50
51
52 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

53
54 The Speaker has signed: **HB12-1033, 1047, 1055, 1074, 1078, 1090,**
55 **1095, 1163, 1177, 1217, 1221, 1233.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith
HB12-1289, HB12-1206, HB12-1085.

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

SB12-127 amended as printed in Senate Journal, March 15, 2012,
pages 496-497, and amended on Third Reading,
March 16, 2012, as printed in Senate Journal.

SB12-109 amended as printed in Senate Journal, March 15, 2012,
page 497.

SB12-124 amended as printed in Senate Journal, March 15, 2012,
page 497.

SB12-116 amended as printed in Senate Journal, March 8, 2012,
page 407.

HB12-1070 amended as printed in Senate Journal, March 15, 2012,
page 497.

The Senate has postponed indefinitely HB12-1210. The bill is returned
herewith.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1070.

Without comment, as amended, SB12-109, 116, 124, and 127.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 16th day of March, 2012, at
12:30 p.m. The original is on file in the records of the House of
Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 15, 2012

To the Honorable House of Representatives
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the
Secretary of State the following Acts:

HB12-1010 CONCERNING THE REISSUANCE OF A LOST SHARE CERTIFICATE
OF A MUTUAL DITCH COMPANY

Approved March 15, 2012 at 4:05 pm

1 **HB12-1158** Concerning the regulation of producers of materials that may be
2 used in commercial livestock feed, and, in connection
3 therewith, repealing the "Colorado Inedible Meat Rendering
4 and Processing Act of 1967" and relocating some of its
5 provisions to the "Colorado Feed Law"

6
7 Approved March 15, 2012 at 4:06 pm
8

9 **HB12-1054** CONCERNING SIMPLIFICATION OF THE PROCUREMENT PROCESS
10 FOR PROVIDERS WHO HAVE PREVIOUSLY BEEN APPROVED TO
11 PARTICIPATE IN HEALTHCARE PROGRAMS ADMINISTERED BY
12 THE DEPARTMENT OF HEALTH CARE POLICY AND FINANCING
13

14 Approved March 15, 2012 at 4:11 pm
15

16 **HB 12-1015** CONCERNING THE PROCEDURE FOR THE REVIEW OF A PROPOSAL
17 TO REGULATE AN UNREGULATED PROFESSION OR OCCUPATION
18

19 Approved March 15, 2012 at 4:31 pm
20

21 **HB12-1022** CONCERNING THE AMOUNT OF WATER THAT PERMITTED MINING
22 OPERATION THAT CONSTRUCT IMPERMEABLE AREAS THAT
23 ELIMINATE PREEXISTING NATURAL EVAPOTRANSPIRATION ARE
24 REQUIRED TO REPLACE
25

26 Approved March 15, 2012 at 4:16 pm
27

28 **HB12-1139** CONCERNING PRETRIAL DETENTION OF CHILDREN PROSECUTED
29 AS ADULTS
30

31 Approved March 15, 2012 at 4:36 pm
32

33 Sincerely,
34 (signed)
35 John W. Hickenlooper
36 Governor
37

38
39 March 16, 2012
40

41 To the Honorable House of Representatives
42 Sixty-Eighth General Assembly
43 Second Regular Session
44 State Capitol
45 Denver, CO 80203
46

47 Ladies and Gentlemen:
48

49 I have the honor to inform you that I have approved and filed with the
50 Secretary of State the following Acts:
51

52 **HB12-1147** CONCERNING THE DESIGNATION OF THE WESTERN TIGER
53 SALAMANDER AS THE STATE AMPHIBIAN
54

55 Approved March 16, 2012 at 11:41 am
56

1 **HB12-1050** CONCERNING THE VOLUNTARY CONTRIBUTION DESIGNATION
2 BENEFITING THE NONGAME AND ENDANGERED WILDLIFE FUND
3 THAT APPEARS ON THE STATE INDIVIDUAL INCOME TAX RETURN
4 FORMS AND, IN CONNECTION THEREWITH, EXTENDING THE
5 PERIOD FOR THE CONTRIBUTION DESIGNATION
6

7 Approved March 16, 2012 at 11:48 am
8

9 **HB12-1079** CONCERNING DESIGNATION OF CERTAIN POSITIONS IN THE
10 DEPARTMENT OF PUBLIC SAFETY
11

12 Approved March 16, 2012 at 11:52 am
13

14 **HB12-1231** CONCERNING THE AUTHORITY OF THE DEPARTMENT OF
15 REVENUE TO ALLOW LICENSED PRIVATE INVESTIGATORS
16 ACCESS TO CERTAIN MOTOR VEHICLE RECORDS FOR SPECIFIED
17 PURPOSES
18

19 Approved March 16, 2012 at 11:56 am
20

21 **HB12-1013** CONCERNING INTERVENTION SERVICES FOR MIDDLE-GRADE
22 STUDENTS
23

24 Approved March 16, 2012 at 12:00 pm
25

26 Sincerely,
27 (signed)
28 John W. Hickenlooper
29 Governor
30

31
32 **APPOINTMENT(S) TO CONFERENCE COMMITTEE(S)**
33

34 The Speaker appointed House conferees to the First Conference
35 Committee(s) as follows:
36

37 **SB12-020**--Representatives Summers, Chairman, Waller and Lee.
38
39

40
41 On motion of Representative Waller, the bills on the Special Orders
42 Calendar for March 16, 2012 (**HB12-1267, 1059, 1305**), were moved to
43 the bottom of the General Orders Calendar for Monday, March 19, 2012.
44

45
46
47
48 **LAY OVER OF CALENDAR ITEM(S)**
49

50 On motion of Representative Waller, the following item(s) on the
51 Calendar was (were) laid over until March 19, retaining place on
52 Calendar:
53

54 Consideration of General Orders--**HB12-1111, 1275, SB12-077, 066.**
55

1 Consideration of Resolution(s)--**HJR12-1016.**
2 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
3 **1034, 1114, 1151.**

4
5
6
7 On motion of Representative Waller, the House adjourned until
8 10:00 a.m., March 19, 2012.

9
10

Approved:
FRANK McNULTY,
Speaker

11
12
13 Attest:
14 MARILYN EDDINS,
15 Chief Clerk

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

Sixty-ninth Legislative Day

Monday, March 19, 2012

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

2

3 Prayer by Pastor Ted Rich, Tri City Baptist Church, Westminster.

4

5 Pledge of Allegiance led by Veronica, Benjamin, Wesley, and Collin
6 Rogers, Home Schooled, Lakewood.

7

8 The roll was called with the following result:

9

10 Present--65.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Pabon, the reading of the journal of
16 March 16, 2012, was declared dispensed with and approved as corrected
17 by the Chief Clerk.

18

19

20

21

CHANGE IN SPONSORSHIP

22

23 The Speaker announced the following change in sponsorship:

24 HB12-1271--Senator Neville to be added as dual prime sponsor with
25 Senator Giron.

26

27

28

29

THIRD READING OF BILL(S)--FINAL PASSAGE

30

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

34

35 **HB12-1300** by Representative(s) Gardner, Barker, Ryden, Waller; also
36 Senator(s) Aguilar--Concerning professional review
37 committees, and, in connection therewith, implementing
38 the sunset review recommendations of the department of
39 regulatory agencies.

40

41 As shown by the following roll call vote, a majority of all members
42 elected to the House voted in the affirmative, and Representative Gardner
43 was given permission to offer a Third Reading amendment:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y
19								

Third Reading amendment No. 1, by Representative Gardner B.

Amend engrossed bill, page 23, line 8, strike "MEDICAL BOARD" and substitute "DIVISION".

Page 35, strike lines 12 through 15 and substitute:

"SECTION 14. Effective date. This act takes effect July 1, 2012."

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
32								
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	Y	Hamner	Y	McKinley	Y	Stephens	Y
37	Becker	Y	Holbert	Y	Miklosi	Y	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								

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 **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Holbert, Kerr A., Labuda, Pabon,
20 Summers.

21
22 **SB12-030** by Senator(s) Jahn; also Representative(s) Liston--
23 Concerning administrative matters related to a foreclosure
24 sale.
25

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
33	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
34	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
35	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
36	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
37	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
38	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
39	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
40	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
41	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
42	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
43	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
44	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
45	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
46	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
47	Fields	Y	Liston	Y	Singer	Y	Young	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Fischer, Kerr J., Labuda, Tyler,
50 Williams A., Wilson.
51

52 **HB12-1019** by Representative(s) Vaad, Barker, Looper, Ramirez,
53 Scott, Tyler; also Senator(s) King S., Spence, Williams S.-
54 -Concerning the abolition of the motor carrier services
55 division of the division of motor vehicles of the
56 department of revenue, and, in connection therewith,

transferring the powers, duties, and functions of the motor carrier services division relating to ports of entry to the Colorado state patrol of the department of public safety and transferring the powers, duties, and functions of the motor carrier services division relating to commercial driver's licenses and the international registration plan to the department of revenue, and, in connection therewith, making and reducing appropriations.

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

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

Third Reading amendment No. 1, by Representative Vaad.

Amend engrossed bill, page 3, line 2, strike "12-____," and substitute "12-1019,".

Page 3, line 27, strike "12-____," and substitute "12-1019,".

Page 30, line 3, strike "26" and substitute "27".

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

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

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

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

11								
12	YES	65	NO	0	EXCUSED	0	ABSENT	0
13	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
14	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
15	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
16	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
17	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
18	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
19	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
20	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
21	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
22	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
23	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
24	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
25	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
28	Fields	Y	Liston	Y	Singer	Y	Young	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Coram, Fischer, Gerou, Jones, Kerr A.,
31 Kerr J., Liston, Summers, Vigil, Young.

32
33 **HB12-1205** by Representative(s) Fields, Labuda, Soper; also
34 Senator(s) Tochtrop--Concerning the regulation of persons
35 who engage in business related to persons with hearing
36 impairments, and, in connection therewith, implementing
37 the department of regulatory agencies' sunset review
38 recommendations for audiologists and hearing aid
39 providers, and, in connection therewith, making an
40 appropriation.

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

46								
47	YES	41	NO	24	EXCUSED	0	ABSENT	0
48	Acree	N	Fischer	Y	Looper	N	Solano	Y
49	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
50	Barker	N	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
52	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
53	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
54	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
55	Brown	N	Joshi	N	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

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

9 Co-sponsor(s) added: Representative(s) Fischer, Kerr A., Schafer S., Todd,
10 Young.

11
12 **SB12-035** by Senator(s) Hodge; also Representative(s) Gardner B.--
13 Concerning limited liability for spaceflight activities.

14
15 The question being "Shall the bill pass?".

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

19								
20	YES	65	NO	0	EXCUSED	0	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	Y	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

38 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Brown, Gerou,
39 Kerr J., Peniston, Priola, Ryden, Summers, Waller.

40
41 **SB12-033** by Senator(s) Guzman; also Representative(s) Massey--
42 Concerning adding near fatalities to the responsibilities of
43 the department of human services child fatality review
44 team.

45
46 As shown by the following roll call vote, a majority of all members
47 elected to the House voted in the affirmative, and Representative Massey
48 was given permission to offer a Third Reading amendment:

49								
50	YES	65	NO	0	EXCUSED	0	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

Third Reading amendment No. 1, by Representative Massey.

Amend revised bill, page 12, line 23, strike "OR FUTURE".

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
20	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
21	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
22	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
23	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
24	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
25	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
26	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
27	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
28	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
29	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
30	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
32	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
33	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
34	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
35	Fields	Y	Liston	Y	Singer	Y	Young	Y
36							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 **passed**.

	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	Y	Miklosi	Y	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) Court, Fields, Fischer, Kefalas, Kerr A.,
 6 Kerr J., Labuda, Nikkel, Peniston, Ramirez, Schafer S., Scott, Singer, Solano,
 7 Summers, Todd, Vigil, Wilson, Young.

8
 9 **HB12-1271** by Representative(s) Nikkel and McCann, Levy; also
 10 Senator(s) Giron and Neville--Concerning charging of
 11 juveniles by direct file of information or indictment in
 12 district court.

13
 14 The question being "Shall the bill pass?".

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

19	YES	45	NO	20	EXCUSED	0	ABSENT	0
20	Acree	N	Fischer	Y	Looper	N	Solano	Y
21	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
22	Barker	N	Gerou	N	McCann	Y	Soper	N
23	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	N
24	Becker	Y	Holbert	Y	Miklosi	Y	Summers	N
25	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
26	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
27	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
28	Casso	N	Kagan	Y	Pace	Y	Todd	Y
29	Conti	Y	Kefalas	Y	Peniston	N	Tyler	Y
30	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
32	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
33	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
34	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
35	Fields	N	Liston	N	Singer	Y	Young	Y
36							Speaker	N

37 Co-sponsor(s) added: Representative(s) Kagan, Labuda, Lee, Tyler, Vigil,
 38 Williams A., Wilson, Young.

39
 40 **HB12-1130** by Representative(s) Joshi, Holbert, Acree, Baumgardner,
 41 Bradford, Brown, Murray; also Senator(s) Mitchell--
 42 Concerning offenses against an unborn child.

43
 44 The question being "Shall the bill pass?".

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

49	YES	33	NO	32	EXCUSED	0	ABSENT	0
50	Acree	Y	Fischer	N	Looper	Y	Solano	N
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	Y	Gerou	Y	McCann	N	Soper	N
53	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
55	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y

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

11 Co-sponsor(s) added: Representative(s) Barker, Becker, Conti, Gardner B.,
 12 Kerr J., Liston, Looper, Nikkel, Priola, Scott, Stephens, Summers, Waller,
 13 Speaker.

14
 15
 16
 17
 18 On motion of Representative Gardner, the House resolved itself into
 19 Committee of the Whole for consideration of General Orders, and he was
 20 called to the Chair to act as Chairman.

21 22 23 24 **GENERAL ORDERS--SECOND READING OF BILLS**

25
 26 The Committee of the Whole having risen, the Chairman reported the
 27 titles of the following bills had been read (reading at length had been
 28 dispensed with by unanimous consent), the bills considered and action
 29 taken thereon as follows:

30
 31 (Amendments to the committee amendment are to the printed committee
 32 report which was printed and placed in the members' bill file.)

33
 34 On motion of Representative Waller, the following bills on the General
 35 Orders Calendar were laid over until March 20, 2012, retaining place on
 36 Calendar: **HB12-1068, 1238, 1305.**

37
 38 **HB12-1103** by Representative(s) Vaad; also Senator(s) Tochtrop--
 39 Concerning an authorization for a board of county
 40 commissioners to exclude its county from the enhanced
 41 automobile inspection and readjustment emissions
 42 program area if the excluded county does not violate
 43 applicable national ambient air quality standards.

44
 45 Ordered engrossed and placed on the Calendar for Third Reading and
 46 Final Passage.

47
 48
 49 **HB12-1118** by Representative(s) Conti, Becker, Beezley, DelGrosso,
 50 Gerou, Holbert, Murray, Nikkel, Ramirez, Scott,
 51 Summers, Szabo; also Senator(s) Harvey--Concerning
 52 ensuring transparency in collective bargaining negotiations
 53 between school district boards of education and school
 54 employees.

1 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
2 March 8, 2012, and placed in member's bill file; Report also printed in
3 House Journal, March 9, pages 608-609.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1263** by Representative(s) Levy; also Senator(s) Steadman--
9 Concerning reducing barriers to employment for people
10 with criminal records.

11
12 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
13 March 8, 2012, and placed in member's bill file; Report also printed in
14 House Journal, March 9, page 609.

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

18
19 **HB12-1111** by Representative(s) Szabo and Summers; also Senator(s)
20 Mitchell--Concerning the definition of identification for
21 election-related purposes.

22
23 Amendment No. 1, by Representative(s) Szabo.

24
25 Amend printed bill, page 4, strike lines 11 through 15 and substitute:

26
27 **"SECTION 3. Effective date - applicability.** This act takes
28 effect January 1, 2013, and applies to elections conducted on or after said
29 date.

30
31 **SECTION 4. Refer to people under referendum.** This act shall
32 be submitted to a vote of the registered electors of the state of Colorado
33 at the next biennial regular general election, for their approval or
34 rejection, under the provisions of the referendum as provided for in
35 section 1 of article V of the state constitution, and in article 40 of title 1,
36 Colorado Revised Statutes. Each elector voting at said election and
37 desirous of voting for or against said act shall cast a vote as provided by
38 law either "Yes" or "No" on the proposition: "Shall certain forms of
39 identification be required for election-related purposes?" The votes cast
40 for the adoption or rejection of said act shall be canvassed and the result
41 determined in the manner provided by law for the canvassing of votes for
42 representatives in Congress."

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

46
47 **HB12-1275** by Representative(s) Pace; also Senator(s) White--
48 Concerning the encouragement of outdoor recreational
49 opportunities, and, in connection therewith, creating the
50 wildlife sporting license plate.

51
52 Amendment No. 1, Transportation Report, dated February 23, 2012, and
53 placed in member's bill file; Report also printed in House Journal,
54 February 24, pages 386-387.

55

1 Amendment No. 2, Appropriations Report, dated March 13, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 March 13, page 642.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB12-077** by Senator(s) Jahn, Cadman, Johnston, Newell, Steadman,
9 White, Williams S.; also Representative(s) Sonnenberg,
10 Summers, Coram, Labuda, Nikkel, Swerdfeger, Szabo--
11 Concerning the repeal of laws under which the Colorado
12 department of public health and environment regulates
13 certain activities associated with yellow grease.

14
15 Ordered revised and placed on the Calendar for Third Reading and Final
16 Passage.

17
18 **SB12-099** by Senator(s) Spence; also Representative(s) Todd--
19 Concerning expansion of access to services for juveniles
20 at the academic model juvenile facility.

21
22 Ordered revised and placed on the Calendar for Third Reading and Final
23 Passage.

24
25 **SB12-066** by Senator(s) Nicholson; also Representative(s) Gardner--
26 Concerning expanding those persons eligible as guardians
27 in the guardianship assistance program to include persons
28 ascribed by the family as having a family-like relationship
29 with the child.

30
31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.

33
34 **HB12-1267** by Representative(s) Coram; also Senator(s) Grantham--
35 Concerning the simplification of certain preelection
36 procedures in order to reduce the cost of administering
37 elections.

38
39 Laid over until March 20, retaining place on Calendar.

40
41 **HB12-1059** by Representative(s) Looper; also Senator(s) King, K.--
42 Concerning the authority of a person credentialed in
43 another state whose residence is determined by military
44 orders to practice an occupation regulated by Colorado
45 law.

46
47 Amendment No. 1, Economic & Business Development Report, dated
48 January 31, 2012, and placed in member's bill file; Report also printed in
49 House Journal, February 1, pages 130-131.

50
51 Amendment No. 2, by Representative(s) Beezley.

52
53 Amend printed bill, page 2, strike line 5 and substitute:

54
55 **"Authority to Practice from Other States".**
56

1 Page 5, after line 4 insert:

2
3 **"12-71-106. General application - rules.** BY JULY 1, 2013, THE
4 DIVISION OF REGISTRATIONS SHALL DETERMINE IF PUBLIC SAFETY WOULD
5 SUFFER BY EXPANDING THE AUTHORITY TO PRACTICE BEYOND MILITARY
6 PERSONNEL AND MILITARY SPOUSES. IF THE DIVISION OF REGISTRATIONS
7 DOES NOT FIND THAT THE PUBLIC SAFETY WOULD SUFFER, THE DIVISION OF
8 REGISTRATIONS SHALL PROMULGATE RULES AUTHORIZING ANY PERSON
9 AUTHORIZED TO PRACTICE IN ANOTHER STATE TO PRACTICE IN
10 ACCORDANCE WITH THIS ARTICLE REGARDLESS OF WHETHER THE PERSON
11 IS A MILITARY SPOUSE. THE DIVISION OF REGISTRATIONS MAY EXCLUDE
12 ANY PROFESSION OR OCCUPATION IF IT FINDS THAT APPLICATION OF THIS
13 ARTICLE WOULD INCREASE THE RISK TO PUBLIC SAFETY."

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

17
18
19
20 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

21
22 Passed Second Reading: **HB12-1103, 1118 amended, 1263 amended,**
23 **1111 amended, 1275 amended, SB12-077, 099, 066, HB12-1059**
24 **amended.**

25
26 Laid over until date indicated retaining place on Calendar: **HB12-1068,**
27 **1238, 1267, 1305--March 20, 2012.**

28
29 The Chairman moved the adoption of the Committee of the Whole
30 Report. As shown by the following roll call vote, a majority of those
31 elected to the House voted in the affirmative, and the Report was
32 **adopted.**

YES	61	NO	2	EXCUSED	1	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	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	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	N
Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
Court	N	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	E	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB12-1033, 1047, 1055, 1074, 1078, 1090, 1095, 1163, 1177, 1217, 1221, 1233, 1247, 1248** at 9:37 a.m. on March 19, 2012.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 19th day of March, 2012, at 1:15 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 19, 2012

To the Honorable House of Representatives
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB12-1018 CONCERNING MODIFICATIONS TO AVAILABLE AFFILIATION BY SOCIAL SECURITY EMPLOYERS WITH THE FIRE AND POLICE PENSION ASSOCIATION.

Approved March 19, 2012 at 10:06 am

HB12-1071 CONCERNING PORTABLE ELECTRONICS INSURANCE.

Approved March 19, 2012 at 10:06 am

HB12-1077 CONCERNING MODIFICATIONS TO THE INVESTMENT CONFIDENTIALITY PROVISIONS RELATED TO POLICE OFFICERS' AND FIREFIGHTERS' PENSION PLANS.

Approved March 19, 2012 at 10:07 am

HB12-1096 CONCERNING AN EXTENSION OF THE PERIOD FOR WHICH THE VOLUNTARY CONTRIBUTION DESIGNATION LINE BENEFITING THE MAKE-A-WISH FOUNDATION OF COLORADO FUND APPEARS ON STATE INDIVIDUAL INCOME TAX RETURN FORMS.

Approved March 19, 2012 at 10:31 am

HB12-1120 CONCERNING THE CREATION OF THE DIVISION OF UNEMPLOYMENT INSURANCE IN THE DEPARTMENT OF LABOR

1 AND EMPLOYMENT TO ADMINISTER THE UNEMPLOYMENT
2 INSURANCE PROGRAM.

3
4 Approved March 19, 2012 at 10:07 am

5
6 **HB12-1127** CONCERNING ELIMINATION OF AN INCREASE IN THE
7 UNEMPLOYMENT INSURANCE PREMIUM RATE FOR NEW
8 EMPLOYERS.

9
10 Approved March 19, 2012 at 10:08 am

11
12 Sincerely,
13 (signed)
14 John W. Hickenlooper
15 Governor

16
17
18
19 **LAY OVER OF CALENDAR ITEM(S)**

20
21 On motion of Representative Waller, the following item(s) on the
22 Calendar was (were) laid over until March 20, retaining place on
23 Calendar:

24
25 Consideration of General Orders--**HB12-1323, 1080, SB12-148,**
26 **HB12-1318, SB12-031, 133, HB12-1313, 1321, HCR12-1001,**
27 **SB12-062.**

28 Consideration of Resolution(s)--**HJR12-1016.**

29 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,**
30 **1034, 1114, 1151, 1070.**

31
32
33
34 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
35 March 20, 2012.

36
37 Approved:
38 FRANK McNULTY,
39 Speaker

40 Attest:
41 MARILYN EDDINS,
42 Chief Clerk

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

Seventieth Legislative Day

Tuesday, March 20, 2012

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

2
3 Prayer by Father Gary Menard, Arrupe Jesuit High School, Denver.

4
5 Pledge of Allegiance led by Benjamin Hamik, Wilson Lenhart, Kali
6 Waldon, Sonoma Carlos, Palmer Elementary, Denver.

7
8 The roll was called with the following result:

9
10 Present--64.

11 Excused--Representative(s) Miklosi--1.

12
13 The Speaker declared a quorum present.

14
15
16 On motion of Representative Pabon, the reading of the journal of
17 March 19, 2012, was declared dispensed with and approved as corrected
18 by the Chief Clerk.

19
20
21
22 **THIRD READING OF BILL(S)--FINAL PASSAGE**

23
24 The following bill(s) was(were) considered on Third Reading. The
25 title(s) was(were) publicly read. Reading of the bill at length was
26 dispensed with by unanimous consent.

27
28 **HB12-1103** by Representative(s) Vaad; also Senator(s) Tochtrop--
29 Concerning an authorization for a board of county
30 commissioners to exclude its county from the enhanced
31 automobile inspection and readjustment emissions
32 program area if the excluded county does not violate
33 applicable national ambient air quality standards.

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

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

39
40

	YES	35	NO	29	EXCUSED	1	ABSENT	0
41	Acree	Y	Fischer	N	Looper	Y	Solano	N
42	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
43	Barker	Y	Gerou	Y	McCann	N	Soper	N

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

15 Co-sponsor(s) added: Representative(s) Beezley, Brown, DelGrosso, Holbert,
16 Kerr J., Murray, Priola, Sonnenberg, Summers, Swalm.

17
18 **HB12-1118** by Representative(s) Conti, Becker, Beezley, DelGrosso,
19 Gerou, Holbert, Murray, Nikkel, Ramirez, Scott,
20 Summers, Szabo; also Senator(s) Harvey--Concerning
21 ensuring transparency in collective bargaining negotiations
22 between school district boards of education and school
23 employees.

24
25 The question being "Shall the bill pass?".

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

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

48 Co-sponsor(s) added: Representative(s) Barker, Brown, Gardner B., Joshi,
49 Liston, Looper, Stephens, Speaker.

50
51 **HB12-1263** by Representative(s) Levy; also Senator(s) Steadman--
52 Concerning reducing barriers to employment by State of
53 Colorado Agencies for people with criminal records.

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	33	NO	31	EXCUSED	1	ABSENT	0
5	Acree	N	Fischer	Y	Looper	N	Solano	Y
6	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
7	Barker	N	Gerou	N	McCann	Y	Soper	Y
8	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
9	Becker	N	Holbert	N	Miklosi	E	Summers	N
10	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
11	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	N
12	Brown	N	Joshi	N	Pabon	Y	Szabo	N
13	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
14	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
15	Coram	Y	Kerr A.	Y	Priola	N	Vaad	N
16	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
17	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
18	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
19	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
20	Fields	Y	Liston	N	Singer	Y	Young	Y
21							Speaker	N

22 Co-sponsor(s) added: Representative(s) Court, Hamner, Hullinghorst, Kefalas,
23 Labuda, Pabon, Ryden, Wilson.

24
25 **HB12-1111** by Representative(s) Szabo and Summers; also Senator(s)
26 Mitchell--Concerning the definition of identification for
27 election-related purposes.

28
29 The question being "Shall the bill pass?".

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

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

52 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Becker,
53 Gardner B., Holbert, Joshi, Kerr J., Liston, Looper, Murray, Nikkel, Priola,
54 Scott, Sonnenberg, Stephens, Swalm, Speaker.

55

1 **HB12-1275** by Representative(s) Pace; also Senator(s) White--
 2 Concerning the encouragement of outdoor recreational
 3 opportunities, and, in connection therewith, creating the
 4 wildlife sporting license plate, and, in connection there
 5 with, making an appropriation.
 6

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

	YES	48	NO	16	EXCUSED	1	ABSENT	0
13	Acree	N	Fischer	Y	Looper	Y	Solano	Y
14	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
15	Barker	N	Gerou	Y	McCann	Y	Soper	Y
16	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
17	Becker	N	Holbert	N	Miklosi	E	Summers	N
18	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
19	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
20	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
21	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
22	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
23	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
24	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
25	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	N
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	N	Levy	N	Scott	Y	Wilson	Y
28	Fields	Y	Liston	N	Singer	Y	Young	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Duran, Fischer, Hamner, Hullinghorst,
 31 Pabon, Wilson.
 32

33 **SB12-077** by Senator(s) Jahn, Cadman, Johnston, Newell, Steadman,
 34 White, Williams S.; also Representative(s) Sonnenberg,
 35 Summers, Coram, Labuda, Nikkel, Swerdfeger, Szabo--
 36 Concerning the repeal of laws under which the Colorado
 37 department of public health and environment regulates
 38 certain activities associated with yellow grease.
 39

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

	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	Y	Soper	Y
49	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
50	Becker	Y	Holbert	Y	Miklosi	E	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							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Kerr A., Kerr J., Liston, Schafer S.,
8 Young.

9
10 **SB12-099** by Senator(s) Spence; also Representative(s) Todd--
11 Concerning expansion of access to services for juveniles
12 at the academic model juvenile facility.

13
14 The question being "Shall the bill pass?".

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

19	YES	55	NO	9	EXCUSED	1	ABSENT	0
20	Acree	Y	Fischer	N	Looper	Y	Solano	Y
21	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
22	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
23	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
24	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
25	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
26	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
27	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
28	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
29	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
30	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
32	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
33	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
34	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
35	Fields	N	Liston	Y	Singer	N	Young	N
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) Kerr A., Kerr J., Labuda, Massey,
38 Nikkel, Ramirez, Ryden, Summers, Williams A., Wilson.

39
40 **SB12-066** by Senator(s) Nicholson; also Representative(s) Gardner--
41 Concerning expanding those persons eligible as guardians
42 in the guardianship assistance program to include persons
43 ascribed by the family as having a family-like relationship
44 with the child.

45
46 The question being "Shall the bill pass?".

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

51	YES	64	NO	0	EXCUSED	1	ABSENT	0
52	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
53	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
54	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
56	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y

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

13 Co-sponsor(s) added: Representative(s) Barker, Conti, Fields, Fischer, Kefalas,
 14 Kerr A., Kerr J., Labuda, Levy, Ryden, Stephens, Summers, Todd, Tyler,
 15 Wilson, Young.

16
 17 **HB12-1059** by Representative(s) Looper; also Senator(s) v King, K.--
 18 Concerning the authority of a person credentialed in
 19 another state whose residence is determined by military
 20 orders to practice an occupation regulated by Colorado
 21 law.

22
 23 The question being "Shall the bill pass?".
 24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative and the bill
 26 was declared **passed**.

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

46 Co-sponsor(s) added: Representative(s) Acree, Barker, Beezley, Casso,
 47 Gardner B., Gerou, Hamner, Holbert, Kefalas, Kerr A., Lee, Liston, Massey,
 48 Murray, Pace, Priola, Ryden, Schafer S., Scott, Singer, Soper, Todd, Vigil,
 49 Young.

50
 51
 52
 53 On motion of Representative Swalm, the House resolved itself into
 54 Committee of the Whole for consideration of General Orders, and he was
 55 called to the Chair to act as Chairman.

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.)

On motion of Representative Waller, the following bills on the General Orders Calendar were laid over until March 21, 2012, retaining place on Calendar: **HB12-1068, 1305, 1080, SB12-148, HB12-1162, 1254, 1303, 1268, SB12-056, 034.**

HB12-1267 by Representative(s) Coram; also Senator(s) Grantham--Concerning the simplification of certain preelection procedures in order to reduce the cost of administering elections.

Amendment No. 1, State, Veterans, & Military Affairs Report, dated March 7, 2012, and placed in member's bill file; Report also printed in House Journal, March 8, page 583.

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

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

Amendment No. 1, Agriculture, Livestock, & Natural Resources Report, dated March 14, 2012, and placed in member's bill file; Report also printed in House Journal, March 15, page 669.

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

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

Amendment No. 1, Finance Report, dated March 14, 2012, and placed in member's bill file; Report also printed in House Journal, March 15, page 671.

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

SB12-031 by Senator(s) White; also Representative(s) Bradford and Baumgardner--Concerning federal mineral lease districts.

1 Amendment No. 1, Local Government Report, dated March 14, 2012, and
2 placed in member's bill file; Report also printed in House Journal, March
3 15, pages 671-672.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 A motion by Representative Waller that the Committee rise, report
9 progress and, beg leave to sit again after consideration of a resolution,
10 was adopted by unanimous consent.

11
12
13

House reconvened.

14
15
16 The Committee of the Whole reported it had risen, reported progress and
17 would sit again after consideration of a Senate Joint Resolution.
18 (General Orders continued on page 731).

19
20
21
22 **MESSAGE(S) FROM THE SENATE**

23
24 The Senate has adopted and transmits herewith: SJR12- 021.

25
26
27
28 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

29
30 On motion of Representative Stephens, the rules were suspended and the
31 following resolution was given immediate consideration.

32
33 **SJR12-021** by Senator(s) Harvey, Scheffel, Grantham, Hodge,
34 Schwartz, Shaffer B.; also Representative(s) Holbert,
35 McNulty, Murray, Looper, Ryden, Sonnenberg--
36 Concerning recognition of the 50th anniversary of Parker
37 water and sanitation district and construction of the
38 Rueter-Hess Reservoir.

39
40 (Printed and placed in member's file).

41
42 On motion of Representative Holbert the resolution was read at length
43 and **adopted** by **viva voce** vote.

44
45 Current Roll Call added a co-sponsor(s): Representative(s) Acree, Balmer,
46 Barker, Baumgardner, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
47 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Hamner,
48 Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee,
49 Liston, Massey, McCann, McKinley, Nikkel, Pabon, Pace, Peniston, Priola,
50 Ramirez, Schafer S., Scott, Singer, Solano, Soper, Stephens, Summers, Swalm,
51 Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young.

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

4
5
6 **GENERAL ORDERS--SECOND READING OF BILLS**

7 (Continued from page 730)

8
9 **SB12-133** by Senator(s) Schwartz, Aguilar, King S., Newell, White;
10 also Representative(s) Coram--Concerning the diversion
11 of electronic devices from landfills.

12
13 Ordered revised and placed on the Calendar for Third Reading and Final
14 Passage.

15
16 **HB12-1313** by Representative(s) Szabo; also Senator(s) Bacon--
17 Concerning procedures related to the statewide initiative
18 title board.

19
20 Ordered engrossed and placed on the Calendar for Third Reading and
21 Final Passage.

22
23 **SB12-062** by Senator(s) Williams S.; also Representative(s) Looper--
24 Concerning procedures that facilitate voting by military
25 personnel.

26
27 Ordered revised and placed on the Calendar for Third Reading and Final
28 Passage.

29
30 **HB12-1209** by Representative(s) Gardner B.; also Senator(s) Carroll--
31 Concerning the "Uniform Electronic Legal Material Act".

32
33 Amendment No. 1, Appropriations Report, dated March 16, 2012, and
34 placed in member's bill file; Report also printed in House Journal,
35 March 16, pages 686-687.

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

39
40 **HB12-1274** by Representative(s) Swerdfeger; also Senator(s) Jahn--
41 Concerning the regulation of notaries public.

42
43 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
44 February 29, 2012, and placed in member's bill file; Report also printed
45 in House Journal, March 2, page 539.

46
47 Amendment No. 2, Appropriations Report, dated March 16, 2012, and
48 placed in member's bill file; Report also printed in House Journal,
49 March 16, page 688.

50
51 Amendment No. 3, by Representative(s) Swerdfeger.

52
53 Amend the State, Veterans, and Military Affairs Committee Report, dated
54 February 29, 2012, page 1, line 6, strike "NAMES," and substitute
55 "NAMES".

56

1 Page 1 of the report, line 7, strike "RESIDENTIAL ADDRESSES,".

2
3 Page 1 of the report, after line 8 insert:

4
5 "Page 7 of the printed bill, line 9, strike "and **repeal** (3)" and substitute
6 "**repeal** (3); and **add** (2.5)".

7
8 Page 7 of the bill, line 18, after "seal." insert "THE OFFICIAL NOTARY SEAL
9 MUST BE RECTANGULAR.".

10
11 Page 7 of the bill, after line 26 insert:

12 "(2.5) A NOTARY WHO OBTAINED AN OFFICIAL SEAL BEFORE THE
13 EFFECTIVE DATE OF THIS SUBSECTION (2.5) MAY CONTINUE TO USE HIS OR
14 HER SEAL UNTIL RENEWAL OF HIS OR HER NOTARY COMMISSION."."

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

18
19 **HB12-1292** by Representative(s) Murray; also Senator(s) Heath--
20 Concerning technical modifications to laws relating to the
21 administration of elections, and, in connection therewith,
22 harmonizing current laws with federal law, altering the
23 time periods within which certain actions must be taken,
24 raising certain fees, and deleting obsolete references.

25
26 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
27 February 29, 2012, and placed in member's bill file; Report also printed
28 in House Journal, March 2, pages 539-540.

29
30 As amended, ordered engrossed and placed on the Calendar for Third
31 Reading and Final Passage.

32
33 **HB12-1302** by Representative(s) Massey; also Senator(s) Tochtrop--
34 Concerning the creation of a flight for life Colorado
35 license plate.

36
37 Amendment No. 1, Appropriations Report, dated March 16, 2012, and
38 placed in member's bill file; Report also printed in House Journal,
39 March 16, pages 688-689.

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

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

50
51 Amendment No. 1, Finance Report, dated March 15, 2012, and placed in
52 member's bill file; Report also printed in House Journal, March 16,
53 pages 690-691.

54
55 As amended, ordered revised and placed on the Calendar for Third
56 Reading and Final Passage.

- 1 **SB12-023** by Senator(s) Boyd; also Representative(s) Summers and
2 Kerr A.--Concerning the program of all-inclusive care for
3 the elderly, and, in connection therewith, addressing
4 enrollment of persons who are eligible for the PACE
5 program and addressing how the PACE program works
6 with integrative initiatives involving the medicaid
7 population in Colorado.
8
- 9 Ordered revised and placed on the Calendar for Third Reading and Final
10 Passage.
11
- 12 **HB12-1238** by Representative(s) Massey and Hamner, Fields, Pabon,
13 Priola, Casso, Gerou, Lee, Murray, Pace, Sonnenberg,
14 Swerdfeger; also Senator(s) Johnston and Spence, Bacon,
15 Giron, Jahn, Newell--Concerning literacy education for
16 students enrolled in kindergarten through third grade, and,
17 in connection therewith, creating the "Colorado Early
18 Literacy Act".
19
- 20 Amendment No. 1, Education Report, dated March 12, 2012, and placed
21 in member's bill file; Report also printed in House Journal, March 13,
22 pages 643-648.
23
- 24 Amendment No. 2, Appropriations Report, dated March 14, 2012, and
25 placed in member's bill file; Report also printed in House Journal,
26 March 14, page 652-654.
27
- 28 Amendment No. 3, by Representative(s) Massey.
29
- 30 Amend the Education Committee Report, dated March 12, 2012, page 2,
31 strike lines 8 through 12 and substitute:
32
- 33 "Page 8 of the bill, strike lines 10 through 14.
34
- 35 Renumber succeeding subsections accordingly."
36
- 37 Page 2 of the committee report, strike line 30 and substitute "THE LIST OF
38 APPROVED ASSESSMENTS ADOPTED BY RULE OF THE STATE BOARD
39 PURSUANT TO SECTION 22-7-510 (1)".
40
- 41 Page 3 of the committee report, line 6, strike "AMONG".
42
- 43 Page 3 of the committee report, strike line 7 and substitute "THE LIST OF
44 APPROVED ASSESSMENTS ADOPTED BY RULE OF THE STATE BOARD
45 PURSUANT TO SECTION 22-7-510 (1) THOSE".
46
- 47 Page 4 of the committee report, after line 6, insert:
48
- 49 "Page 14 of the bill, line 15, strike "IN" and substitute "ON".
50
- 51 Page 14 of the bill, strike line 16 and substitute "ADVISORY LIST
52 PREPARED BY THE DEPARTMENT PURSUANT TO SECTION 22-7-510;".
53
- 54 Page 5 of the committee report, line 18, before "APPROVED" insert "LIST
55 OF".
56

1 Page 5 of the committee report, line 21, strike "22-7-505;". and
2 substitute "22-7-505;
3

4 (d) RULES FOR APPROVING ONE OR MORE INDEPENDENT
5 THIRD-PARTY EVALUATORS TO REVIEW READING ASSESSMENTS FOR
6 INCLUSION ON THE APPROVED LIST OF ASSESSMENTS AND TO REVIEW
7 INSTRUCTIONAL PROGRAMMING AND PROFESSIONAL DEVELOPMENT
8 PROGRAMS FOR INCLUSION ON THE ADVISORY LISTS CREATED BY THE
9 DEPARTMENT PURSUANT TO SUBSECTIONS (2) AND (3) OF THIS SECTION;
10

11 (e) RULES TO PROVIDE NOTICE, A HEARING, AND AN APPEALS
12 PROCESS FOR PUBLISHERS WHO SUBMIT MATERIALS FOR INCLUSION ON THE
13 LIST OF APPROVED ASSESSMENTS AND THE ADVISORY LISTS OF
14 INSTRUCTIONAL PROGRAMMING AND PROFESSIONAL DEVELOPMENT
15 PROGRAMS;".
16

17 Reletter succeeding paragraphs accordingly."
18

19 Page 5 of the committee report, strike lines 22 through 30.
20

21 Strike page 6 of the committee report.
22

23 Page 7 of the committee report, strike lines 1 through 21 and substitute:
24

25 "Page 22 of the bill, strike lines 20 through 27.
26

27 Strike pages 23 and 24 of the bill.
28

29 Page 25 of the bill, strike line 1 and substitute:
30

31 "(2) (a) (I) USING THE PROCEDURE DEVELOPED PURSUANT TO
32 SUBSECTION (3) OF THIS SECTION, THE DEPARTMENT SHALL REVIEW AND
33 RECOMMEND TO THE STATE BOARD READING ASSESSMENTS, INCLUDING
34 INTERIM, FORMATIVE, SUMMATIVE, AND DIAGNOSTIC ASSESSMENTS, FOR
35 KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES THAT, AT A
36 MINIMUM, MEET THE CRITERIA SPECIFIED IN SUBPARAGRAPH (II) OF THIS
37 PARAGRAPH (a). FOLLOWING ACTION BY THE STATE BOARD TO APPROVE
38 READING ASSESSMENTS PURSUANT TO PARAGRAPH (c) OF SUBSECTION (1)
39 OF THIS SECTION, THE DEPARTMENT SHALL CREATE A LIST OF THE
40 APPROVED READING ASSESSMENTS FOR KINDERGARTEN AND FIRST,
41 SECOND, AND THIRD GRADES FOR USE BY LOCAL EDUCATION PROVIDERS.
42

43 (II) THE DEPARTMENT SHALL ENSURE THAT:
44

45 (A) EACH OF THE RECOMMENDED READING ASSESSMENTS IS
46 PROVEN TO EFFECTIVELY AND ACCURATELY MEASURE STUDENTS' READING
47 SKILLS IN THE AREAS OF PHONEMIC AWARENESS; PHONICS; VOCABULARY
48 DEVELOPMENT; READING FLUENCY, INCLUDING ORAL SKILLS; AND
49 READING COMPREHENSION;
50

51 (B) EACH OF THE RECOMMENDED READING DIAGNOSTICS IS
52 PROVEN TO ACCURATELY IDENTIFY STUDENTS' SPECIFIC READING SKILL
53 DEFICIENCIES; AND
54

55 (C) AT LEAST ONE OF THE RECOMMENDED READING ASSESSMENTS
56 FOR KINDERGARTEN AND FIRST, SECOND, AND THIRD GRADES IS NORMED

1 FOR THE PERFORMANCE OF STUDENTS WHO SPEAK SPANISH AS THEIR
2 NATIVE LANGUAGE, WHICH ASSESSMENT IS AVAILABLE IN BOTH ENGLISH
3 AND SPANISH.

4
5 (b) USING THE PROCEDURE DEVELOPED PURSUANT TO SUBSECTION
6 (3) OF THIS SECTION, THE DEPARTMENT SHALL CREATE AN ADVISORY LIST
7 OF SCIENTIFICALLY BASED INSTRUCTIONAL PROGRAMMING IN READING
8 THAT LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO USE. THE
9 ADVISORY LIST SHALL INCLUDE ONLY PROGRAMMING THAT, AT A
10 MINIMUM:

11 (I) HAS BEEN PROVEN TO ACCELERATE STUDENT PROGRESS IN
12 ATTAINING READING COMPETENCY;

13
14 (II) PROVIDES EXPLICIT AND SYSTEMATIC SKILL DEVELOPMENT IN
15 THE AREAS OF PHONEMIC AWARENESS; PHONICS; VOCABULARY
16 DEVELOPMENT; READING FLUENCY, INCLUDING ORAL SKILLS; AND
17 READING COMPREHENSION;

18
19 (III) INCLUDES SCIENTIFICALLY BASED AND RELIABLE
20 ASSESSMENTS;

21
22 (IV) PROVIDES INITIAL AND ONGOING ANALYSIS OF THE STUDENT'S
23 PROGRESS IN ATTAINING READING COMPETENCY; AND

24
25 (V) INCLUDES TEXTS ON CORE ACADEMIC CONTENT TO ASSIST THE
26 STUDENT IN MAINTAINING OR MEETING GRADE-APPROPRIATE PROFICIENCY
27 LEVELS IN ACADEMIC SUBJECTS IN ADDITION TO READING.

28
29 (c) USING THE PROCEDURE DEVELOPED PURSUANT TO SUBSECTION
30 (3) OF THIS SECTION, THE DEPARTMENT SHALL CREATE AN ADVISORY LIST
31 OF PROFESSIONAL DEVELOPMENT PROGRAMS THAT ARE RELATED TO
32 ADDRESSING READING DEFICIENCIES AND SIGNIFICANT READING
33 DEFICIENCIES AND TO APPLYING INTERVENTION INSTRUCTION AND
34 STRATEGIES, IN ADDITION TO PROGRAMS RELATED TO TEACHING GENERAL
35 LITERACY, THAT LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO USE.

36
37 (d) THE DEPARTMENT SHALL MAKE THE APPROVED LIST OF
38 ASSESSMENTS AND THE ADVISORY LISTS OF INSTRUCTIONAL
39 PROGRAMMING AND PROFESSIONAL DEVELOPMENT PROGRAMS AVAILABLE
40 ON THE DEPARTMENT WEB SITE ON OR BEFORE JULY 1, 2013. THE
41 DEPARTMENT IS NOT REQUIRED TO PROVIDE COPIES OF ANY READING
42 ASSESSMENTS, INSTRUCTIONAL PROGRAMMING, OR PROFESSIONAL
43 DEVELOPMENT PROGRAMS THAT ARE INCLUDED ON THE LISTS. IF THE
44 DEPARTMENT DOES PROVIDE COPIES OF ANY MATERIALS THAT IT ACQUIRES
45 BY PURCHASE OF A LICENSE FOR USE BY LOCAL EDUCATION PROVIDERS,
46 SAID MATERIALS MAY BE USED ONLY IN ACCORDANCE WITH THE LICENSE.

47
48 (e) EACH LOCAL EDUCATION PROVIDER SHALL SELECT FROM THE
49 LIST OF APPROVED READING ASSESSMENTS THOSE READING ASSESSMENTS
50 THAT IT WILL ADMINISTER TO STUDENTS IN KINDERGARTEN AND FIRST,
51 SECOND, AND THIRD GRADES. EACH LOCAL EDUCATION PROVIDER IS
52 ENCOURAGED TO USE THE INSTRUCTIONAL PROGRAMMING IN READING
53 AND PROFESSIONAL DEVELOPMENT PROGRAMS INCLUDED ON THE
54 ADVISORY LISTS. THE DEPARTMENT AND EACH LOCAL EDUCATION
55 PROVIDER, IN USING THE ASSESSMENTS, INSTRUCTIONAL PROGRAMMING
56 IN READING, AND PROFESSIONAL DEVELOPMENT PROGRAMS THAT ARE

1 INCLUDED ON THE LISTS SHALL COMPLY WITH THE FEDERAL COPYRIGHT
2 LAWS, 17 U.S.C. SEC. 101 ET SEQ.

3
4 (3) THE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A
5 PROCEDURE FOR IDENTIFYING THE READING ASSESSMENTS IT
6 RECOMMENDS TO THE STATE BOARD FOR THE APPROVED LIST OF READING
7 ASSESSMENTS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (2) OF THIS
8 SECTION AND FOR CREATING THE ADVISORY LISTS OF INSTRUCTIONAL
9 PROGRAMMING AND PROFESSIONAL DEVELOPMENT PROGRAMS DESCRIBED
10 IN PARAGRAPHS (b) AND (c) OF SUBSECTION (2) OF THIS SECTION. AT A
11 MINIMUM, THE PROCEDURE SHALL INCLUDE:

12
13 (a) PERIODICALLY SOLICITING THROUGH PUBLIC NOTICE,
14 ACCEPTING, AND PROMPTLY REVIEWING ASSESSMENTS, INSTRUCTIONAL
15 PROGRAMMING, AND PROFESSIONAL DEVELOPMENT PROGRAMS FROM EACH
16 LOCAL EDUCATION PROVIDER AND FROM PUBLISHERS;

17
18 (b) EVALUATING THE ASSESSMENTS, INSTRUCTIONAL
19 PROGRAMMING, AND PROFESSIONAL DEVELOPMENT PROGRAMS THAT THE
20 DEPARTMENT IDENTIFIES OR RECEIVES, WHICH EVALUATION IS BASED ON
21 THE CRITERIA SPECIFIED IN SUBSECTION (2) OF THIS SECTION AND ANY
22 ADDITIONAL CRITERIA THE STATE BOARD MAY ADOPT BY RULE. THE
23 DEPARTMENT MAY CONTRACT WITH AN INDEPENDENT, THIRD-PARTY
24 EVALUATOR APPROVED BY THE STATE BOARD TO EVALUATE THE
25 MATERIALS. THE DEPARTMENT SHALL RECOMMEND TO THE STATE BOARD
26 THE READING ASSESSMENTS THAT MEET THE REQUIREMENTS SPECIFIED IN
27 PARAGRAPH (a) OF SUBSECTION (2) OF THIS SECTION.

28
29 (c) PERIODICALLY REVIEWING THE LIST OF APPROVED
30 ASSESSMENTS AND THE ADVISORY LISTS TO UPDATE THE LISTS AND ADD
31 ADDITIONAL ITEMS, WHEN APPROPRIATE; AND

32
33 (d) PUBLISHING ON THE DEPARTMENT'S WEBSITE THE INITIAL AND
34 UPDATED APPROVED LIST OF READING ASSESSMENTS AND ADVISORY LISTS
35 OF INSTRUCTIONAL PROGRAMMING AND PROFESSIONAL DEVELOPMENT
36 PROGRAMS."

37
38 Renumber succeeding subsections accordingly."

39
40 Amendment No. 4, by Representative(s) Hamner.

41
42 Amend printed bill, page 6, line 13, strike "THE STUDENT WILL" and
43 substitute "THE STUDENT'S PARENT AND TEACHER AND OTHER PERSONNEL
44 FROM THE STUDENT'S SCHOOL OR SCHOOL DISTRICT WILL DECIDE WHETHER
45 THE STUDENT, DESPITE HAVING A SIGNIFICANT READING DEFICIENCY, IS
46 LIKELY TO BE ABLE TO MAINTAIN ACADEMIC PROGRESS IF THE STUDENT
47 ADVANCES TO THE NEXT GRADE LEVEL AND, THEREFORE, WHETHER THE
48 STUDENT SHOULD ADVANCE TO THE NEXT GRADE LEVEL."

49
50 Page 6, strike line 14.

51
52 Page 11, strike lines 1 through 5 and substitute:

53
54 "(III) IF THE STUDENT ENTERS FOURTH GRADE WITHOUT
55 ACHIEVING READING COMPETENCY, HE OR SHE IS SIGNIFICANTLY MORE
56 LIKELY TO FALL BEHIND IN ALL SUBJECT AREAS BEGINNING IN FOURTH

1 GRADE AND CONTINUING IN LATER GRADES. IF THE STUDENT'S READING
2 SKILL DEFICIENCIES ARE NOT REMEDIATED, IT IS LIKELY THAT THE
3 STUDENT WILL NOT HAVE THE SKILLS NECESSARY TO COMPLETE THE
4 COURSE WORK REQUIRED TO GRADUATE FROM HIGH SCHOOL.

5
6 (IV) READING SKILLS ARE CRITICAL TO SUCCESS IN SCHOOL.
7 UNDER STATE LAW, THE STUDENT QUALIFIES FOR AND THE LOCAL
8 EDUCATION PROVIDER IS REQUIRED TO PROVIDE TARGETED,
9 SCIENTIFICALLY BASED INTERVENTIONS TO REMEDIATE THE STUDENT'S
10 SPECIFIC, DIAGNOSED READING SKILL DEFICIENCIES, WHICH
11 INTERVENTIONS ARE DESIGNED TO ENABLE THE STUDENT TO ACHIEVE
12 READING COMPETENCY AND ATTAIN THE SKILLS NECESSARY TO ACHIEVE
13 THE STATE'S ACADEMIC ACHIEVEMENT GOALS;"

14
15 Renumber succeeding subparagraphs accordingly.

16
17 Page 11, line 22, strike "NOT ADVANCE TO THE NEXT GRADE" and
18 substitute "ADVANCE TO THE NEXT GRADE LEVEL ONLY IF THE STUDENT,
19 DESPITE THE SIGNIFICANT READING DEFICIENCY, IS LIKELY TO BE ABLE TO
20 MAINTAIN ACADEMIC PROGRESS AT THE NEXT GRADE".

21
22 Page 15, after line 4, insert:

23
24 "(4) THE LOCAL EDUCATION PROVIDER SHALL PROVIDE TO THE
25 STUDENT'S PARENT A COPY OF THE STUDENT'S READ PLAN WITH A
26 WRITTEN EXPLANATION OF THE SCIENTIFICALLY BASED READING
27 INSTRUCTIONAL PROGRAMMING AND OTHER READING-RELATED SERVICES
28 THE STUDENT WILL RECEIVE AND THE STRATEGIES THE STUDENT'S PARENT
29 IS ENCOURAGED TO USE IN ASSISTING THE STUDENT TO ACHIEVE READING
30 COMPETENCY. AT THE PARENT'S REQUEST, THE LOCAL EDUCATION
31 PROVIDER SHALL ALSO PROVIDE TO THE PARENT A VERBAL EXPLANATION
32 OF THE ELEMENTS OF THE READ PLAN."

33
34 Page 15, strike lines 25 through 27 and substitute:

35
36 "(a) STATE LAW RECOMMENDS THAT THE STUDENT ADVANCE TO
37 THE NEXT GRADE LEVEL ONLY IF THE STUDENT, DESPITE THE SIGNIFICANT
38 READING DEFICIENCY, IS LIKELY TO BE ABLE TO MAINTAIN ACADEMIC
39 PROGRESS AT THE NEXT GRADE LEVEL;"

40
41 Page 16, strike line 27 and substitute "STUDENT ADVANCE TO THE NEXT
42 GRADE LEVEL ONLY IF THE STUDENT, DESPITE THE SIGNIFICANT READING
43 DEFICIENCY, IS LIKELY TO BE ABLE TO MAINTAIN ACADEMIC PROGRESS AT
44 THE NEXT GRADE LEVEL; AND".

45
46 Page 17, line 7, after "EVIDENCE," insert "THE LIKELIHOOD THAT THE
47 STUDENT, DESPITE THE SIGNIFICANT READING DEFICIENCY, WILL BE ABLE
48 TO MAINTAIN ACADEMIC PROGRESS AT THE NEXT GRADE LEVEL,".

49
50 Amendment No. 5, by Representative(s) Hamner.

51
52 Amend printed bill, page 11, after line 25 insert:

53
54 "(c) IN ADDITION TO THE INFORMATION SPECIFIED IN PARAGRAPHS
55 (a) AND (b) OF THIS SUBSECTION (2), THE LOCAL EDUCATION PROVIDER IS
56 ENCOURAGED TO INCLUDE INFORMATION CONCERNING RESOURCES THAT

1 ARE AVAILABLE THROUGH THE LOCAL EDUCATION PROVIDER OR THROUGH
2 OTHER ENTITIES WITHIN THE COMMUNITY THAT MAY SUPPORT THE
3 STUDENT IN ACHIEVING READING COMPETENCY."

4
5 Reletter succeeding paragraphs accordingly.

6
7 Amendment No. 6, by Representative(s) Ferrandino.

8
9 Amend printed bill, page 15, line 15 strike "ASSESSMENT;" and substitute
10 "ASSESSMENT, OR THE STUDENT IS IDENTIFIED AS HAVING A DISABILITY
11 THAT SUBSTANTIALLY IMPACTS THE STUDENT'S PROGRESS IN DEVELOPING
12 READING SKILLS, RESULTING IN THE STUDENT'S SIGNIFICANT READING
13 DEFICIENCY;"

14
15 Amendment No. 7, by Representative(s) Peniston.

16
17 Amend printed bill, page 26, line 4, after the period add "UPON THE
18 REQUEST OF A RURAL SCHOOL DISTRICT, THE DEPARTMENT SHALL ASSIST
19 THE SCHOOL DISTRICT IN WRITING THE GRANT APPLICATION."

20
21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.

23
24 **HB12-1321** by Representative(s) Ferrandino and Vaad; also Senator(s)
25 Johnston and King K.--Concerning the state personnel
26 system, and, in connection therewith, enacting the
27 "Modernization of the State Personnel System Act".

28
29 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
30 March 14, 2012, and placed in member's bill file; Report also printed in
31 House Journal, March 15, page 672.

32
33 Amendment No. 2, by Representative(s) Ferrandino.

34
35 Amend printed bill, page 20, line 10, strike "(4) (a)" and substitute "(4)
36 (a); and **add** (4) (e)".

37
38 Page 22, after line 5 insert:

39
40 "(e) AFTER THE STATE PERSONNEL DIRECTOR'S FINAL DECISION
41 PURSUANT TO THIS SUBSECTION (4), ANY PERSON DIRECTLY AFFECTED BY
42 THE SELECTION AND COMPARATIVE ANALYSIS PROCESS MAY FILE A
43 WRITTEN APPEAL WITH THE STATE PERSONNEL BOARD. THE PETITION MUST
44 BE FILED WITHIN TEN DAYS AFTER THE STATE PERSONNEL DIRECTOR'S
45 FINAL DECISION HAS BEEN RECEIVED BY THE AFFECTED PERSON. THE
46 BOARD MAY GRANT THE PETITION ONLY WHEN IT APPEARS THAT THE
47 DECISION OF THE APPOINTING AUTHORITY VIOLATES THE SELECTION AND
48 COMPARATIVE ANALYSIS STANDARDS SET FORTH IN THIS SECTION, IN ANY
49 OTHER PROVISION OF LAW, OR IN ANY RULES OR PROCEDURES RELATING TO
50 THE SELECTION AND COMPARATIVE ANALYSIS PROCESS. THE BOARD SHALL
51 REVIEW AND SUMMARILY GRANT OR DENY A PETITION WITHIN ONE
52 HUNDRED TWENTY DAYS OF RECEIPT OF THE PETITION. ANY PETITION
53 GRANTED SHALL BE DETERMINED IN ACCORDANCE WITH SECTION
54 24-50-125.4."

55

1 Amendment No. 3, by Representative(s) Ferrandino.

2
3 Amend printed bill, page 17, line 23, after "RANGES." insert "EACH
4 DEPARTMENT MAY PROVIDE THE STATE PERSONNEL DIRECTOR WITH A
5 RECOMMENDATION REGARDING THE AMOUNT OF MONEYS THAT SHOULD
6 BE APPROPRIATED TO THE DEPARTMENT FOR MERIT PAY FOR THE
7 UPCOMING FISCAL YEAR. THE STATE PERSONNEL DIRECTOR SHALL
8 ESTABLISH DEADLINES FOR THE RECOMMENDATIONS AND SHALL INCLUDE
9 A SUMMARY OF ALL THE RECOMMENDATIONS HE OR SHE RECEIVES IN THE
10 ANNUAL COMPENSATION REPORT.".

11
12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.

14
15 **HCR12-1001** by Representative(s) Ferrandino and Vaad; also Senator(s)
16 Johnston and King K.--Submitting to the registered
17 electors of the state of Colorado amendments to the
18 Colorado constitution concerning the state personnel
19 system, and, in connection therewith, expanding the
20 veterans' preference; increasing the number of candidates
21 eligible to be appointed to a position; adjusting the
22 duration of allowable temporary employment; allowing the
23 flexibility to remove a limited number of positions from
24 the system; modifying the residency requirement;
25 adjusting the terms of service for members of the state
26 personnel board; and requiring merit-based appointments
27 to be made through a comparative analysis process.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

31
32
33
34
35
36 Passed Second Reading: **HB12-1267 amended, 1323 amended, 1318**
37 **amended, SB12-031 amended, 133, HB12-1313, SB12-062, HB12-1209**
38 **amended, 1274 amended, 1292 amended, 1302 amended, SB12-055**
39 **amended, 023, HB12-1238 amended, 1321 amended, HCR12-1001.**

40
41 Laid over until date indicated retaining place on Calendar: **HB12-1068,**
42 **1305, 1080, SB12-148, HB12-1162, 1254, 1303, 1268, SB12-056, 034--**
43 **March 21, 2012.**

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

	YES	60	NO	0	EXCUSED	5	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	E	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	E	Holbert	Y	Miklosi	E	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

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

SB12-040 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 5, line 11, strike "12-____," and substitute "12-1318,".

Page 6, after line 26 insert:

"SECTION 3. In Colorado Revised Statutes, 24-30-1301, **amend** (7) as follows:

24-30-1301. Definitions. As used in this part 13, unless the context otherwise requires:

(7) "Facility" means any public building or facility of the state but does not include highways. "FACILITY" ALSO INCLUDES AN ACADEMIC OR AUXILIARY FACILITY THAT QUALIFIES FOR CONTROLLED MAINTENANCE AS SPECIFIED IN SECTION 23-1-106 (10.2), C.R.S."

Renumber succeeding section accordingly.

SB12-045 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, strike line 1 and substitute:

"(b) THE TWO-YEAR AND FOUR-YEAR INSTITUTIONS SHALL AGREE UPON THE CONTENTS OF THE NOTIFICATION TO ELIGIBLE STUDENTS. AT A MINIMUM, THE NOTIFICATION".

1 **LOCAL GOVERNMENT**

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

4
5 **SB12-003** be postponed indefinitely.
6
7

8
9 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

10
11 The Speaker has signed: **SJR12-015, 018, 019, and 020.**
12
13

14
15 **MESSAGE(S) FROM THE SENATE**

16
17 The Senate has passed on Third Reading and returns herewith
18 HB12-1229, HB12-1094, HB12-1285, HB12-1178, HB12-1181.
19

20 The Senate has passed on Third Reading and transmits to the Revisor of
21 Statutes:

22
23 SB12-134 amended as printed in Senate Journal, March 19, 2012,
24 page 519.

25 HB12-1002 amended as printed in Senate Journal, March 19, 2012,
26 page 520.

27 HB12-1125 amended as printed in Senate Journal, March 19, 2012,
28 pages 520-521.
29
30

31
32 **MESSAGE(S) FROM THE REVISOR**

33
34 We herewith transmit:

35 Without comment, as amended, HB12-1002 and 1125.

36 Without comment, as amended, SB12-134.
37
38

39
40 **MESSAGE(S) FROM THE GOVERNOR**

41
42 I certify I received the following on the 19th day of March, 2012, at
43 3:15 p.m. The original is on file in the records of the House of
44 Representatives of the General Assembly.
45

46 Marilyn Eddins,
47 Chief Clerk of the House

48 March 19, 2012
49

50 To the Honorable House of Representatives
51 Sixty-Eighth General Assembly
52 Second Regular Session
53 State Capitol
54 Denver, CO 80203
55

56 Ladies and Gentlemen:

1 I have the honor to inform you that I have approved and filed with the
2 Secretary of State the following Acts:

3
4 **HB12-1248** CONCERNING THE RECEIPTS OF CERTAIN MONEYS BY THE
5 DEPARTMENT OF LAW.

6
7 Approved March 19, 2012 at 2:06 pm

8
9 Sincerely,
10 (signed)
11 John W. Hickenlooper
12 Governor

13 _____
14
15
16 **LAY OVER OF CALENDAR ITEM(S)**

17
18 On motion of Representative Waller, the following item(s) on the
19 Calendar was (were) laid over until March 21, retaining place on
20 Calendar:

21
22 Consideration of General Orders--**HB12-1297, SB12-074, 131,**
23 **HB12-1258, SB12-092.**
24 Consideration of Resolution(s)--**HJR12-1016.**
25 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
26 **1034, 1114, 1151, 1070.**

27 _____
28
29
30 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
31 March 21, 2012.

32
33 Approved:
34 FRANK McNULTY,
35 Speaker

36 Attest:
37 MARILYN EDDINS,
38 Chief Clerk

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
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	E	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

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

Representative Jones introduced members of the family who were present.

MESSAGE(S) FROM THE SENATE

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

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.

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

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	63	NO	0	EXCUSED	2	ABSENT	0
1								
2								
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
31								
32								
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.
 56

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**.

15		YES	63	NO	0	EXCUSED	2	ABSENT	0
16									
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**.

47		YES	63	NO	0	EXCUSED	2	ABSENT	0
48									
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								
22	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								
54	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**.

32	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

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

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

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

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

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

YES	62	NO	1	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	E	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	N	Wilson	Y

Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

Third Reading amendment No. 1, by Representative Ferrandino.

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

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

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y	
Becker	Y	Holbert	Y	Miklosi	E	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	

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 **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
Baumgardner	E	Hamner	Y	McKinley	Y	Stephens	Y	
Becker	Y	Holbert	Y	Miklosi	E	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) Bradford, Court, Fields, Fischer, 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.

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

54 (II) Successfully completes the Colorado state examination
55 provided in section 12-39-109.
56

(b) For purposes of this section,".

JUDICIARY

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

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

SB12-147 be postponed indefinitely.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

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

MESSAGE(S) FROM THE SENATE

The Senate has postponed indefinitely HB12-1159, HB12-1115. The bill is returned herewith.

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

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

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, SB12-154.

INTRODUCTION OF BILLS
First Reading

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

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

Committee on Transportation

- 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
45

PRINTING REPORT

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)

1
2
3 On motion of Representative Waller, the following item(s) on the
4 Calendar was (were) laid over until March 22, retaining place on
5 Calendar:
6
7 Consideration of Third Reading--**HB12-1267, SB12-031.**
8 Consideration of General Orders---**HB12-1068, 1305, 1080, SB12-148,**
9 **HB12-1162, 1254, 1303, 1268, 1297, SB12-056, 074, 131, HB12-1258,**
10 **SB12-034, 092.**
11 Consideration of Resolution(s)--**HJR12-1016.**
12 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
13 **1034, 1114, 1151, 1070, 1002, 1125.**

14
15
16
17 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
18 March 22, 2012.

19
20 Approved:
21 FRANK McNULTY,
22 Speaker

23 Attest:
24 MARILYN EDDINS,
25 Chief Clerk

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

Seventy-second Legislative Day

Thursday, March 22, 2012

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

2

3 Prayer by Terry Knight, Spiritual Leader of the Ute Mountain Utes,
4 Towaoc.

5

6 Pledge of Allegiance led by Blake Johnson, Central High School;
7 Mekayla Ashomore, Grand Junction High; Joey Laes, Home
8 Schooled Connections Academy; Tyler Sheehy, Middle School,
9 Grand Junction.

10

11 The roll was called with the following result:

12

13 Present--63.

14 Excused--Representative(s) Miklosi, Singer--2.

15 Present after roll call--Representative(s) Singer.

16

17 The Speaker declared a quorum present.

18

19

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

23

24

25 House in recess. House reconvened.

26

27

28

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

30

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

34

35 **HB12-1267** by Representative(s) Coram; also Senator(s) Grantham--
36 Concerning the simplification of certain preelection
37 procedures in order to reduce the cost of administering
38 elections.

39

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

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

	YES	38	NO	26	EXCUSED	1	ABSENT	0
1	Acree	Y	Fischer	N	Looper	Y	Solano	N
2	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
3	Barker	Y	Gerou	Y	McCann	N	Soper	N
4	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
5	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
6	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
7	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
8	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
9	Casso	Y	Kagan	N	Pace	N	Todd	N
10	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
11	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
12	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
13	DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
14	Duran	N	Lee	N	Schafer S.	N	Williams A.	Y
15	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
16	Fields	N	Liston	Y	Singer	N	Young	N
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Bradford, Brown, Court, Kerr J.,
20 Labuda, Murray, Nikkel, Scott, Summers, Speaker.

21
22 **SB12-031** by Senator(s) White; also Representative(s) Bradford and
23 Baumgardner--Concerning federal mineral lease districts.
24

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

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

47 Co-sponsor(s) added: Representative(s) Barker, Brown, Coram, Gardner B.,
48 Gerou, Kerr J., Pace, Vigil, Speaker.

CHANGE IN SPONSORSHIP

51
52
53 The Speaker announced the following changes in sponsorship:
54 HB12-1281--Representative Gerou to be added as dual prime sponsor
55 with Representative Young.
56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB12-1314 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, strike lines 18 through 20.

Page 3, strike lines 1 and 2 and substitute:

"(7) A PERSON IS NOT REQUIRED TO MAKE A SEPARATE, ANNUAL RETURN TO THE DEPARTMENT OF REVENUE FOR A TAXABLE YEAR PURSUANT TO SUBSECTION (1) OF THIS SECTION IF:

(a) THE PERSON HAS LESS THAN TWO HUNDRED FIFTY DOLLARS WITHHELD BY ALL UNIT OPERATORS OR FIRST PURCHASERS PURSUANT TO SECTION 39-29-111 (1) FOR THE TAXABLE YEAR; AND

(b) THE AMOUNT OF WITHHOLDING IS GREATER THAN OR EQUAL TO THE AMOUNT OF TAX LEVIED PURSUANT TO THIS ARTICLE THAT IS OWED BY THE PERSON FOR THE TAXABLE YEAR."

Page 3, strike lines 16 through 19 and substitute:

"(b) THE EXECUTIVE DIRECTOR SHALL NOT SEND AN ESTIMATE FOR A TAXABLE YEAR PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3) TO A PERSON WHO HAS LESS THAN TWO HUNDRED FIFTY DOLLARS WITHHELD BY ALL UNIT OPERATORS OR FIRST PURCHASERS FOR THE TAXABLE YEAR PURSUANT TO SECTION 39-29-111 (1), UNLESS THE EXECUTIVE DIRECTOR HAS GOOD CAUSE TO BELIEVE THAT SUCH PERSON DOES NOT QUALIFY FOR THE EXCEPTION TO THE FILING REQUIREMENT SET FORTH IN SECTION 39-29-112 (7)."

EDUCATION

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

SB12-057 be referred to the Committee of the Whole with favorable recommendation.

SB12-061 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, line 4, strike "OPERATIONS" and substitute "STATEMENTS".

Page 4, line 5, strike "FOR GOVERNMENTAL".

1 Page 4, strike lines 6 through 7 and substitute "AND CIRCULAR A-133 OF
2 THE UNITED STATES OFFICE OF MANAGEMENT AND BUDGET, AS
3 ORIGINALLY PUBLISHED IN THE FEDERAL REGISTER OF JUNE 30, 1997, AND
4 AS SUBSEQUENTLY AMENDED."

5
6 Page 8, line 23, strike "SATISFIES THE REQUIREMENTS" and substitute
7 "CONTAINS THE MINIMUM COMPONENTS".

8
9 Page 12, line 3, strike "SIGNIFICANT" and substitute "ADEQUATE".

10
11 Page 20, line 3, strike "SATISFIES THE REQUIREMENTS" and substitute
12 "CONTAINS THE MINIMUM COMPONENTS".

13
14 Page 22, line 20, strike "SIGNIFICANT" and substitute "ADEQUATE".

15
16 Page 15, line 16, strike "OPERATIONS" and substitute "STATEMENTS".

17
18 Page 15, line 17, strike "FOR GOVERNMENTAL ENTITIES," and substitute
19 "AND CIRCULAR A-133 OF THE UNITED STATES OFFICE OF MANAGEMENT
20 AND BUDGET, AS ORIGINALLY PUBLISHED IN THE FEDERAL REGISTER OF
21 JUNE 30, 1997, AND AS SUBSEQUENTLY AMENDED."

22
23 Page 15, strike lines 18 and 19.

24
25
26
27
28 **FINANCE**

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

31
32 **HB12-1310** be referred favorably to the Committee on Appropriations.

33
34
35 **HB12-1311** be amended as follows, and as so amended, be referred to
36 the Committee on Appropriations with favorable
37 recommendation:

38
39 Amend printed bill, page 80, line 3, strike "ON AND AFTER THE
40 EFFECTIVE".

41
42 Page 80, strike lines 4 through 9.

43
44
45
46 **SB12-009** be referred favorably to the Committee on Appropriations.

47
48
49
50
51 **TRANSPORTATION**

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

54
55 **HB12-1108** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **SB12-095** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4

5
6 **LAY OVER OF CALENDAR ITEM(S)**
7

8 On motion of Representative Waller, the following item(s) on the
9 Calendar was (were) laid over until March 23, retaining place on
10 Calendar:
11

12 Consideration of General Orders---**HB12-1068, 1305, 1080, SB12-148,**
13 **HB12-1162, 1254, 1303, 1268, 1297, SB12-056, 074, 131, HB12-1258,**
14 **SB12-034, 092, 040, 045.**

15 Consideration of Resolution(s)--**HJR12-1016.**

16 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
17 **1034, 1114, 1151, 1070, 1002, 1125.**
18

19
20
21 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
22 March 23, 2012.
23

24 Approved:
25 FRANK McNULTY,
26 Speaker

27 Attest:
28 MARILYN EDDINS,
29 Chief Clerk

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

Seventy-third Legislative Day

Friday, March 23, 2012

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

2

3 Prayer by the Reverend Tim Mooney, People's Presbyterian, Denver.

4

5 Pledge of Allegiance led by Grey Heidrich, Katherine and William
6 Kotowski, Steele Elementary; Delilah and Grace Staberg, Bill
7 Roberts Elementary, Denver.

8

9 The roll was called with the following result:

10

11 Present--62.

12 Excused--Representative(s) Beezley, McCann, Singer--3.

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

14

15 The Speaker declared a quorum present.

16

17

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

21

22

23

24 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL**

25

26 **HB12-1125** by Representative(s) Ramirez, Sonnenberg; also Senator(s)
27 Steadman--Concerning procedures related to the costs of
28 impounded animals.

29

30 (Amended as printed in Senate Journal, March 19, pages 520-521.)

31

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

35

	YES	63	NO	0	EXCUSED	2	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
38	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
39	Barker	Y	Gerou	Y	McCann	E	Soper	Y
40	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
42	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
43	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
44	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

11 The question being, "Shall the bill, as amended, 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
 14 bill, as amended, was declared **repassed**.

15

16	YES	60	NO	3	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	N	Gerou	Y	McCann	E	Soper	Y
20	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
22	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
23	Bradford	N	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) Conti, Kerr J.

35

36

37

38 On motion of Representative Baumgardner, the House resolved itself into
 39 Committee of the Whole for consideration of General Orders, and he was
 40 called to the Chair to act as Chairman.

41

42

43 GENERAL ORDERS--SECOND READING OF BILLS

44

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

49

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

52

53 On motion of Representative Waller, consideration of the following bills
 54 on the General Orders Calendar were laid over until March 26, retaining
 55 place on Calendar: **HB12-1080, SB12-148, HB12-1254, SB12-022.**

56

1 **HB12-1305** by Representative(s) Gardner; also Senator(s) King, S--
2 Concerning statutory rates of interest.
3

4 Amendment No. 1, Judiciary Report, dated March 8, 2012, and placed in
5 member's bill file; Report also printed in House Journal, March 9,
6 page 608.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB12-1162** by Representative(s) Todd, Labuda, Looper, Solano,
12 Soper, Ryden, Fields, Hullinghorst, McCann, Young; also
13 Senator(s) Heath, Williams S.--Concerning the creation of
14 an operation desert storm license plate.
15

16 Amendment No. 1, Transportation Report, dated February 23, 2012, and
17 placed in member's bill file; Report also printed in House Journal,
18 February 24, page 386.
19

20 Amendment No. 2, Appropriations Report, dated March 16, 2012, and
21 placed in member's bill file; Report also printed in House Journal,
22 March 16, page 686.
23

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

27 **HB12-1268** by Representative(s) Acree, Beezley, Joshi, Kerr J.,
28 McCann, Ramirez--Concerning a transfer of functions
29 pertaining to health facility compliance with certain
30 building safety standards from the department of public
31 health and environment to the division of fire safety in the
32 office of preparedness, security, and fire safety within the
33 department of public safety, and, in connection therewith,
34 renaming the public school construction and inspection
35 section in the division of fire safety.
36

37 Rereferred to the Committee on Appropriations.
38

39 **HB12-1297** by Representative(s) Gardner B., Barker, Ryden, Waller;
40 also Senator(s) Tochtrop--Concerning the committee on
41 anticompetitive conduct, and, in connection therewith,
42 implementing the department of regulatory agencies'
43 sunset review recommendations by allowing the
44 committee's statutory authorization to terminate.
45

46 Amendment No. 1, Judiciary Report, dated March 15, 2012, and placed
47 in member's bill file; Report also printed in House Journal, March 16,
48 pages 700-701.
49

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

53 **SB12-074** by Senator(s) Aguilar; also Representative(s) Gardner B.--
54 Concerning services provided by a person designated by a
55 person eligible for consumer-directed care services.
56

1 Amendment No. 1, Judiciary Report, dated March 15, 2012, and placed
2 in member's bill file; Report also printed in House Journal, March 16,
3 page 703.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB12-131** by Senator(s) Guzman, Steadman; also Representative(s)
9 Pabon--Concerning the responsibilities of a fiduciary with
10 regard to the estate of a person who may have executed a
11 designated beneficiary agreement.

12
13 Amendment No. 1, Judiciary Report, dated March 15, 2012, and placed
14 in member's bill file; Report also printed in House Journal, March 16,
15 page 703.

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

19
20 **HB12-1258** by Representative(s) DelGrosso; also Senator(s) Jahn--
21 Concerning regulation of public utilities in terms of
22 alternative fuel vehicles.

23
24 Amendment No. 1, Transportation Report, dated March 15, 2012, and
25 placed in member's bill file; Report also printed in House Journal,
26 March 16, pages 703-704.

27
28 Amendment No. 2, by Representative(s) DelGrosso.

29
30 Amend the Transportation Committee Report, dated March 15, 2012,
31 page 1, strike lines 12 through 17 and substitute:

32
33 "Page 3 of the printed bill, strike lines 19 through 23 and substitute
34 "UTILITY. ELECTRIC AND NATURAL GAS PUBLIC UTILITIES MAY PROVIDE
35 THE SERVICES DESCRIBED IN THIS SUBSECTION (2) AS UNREGULATED
36 SERVICES, AND THESE UNREGULATED SERVICES MAY NOT BE SUBSIDIZED
37 BY THE REGULATED SERVICES OF THE ELECTRIC OR NATURAL GAS PUBLIC
38 UTILITY."."

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

42
43 **SB12-034** by Senator(s) King S., Tochtrop; also Representative(s)
44 Miklosi--Concerning repeal of the rapid screen program to
45 identify high-emitting motor vehicles.

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

49
50 **SB12-092** by Senator(s) Jahn, Cadman, Boyd, Hodge, Hudak,
51 King S., Tochtrop; also Representative(s) Liston--
52 Concerning the use of a video display in a motor vehicle
53 that is being operated on a roadway.

54
55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

1 **SB12-040** by Senator(s) Bacon, Harvey, Renfroe, Schwartz; also
2 Representative(s) Vigil, Brown, Sonnenberg--Concerning
3 the qualification of certain state higher education facilities
4 for state controlled maintenance funding.
5

6 Amendment No. 1, Education Report, dated March 19, 2012, and placed
7 in member's bill file; Report also printed in House Journal, March 20,
8 page 740.
9

10 As amended, ordered revised and placed on the Calendar for Third
11 Reading and Final Passage.
12

13
14 **SB12-045** by Senator(s) Hudak and King K., Bacon; also
15 Representative(s) Massey and Fields, Holbert--Concerning
16 granting associate degrees to students who transfer from
17 a two-year institution.
18

19 Amendment No. 1, Education Report, dated March 19, 2012, and placed
20 in member's bill file; Report also printed in House Journal, March 20,
21 page 740.
22

23 As amended, ordered revised and placed on the Calendar for Third
24 Reading and Final Passage.
25

26
27 **SB12-091** by Senator(s) Tochtrop; also Representative(s) Bradford--
28 Concerning modifications to provisions governing the
29 practice of nursing home administration, and, in
30 connection therewith, modifying the criteria for nursing
31 home administrators to qualify to serve on the board of
32 examiners of nursing home administrators, modifying the
33 experience requirements for persons applying to take the
34 nursing home administrator licensure examination or to
35 participate in the administrator-in-training program, and
36 permitting a nursing home administrator who has passed
37 a national examination and an examination in another state
38 to sit for the Colorado licensure examination.
39

40 Amendment No. 1, Health & Environment Report, dated
41 March 20, 2012, and placed in member's bill file; Report also printed in
42 House Journal, March 21, pages 754-755.
43

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

47
48 **HB12-1068** by Representative(s) McKinley; also Senator(s) Grantham--
49 Concerning the administration of a nonprofit cemetery
50 corporation by persons who own the right to bury a
51 deceased person within the cemetery.
52

53 (Previously amended as printed in House Journal, February 1, 2012,
54 page 127, and also as printed in House Journal, February 13, 2012,
55 page 239).
56

1 Amendment No. 4, Appropriations Report, dated March 9, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 March 9, page 602.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1303** by Representative(s) Schafer S., Hamner, Kerr J., Peniston,
9 Summers, Young; also Senator(s) Spence, Jahn--
10 Concerning the regulation of speech-language pathologists
11 by the department of regulatory agencies.

12
13 Amendment No. 1, Health & Environment Report, dated
14 February 28, 2012, and placed in member's bill file; Report also printed
15 in House Journal, February 29, pages 458-460.

16
17 Amendment No. 2, Finance Report, dated March 7, 2012, and placed in
18 member's bill file; Report also printed in House Journal, March 8,
19 page 582.

20
21 Amendment No. 3, Appropriations Report, dated March 16, 2012, and
22 placed in member's bill file; Report also printed in House Journal,
23 March 16, pages 689-690.

24
25 Amendment No. 4, by Representative(s) Schafer S.

26
27 Amend the Health and Environment Committee Report, dated February
28 28, 2012, page 2, line 13, strike "LICENSED" and substitute "LICENSED,
29 CERTIFIED, OR REGISTERED".

30
31 Page 3 of the report, line 3, strike ""2019."" and substitute ""2017."".

32
33 Page 3 of the report, strike lines 4 through 7 and substitute:

34
35 "Page 29 of the printed bill, strike line 25 and substitute "(48.5) as
36 follows:".

37
38 Page 30 of the bill, strike lines 1 and 2 and substitute "(48.5) The
39 following agencies, functions, or both, ~~shall~~ terminate on September 1,
40 2017:

41 (a) The domestic violence offender management board created in
42 section 16-11.8-103, C.R.S.;".

43
44 Page 3 of the report, line 8, strike ""(e)"" and substitute ""(b)"".

45
46 Amendment No. 5, by Representative(s) Schafer S.

47
48 Amend printed bill, page 2, line 15, after "MEDICAL" insert "OR DENTAL".

49
50 Page 2, line 17, after "MEDICAL" insert "OR DENTAL".

51
52 Page 2, line 18, strike "MEDICINE;" and substitute "MEDICINE OR
53 DENTISTRY;".

54
55 Page 3, strike lines 10 and 11 and substitute "PATHOLOGY; AND".

56

1 Page 3, strike lines 13 through 17 and substitute "SCHOOL
2 SPEECH-LANGUAGE PATHOLOGISTS WHO ARE PAID SOLELY BY AN
3 ADMINISTRATIVE UNIT OR STATE-OPERATED PROGRAM."

4
5 Page 4, line 12, strike "(a)".

6
7 Page 4, strike lines 15 and 16.

8
9 Page 5, line 24, strike "LOSS;" and substitute "LOSS OR THE ORTHODONTIC
10 MOVEMENT OF TEETH FOR THE PURPOSE OF CORRECTION OF SPEECH
11 PATHOLOGY CONDITIONS;"

12
13 Page 7, strike lines 2 through 11 and substitute:

14
15 "(2) A PERSON DESCRIBED IN SECTION 12-43.5-108 (1) IS NOT
16 REQUIRED TO OBTAIN CERTIFICATION UNDER THIS ARTICLE."

17
18 Page 12, line 20, strike "PATHOLOGIST;" and substitute "PATHOLOGIST
19 WHOSE COMPENSATION FOR SPEECH-LANGUAGE PATHOLOGY SERVICES IS
20 PAID SOLELY BY AN ADMINISTRATIVE UNIT OR STATE-OPERATED
21 PROGRAM;"

22
23 Page 13, after line 25 insert:

24 "(3) NOTHING IN THIS ARTICLE REQUIRES A PROFESSIONAL
25 LICENSED, CERTIFIED, REGISTERED, OR OTHERWISE REGULATED UNDER
26 THIS TITLE OR TITLE 22, C.R.S., TO OBTAIN CERTIFICATION UNDER THIS
27 ARTICLE, OR SUBJECTS THE PROFESSIONAL TO DISCIPLINE UNDER THIS
28 ARTICLE, FOR ENGAGING IN ACTIVITIES THAT ARE WITHIN HIS OR HER
29 PROFESSIONAL SCOPE OF PRACTICE."

30
31 Page 14, line 1, after "12-36-106," insert "DENTISTRY, AS DEFINED IN
32 SECTIONS 12-35-103 (5) AND 12-35-113,"

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

36
37 **SB12-056** by Senator(s) Carroll; also Representative(s) Holbert--
38 Concerning judicial appointments in domestic relations
39 cases involving children.

40
41 Amendment No. 1, Judiciary Report, dated March 15, 2012, and placed
42 in member's bill file; Report also printed in House Journal, March 16,
43 pages 701-703.

44
45 Amendment No. 2, by Representative(s) Holbert.

46
47 Amend the Judiciary Committee Report, dated March 15, 2012, page 2,
48 strike lines 18 through 20 and substitute:

49
50 "Page 7 of the bill, strike lines 8 and 9 and substitute "coordinator, the
51 court ~~shall~~ MAY consider the effect of any CLAIM OR documented
52 evidence of domestic violence, AS".

53
54 As amended, ordered revised and placed on the Calendar for Third
55 Reading and Final Passage.

56

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

2
3 Representative Kagan moved to amend the Report of the Committee of
4 the Whole to reverse the action taken by the Committee in not adopting
5 the following Kagan amendment, to HB12-1305, to show that said
6 amendment passed, and that **HB12-1305**, as amended, passed.

7
8 Amend printed bill, page 4, line 2, strike "(3)" and substitute "(3); and
9 **add (4)**".

10
11 Page 5, after line 11 insert:

12
13 "(4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
14 CONTRARY, THE INTEREST RATE ON DAMAGES SHALL NEVER BE LESS THAN
15 THE INTEREST RATE ON CONTRACTS, AS SET FORTH IN SECTION 5-12-102
16 (2), C.R.S."

17
18 The amendment was declared **lost** by the following roll call vote:

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

38
39 Representative Ferrandino moved to amend the Report of the Committee
40 of the Whole to reverse the action taken by the Committee in not adopting
41 the following Ferrandino amendment, to HB12-1305, to show that said
42 amendment passed, and that **HB12-1305**, as amended, passed.

43
44 Amend printed bill, page 5, after line 11, insert the following:

45
46 **"SECTION 4.** In Colorado Revised Statutes, 5-12-103, **amend**
47 **(1)** as follows:

48
49 **5-12-103. Greater rate may be stipulated.** (1) The parties to any
50 bond, bill, promissory note, or other instrument of writing may stipulate
51 therein for the payment of a greater or higher rate of interest than eight
52 percent per annum, but not exceeding ~~forty-five~~ EIGHTEEN percent per
53 annum, and any such stipulation may be enforced in any court of
54 competent jurisdiction in the state, except as otherwise provided in
55 articles 1 to 6 of this title. The rate of interest shall be deemed to be
56 excessive of the limit under this section only if it could have been

determined at the time of the stipulation by mathematical computation that such rate would exceed an annual rate of forty-five percent when the rate of interest was calculated on the unpaid balances of the debt on the assumption that the debt is to be paid according to its terms and will not be paid before the end of the agreed term.

SECTION 5. In Colorado Revised Statutes, 5-12-107, **amend** (2) (a) introductory portion as follows:

5-12-107. Commercial credit plans - definitions. (2) (a) A creditor may charge and collect periodic interest under a commercial credit plan on the outstanding unpaid indebtedness at a periodic percentage rate or rates not exceeding ~~forty-five~~ EIGHTEEN percent per annum. If the applicable periodic percentage rate under the agreement governing the plan is other than daily, periodic interest may be calculated on an amount not in excess of the average outstanding unpaid indebtedness for the applicable billing period. If the applicable periodic percentage rate under the agreement governing the plan is daily, periodic interest may be calculated for each day in the billing period on an amount not in excess of either:".

Renumber succeeding section accordingly.

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

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1305 amended, 1162 amended, 1297 amended, SB12-074 amended, 131 amended, HB12-1258 amended, SB12-034, 092, 040 amended, 045 amended, 091 amended, HB12-1068 amended, 1303 amended, SB12-056 amended.**

Laid over until date indicated retaining place on Calendar: **HB12-1080, SB12-148, HB12-1254, SB12-022--March 26, 2012.**

1 Rereferred to Committee indicated: **HB12-1268**--Appropriations.

2
3 The Chairman moved the adoption of the Committee of the Whole
4 Report. As shown by the following roll call vote, a majority of those
5 elected to the House voted in the affirmative, and the Report was
6 **adopted**.

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

26
27
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29
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31
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34

MEMORANDUM REPORT FROM THE HOUSE AND SENATE COMMITTEES ON DELAYED BILLS

35 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
36 Delayed Bills, acting jointly, extend the following deadlines:

37
38 The Monday, March 26 deadline (the 76th legislative day) for
39 introduction of the long appropriation bill in the House is extended until
40 Wednesday, April 4, 2012 (the 85th legislative day).

41
42 The Friday, March 30 deadline (the 80th legislative day) for passage of
43 the long appropriation bill in the House is extended until Thursday, April
44 12, 2012 (the 93rd legislative day).

45
46 The Friday, April 6 deadline (the 87th legislative day) for passage of the
47 long appropriation bill in the Senate is extended until Thursday, April 19,
48 2012 (the 100th legislative day).

49
50 The Friday, April 13 deadline (the 94th legislative day) for adoption of the
51 conference committee report on the long appropriation bill is extended until
52 Thursday, April 26, 2012 (the 107th legislative day).

53
54
55

1 This memorandum shall be printed in the journal of each house as is
2 required by said Joint Rule 23 (c).

3

4 (signed)

5 Representative McNulty
6 Speaker of the House of Representatives

Senator Shaffer
President of the Senate

7

8 Representative Stephens
9 House Majority Leader

Senator Morse
Senate Majority Leader

10

11 Representative Ferrandino
12 House Minority Leader

Senator Cadman
Senate Minority Leader

13

14

15

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

17

18 **APPROPRIATIONS**

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

21

22 **HB12-1014** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25

26 Amend printed bill, page 3, before line 13 insert:

27

28 **"SECTION 2.Appropriation.** (1) In addition to any other
29 appropriation, there is hereby appropriated, out of any moneys in the
30 Colorado state titling and registration account of the highway users tax
31 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
32 otherwise appropriated, to the department of revenue, for the fiscal year
33 beginning July 1, 2012, the sum of \$7,400, or so much thereof as may be
34 necessary, for the purchase of computer center services.

35

36 (2) In addition to any other appropriation, there is hereby
37 appropriated to the governor - lieutenant governor - state planning and
38 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$7,400,
39 or so much thereof as may be necessary, for allocation to the office of
40 information technology, for the provision of computer center services for
41 the department of revenue related to the implementation of this act. Said
42 sum is from reappropriated funds received from the department of
43 revenue out of the appropriation made in subsection (1) of this section."

44

45 Renumber succeeding sections accordingly.

46

47 Page 1, line 102, strike "VEHICLE." and substitute "VEHICLE, AND, IN
48 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

49

50

51

52 **HB12-1048** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:

55

56 Amend printed bill, page 5, after line 2, insert:

1 **"SECTION 6. Appropriation - adjustments in 2012 long bill.**

2 (1) For the implementation of this act, appropriations made in the annual
3 general appropriation act to the department of public safety for the fiscal
4 year beginning July 1, 2012, are adjusted as follows:

5
6 (a) The appropriation for the executive director's office is
7 decreased by \$219,894. Of this amount, \$197,709 is from the general
8 fund and \$22,185 is from cash funds.

9
10 (b) The appropriation for the Colorado bureau of investigation is
11 decreased by \$1,633,054 and 26.4 FTE. Of this amount, \$1,349,168 is
12 from the general fund and \$283,886 is from cash funds."

13
14 Renumber succeeding section accordingly.

15
16 Page 1, line 104, strike "TRANSFERS." and substitute "TRANSFERS, AND
17 IN CONNECTION THEREWITH, REDUCING APPROPRIATIONS."

18
19
20
21 **HB12-1066** be amended as follows, and as so amended, be referred to
22 the Committee of the Whole with favorable
23 recommendation:

24
25 Amend printed bill, page 75, after line 6 insert:

26
27 **"SECTION 81. Appropriation.** (1) In addition to any other
28 appropriation, there is hereby appropriated, out of any moneys in the
29 Colorado state titling and registration account of the highway users tax
30 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
31 otherwise appropriated, to the department of revenue, for the fiscal year
32 beginning July 1, 2012, the sum of \$25,900, or so much thereof as may
33 be necessary, for allocation to the information technology division, for the
34 implementation of this act.

35
36 (2) In addition to any other appropriation, there is hereby
37 appropriated to the governor - lieutenant governor - state planning and
38 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$25,900,
39 or so much thereof as may be necessary, for allocation to the office of
40 information technology for the provision of programming services to the
41 department of revenue related to the implementation of this act. Said sum
42 is from reappropriated funds received from the department of revenue out
43 of the appropriation made in subsection (1) of this section."

44
45 Page 75, strike lines 7 through 17 and substitute:

46
47 **"SECTION 82. Act subject to petition - effective date -**
48 **applicability.** (1) This act shall take effect at 12:01 a.m. on the day
49 following the expiration of the ninety-day period after final adjournment
50 of the general assembly (August 8, 2012, if adjournment sine die is on
51 May 9, 2012); except that, if a referendum petition is filed pursuant to
52 section 1 (3) of article V of the state constitution against this act or an
53 item, section, or part of this act within such period, then the act, item,
54 section, or part will not take effect unless approved by the people at the
55 general election to be held in November 2012 and, in such case, will take
56 effect on the date of the official declaration of the vote thereon by the

1 governor.

2
3 The provisions of this act apply to acts occurring on or after April
4 1, 2014."

5
6 Page 1, line 102 strike "**VEHICLES.**" and substitute "**VEHICLES, AND, IN**
7 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

8
9
10
11 **HB12-1110** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14
15 Amend printed bill, page 29, after line 18 insert:

16
17 **"SECTION 18. Appropriation.** (1) In addition to any other
18 appropriation, there is hereby appropriated, out of any moneys in the
19 division of real estate cash fund created in section 12-61-111.5 (2) (b),
20 Colorado Revised Statutes, not otherwise appropriated, to the department
21 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum
22 of \$265,104 and 2.0 FTE, or so much thereof as may be necessary, to be
23 allocated for the implementation of this act as follows:

24
25 (a) \$90,959 and 2.0 FTE for personal services;

26
27 (b) \$11,306 for operating expenses;

28
29 (c) \$100,000 for information technology system modifications; and

30
31 (d) \$62,839 for the purchase of legal services.

32
33 (2) In addition to any other appropriation, there is hereby
34 appropriated to the department of law, for the fiscal year beginning July
35 1, 2012, the sum of \$62,839 and 0.5 FTE, or so much thereof as may be
36 necessary, for the provision of legal services for the department of
37 regulatory agencies related to the implementation of this act. Said sum is
38 from reappropriated funds received from the department of regulatory
39 agencies out of the appropriation made in paragraph (d) of subsection (1)
40 of this section.

41
42 (3) In addition to any other appropriation, there is hereby
43 appropriated, out of any moneys in the Colorado bureau of investigation
44 identification unit fund created in section 24-33.5-426, Colorado Revised
45 Statutes, not otherwise appropriated, to the department of public safety,
46 for allocation to the Colorado bureau of investigation, for the Colorado
47 crime information center, identification, for the fiscal year beginning July
48 1, 2012, the sum of \$23,700, or so much thereof as may be necessary for
49 fingerprint-based criminal history checks related to the implementation
50 of this act."

51
52 Renumber succeeding sections accordingly.

53
54 Page 1, line 102, strike "**COMPANIES.**" and substitute "**COMPANIES, AND,**
55 **IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**"

56

1 **HB12-1142** be postponed indefinitely.

2
3
4 **HB12-1161** be referred to the Committee of the Whole with favorable
5 recommendation.

6
7
8 **HB12-1240** be referred to the Committee of the Whole with favorable
9 recommendation.

10
11
12 **HB12-1261** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15
16 Amend the Education Committee Report, dated March 7, 2012, page 3,
17 after line 21 insert:

18
19 "SECTION 4. Appropriation. In addition to any other
20 appropriation, there is hereby appropriated, out of any moneys in the state
21 education fund created in section 17 (4) of article IX of the state
22 constitution, not otherwise appropriated, to the department of education,
23 for the fiscal year beginning July 1, 2012, the sum of \$1,659,200, or so
24 much thereof as may be necessary, for allocation to the professional
25 development and instructional support programs, for stipends for
26 nationally board certified teachers related to the implementation of this
27 act."

28
29 Renumber succeeding section accordingly.

30
31 Page 3 of the report, after line 31 insert:

32
33 "Page 1 of the bill, line 102, strike "SCHOOLS." and substitute "SCHOOLS,
34 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

35
36
37
38 **HB12-1282** be referred to the Committee of the Whole with favorable
39 recommendation.

40
41
42 **HB12-1295** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 4, after line 15 insert:

47
48 "SECTION 3. Appropriation. (1) In addition to any other
49 appropriation, there is hereby appropriated, out of any moneys in the
50 Colorado state titling and registration account of the highway users tax
51 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
52 otherwise appropriated, to the department of revenue, for the fiscal year
53 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be
54 necessary, to be allocated to the information technology division for the
55 purchase of computer center services.

56

1 (2) In addition to any other appropriation, there is hereby
2 appropriated to the governor - lieutenant governor - state planning and
3 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
4 or so much thereof as may be necessary, for allocation to the office of
5 information technology, for the provision of computer center services for
6 the department of revenue related to the implementation of this act. Said
7 sum is from reappropriated funds received from the department of
8 revenue out of the appropriation made in subsection (1) of this section.
9

10 (3) In addition to any other appropriation, there is hereby
11 appropriated, out of any moneys in the license plate cash fund created in
12 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
13 appropriated, to the department of revenue, for the fiscal year beginning
14 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,
15 for allocation to the division of motor vehicles, driver and vehicle
16 services, for the purchase of special license plates related to the
17 implementation of this act."
18

19 Renumber succeeding section accordingly.
20

21 Page 1, line 102 strike "PLATE." and substitute "PLATE, AND, IN
22 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
23
24
25

26 **HB12-1317** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:
29

30 Amend printed bill, page 7, after line 20, insert:
31

32 **"SECTION 2. Appropriation - adjustments in 2012 long bill.**
33 For the implementation of this act, the appropriation made in the annual
34 general appropriation act to the department of natural resources for the
35 fiscal year beginning July 1, 2012, is decreased by \$18,055 cash funds. Of
36 this amount, \$11,607 shall be from the wildlife cash fund pursuant to
37 section 33-1-112 (1) (a), Colorado Revised Statutes, and \$6,448 shall be
38 from the parks and outdoor recreation cash fund pursuant to section 33-
39 10-111 (I), Colorado Revised Statutes.
40

41 Renumber succeeding section accordingly.
42

43 Page 1, line 105, strike "COMMISSION." and substitute "COMMISSION,
44 AND REDUCING APPROPRIATIONS."
45
46
47
48

49 **ECONOMIC & BUSINESS DEVELOPMENT**

50 After consideration on the merits, the Committee recommends the
51 following:
52

53 **HB12-1309** be amended as follows, and as so amended, be referred to
54 the Committee on Agriculture, Livestock, & Natural
55 Resources with favorable recommendation:
56

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. In Colorado Revised Statutes, **amend** 8-2-122 as
4 follows:

5
6 **8-2-122. Verification of employee work eligibility status - short**
7 **title - legislative declaration - definitions - e-verify program - audits**
8 **- fines - cash fund.** (1) THIS SECTION SHALL BE KNOWN AND MAY BE
9 CITED AS THE "COLORADO MANDATORY E-VERIFY ACT".

10
11 (2) (a) THE GENERAL ASSEMBLY HEREBY FINDS AND DETERMINES
12 THAT:

13
14 (I) THE GENERAL ASSEMBLY'S TOP PRIORITY FOR THE 2012
15 LEGISLATIVE SESSION IS PUTTING COLORADANS BACK TO WORK;

16
17 (II) OUR STATE HAS OVER FOUR HUNDRED THOUSAND PEOPLE OUT
18 OF WORK WHO DESPERATELY NEED SOMETHING BETTER FOR THEMSELVES
19 AND THEIR FAMILIES;

20
21 (III) UNEMPLOYMENT AMONG VETERANS RETURNING FROM IRAQ
22 OR AFGHANISTAN IS NEARLY DOUBLE THE RATE AMONG THE POPULATION
23 AT LARGE;

24
25 (IV) YOUTH AND MINORITIES HAVE AN EVEN TOUGHER TIME
26 FINDING WORK;

27
28 (V) EVERY DAY, ONE HUNDRED FIFTY THOUSAND UNAUTHORIZED
29 ALIENS HEAD OFF TO WORK IN COLORADO, MANY OF THEM DOING SO IN
30 DEFIANCE OF COLORADO LAW MANDATING THAT EMPLOYERS VERIFY THE
31 WORK ELIGIBILITY OF NEWLY HIRED EMPLOYEES BY CHECKING
32 PAPER-BASED FORMS OF IDENTIFICATION, SUCH AS DRIVER'S LICENSES OR
33 SOCIAL SECURITY CARDS;

34
35 (VI) WHILE THE CURRENT LAW, WHICH WAS PASSED DURING THE
36 2006 FIRST EXTRAORDINARY SESSION OF THE SIXTY-FIFTH GENERAL
37 ASSEMBLY ADDRESSING IMMIGRATION REFORM, REQUIRES EMPLOYERS TO
38 VERIFY WORK ELIGIBILITY USING PAPER-BASED FORMS OF IDENTIFICATION,
39 THAT MODE OF VERIFICATION IS OUTDATED AND RELATIVELY EASY TO
40 FORGE;

41
42 (VII) COLORADO CITIZENS STRUGGLING TO FIND SCARCE JOBS
43 DESERVE BETTER, AND IT IS TIME TO BRING EMPLOYMENT VERIFICATION
44 INTO THE TWENTY-FIRST CENTURY BY MANDATING THAT ALL COLORADO
45 EMPLOYERS USE THE INTERNET-BASED FEDERAL EMPLOYMENT
46 VERIFICATION SYSTEM, KNOWN AS "E-VERIFY", ADMINISTERED BY THE
47 UNITED STATES DEPARTMENT OF HOMELAND SECURITY, TO BETTER
48 ENSURE THAT ONLY THOSE COLORADANS WHO ARE LEGALLY ENTITLED TO
49 WORK HERE ARE DOING SO;

50
51 (VIII) ANYONE, INCLUDING LEGITIMATE JOB-SEEKERS, CAN GO ON
52 THE E-VERIFY WEB SITE AND RUN A SELF-CHECK TO MAKE SURE THEY ARE
53 ELIGIBLE AND CLEAR UP ANY POTENTIAL PROBLEMS, SUCH AS IDENTITY
54 THEFT, BEFORE APPLYING FOR WORK;

55
56 (IX) E-VERIFY IS ALREADY WIDELY USED IN COLORADO AND

1 THROUGHOUT THE COUNTRY AT LARGE;

2

3 (X) OVER TWENTY THOUSAND COLORADO BUSINESS SITES AND
4 SEVEN HUNDRED THOUSAND BUSINESS SITES ACROSS THE NATION USE THE
5 SYSTEM ON A VOLUNTARY BASIS;

6

7 (XI) NINE OTHER STATES HAVE ALREADY PASSED LEGISLATION
8 REQUIRING PRIVATE EMPLOYERS TO USE E-VERIFY, A MANDATE THAT THE
9 UNITED STATES SUPREME COURT HAS DECLARED CONSTITUTIONAL.

10

11 (b) THE GENERAL ASSEMBLY THEREFORE FINDS AND DETERMINES
12 THAT IT IS:

13

14 (I) IN THE BEST INTEREST OF THE STATE FOR ALL EMPLOYERS TO
15 VERIFY THE SOCIAL SECURITY NUMBERS AND WORK ELIGIBILITY STATUS
16 OF NEWLY HIRED EMPLOYEES; AND

17

18 (II) IMPORTANT THAT EVERY EMPLOYER IN COLORADO
19 PARTICIPATE IN E-VERIFY FOR THE PURPOSE OF VERIFYING THE WORK
20 ELIGIBILITY STATUS OF NEWLY HIRED EMPLOYEES.

21

22 ~~(+)~~ (3) As used in this section, unless the context otherwise
23 requires:

24

25 (a) "BUSINESS LICENSE" MEANS A LICENSE, PERMIT, CERTIFICATE,
26 APPROVAL, REGISTRATION, CHARTER, OR SIMILAR FORM OF
27 AUTHORIZATION REQUIRED BY LAW AND ISSUED BY AN AGENCY FOR THE
28 PURPOSE OF OPERATING A BUSINESS IN THIS STATE.

29

30 ~~(a)~~ (b) "Director" means the director of the division.

31

32 ~~(b)~~ (c) "Division" means the division of labor in the department
33 of labor and employment.

34

35 ~~(c)~~ (d) "Employer" means a person or entity that:

36

37 (I) Transacts business in Colorado;

38

39 (II) At any time, employs another person to perform services of
40 any nature IN COLORADO; and

41

42 (III) Has control of the payment of wages for such services or is
43 the officer, agent, or employee of the person or entity having control of
44 the payment of wages.

45

46 (e) "E-VERIFY PROGRAM" OR "PROGRAM" MEANS THE ELECTRONIC
47 EMPLOYMENT VERIFICATION PROGRAM, FORMERLY KNOWN AS THE "BASIC
48 PILOT PROGRAM", AUTHORIZED UNDER PUB.L. 104-208, DIVISION C, TITLE
49 IV, SUBTITLE A, 110 STAT. 3009-655, (SEPT. 30, 1996), AS AMENDED, AND
50 JOINTLY ADMINISTERED BY THE UNITED STATES DEPARTMENT OF
51 HOMELAND SECURITY AND THE SOCIAL SECURITY ADMINISTRATION, OR ITS
52 SUCCESSOR PROGRAM.

53

54 (f) "FEDERAL LAW" MEANS SECTION 274A OF THE FEDERAL
55 "IMMIGRATION AND NATIONALITY ACT", AS AMENDED, 8 U.S.C. SEC.
56 1324a, AND ANY FEDERAL REGULATIONS ADOPTED PURSUANT TO 8 U.S.C.

1 SEC. 1324a.

2
3 ~~(d)~~ (g) "Unauthorized alien" has the same meaning as set forth in
4 8 U.S.C. sec. 1324a (h) (3).

5
6 ~~(2) (4) (a) On and after January 1, 2007, within twenty days after~~
7 ~~hiring a new employee, each employer in Colorado shall affirm that the~~
8 ~~employer has examined the legal work status of such newly hired~~
9 ~~employee and has retained file copies of the documents required by 8~~
10 ~~U.S.C. sec. 1324a; that the employer has not altered or falsified the~~
11 ~~employee's identification documents; and that the employer has not~~
12 ~~knowingly hired an unauthorized alien. The employer shall keep a written~~
13 ~~or electronic copy of the affirmation, and of the documents required by~~
14 ~~8 U.S.C. sec. 1324a, for the term of employment of each employee~~
15 PURSUANT TO FEDERAL LAW, IT IS UNLAWFUL FOR AN EMPLOYER TO
16 KNOWINGLY HIRE AN UNAUTHORIZED ALIEN.

17
18 (b) ON AND AFTER JANUARY 1, 2013, UPON HIRING A NEW
19 EMPLOYEE TO PERFORM WORK IN COLORADO, EACH EMPLOYER IN
20 COLORADO SHALL PARTICIPATE IN THE E-VERIFY PROGRAM FOR THE
21 PURPOSE OF VERIFYING THE WORK ELIGIBILITY STATUS OF EACH OF THE
22 EMPLOYER'S NEWLY HIRED EMPLOYEES. THE EMPLOYER SHALL RETAIN A
23 WRITTEN OR ELECTRONIC COPY OF THE EMPLOYMENT ELIGIBILITY
24 INFORMATION IT RECEIVES THROUGH THE E-VERIFY PROGRAM REGARDING
25 EACH NEWLY HIRED EMPLOYEE IN ACCORDANCE WITH E-VERIFY PROGRAM
26 STANDARDS.

27
28 (c) UPON HIRING A NEW EMPLOYEE TO PERFORM WORK IN
29 COLORADO ON OR AFTER JANUARY 1, 2013, AN EMPLOYER SHALL ENTER
30 INTO AN AGREEMENT AS REQUIRED BY THE UNITED STATES DEPARTMENT
31 OF HOMELAND SECURITY TO PARTICIPATE IN THE E-VERIFY PROGRAM AND
32 SHALL COMPLY WITH THE REQUIREMENTS FOR PARTICIPATING IN THE
33 PROGRAM. IF THE AGREEMENT IS TERMINATED BY THE UNITED STATES
34 DEPARTMENT OF HOMELAND SECURITY BASED ON THE EMPLOYER'S
35 FAILURE TO COMPLY WITH THE ESTABLISHED PROCEDURES OR LEGAL
36 REQUIREMENTS AS SET FORTH IN THE AGREEMENT, THE EMPLOYER IS
37 SUBJECT TO THE PENALTIES SET FORTH IN SUBSECTION (6) OF THIS
38 SECTION.

39
40 (d) UPON ENTERING THE AGREEMENT DESCRIBED IN PARAGRAPH
41 (c) OF THIS SUBSECTION (4), THE EMPLOYER SHALL MAINTAIN A COPY OF
42 THE AGREEMENT, SHOWING THAT THE EMPLOYER IS AN ACTIVE
43 PARTICIPANT IN THE E-VERIFY PROGRAM, AND SHALL NOTIFY ITS
44 EMPLOYEES THAT IT IS PARTICIPATING IN THE PROGRAM IN THE MANNER
45 REQUIRED BY THE AGREEMENT.

46
47 ~~(3) (5) Upon the request of the director, an employer shall submit~~
48 ~~documentation to the director that demonstrates that the employer is in~~
49 ~~compliance with the employment verification requirements specified in~~
50 ~~8 U.S.C. sec. 1324a (b) and documentation that the employer has~~
51 ~~complied with the requirements of~~ COPIES OF THE E-VERIFY EMPLOYMENT
52 ELIGIBILITY INFORMATION REGARDING NEW EMPLOYEES AND A COPY OF
53 THE EMPLOYER'S AGREEMENT WITH THE UNITED STATES DEPARTMENT OF
54 HOMELAND SECURITY, AS REQUIRED BY subsection ~~(2)~~ (4) of this section.
55 The director or the director's designee may conduct random audits of
56 employers in Colorado to obtain the documentation. When the director

1 has reason to believe that an employer has not ~~complied with the~~
2 ~~employment verification and examination requirements~~ ENROLLED IN THE
3 E-VERIFY PROGRAM OR VERIFIED A NEW EMPLOYEE THROUGH THE
4 E-VERIFY PROGRAM, the director shall request the employer to submit the
5 documentation.

6
7 ~~(4)~~ (6) (a) An employer who, with reckless disregard, fails to
8 submit the documentation required by this section, ~~or who, with reckless~~
9 ~~disregard,~~ submits false or fraudulent documentation, ~~shall be~~ OR FAILS
10 TO PARTICIPATE IN THE E-VERIFY PROGRAM TO VERIFY THE EMPLOYMENT
11 ELIGIBILITY OF EACH NEWLY HIRED EMPLOYEE IS subject to a fine of not
12 more than five thousand dollars for the first offense and not more than
13 twenty-five thousand dollars for the second ~~and~~ OFFENSE. FOR any
14 subsequent offense, THE EMPLOYER IS SUBJECT TO A FINE OF NOT MORE
15 THAN TWENTY-FIVE THOUSAND DOLLARS AND A SUSPENSION OF ALL THE
16 EMPLOYER'S BUSINESS LICENSES FOR UP TO SIX MONTHS. The DIVISION
17 SHALL TRANSMIT moneys collected pursuant to this subsection ~~(4) shall~~
18 ~~be deposited~~ (6) TO THE STATE TREASURER FOR DEPOSIT in the
19 employment verification cash fund, which is hereby created in the state
20 treasury. The GENERAL ASSEMBLY SHALL APPROPRIATE moneys in the
21 fund ~~shall be appropriated~~ to the department of labor and employment for
22 the purpose of implementing, administering, and enforcing this section.
23 The moneys in the fund ~~shall~~ remain in the fund and DO not revert to the
24 general fund or any other fund at the end of any fiscal year.

25
26 (b) FOR PURPOSES OF THIS SUBSECTION (6), "PARTICIPATE IN THE
27 E-VERIFY PROGRAM" MEANS TO:

28
29 (I) ENROLL IN THE PROGRAM BY ENTERING INTO AN AGREEMENT
30 WITH THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY; AND

31
32 (II) USE THE PROGRAM TO VERIFY THE WORK ELIGIBILITY STATUS
33 OF EACH NEW EMPLOYEE.

34
35 (7) (a) AS PART OF ITS QUARTERLY ELECTRONIC PUBLICATION TO
36 EMPLOYERS, THE DEPARTMENT OF LABOR AND EMPLOYMENT SHALL
37 NOTIFY EVERY EMPLOYER OF THE REQUIREMENTS OF THIS SECTION AND
38 SHALL INCLUDE IN THE PUBLICATION A LINK TO ITS WEB SITE WHERE AN
39 EMPLOYER CAN ACCESS THE NOTICE DESCRIBED IN PARAGRAPH (b) OF THIS
40 SUBSECTION (7). THE DEPARTMENT SHALL INCLUDE THE NOTICE AND WEB
41 SITE LINK IN EACH QUARTERLY ELECTRONIC PUBLICATION DISTRIBUTED TO
42 EMPLOYERS ON AND AFTER THE EFFECTIVE DATE OF THIS SECTION, AS
43 AMENDED.

44
45 (b) IN CONNECTION WITH THE STATEMENT AND INFORMATION
46 REQUIRED TO BE POSTED PURSUANT TO SECTION 8-2-124, THE
47 DEPARTMENT OF LABOR AND EMPLOYMENT SHALL PERMANENTLY POST A
48 NOTICE ON ITS WEB SITE EXPLAINING THE REQUIREMENTS OF THIS SECTION
49 THAT INCLUDES AT LEAST THE FOLLOWING INFORMATION:

50
51 (I) THAT FEDERAL LAW PROHIBITS AN EMPLOYER FROM
52 KNOWINGLY EMPLOYING AN UNAUTHORIZED ALIEN;

53
54 (II) THAT AS OF JANUARY 1, 2013, EMPLOYERS WHO HIRE NEW
55 EMPLOYEES TO PERFORM WORK IN COLORADO ARE REQUIRED TO VERIFY
56 THE EMPLOYMENT ELIGIBILITY OF THE NEW EMPLOYEES THROUGH THE

1 E-VERIFY PROGRAM; AND

2
3 (III) INSTRUCTIONS FOR THE EMPLOYER ON HOW TO ENROLL IN THE
4 E-VERIFY PROGRAM.

5
6 (8) (a) AN EMPLOYER HAS A REBUTTABLE PRESUMPTION THAT THE
7 EMPLOYER, ACTING IN GOOD FAITH, DID NOT KNOWINGLY EMPLOY AN
8 UNAUTHORIZED ALIEN IF:

9
10 (I) THE EMPLOYER COMPLIES WITH THE EMPLOYMENT
11 VERIFICATION REQUIREMENTS SPECIFIED IN FEDERAL LAW AND IN
12 PARAGRAPH (a) OF SUBSECTION (4) OF THIS SECTION; AND

13
14 (II) THE EMPLOYER PARTICIPATES IN THE E-VERIFY PROGRAM IN
15 ACCORDANCE WITH PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION,
16 AND THE INFORMATION OBTAINED IN ACCORDANCE WITH THE E-VERIFY
17 PROGRAM INDICATES THAT THE EMPLOYEE'S WORK ELIGIBILITY STATUS
18 ALLOWED THE EMPLOYER TO HIRE AND RETAIN THE EMPLOYEE.

19
20 (b) AN EMPLOYER HAS A REBUTTABLE PRESUMPTION THAT THE
21 EMPLOYER, ACTING IN GOOD FAITH, DID NOT WRONGFULLY TERMINATE AN
22 INDIVIDUAL IF:

23
24 (I) THE EMPLOYER PARTICIPATES IN THE E-VERIFY PROGRAM IN
25 ACCORDANCE WITH PARAGRAPH (b) OF SUBSECTION (4) OF THIS SECTION;
26 AND

27
28 (II) THE EMPLOYER RECEIVED A FINAL NOTICE OF
29 NONCONFIRMATION OF WORK ELIGIBILITY ON THE INDIVIDUAL THROUGH
30 THE E-VERIFY PROGRAM.

31
32 (c) AN EMPLOYER THAT SHOWS THAT IT COMPLIED IN GOOD FAITH
33 WITH THE REQUIREMENTS OF FEDERAL LAW ESTABLISHES AN AFFIRMATIVE
34 DEFENSE THAT THE EMPLOYER DID NOT INTENTIONALLY OR KNOWINGLY
35 EMPLOY AN UNAUTHORIZED ALIEN.

36
37 ~~(5)~~ (9) **Construction.** It is the public policy of Colorado that this
38 section ~~shall~~ be enforced without regard to race, religion, gender,
39 ethnicity, national origin, or disability AND BE CONSTRUED IN A MANNER
40 SO AS TO BE FULLY CONSISTENT WITH APPLICABLE PROVISIONS OF FEDERAL
41 LAW.

42
43 (10) **Implementation.** THIS SECTION MUST BE IMPLEMENTED IN A
44 MANNER CONSISTENT WITH FEDERAL LAWS REGULATING IMMIGRATION,
45 PROTECTING THE CIVIL RIGHTS OF ALL PERSONS, AND RESPECTING THE
46 PRIVILEGES AND IMMUNITIES OF UNITED STATES CITIZENS.

47
48 (11) **Severability.** IF ANY PROVISION OF THIS SECTION IS HELD
49 INVALID, THE INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OF THIS
50 SECTION THAT CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION.

51
52 **SECTION 2.** In Colorado Revised Statutes, 8-2-124, **amend** (2)
53 (a) (I) as follows:

54 **8-2-124. Electronic verification program - availability - notice**
55 **to employers - definitions.** (2) (a) (I) As part of its quarterly electronic
56 publication distributed to employers, the department shall, at a minimum,

1 notify every employer of the federal law against hiring or continuing to
2 employ an unauthorized alien and of the availability of, AND THE
3 REQUIREMENT UNDER SECTION 8-2-122 (4) (b) TO PARTICIPATE IN, the
4 ~~optional~~ electronic verification program to verify the work eligibility
5 status of new employees.
6

7 **SECTION 3.** In Colorado Revised Statutes, **repeal** article 17.5
8 of title 8.
9

10 **SECTION 4.** In Colorado Revised Statutes, 24-21-112, **amend**
11 (2) as follows:
12

13 **24-21-112. Electronic verification program - notice - employer**
14 **responsibilities - definitions.** (2) The secretary of state, in consultation
15 with the department of labor and employment, shall post on the secretary
16 of state's web site information pertaining to the prohibition against hiring
17 or continuing to employ an unauthorized alien, as defined in 8 U.S.C. sec.
18 1324a (h) (3), ~~and~~ the availability of and the requirements for
19 participation in the electronic verification program as a means for
20 employers to verify the work eligibility status of new employees, AND THE
21 REQUIREMENTS FOR VERIFYING THE WORK ELIGIBILITY STATUS OF NEWLY
22 HIRED EMPLOYEES AND THE PENALTIES FOR NONCOMPLIANCE AS SET
23 FORTH IN SECTION 8-2-122, C.R.S. The web site posting required by this
24 subsection (2) ~~shall~~ MUST appear in the same format as required by
25 section 8-2-124 (2) (a), C.R.S., and ~~shall~~ MUST appear in a conspicuous
26 location on the secretary of state's web site. The secretary of state's web
27 site ~~shall~~ MUST also provide a link to the e-verify web site available
28 through the internet portal for the United States citizenship and
29 immigration services, or its successor agency.
30

31 **SECTION 5. Appropriation - adjustments in 2012 long bill.**
32 (1) For the implementation of this act, appropriations made in the annual
33 general appropriation act to the department of labor and employment for
34 the fiscal year beginning July 1, 2012, are adjusted as follows:
35

36 (a) The reappropriated funds appropriation for the executive
37 director's office is decreased by \$78,305 and 1.0 FTE. Said sum is from
38 statewide indirect cost recoveries.
39

40 (b) The appropriation for the division of labor is increased by
41 \$78,305 and 1.0 FTE. Said sum is from the employment support cash
42 fund created in section 8-77-109 (1), Colorado Revised Statutes.
43

44 (2) For the implementation of this act, appropriations made in the
45 annual general appropriation act to the department of personnel and
46 administration, office of the state controller, for the fiscal year beginning
47 July 1, 2012, are adjusted as follows:
48

49 (a) The general fund appropriation is decreased by \$78,305.
50

51 (b) The reappropriated funds appropriation is increased by
52 \$78,305. Said sum is from the department of labor and employment
53 statewide indirect cost recoveries.
54

55 **SECTION 6. Effective date.** This act takes effect January 1,
56 2013.

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

4
5 Page 1 of the bill, line 103, strike "**PROGRAM.**" and substitute "**PROGRAM,**
6 **AND, IN CONNECTION THEREWITH, MAKING AND REDUCING**
7 **APPROPRIATIONS.**".

8
9
10
11
12 **FINANCE**

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

15
16 **SB12-041** be referred favorably to the Committee on Appropriations.

17
18
19 **SB12-087** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22
23 Amend reengrossed bill, page 2, after line 1 insert:

24 "**SECTION 1.** In Colorado Revised Statutes, 39-8-109, **amend**
25 (1) as follows:

26
27 **39-8-109. Effects of board of assessment appeals or district**
28 **court decision.** (1) If upon appeal the appellant is sustained, in whole or
29 in part, then the appellant shall provide a copy of the order or judgment
30 of the board of assessment appeals or district court, as the case may be,
31 to the county assessor. If the order or judgment has been appealed, then
32 the appellant shall present to the county assessor a copy of the original
33 order or judgment of the board of assessment appeals or district court and
34 copies of all further decisions of the board of assessment appeals, district
35 court, court of appeals, and supreme court. Upon presentation to the
36 treasurer by the county assessor of a copy of the order or judgment of the
37 board of assessment appeals or district court, as the case may be, and, if
38 the case has been appealed, copies of all further decisions of the board of
39 assessment appeals, district court, court of appeals, and supreme court,
40 modifying the valuation for assessment of the property, the appellant,
41 identified as the petitioner or plaintiff on the order or judgment of the
42 board of assessment appeals or district court, shall forthwith receive the
43 appropriate refund of taxes and delinquent interest thereon, together with
44 refund interest at the same rate as delinquent interest as specified in
45 section 39-10-104.5. Such refund interest ~~shall only accrue from the date~~
46 ~~on which payment of taxes and delinquent interest thereon was received~~
47 ~~by the treasurer~~ ACCRUES FROM THE LATER OF THE DATE A COMPLETE
48 ABATEMENT PETITION IS FILED WITH THE BOARD OF COUNTY
49 COMMISSIONERS OR THE DATE THE TAXES ARE PAID. Such refund shall be
50 paid to the appellant even if the appellant is not the current owner of the
51 property. The appellant and the county shall each be responsible for their
52 respective costs in said court or board of assessment appeals, as the case
53 may be."

54
55 Renumber succeeding sections accordingly.

56

1 **HEALTH & ENVIRONMENT**

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

4
5 **HB12-1294** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend the Economic and Business Development Committee Report,
10 dated March 1, 2012, page 1, strike lines 1 through 5 and substitute:

11
12 "Amend printed bill, page 5, line 26, strike "(2) (a.5) introductory portion,
13 and (2) (c);" and substitute "and (2) (a.5) introductory portion;".
14

15 Page 5 of the bill, line 27, after "(III)" insert "and (2) (b.5)".
16

17 Page 6 of the bill, line 8, strike the first "centers," and substitute "~~centers~~
18 HOSPITALS,".
19

20 Page 6 of the bill, strike lines 10 through 12 and substitute "disabilities,
21 ~~habilitation centers for brain-damaged children, chiropractic centers and~~
22 ~~hospitals, maternity hospitals, nursing care facilities, the pilot project~~
23 ~~rehabilitative nursing facility, hospice care, assisted living".~~
24

25 Page 6 of the bill, line 23, strike "CONDUCT ONLY AN ABBREVIATED," and
26 substitute "EXTEND THE SURVEY CYCLE OR CONDUCT A TIERED".
27

28 Page 6 of the bill, line 24, strike "PERIODIC".
29

30 Page 6 of the bill, line 26, strike "TAKEN" and substitute "TAKEN, NO
31 PATTERNS OF DEFICIENT PRACTICES EXIST, AS DOCUMENTED IN THE
32 INSPECTION AND SURVEY REPORTS ISSUED BY THE DEPARTMENT,".
33

34 Page 7 of the bill, strike line 3 and substitute "INSPECTION. THE
35 DEPARTMENT MAY EXPAND THE SCOPE OF THE INSPECTION OR SURVEY TO
36 AN EXTENDED OR FULL SURVEY IF THE DEPARTMENT FINDS DEFICIENT
37 PRACTICE DURING THE TIERED INSPECTION OR SURVEY. THE DEPARTMENT,
38 BY RULE, SHALL ESTABLISH A SCHEDULE FOR AN EXTENDED SURVEY CYCLE
39 OR A TIERED".
40

41 Page 7 of the bill, line 4, strike "ABBREVIATED, PERIODIC".
42

43 Page 7 of the bill, line 25, strike "INCLUDE" and substitute "CITE AS A
44 DEFICIENCY" and strike "OR PLAN".
45

46 Page 7 of the bill, line 26, strike "OF CORRECTION".
47

48 Page 7 of the bill, line 27, after "DEFICIENCY" insert "FROM AN ISOLATED
49 EVENT".
50

51 Page 8 of the bill, line 1, strike "AND EFFICIENTLY".
52

53 Page 8 of the bill, line 2, strike "FACILITY." and substitute "FACILITY,
54 UNLESS THE DEFICIENCY CAUSED HARM OR A POTENTIAL FOR HARM,
55 CREATED A LIFE- OR LIMB-THREATENING EMERGENCY, OR WAS DUE TO
56 ABUSE OR NEGLECT.".".

1 Page 1 of the committee report, line 6, strike "after line 9 insert:" and
2 substitute "strike lines 10 through 14 and substitute:".

3
4 Page 1 of the committee report, strike lines 17 and 18.

5
6 Page 2 of the committee report, strike lines 1 through 21 and substitute:

7
8 "Page 9 of the bill, line 20, strike "center," and substitute "~~center~~
9 HOSPITAL,".

10
11 Page 9 of the bill, strike lines 22 through 25 and substitute "persons with
12 developmental disabilities, ~~habilitation center for children with brain~~
13 ~~damage, chiropractic center and hospital, maternity hospital,~~ AS DEFINED
14 IN SECTION 25-1.5-103 (2) (c), nursing care facility, ~~pilot project~~
15 ~~rehabilitative nursing facility,~~ hospice care, assisted living".

16
17 Page 11 of the bill, strike lines 9 and 10 and substitute "department;
18 except that a community residential home shall make application for a
19 license pursuant to section 27-10.5-109, C.R.S.".

20
21 Page 13 of the bill, strike lines 9 through 27.

22
23 Page 14 of the bill, strike lines 1 through 19 and substitute:

24
25 "(b) (I) IN THE APPLICATION FOR THE RENEWAL OF A LICENSE FOR
26 A HEALTH FACILITY DESCRIBED IN SECTION 25-3-101, OTHER THAN AN
27 AMBULATORY SURGICAL CENTER, THE DEPARTMENT OF PUBLIC HEALTH
28 AND ENVIRONMENT SHALL DEEM HEALTH FACILITIES THAT ARE
29 CURRENTLY ACCREDITED BY AN ACCREDITING ORGANIZATION
30 RECOGNIZED BY THE FEDERAL CENTERS FOR MEDICARE AND MEDICAID
31 SERVICES AS SATISFYING THE REQUIREMENTS FOR RENEWAL OF THE
32 LICENSE.

33
34 (II) IF THE STANDARDS FOR NATIONAL ACCREDITATION ARE LESS
35 STRINGENT THAN THE STATE'S LICENSURE STANDARDS FOR A PARTICULAR
36 HEALTH FACILITY, THE DEPARTMENT OF PUBLIC HEALTH AND
37 ENVIRONMENT MAY CONDUCT A SURVEY THAT FOCUSES ON THE MORE
38 STRINGENT STATE STANDARDS. BEGINNING ONE YEAR AFTER THE
39 DEPARTMENT FIRST GRANTS DEEMED STATUS TO A HEALTH FACILITY
40 PURSUANT TO THIS PARAGRAPH (b), THE DEPARTMENT MAY CONDUCT
41 VALIDATION SURVEYS, BASED ON A VALID SAMPLE METHODOLOGY, OF UP
42 TO TEN PERCENT OF THE TOTAL NUMBER OF ACCREDITED HEALTH
43 FACILITIES IN THE INDUSTRY, EXCLUDING HOSPITALS. IF THE DEPARTMENT
44 CONDUCTS A VALIDATION SURVEY OF A HEALTH FACILITY, THE
45 VALIDATION SURVEY IS IN LIEU OF A LICENSING RENEWAL SURVEY THAT
46 THE HEALTH FACILITY WOULD HAVE UNDERGONE IF THE HEALTH FACILITY
47 DID NOT HAVE DEEMED STATUS PURSUANT TO THIS PARAGRAPH (b)."."

48
49 Page 2 of the committee report, line 22, strike ""(III)" and substitute
50 "(III)".

51
52 Page 3 of the committee report, line 3, strike ""(B), UPON THE" and
53 substitute ""(B), BY AN AMOUNT NOT TO EXCEED".

54
55 Page 3 of the committee report, strike lines 4 and 5.

56

- 1 Page 3 of the committee report, strike lines 11 through 17 and substitute:
2
3 "Page 18 of the bill, line 8, strike "article including indirect costs" and
4 substitute "article, including indirect costs,".
5
6 Page 18 of the bill, line 10, strike "INDUSTRY" and strike "ADVISORY
7 COUNCIL" and substitute "STAKEHOLDER FORUM".
8
9 Page 18 of the bill, strike lines 15 through 27.
10
11 Strike pages 19 and 20 of the bill.
12
13 Page 21 of the bill, strike lines 1 through 24 and substitute:
14
15 **"25-3-112. Health care facility stakeholder forum - creation -**
16 **membership - duties.** (1) THERE IS HEREBY CREATED IN THE
17 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THE HEALTH CARE
18 FACILITY STAKEHOLDER FORUM, REFERRED TO IN THIS SECTION AS THE
19 "STAKEHOLDER FORUM". THE STAKEHOLDER FORUM MUST CONSIST OF
20 REPRESENTATIVES FROM VARIOUS TYPES OF PROVIDER FACILITIES
21 LICENSED BY THE DEPARTMENT, CONSUMERS, CONSUMER ADVOCATES,
22 OMBUDSMEN, AND OTHER INTERESTED PARTIES. THE DEPARTMENT SHALL
23 MEET AT LEAST FOUR TIMES EACH YEAR WITH THE STAKEHOLDER FORUM
24 TO DISCUSS AND TAKE INTO CONSIDERATION THE CONCERNS AND ISSUES
25 OF INTEREST TO THE FORUM MEMBERS AND OTHER ATTENDEES REGARDING
26 THE DEVELOPMENT AND IMPLEMENTATION OF RULES AND OTHER MATTERS
27 THAT AFFECT ALL HEALTH CARE FACILITIES LICENSED BY THE
28 DEPARTMENT.
29
30 (2) THE MEMBERS OF THE STAKEHOLDER FORUM SERVE ON A
31 VOLUNTARY BASIS WITHOUT COMPENSATION AND ARE RESPONSIBLE FOR
32 NOTICING, STAFFING, RECORDING, AND REPORTING THE NOTES FROM THE
33 STAKEHOLDER FORUM MEETINGS. THE DEPARTMENT SHALL CONSIDER THE
34 ATTENDANCE OF ITS REPRESENTATIVES AT MEETINGS WITH THE
35 STAKEHOLDER FORUM TO BE WITHIN THE NORMAL COURSE OF BUSINESS,
36 WITH NO ADDITIONAL APPROPRIATION TO OR RESOURCES FROM THE
37 DEPARTMENT REQUIRED.
38
39 (3) THE STAKEHOLDER FORUM AND THE DEPARTMENT SHALL
40 WORK TO COORDINATE WITH, AND SHALL NOT DUPLICATE THE WORK BEING
41 DONE BY, ESTABLISHED OR STATUTORILY AUTHORIZED ADVISORY
42 COMMITTEES OR WORKING GROUPS ON ISSUES RELATED TO THE
43 DEVELOPMENT AND IMPLEMENTATION OF RULES."
44
45 Page 3 of the committee report, line 18, strike ""(5)" and substitute "(4)".
46
47 Page 3 of the committee report, line 19, strike "ADVISORY COUNCIL".
48
49 Page 3 of the committee report, strike line 20 and substitute
50 "DEPARTMENT MAY USE THE STAKEHOLDER FORUM DESCRIBED IN THIS
51 SECTION, WHEN APPROPRIATE, TO SERVE AS THE".
52
53 Page 3 of the committee report, line 23, strike "subsection" and substitute
54 "sections".
55
56 Page 3 of the committee report, strike line 24 and substitute:

1 "Page 23 of the printed bill, strike line 5 and substitute "state regulatory
2 agencies, SHALL REQUIRE THE DEPARTMENT OF HEALTH CARE POLICY AND
3 FINANCING AND THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
4 TO WORK JOINTLY TO RESOLVE DIFFERING REQUIREMENTS, AND SHALL
5 ONLY REGULATE A PROVIDER FOR THE".".

6
7 Page 4 of the committee report, strike lines 2 through 28.

8
9 Page 5 of the committee report, strike lines 1 through 10 and substitute:

10
11 "Page 23 of the bill, strike line 14 and substitute "**amend** (2) and (3) as
12 follows:".

13
14 Page 23 of the bill, strike line 16 and substitute "(2) (a) The department
15 of public health and environment and the".

16
17 Page 23 of the bill, line 17, strike "~~joint~~" and substitute "joint".

18
19 Page 23 of the bill, strike lines 21 through 27.

20
21 Page 24 of the bill, strike lines 1 through 10 and substitute:

22 "(b) BY DECEMBER 31, 2012, THE DEPARTMENT OF PUBLIC HEALTH
23 AND ENVIRONMENT, THE DEPARTMENT OF HEALTH CARE POLICY AND
24 FINANCING, AND THE DEPARTMENT OF HUMAN SERVICES SHALL DEVELOP
25 AN IMPLEMENTATION PLAN, IN CONSULTATION WITH INDUSTRY
26 REPRESENTATIVES, TO RESOLVE DIFFERING REQUIREMENTS AND TO
27 ELIMINATE OBSOLETE, REDUNDANT RULES AND REPORTING, MONITORING,
28 COMPLIANCE, AUDITING CERTIFICATION, LICENSING, AND WORK PROCESSES
29 PERTAINING TO THE REGULATION OF COMMUNITY RESIDENTIAL HOMES
30 PURSUANT TO THIS SECTION. THE DEPARTMENTS SHALL STUDY THE
31 FEASIBILITY OF IMPLEMENTING A SINGLE, CONSOLIDATED SURVEY AND
32 METHODS FOR CONDUCTING SURVEYS SIMULTANEOUSLY. THE
33 DEPARTMENTS SHALL REPORT THEIR PROGRESS IN MEETING THE
34 REQUIREMENTS OF THIS PARAGRAPH (b) TO THEIR RESPECTIVE
35 COMMITTEES OF REFERENCE WHEN MAKING THEIR DEPARTMENTAL
36 PRESENTATIONS AS REQUIRED BY PART 2 OF ARTICLE 7 OF TITLE 2, C.R.S.
37 THE DEPARTMENTS SHALL SEND COPIES OF THE REPORT TO THE HEALTH
38 CARE FACILITY STAKEHOLDER FORUM CREATED IN SECTION 25-3-112,
39 C.R.S.

40
41 (3) (a) The department of public health and environment and the
42 department of human services shall develop standards for the".

43
44 Page 24 of the bill, strike lines 16 through 21.

45
46 Page 24 of the bill, line 22, strike "(c)" and substitute "(b)" and after
47 "DEPARTMENT" insert "OF HUMAN SERVICES OR THE STATE BOARD OF
48 HEALTH, AS APPROPRIATE,".

49
50 Page 24 of the bill, strike lines 24 through 27.

51
52 Page 25 of the bill, strike line 1 and substitute "~~or the state board of health~~
53 and shall specify the responsibilities of each department in the program.
54 Surveys undertaken to ensure compliance with these standards shall, as
55 appropriate, be undertaken as joint surveys by the departments.".

56

1 Page 25 of the bill, line 4, after "DEPARTMENT" insert "OF PUBLIC HEALTH
2 AND ENVIRONMENT OR THE DEPARTMENT OF HUMAN SERVICES, AS
3 APPROPRIATE,".

4
5 Page 25 of the bill, strike lines 8 through 27.

6
7 Strike page 26 of the bill.

8
9 Page 27 of the bill, strike lines 1 through 16.".

10
11 Page 5 of the committee report, line 13, strike "(5)," and substitute "(4),".

12
13
14
15 **SB12-127** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend reengrossed bill, page 5, line 5, after "CENTERS," insert "HOSPICE
20 AND PALLIATIVE CARE CENTERS,".

21
22
23
24 **SB12-128** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

27
28 Amend reengrossed bill, page 2, strike line 16 and substitute:

29 "(IV) THE STATE DEPARTMENT HAS CONDUCTED PRIOR STUDIES
30 INFORMING THE STATE THAT AN ENHANCED REIMBURSEMENT
31 METHODOLOGY IS NECESSARY FOR THE ESTABLISHMENT OF A STRONG
32 CONTINUUM OF CARE FOR LONG-TERM CARE;

33
34 (V) OTHER ALTERNATIVES TO NURSING HOME CARE SHOULD BE".

35
36 Renumber succeeding subparagraph accordingly.

37
38 Page 3, strike lines 17 through 20 and substitute:

39 "(3) IN ORDER TO ADDRESS THE NEEDS OF MEDICAID CLIENTS WHO
40 ARE AT RISK OF NURSING HOME PLACEMENT, THE STATE DEPARTMENT MAY
41 ALSO CREATE A PROGRAM, INFORMED BY PRIOR STUDIES, THAT MAY
42 INCLUDE, BUT NEED NOT BE LIMITED TO, TIERED-RATE, ACUITY, AND
43 ENHANCED REIMBURSEMENTS FOR ALTERNATIVE CARE FACILITIES AND
44 ENHANCED ALTERNATIVE CARE SERVICES. ANY PROGRAM CREATED BY
45 THE STATE DEPARTMENT PURSUANT TO THIS SUBSECTION (3) SHALL BE
46 BUDGET-NEUTRAL TO THE STATE DEPARTMENT.".

47
48
49
50
51 **JUDICIARY**

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

54
55 **SB12-102** be referred to the Committee of the Whole with favorable
56 recommendation.

1 **SB12-141** be postponed indefinitely.
2
3
4
5

6 **STATE, VETERANS, & MILITARY AFFAIRS**

7 After consideration on the merits, the Committee recommends the
8 following:
9

10 **HB12-1211** be postponed indefinitely.
11

12
13 **SB12-093** be postponed indefinitely.
14

15
16 **SB12-152** be referred to the Committee of the Whole with favorable
17 recommendation.
18
19
20
21

22 **TRANSPORTATION**

23 After consideration on the merits, the Committee recommends the
24 following:
25

26 **SB12-059** be referred to the Committee of the Whole with favorable
27 recommendation.
28
29
30

31 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
32

33 The Speaker has signed: **SJR12-021, 022.**
34
35
36

37 **DELIVERY OF BILLS TO GOVERNOR**
38

39 The Chief Clerk of the House of Representatives reports the following
40 bills have been delivered to the Office of the Governor: **HB12-1028,**
41 **1029, 1031, 1032, 1058, 1061, 1065, 1072, 1089, 1104, 1169, 1207,**
42 **1212, 1249, 1288** at 10:30 a.m. on March 22, 2012.
43
44
45

46 **MESSAGE(S) FROM THE SENATE**
47

48 The Senate has passed on Third Reading and returns herewith
49 HB12-1222, HB12-1299, HB12-1312.
50

51 The Senate has passed on Third Reading and transmits to the Revisor of
52 Statutes: SB12-156.
53

54 The Senate has postponed indefinitely HB12-1172, HB12-1123,
55 HB12-1116, HB12-1007. The bills are returned herewith.
56

1 The Senate has passed on Third Reading and returns herewith
2 HB12-1269.

3
4 The Senate has passed on Third Reading and transmits to the Revisor of
5 Statutes:

6
7 HB12-1270 amended as printed in Senate Journal, March 22, 2012,
8 page 553.

9
10
11
12 **MESSAGE(S) FROM THE REVISOR**

13
14 We herewith transmit:
15 Without comment, SB12-156.

16
17
18 Without comment, as amended, HB12-1270.

19
20
21
22 **MESSAGE(S) FROM THE GOVERNOR**

23
24 I certify I received the following on the 22nd day of March, 2012, at
25 2:17 p.m. The original is on file in the records of the House of
26 Representatives of the General Assembly.

27
28 Marilyn Eddins,
29 Chief Clerk of the House

30 March 22, 2012

31
32 To the Honorable House of Representatives
33 Sixty-Eighth General Assembly
34 Second Regular Session
35 State Capitol
36 Denver, CO 80203

37
38 Ladies and Gentlemen:

39
40 I have the honor to inform you that I have approved and filed with the
41 Secretary of State the following Acts:

42
43 **HB12-1117** CONCERNING THE ABILITY OF A LOCAL GOVERNMENT TO
44 PERMIT, IN ITS DISCRETION, THE COLLECTION OF
45 CHARITABLE SOLICITATIONS FROM MOTORISTS ON A
46 CERTAIN NUMBER OF DAYS PER CALENDAR YEAR

47
48 Approved March 22, 2012 at 12:36 pm

49
50 **HB 12-1221** CONCERNING BILLING FOR ANATOMIC PATHOLOGY
51 SERVICES

52
53 Approved March 22, 2012 at 12:47 pm
54
55

- 1 **HB 12-1047** CONCERNING THE WAIVER OF NON-SAFETY LICENSING
2 STANDARDS FOR KINSHIP FOSTER CARE
3
4 Approved March 22, 2012 at 12:51 pm
5
- 6 **HB 12-1033** CONCERNING CONDITIONS ON THE AUTHORITY OF THE
7 DIRECTOR OF THE DIVISION OF WORKERS'
8 COMPENSATION TO IMPOSE ADMINISTRATIVE FINES AS
9 A RESULT OF COMPLIANCE AUDITS FINDING INSTANCES
10 OF LATE REPORTING OF INJURIES UNDER THE "WORKERS'
11 COMPENSATION ACT OF COLORADO"
12
13 Approved March 22, 2012 at 12:54 pm
14
- 15 **HB 12-1090** CONCERNING THE ANNUAL DATE FOR ESTABLISHING
16 THE TOTAL PUPIL ENROLLMENT OF EACH PUBLIC
17 SCHOOL
18
19 Approved March 22, 2012 at 12:58 pm
20
- 21 **HB 12-1177** CONCERNING A GRANT PROGRAM TO PROVIDE HOME
22 CARE ALLOWANCE BENEFITS TO CERTAIN ELIGIBLE
23 INDIVIDUALS, AND, IN CONNECTION THEREWITH,
24 MAKING AND REDUCING APPROPRIATIONS
25
26 Approved March 22, 2012 at 1:04 pm
27
- 28 **HB 12-1074** CONCERNING ACCESS TO DATA TO ASSIST THE COURTS
29 IN OVERSEEING PERSONS APPOINTED TO MANAGE THE
30 AFFAIRS OF PERSONS UNDER DISABILITY
31
32 Approved March 22, 2012 at 1:09 pm
33
- 34 **HB 12-1055** CONCERNING THE DIVISION OF REGISTRATIONS IN THE
35 DEPARTMENT OF REGULATORY AGENCIES, AND, IN
36 CONNECTION THEREWITH, RENAMING THE DIVISION AS
37 THE DIVISION OF PROFESSIONS AND OCCUPATIONS AND
38 REQUIRING PERIODIC REVIEW OF THE FUNCTIONS OF THE
39 DIVISION
40
41 Approved March 22, 2012 at 1:12 pm
42
- 43 **HB 12-1078** CONCERNING THE EXEMPTION OF DRINKING WATER
44 TREATMENT FACILITIES FROM THE REQUIREMENT TO
45 OBTAIN A CERTIFICATE OF DESIGNATION
46
47 Approved March 22, 2012 at 1:14 pm
48
- 49 **HB 12-1095** CONCERNING ELECTRONIC COURT DOCUMENTS
50
51 Approved March 22, 2012 at 1:14 pm
52
- 53 **HB 12-1163** CONCERNING LIMITED PEACE OFFICER AUTHORITY
54 DESIGNATIONS
55
56 Approved March 22, 2012 at 1:15 pm

1 **HB 12-1217** CONCERNING THE AUTHORITY OF AN ORGANIZATION
2 THAT MAINTAINS A REGULARLY ESTABLISHED
3 INSPECTION DEPARTMENT TO CONDUCT INSPECTIONS OF
4 ITS OWN PRESSURE-RETAINING ITEMS

5
6 Approved March 22, 2012 at 1:15 pm
7

8 **HB 12-1233** CONCERNING THE ABILITY OF A COURT TO ENTER A
9 DECREE OF LEGAL SEPARATION IN CERTAIN
10 CIRCUMSTANCES WITHOUT THE APPEARANCE OF THE
11 PARTIES
12

13 Approved March 22, 2012 at 1:16 pm
14

15 **HB 12-1247** CONCERNING ANNUAL REDUCTIONS IN THE AMOUNT OF
16 TOBACCO LITIGATION SETTLEMENT MONEYS THAT ARE
17 ALLOCATED IN THE FISCAL YEAR IN WHICH THE STATE
18 RECEIVES THEM, AND, IN CONNECTION THEREWITH,
19 OFFSETTING THE REDUCTIONS WITH TOBACCO
20 LITIGATION SETTLEMENT CASH FUND MONEYS MADE
21 AVAILABLE BY THE REPEAL OF THE SHORT-TERM
22 INNOVATIVE HEALTH PROGRAM GRANT FUND
23

24 Approved March 22, 2012 at 1:16 pm
25

26 Sincerely,
27 (signed)
28 John W. Hickenlooper
29 Governor
30

31
32 House in recess. House reconvened.
33

34
35
36 **INTRODUCTION OF BILLS**
37 **First Reading**
38

39 The following bills were read by title and referred to the committees
40 indicated:
41

42 **HB12-1330** by Representative(s) Becker, Priola, Sonnenberg--
43 Concerning the creation of a hearing process to end a
44 suspension of privileges to attempt to take wildlife.
45 Committee on Agriculture, Livestock, & Natural Resources
46

47 **SB12-134** by Senator(s) Aguilar, Boyd, Carroll, Foster, Nicholson;
48 also Representative(s) Acree--Concerning financial
49 assistance in Colorado hospitals.
50 Committee on Health and Environment
51

52 **SB12-154** by Senator(s) Tochtrop; also Representative(s) Duran--
53 Concerning standards for responsible medical marijuana
54 vendors.
55 Committee on State, Veterans, & Military Affairs
56

1 **SB12-156** by Senator(s) Steadman, Hodge, Lambert; also
2 Representative(s) Gerou, Becker, Levy--Concerning the
3 authority of the department of personnel to expend gifts,
4 grants, and donations.
5 Committee on Appropriations

6
7
8
9 **INTRODUCTION OF MEMORIAL**

10
11 The following memorial was read by title and laid over until
12 March 26, 2012 under the rules:

13
14 **HM12-1002** by Representative(s) Sonnenberg--Memorializing former
15 Representative Lowell Sonnenberg.

16
17
18
19 **LAY OVER OF CALENDAR ITEM(S)**

20
21 On motion of Representative Waller, the following item(s) on the
22 Calendar was (were) laid over until March 26, retaining place on
23 Calendar:

24
25 Consideration of Resolution(s)--**HJR12-1016.**
26 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
27 **1034, 1114, 1151, 1070, 1002.**

28
29
30
31 On motion of Representative Brown, the House adjourned until
32 10:00 a.m., March 26, 2012.

33
34
35
36
37
38
39
Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Seventy-sixth Legislative Day

Monday, March 26, 2012

1 The Speaker *Pro-tempore* called the House to order at 10:00 a.m.
2
3 Prayer by Rabbi Hillel Goldberg, Executive Director of Rocky Mountain
4 Jewish News.
5
6 Pledge of Allegiance led by Connor Beezley, Henry Connolly, Restyn
7 Mayer, Hailey Jolynn Togerson, Prospect Ridge, Broomfield.
8
9 The roll was called with the following result:
10
11 Present--63.
12 Excused--Representative(s) J. Kerr, McNulty--2.
13 Present after roll call--Representative(s) J. Kerr.
14
15 The Speaker declared a quorum present.
16
17
18 On motion of Representative Summers, the reading of the journal of
19 March 23, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.
21
22

CONSIDERATION OF MEMORIAL

23
24
25
26 **HM12-1002** by Representative(s) Sonnenberg--Memorializing former
27 Representative Lowell Sonnenberg.
28
29 (Printed and placed in member's file)
30
31 Representative Sonnenberg moved that the Memorial be adopted and
32 asked the memorial be read at length.
33
34
35 Pursuant to House Rule 26(f) the House stood in recess to allow the
36 following former members to speak on behalf of the honorable Lowell
37 Sonnenberg: Former state Senator Hugh Fowler, former United States
38 Senator Bill Armstrong. A letter from former State Senator Tillie Bishop
39 was read by Representative Jerry Sonnenberg.
40
41
42 House reconvened.
43

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

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

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

30 Representative Sonnenberg introduced members of the family who were
 31 present.

32
 33 House in recess. House reconvened.

37 MESSAGE(S) FROM THE SENATE

39 The Senate has adopted and transmits herewith: SJR12- 026.

43 INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

48 **SJR12-026** by Senator(s) Newell, Hudak; also Representative(s)
 49 Gardner B.--Concerning recognition of October as
 50 "Conflict Resolution Month" in Colorado.

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

54 On motion of Representative Gardner B., the resolution was read at
 55 length and **adopted** by **viva voce** vote.

56

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

10
11
12 On motion of Representative Sonnenberg, the House resolved itself into
13 Committee of the Whole for consideration of General Orders, and he was
14 called to the Chair to act as Chairman.

17 **GENERAL ORDERS--SECOND READING OF BILLS**

18
19 The Committee of the Whole having risen, the Chairman reported the
20 titles of the following bills had been read (reading at length had been
21 dispensed with by unanimous consent), the bills considered and action
22 taken thereon as follows:

23
24 (Amendments to the committee amendment are to the printed committee
25 report which was printed and placed in the members' bill file.)

26
27 **HB12-1080** by Representative(s) Vigil; also Senator(s) Schwartz--
28 Concerning changing the name of Adams state college to
29 Adams state university.

30
31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.

33
34
35 **SB12-148** by Senator(s) Guzman, Newell, Nicholson, King S.; also
36 Representative(s) Duran, Hamner, Hulinghorst, Kerr A.,
37 Massey, Scott, Summers, Todd--Concerning changing the
38 name of Metropolitan state college of Denver to
39 Metropolitan state university of Denver.

40
41 Ordered revised and placed on the Calendar for Third Reading and Final
42 Passage.

43
44
45 **HB12-1254** by Representative(s) Swerdfeger; also Senator(s) Giron--
46 Concerning the reallocation of the conservation trust fund
47 to a metropolitan district that provides parks and recreation
48 services within the unincorporated area of a county only.

49
50 Amendment No. 1, Local Government Report, dated February 22, 2012,
51 and placed in member's bill file; Report also printed in House Journal,
52 February 23, page 356.

53
54 Amendment No. 2, Appropriations Report, dated March 16, 2012, and
55 placed in member's bill file; Report also printed in House Journal,
56 March 16, page 687.

1 Amendment No. 3, by Representative(s) Swerdfeger.

2
3 Amend the Local Government Committee Report, dated February 22,
4 2012, page 1, line 2, strike "(A);" and substitute "(A) and (4);".

5
6 Page 2 of the report, strike line 15 and substitute "2015."

7
8 (4) All moneys received from the state by each eligible entity
9 pursuant to this section shall be deposited in its conservation trust fund
10 and shall be expended only for the acquisition, development, and
11 maintenance of new conservation sites or for ~~capital improvements or~~
12 ~~maintenance for recreational purposes on any public site~~ PARK AND
13 RECREATION AREAS OR FACILITIES. An eligible entity shall not deposit any
14 other moneys in its conservation trust fund. All interest earned on the
15 investment of moneys in a local conservation trust fund shall be credited
16 to the fund and shall be expended only for purposes authorized by this
17 article."."

18
19 Amendment No. 4, by Representative(s) Swerdfeger.

20
21 Amend printed bill, page 3, line 2, after "SHARE." add "If, AS OF JANUARY
22 1, 2012, A COUNTY HAS PLEDGED OR OTHERWISE USED REVENUES FROM ITS
23 SHARE OF CONSERVATION TRUST FUND MONEYS TO SECURE FINANCING FOR
24 A SPECIFIC PROJECT, EACH METROPOLITAN DISTRICT WITHIN THE COUNTY,
25 INCLUDING EACH METROPOLITAN DISTRICT THAT PROVIDES PARKS AND
26 RECREATION SERVICES EXCLUSIVELY IN THE UNINCORPORATED AREA OF
27 THE COUNTY, SHALL BE APPORTIONED A SHARE EQUAL TO ONE-HALF OF
28 THE PERCENTAGE WHICH THE POPULATION OF THE METROPOLITAN
29 DISTRICT IS TO THE TOTAL POPULATION OF THE UNINCORPORATED AREA OF
30 THE COUNTY UNTIL THE COUNTY HAS REPAID IN FULL THE FINANCING
31 SECURED BY CONSERVATION TRUST FUND MONEYS. A COUNTY SHALL
32 NOTIFY THE DIVISION WHEN IT HAS FULLY REPAID ANY SUCH FINANCING.
33 ON OR BEFORE AUGUST 1, 2012, A COUNTY THAT, AS OF JANUARY 1, 2012,
34 HAS PLEDGED OR OTHERWISE USED REVENUES FROM ITS SHARE TO SECURE
35 FINANCING FOR A SPECIFIC PROJECT SHALL NOTIFY THE DIVISION THAT IT
36 HAS DONE SO."."

37
38 As amended, declared **lost** on Second Reading.

39
40 **SB12-022** by Senator(s) Williams S., Boyd, Hudak; also
41 Representative(s) Massey, Fields, Kefalas--Concerning
42 maintaining child care assistance for working families.

43
44 Ordered revised and placed on the Calendar for Third Reading and Final
45 Passage.

46
47 **SB12-057** by Senator(s) Williams S.; also Representative(s) Brown--
48 Concerning native American language instruction.

49
50 Ordered revised and placed on the Calendar for Third Reading and Final
51 Passage.

52
53 **SB12-061** by Senator(s) King K.; also Representative(s) Massey--
54 Concerning procedures relating to the authorization of
55 charter schools.

56

Amendment No. 1, Education Report, dated March 21, 2012, and placed in member's bill file; Report also printed in House Journal, March 22, pages 761-762.

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

HB12-1108 by Representative(s) Kagan, Brown, Holbert; also Senator(s) Scheffel--Concerning the authority of the Colorado department of transportation to have signs within rights-of-way on the highway system.

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

SB12-095 by Senator(s) Lundberg; also Representative(s) Barker--Concerning requirements for the valid transfer of title to a motor vehicle.

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

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1080, SB12-148, 022, 057, 061 amended, HB12-1108, SB12-095.**

Lost on Second Reading: **HB12-1254 amended.**

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	62	NO	0	EXCUSED	2	ABSENT	1
Acree	Y		Fischer	Y	Looper	Y	Solano	Y
Balmer	Y		Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y		Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y		Hamner	Y	McKinley	Y	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	Y	Szabo	Y
Casso	Y		Kagan	Y	Pace	Y	Todd	Y
Conti	Y		Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y		Kerr A.	E	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	E

House in recess. House reconvened.

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

2
3 **APPROPRIATIONS**

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

6
7 **HB12-1046** be amended as follows, and as so amended, be referred to
8 the Committee of the Whole with favorable
9 recommendation:

10
11 Amend printed bill, page 2, after line 1 insert:

12
13 **"SECTION 1.** In Colorado Revised Statutes, **add** 24-18-114 as
14 follows:

15
16 **24-18-114. Mandatory drug testing - disclosure.** THE
17 GOVERNOR, LIEUTENANT GOVERNOR, SECRETARY OF STATE, TREASURER,
18 ATTORNEY GENERAL, AND MEMBERS OF THE GENERAL ASSEMBLY SHALL
19 ANNUALLY SUBMIT TO A DRUG TEST FOR CONTROLLED SUBSTANCES AND
20 SHALL BEAR THE COST OF THE DRUG TESTING. FOR PURPOSES OF THIS
21 SECTION, "CONTROLLED SUBSTANCES" MEANS A SUBSTANCE, A DRUG, OR
22 AN IMMEDIATE PRECURSOR INCLUDED IN SCHEDULES I TO V OF PART 2 OF
23 PART 2 OF ARTICLE 18 OF TITLE 18, C.R.S., AND ANY "ALCOHOL
24 BEVERAGE" AS DEFINED IN SECTION 12-47-103 (2), C.R.S.".

25
26 Renumber succeeding sections accordingly.

27
28 Page 6, after line 21 insert:

29
30 **"SECTION 3. Appropriation.** In addition to any other
31 appropriation, there is hereby appropriated, out of any moneys in the
32 general fund not otherwise appropriated, to the department of human
33 services, for the fiscal year beginning July 1, 2012, the sum of \$219,520,
34 or so much thereof as may be necessary, for allocation to the office of
35 information technology services for the Colorado benefits management
36 system related to the implementation of this act.

37
38 (2) In addition to any other appropriation, there is hereby
39 appropriated to the governor - lieutenant governor - state planning and
40 budgeting, for the fiscal year beginning July 1, 2012, the sum of
41 \$219,520, or so much thereof as may be necessary, for allocation to the
42 office of information technology, for the provision of computer center
43 services for the department of human services related to the
44 implementation of this act. Said sum is from reappropriated funds
45 received from the department of human services out of the appropriation
46 made in subsection (1) of this section."

47
48 Renumber succeeding section accordingly.

49
50 Page 1, line 102, strike "**PROGRAM.**" and substitute "**PROGRAM, AND, IN**
51 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

52
53
54
55

1 **STATE, VETERANS, & MILITARY AFFAIRS**

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

4
5 **SB12-021** be postponed indefinitely.
6
7

8
9 **PRINTING REPORT**

10
11 The Chief Clerk reports the following bill has been correctly printed:
12 **HB12-1330.**
13
14

15
16 **MESSAGE(S) FROM THE SENATE**

17
18 The Senate has postponed indefinitely HB12-1027, and HB12-1175. The
19 bills are returned herewith.
20
21

22 The Senate has passed on Third Reading and returns herewith
23 HB12-1026, HB12-1097.
24

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

28 HB12-1224 amended as printed in Senate Journal, March 23, 2012,
29 page 564.

30 SB12-130 amended as printed in Senate Journal, March 23, 2012,
31 page 564, and amended on Third Reading,
32 March 26, 2012, as printed in the Senate Journal.

33 HB12-1262 amended on Third Reading, March 26, 2012, as printed in
34 the Senate Journal.
35
36

37
38 **MESSAGE(S) FROM THE REVISOR**

39
40 We herewith transmit:

41 Without comment, as amended, HB12-1224 and 1262.

42 Without comment, as amended, SB12-130.
43
44

45
46
47 **MESSAGE(S) FROM THE GOVERNOR**

48
49 I certify I received the following on the 26th day of March, 2012, at
50 12:30 p.m. The original is on file in the records of the House of
51 Representatives of the General Assembly.
52

53 Marilyn Eddins,
54 Chief Clerk of the House
55

1 March 26, 2012

2

3 To the Honorable House of Representatives

4 Sixty-Eighth General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with the
12 Secretary of State the following Acts:

13

14 **HB12-1028** CONCERNING THE CONTINUATION OF ENERGY-RELATED
15 ASSISTANCE TO LOW-INCOME HOUSEHOLDS FROM THE
16 OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST
17 FUND

18

19 Approved March 24, 2012 at 8:30 am

20

21 **HB12-1029** CONCERNING AN ECONOMIC STIMULUS THROUGH A
22 PROPERTY TAX EXEMPTION FOR BUSINESS PERSONAL
23 PROPERTY, AND, IN CONNECTION THEREWITH, ENACTING
24 THE "SAVE COLORADO JOBS ACT"

25

26 Approved March 24, 2012 at 8:30 am

27

28

29 **HB12-1031** CONCERNING THE AUTHORITY OF THE BOARD OF THE
30 FIRE AND POLICE PENSION ASSOCIATION TO MAKE
31 AMENDMENTS TO PLANS FOR THE ADMINISTRATION OF
32 BENEFITS

33

34 Approved March 24, 2012 at 8:38 am

35

36 **HB12-1032** CONCERNING CONTINUATION OF FORESTRY-RELATED
37 PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING
38 AN APPROPRIATION

39

40 Approved March 24, 2012 at 8:38 am

41

42

43 **HB12-1058** CONCERNING THE REQUIREMENT THAT THE
44 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
45 PROVIDE INFANT EYE PROPHYLAXIS

46

47 Approved March 24, 2012 at 8:40 am

48

49 **HB12-1072** CONCERNING CREDIT FOR PRIOR LEARNING IN HIGHER
50 EDUCATION.

51

52 Approved March 24, 2012 at 8:31 am

53

54

55

1 **HB12-1089** CONCERNING THE SPECIFIC WORDING RELATED TO A
2 STATEWIDE BALLOT TITLE

3
4 Approved March 24, 2012 at 8:39 am

5
6 **HB12-1104** CONCERNING A CHANGE TO THE VOLUNTARY
7 CONTRIBUTION DESIGNATION BENEFITING THE
8 COLORADO BREAST AND WOMEN'S REPRODUCTIVE
9 CANCERS FUND, AND, IN CONNECTION THEREWITH,
10 CHANGING THE NAME OF THE FUND TO THE COLORADO
11 CANCER FUND AND EXPANDING THE PURPOSE OF THE
12 FUND TO INCLUDE FURTHERANCE OF THE COLORADO
13 CANCER COALITION'S WORK ON BEHALF OF THE CANCER
14 COMMUNITY.

15
16 Approved March 24, 2012 at 8:32 am

17
18 **HB12-1169** CONCERNING A CLARIFICATION OF THE CIRCUMSTANCES
19 UNDER WHICH VOTING TO ELECT LEADERSHIP OF A
20 PUBLIC BODY MAY BE HELD BY SECRET BALLOT IN
21 ACCORDANCE WITH THE STATE OPEN MEETINGS LAW.

22
23 Approved March 24, 2012 at 8:33 am

24
25 **HB12-1207** CONCERNING THE REPEAL OF THE ADVISORY
26 COMMITTEE ON COVERING ALL CHILDREN IN COLORADO.

27
28 Approved March 24, 2012 at 8:34 am

29
30 **HB12-1212** CONCERNING THE DESIGNATION OF AN ON-LINE
31 EDUCATION PROGRAM AS A MULTI-DISTRICT PROGRAM
32 IF THE PROGRAM IS AUTHORIZED BY A BOARD OF
33 COOPERATIVE SERVICES

34
35 Approved March 24, 2012 at 8:35 am

36
37 **HB12-1249** CONCERNING THE MANNER IN WHICH TOBACCO
38 LITIGATION SETTLEMENT MONEYS ARE ALLOCATED TO
39 THE STATE AUDITOR'S OFFICE FOR THE COSTS OF
40 CONDUCTING PROGRAM REVIEWS AND EVALUATIONS OF
41 THE PERFORMANCE OF TOBACCO SETTLEMENT
42 PROGRAMS

43
44 Approved March 24, 2012 at 8:41 am

45
46 **HB12-1288** CONCERNING THE ADMINISTRATION OF INFORMATION
47 TECHNOLOGY PROJECTS IN STATE GOVERNMENT

48
49 Approved March 24, 2012 at 8:36 am

50
51 Sincerely,
52 (signed)
53 John W. Hickenlooper
54 Governor

55
56

INTRODUCTION OF RESOLUTION

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

HJR12-1017 by Representative(s) Priola and Kerr A., Waller; also Senator(s) Steadman and Roberts--Concerning the designation of the Denver-Boulder Turnpike portion of United States Highway 36 as the "Buffalo Highway".

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Brown, the following item(s) on the Calendar was (were) laid over until March 27, retaining place on Calendar:

Consideration of Third Reading--**HB12-1305, 1162, 1297, SB12-074, 131, HB12-1258, SB12-034, 092, 040, 045, 091, HB12-1068, 1303, SB12-056.**

Consideration of Resolution(s)--**HJR12-1016.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1002, 1270.**

On motion of Representative Brown, the House adjourned until 9:00 a.m., March 27, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

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

Seventy-seventh Legislative Day

Tuesday, March 27, 2012

1 The Speaker *Pro tempore* called the House to order at 9:00 a.m.
2
3 Prayer by Father Leo Weber, Arrupe Jesuit High School, Denver.
4
5 Pledge of Allegiance led by Garett Detwiler-Feilke, Twin Peaks Charter
6 Academy, Longmont.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) DelGrosso, McNulty--2.
12 Absent--Representative(s) Miklosi--1.
13 Representative Miklosi was excused later in the day.
14
15 The Speaker declared a quorum present.
16
17
18 On motion of Representative Summers, the reading of the journal of
19 March 26, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.
21
22
23

CONSIDERATION OF RESOLUTION(S)

24
25
26 **HJR12-1016** by Representative(s) Gerou, Becker, Levy, Barker,
27 Brown, Coram, Ferrandino, Hamner, Holbert, Joshi,
28 Kerr A., Kerr J., Massey, McNulty, Murray, Pace,
29 Peniston, Priola, Schafer S., Solano, Stephens, Summers,
30 Swerdfeger, Todd; also Senator(s) Hodge, Lambert,
31 Steadman, Brophy, Cadman, Grantham, Roberts--
32 Concerning support for federal legislation (S. 484 and
33 H.R. 3040) to reimburse Colorado for costs of federal
34 mandates associated with the Fort Lewis College Native
35 American Tuition Waiver Program.
36

37 (Printed and placed in members' file)
38

39 On motion of Representative Gerou, the resolution was read at length
40 and **adopted** by **viva voce** vote.
41

42 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Bradford, Conti,
43 Court, Duran, Fields, Fischer, Gardner B., Kagan, Kefalas, Labuda, Lee,

1 Looper, McKinley, Nikkel, Pabon, Ryden, Scott, Singer, Sonnenberg, Soper,
2 Swalm, Szabo, Tyler, Vaad, Vigil, Wilson, Young.

THIRD READING OF BILL(S)--FINAL PASSAGE

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

12 **HB12-1162** by Representative(s) Todd, Labuda, Looper, Solano,
13 Soper, Ryden, Fields, Hullinghorst, McCann, Young; also
14 Senator(s) Heath, Williams S.--Concerning the creation of
15 an operation desert storm license plate, and, in connection
16 therewith, making an appropriation.

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

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

	YES	55	NO	7	EXCUSED	2	ABSENT	1
24	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
25	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
26	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
27	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	N	Holbert	N	Miklosi	-	Summers	Y
29	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
30	Bradford	N	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	E	Labuda	Y	Ryden	Y	Waller	N
37	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
38	Ferrandino	N	Levy	N	Scott	Y	Wilson	Y
39	Fields	Y	Liston	Y	Singer	Y	Young	Y
40							Speaker	E

41 Co-sponsor(s) added: Representative(s) Casso, Fischer, Kerr A., Pabon, Pace,
42 Schafer S., Singer, Stephens, Vigil.

44 **HB12-1297** by Representative(s) Gardner B., Barker, Ryden, Waller;
45 also Senator(s) Tochtrop--Concerning the committee on
46 anticompetitive conduct, and, in connection therewith,
47 continuing the committee's statutory authorization until
48 September 1, 2013.

50 As shown by the following roll call vote, a majority of all members
51 elected to the House voted in the affirmative, and Representative
52 Gardner B. was given permission to offer a Third Reading amendment:

	YES	62	NO	0	EXCUSED	3	ABSENT	0
55	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
56	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	Y	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	Y	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	E	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	Y	Singer	Y	Young	Y
15							Speaker	E

Third Reading amendment No. 1, by Representative B. Gardner.

Amend engrossed bill, page 2, line 18, strike "OR" and substitute "AND".

Page 3, line 5, strike "July 1, 2012." and substitute "~~July 1, 2012~~
SEPTEMBER 1, 2013."

Page 3, line 26, strike "2013." and substitute "2013, and section 3 of this act takes effect only if H.B. 12-1300 does not become law."

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

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	E	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	E	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	E

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 **passed**.

YES	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y

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

15 Co-sponsor(s) added: Representative(s) Brown, Labuda.

16
17 **SB12-074** by Senator(s) Aguilar; also Representative(s) Gardner B.--
18 Concerning services provided by a person designated by a
19 person eligible for consumer-directed care services.

20
21 The question being "Shall the bill pass?".

22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	E

44 Co-sponsor(s) added: Representative(s) Fischer, Kefalas, Kerr J., Labuda,
45 Massey, Young.

46
47 **SB12-131** by Senator(s) Guzman, Steadman; also Representative(s)
48 Pabon--Concerning the responsibilities of a fiduciary with
49 regard to the estate of a person who may have executed a
50 designated beneficiary agreement.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Ferrandino, Fields, Fischer, Kerr J.,
 20 Labuda, Pace, Schafer S., Vigil, Williams A., Wilson.

21
 22 **SB12-092** by Senator(s) Jahn, Cadman, Boyd, Hodge, Hudak, King
 23 S., Tochtrop; also Representative(s) Liston--Concerning
 24 the use of a video display in a motor vehicle that is being
 25 operated on a roadway.

26
 27 As shown by the following roll call vote, a majority of all members
 28 elected to the House voted in the affirmative, and Representative Liston
 29 was given permission to offer a Third Reading amendment:

	YES	62	NO	0	EXCUSED	3	ABSENT	0
31								
32	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
33	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
34	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
35	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
36	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
37	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
38	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
39	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
40	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
41	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
42	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
43	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
44	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
45	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
46	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
47	Fields	Y	Liston	Y	Singer	Y	Young	Y
48							Speaker	E

49
 50 **Third Reading amendment No. 1**, by Representative Liston.

51
 52 Amend revised bill, page 2, line 12, strike "other similar device" and
 53 substitute "~~other similar device~~ SAFETY EQUIPMENT".

54
 55 Page 2, line 13, strike "OTHER SIMILAR DEVICE" and substitute "SAFETY
 56 EQUIPMENT".

1 The amendment was declared **passed** by the following roll call vote:

	YES	60	NO	1	EXCUSED	3	ABSENT	1
4	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
5	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
6	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
7	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
8	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
9	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
10	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
11	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
12	Casso	Y	Kagan	Y	Pace	-	Todd	Y
13	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
14	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
15	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
16	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
17	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
18	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
19	Fields	Y	Liston	Y	Singer	Y	Young	Y
20							Speaker	E

21
22 The question being, "Shall the bill, as amended, pass?".
23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative, and the
25 bill, as amended, was declared **passed**.

	YES	57	NO	5	EXCUSED	3	ABSENT	0
28	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	N	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
33	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
41	Duran	Y	Lee	N	Schafer S.	Y	Williams A.	Y
42	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
43	Fields	Y	Liston	Y	Singer	Y	Young	Y
44							Speaker	E

45 Co-sponsor(s) added: Representative(s) Barker, Holbert, Kerr J., Labuda,
46 Ramirez, Schafer S., Tyler, Wilson.

47
48 **SB12-040** by Senator(s) Bacon, Harvey, Renfroe, Schwartz; also
49 Representative(s) Vigil, Brown, Sonnenberg--Concerning
50 the qualification of certain state higher education facilities
51 for state controlled maintenance funding.

52
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	62	NO	0	EXCUSED	3	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Fields, Fischer, Hamner, Labuda,
20 Pabon, Pace, Schafer S., Todd.

21
22 **SB12-045** by Senator(s) Hudak and King K., Bacon; also
23 Representative(s) Massey and Fields, Holbert--Concerning
24 granting associate degrees to students who transfer from
25 a two-year institution.

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	62	NO	0	EXCUSED	3	ABSENT	0
31								
32								
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	Y	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	E	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	E

50 Co-sponsor(s) added: Representative(s) Beezley, Casso, Conti, Fischer,
51 Hamner, Kefalas, Kerr A., Kerr J., Labuda, Murray, Nikkel, Pabon, Pace,
52 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Summers,
53 Todd, Tyler, Williams A., Wilson, Young.

54
55

1 **SB12-091** by Senator(s) Tochtrop; also Representative(s) Bradford--
 2 Concerning modifications to provisions governing the
 3 practice of nursing home administration, and, in
 4 connection therewith, modifying the criteria for nursing
 5 home administrators to qualify to serve on the board of
 6 examiners of nursing home administrators, modifying the
 7 experience requirements for persons applying to take the
 8 nursing home administrator licensure examination or to
 9 participate in the administrator-in-training program, and
 10 permitting a nursing home administrator who has passed
 11 a national examination and an examination in another state
 12 to sit for the Colorado licensure examination.

13
 14 The question being "Shall the bill pass?".
 15 A roll call vote was taken. As shown by the following recorded vote, a
 16 majority of those elected to the House voted in the affirmative and the bill
 17 was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
20	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
21	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
22	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
23	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
24	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
25	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
26	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
27	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
28	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
29	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
30	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
32	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
33	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
34	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
35	Fields	Y	Liston	Y	Singer	Y	Young	Y
36							Speaker	E

37 Co-sponsor(s) added: Representative(s) Barker, Kefalas, Kerr A., Kerr J.,
 38 Schafer S., Summers, Todd, Young.

39
 40 **HB12-1068** by Representative(s) McKinley; also Senator(s) Grantham--
 41 -Concerning the administration of a nonprofit cemetery
 42 corporation by persons who own the right to bury a
 43 deceased person within the cemetery.

44
 45 The question being "Shall the bill pass?".
 46 A roll call vote was taken. As shown by the following recorded vote, a
 47 majority of those elected to the House voted in the affirmative and the bill
 48 was declared **passed**.

	YES	52	NO	10	EXCUSED	3	ABSENT	0
51	Acree	N	Fischer	Y	Looper	N	Solano	Y
52	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	N	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	N
55	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
7	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	N
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	E

12 Co-sponsor(s) added: Representative(s) Bradford, Coram, Duran, Fields,
 13 Hullinghorst, Jones, Kagan, Labuda, Pace, Schafer S., Singer, Solano, Soper,
 14 Todd, Vigil, Wilson.

15
 16 **HB12-1303** by Representative(s) Schafer S., Hamner, Kerr J.,
 17 Peniston, Summers, Young; also Senator(s) Spence, Jahn--
 18 Concerning the regulation of speech-language pathologists
 19 by the department of regulatory agencies, and, in
 20 connection therewith, making an appropriation.

21
 22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

26	YES	38	NO	24	EXCUSED	3	ABSENT	0
27								
28	Acree	Y	Fischer	Y	Looper	N	Solano	Y
29	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
30	Barker	N	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
32	Becker	N	Holbert	N	Miklosi	E	Summers	Y
33	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
34	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
35	Brown	N	Joshi	N	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.	Y	Ramirez	N	Vigil	Y
40	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	N
41	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
42	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
43	Fields	Y	Liston	N	Singer	Y	Young	Y
44							Speaker	E

45 Co-sponsor(s) added: Representative(s) Fields, Fischer, Labuda, Pabon, Singer,
 46 Todd, Tyler, Wilson.

47
 48 **SB12-056** by Senator(s) Carroll; also Representative(s) Holbert--
 49 Concerning judicial appointments in domestic relations
 50 cases involving children.

51
 52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
 54 majority of those elected to the House voted in the affirmative and the bill
 55 was declared **passed**.

56

	YES	62	NO	0	EXCUSED	3	ABSENT	0
1	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
2	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
3	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
4	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
5	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
6	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
7	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
8	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
9	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
10	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
11	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
12	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
13	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
14	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
15	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
16	Fields	Y	Liston	Y	Singer	Y	Young	Y
17							Speaker	E

18
19 Co-sponsor(s) added: Representative(s) Brown, Coram, Fields, Fischer, Labuda,
20 Singer, Solano, Todd, Vigil, Wilson.

21
22 **HB12-1080** by Representative(s) Vigil; also Senator(s) Schwartz--
23 Concerning changing the name of Adams state college to
24 Adams state university.
25

26 The question being "Shall the bill pass?".

27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.
30

	YES	57	NO	5	EXCUSED	3	ABSENT	0
31	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
32	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
33	Barker	N	Gerou	Y	McCann	Y	Soper	Y
34	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
35	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
36	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
37	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
38	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
39	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
40	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
41	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
42	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
43	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
44	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
45	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
46	Fields	Y	Liston	N	Singer	Y	Young	Y
47							Speaker	E

48
49 Co-sponsor(s) added: Representative(s) Duran, Fischer, Hamner, Kagan,
50 Kerr J., Labuda, Massey, Pabon, Pace, Schafer S., Todd.
51

52 **SB12-148** by Senator(s) Guzman, Newell, Nicholson, King S.; also
53 Representative(s) Duran, Hamner, Hullinghorst, Kerr A.,
54 Massey, Scott, Summers, Todd--Concerning changing the
55 name of Metropolitan state college of Denver to
56 Metropolitan state university of Denver.

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	56	NO	6	EXCUSED	3	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	Y	Hamner	Y	McKinley	Y	Stephens	N
11	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
12	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
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	N	Vaad	Y
18	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
19	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	N
20	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
21	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
22	Fields	Y	Liston	N	Singer	Y	Young	Y
23							Speaker	E

24 Co-sponsor(s) added: Representative(s) Fields, Fischer, Kerr J., Labuda,
 25 Murray, Schafer S., Solano, Vigil, Williams A.

26
 27 **SB12-022** by Senator(s) Williams S., Boyd, Hudak; also
 28 Representative(s) Massey, Fields, Kefalas--Concerning
 29 maintaining child care assistance for working families.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	43	NO	19	EXCUSED	3	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	N	Solano	Y
38	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
41	Becker	N	Holbert	N	Miklosi	E	Summers	Y
42	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
43	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
44	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
45	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
46	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
47	Coram	Y	Kerr A.	Y	Priola	N	Vaad	N
48	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
49	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	N
50	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
51	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
52	Fields	Y	Liston	N	Singer	Y	Young	Y
53							Speaker	E

54 Co-sponsor(s) added: Representative(s) Casso, Fischer, Hamner, Hullinghorst,
 55 Jones, Kerr A., Labuda, Lee, Pabon, Peniston, Ryden, Schafer S., Singer,
 56 Solano, Todd, Tyler, Vigil, Young.

1 **SB12-057** by Senator(s) Williams S.; also Representative(s) Brown--
 2 Concerning native American language instruction.
 3

4 The question being "Shall the bill pass?".
 5 A roll call vote was taken. As shown by the following recorded vote, a
 6 majority of those elected to the House voted in the affirmative and the bill
 7 was declared **passed**.
 8

	YES	62	NO	0	EXCUSED	3	ABSENT	0
10	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
11	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
12	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
13	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
14	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
15	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
16	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
17	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
18	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
19	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
20	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
21	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
22	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	Y
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
24	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
25	Fields	Y	Liston	Y	Singer	Y	Young	Y
26							Speaker	E

27 Co-sponsor(s) added: Representative(s) Barker, Casso, Coram, Fields, Hamner,
 28 Holbert, Joshi, Kerr J., Labuda, Massey, Pabon, Pace, Peniston, Ryden,
 29 Schafer S., Solano, Todd, Vigil, Wilson.
 30

31
 32 **SB12-061** by Senator(s) King K.; also Representative(s) Massey--
 33 Concerning procedures relating to the authorization of
 34 charter schools.
 35

36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.
 40

	YES	62	NO	0	EXCUSED	3	ABSENT	0
42	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
44	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	Y	Hamner	Y	McKinley	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	E	Labuda	Y	Ryden	Y	Waller	Y
55	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
56	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y

1 Fields Y Liston Y Singer Y Young Y
 2 Speaker E
 3 Co-sponsor(s) added: Representative(s) Casso, Holbert, Labuda, Murray, Priola,
 4 Summers, Todd, Williams A.
 5
 6 **HB12-1108** by Representative(s) Kagan, Brown, Holbert; also
 7 Senator(s) Scheffel--Concerning the authority of the
 8 Colorado department of transportation to have signs within
 9 rights-of-way on the highway system.

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**.

	YES	60	NO	2	EXCUSED	3	ABSENT	0
17	Acree	Y	Fischer	Y	Looper	N	Solano	Y
18	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
19	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
20	Baumgardner	Y	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	N	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	E	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	E

34 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Murray, Schafer S.,
 35 Todd, Vigil, Wilson, Young.

36
 37 **SB12-095** by Senator(s) Lundberg; also Representative(s) Barker--
 38 Concerning requirements for the valid transfer of title to a
 39 motor vehicle.

40
 41 The question being "Shall the bill pass?".
 42 A roll call vote was taken. As shown by the following recorded vote, a
 43 majority of those elected to the House voted in the affirmative and the bill
 44 was declared **passed**.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
47	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
48	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
49	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
50	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
51	Becker	Y	Holbert	Y	Miklosi	E	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	E	Labuda	Y	Ryden	Y	Waller	Y
4	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	E

8 Co-sponsor(s) added: Representative(s) Holbert.

10
11
12
13 On motion of Representative Becker, the House resolved itself into
14 Committee of the Whole for consideration of General Orders, and he was
15 called to the Chair to act as Chairman.

18 19 **GENERAL ORDERS--SECOND READING OF BILLS**

20
21 The Committee of the Whole having risen, the Chairman reported the
22 titles of the following bills had been read (reading at length had been
23 dispensed with by unanimous consent), the bills considered and action
24 taken thereon as follows:

25
26 (Amendments to the committee amendment are to the printed committee
27 report which was printed and placed in the members' bill file.)

28
29 **HB12-1282** by Representative(s) Ramirez; also Senator(s) Nicholson--
30 Concerning the ability of the Colorado geological survey
31 to exempt review of the geologic factors of a preliminary
32 subdivision plan upon request from the board of county
33 commissioners of a county.

34
35 Ordered engrossed and placed on the Calendar for Third Reading and
36 Final Passage.

37
38
39 **HB12-1295** by Representative(s) Priola; also Senator(s) Tochtrop--
40 Concerning the creation of a Colorado Rockies license
41 plate.

42
43 Amendment No. 1, Appropriations Report, dated March 23, 2012, and
44 placed in member's bill file; Report also printed in House Journal,
45 March 23, pages 778-779.

46
47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.

49
50
51 **SB12-127** by Senator(s) Newell, Aguilar, Bacon, Foster, Lundberg,
52 Nicholson, Steadman, White; also Representative(s)
53 Summers--Concerning the participation of providers of
54 long-term care in medicaid care coordination programs.
55

1 Amendment No. 1, Health & Environment Report, dated
 2 March 22, 2012, and placed in member's bill file; Report also printed in
 3 House Journal, March 23, page 791.

4
 5 As amended, ordered revised and placed on the Calendar for Third
 6 Reading and Final Passage.

7
 8 **SB12-102** by Senator(s) Brophy; also Representative(s) Nikkel--
 9 Concerning the repeal of the crime of criminal libel.

10
 11 Ordered revised and placed on the Calendar for Third Reading and Final
 12 Passage.

13
 14 **SB12-152** by Senator(s) Cadman, Morse, Shaffer B.; also
 15 Representative(s) Ferrandino, McNulty, Stephens--
 16 Concerning changes to the procedures for filing reports
 17 with the general assembly under the "Information
 18 Coordination Act".

19
 20 Ordered revised and placed on the Calendar for Third Reading and Final
 21 Passage.

22
 23 **SB12-059** by Senator(s) Brophy; also Representative(s) Sonnenberg--
 24 Concerning commercial vehicle standards applied to
 25 certain vehicles under twenty-six thousand one pounds.

26
 27 Ordered revised and placed on the Calendar for Third Reading and Final
 28 Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

31
 32
 33
 34
 35 Passed Second Reading: **HB12-1282, 1295 amended, SB12-127**
 36 **amended, 102, 152, 059.**

37
 38 The Chairman moved the adoption of the Committee of the Whole
 39 Report. As shown by the following roll call vote, a majority of those
 40 elected to the House voted in the affirmative, and the Report was
 41 **adopted.**

	YES	62	NO	0	EXCUSED	3	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	Y	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	E	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	E

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

After consideration on the merits, the Committee recommends the following:

HB12-1324 be referred to the Committee of the Whole with favorable recommendation.

SB12-067 be referred to the Committee of the Whole with favorable recommendation.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until March 28, retaining place on Calendar:

Consideration of Third Reading--**HB12-1305, 1258, SB12-034.**

Consideration of General Orders--**HB12-1014, 1048, 1066, 1110, 1161, 1240, 1261, 1317, SB12-087, HB12-1294, SB12-128.**

Consideration of Resolution(s)--**HJR12-1017.**

Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1002, 1270, 1224, 1262.**

On motion of Representative Stephens, the House adjourned until 9:00 a.m., March 28, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventy-eighth Legislative Day

Wednesday, March 28, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
 4 Church, Denver.

5

6 Pledge of Allegiance led by Carson Holst, Sante Crutcher, Jake
 7 Brisnehan, Cub Scout Pack S11, Den 9, Emerald Elementary and
 8 Kohl Elementary, Broomfield.

9

10 The roll was called with the following result:

11

12 Present--62.

13 Excused--Representative(s) Fields, Holbert, Miklosi--3.

14 Present after roll call--Representative(s) Holbert, Miklosi.

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Summers, the reading of the journal of
 20 March 27, 2012, was declared dispensed with and approved as corrected
 21 by the Chief Clerk.

22

23

24

25 **THIRD READING OF BILL(S)--FINAL PASSAGE**

26

27 The following bill(s) was(were) considered on Third Reading. The
 28 title(s) was(were) publicly read. Reading of the bill at length was
 29 dispensed with by unanimous consent.

30

31 **HB12-1305** by Representative(s) Gardner; also Senator(s) King, S--
 32 Concerning statutory rates of interest.

33

34 The question being "Shall the bill pass?".

35 A roll call vote was taken. As shown by the following recorded vote, less
 36 than a majority of those elected to the House voted in the affirmative and
 37 the bill was declared **lost**.

38

	YES	32	NO	31	EXCUSED	2	ABSENT	0
40	Acree	Y	Fischer	N	Looper	Y	Solano	N
41	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
42	Barker	Y	Gerou	Y	McCann	N	Soper	N
43	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y

1	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
2	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
3	Bradford	Y	Jones	N	Nikkel	N	Swerdfeger	Y
4	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
5	Casso	N	Kagan	N	Pace	N	Todd	N
6	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
7	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
8	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
9	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
10	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
11	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
12	Fields	E	Liston	Y	Singer	N	Young	N
13							Speaker	Y

14
15 **HB12-1258** by Representative(s) DelGrosso; also Senator(s) Jahn--
16 Concerning regulation of public utilities in terms of
17 alternative fuel vehicles.

18
19 The question being "Shall the bill pass?".
20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

23	YES	60	NO	3	EXCUSED	2	ABSENT	0
24								
25	Acree	Y	Fischer	Y	Looper	N	Solano	Y
26	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
30	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	N
31	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
33	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
34	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
36	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
38	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
39	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
40	Fields	E	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Ferrandino, Fischer, Hamner, Jones,
43 Kagan, Kerr A., Kerr J., Labuda, Lee, Levy, McCann, Pace, Schafer S., Scott,
44 Singer, Solano, Todd, Vigil, Williams A., Wilson, Young.

45
46
47 **SB12-034** by Senator(s) King S., Tochtrop; also Representative(s)
48 Miklosi--Concerning repeal of the rapid screen program to
49 identify high-emitting motor vehicles.

50
51 The question being "Shall the bill pass?".
52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.

55

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	E	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Jones, Ramirez, Solano, Williams A.,
 20 Wilson, Young.

21
 22 **HB12-1282** by Representative(s) Ramirez; also Senator(s) Nicholson--
 23 Concerning the ability of the Colorado geological survey
 24 to exempt review of the geologic factors of a preliminary
 25 subdivision plan upon request from the board of county
 26 commissioners of a county.

27
 28 The question being "Shall the bill pass?".
 29 A roll call vote was taken. As shown by the following recorded vote, a
 30 majority of those elected to the House voted in the affirmative and the bill
 31 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
33								
34	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
35	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
36	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
37	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
38	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
39	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
40	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
41	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
42	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
43	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
44	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
45	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
46	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
47	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
48	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
49	Fields	E	Liston	Y	Singer	Y	Young	Y
50							Speaker	Y

51 Co-sponsor(s) added: Representative(s) Brown.

52
 53 **HB12-1295** by Representative(s) Priola; also Senator(s) Tochtrop--
 54 Concerning the creation of a Colorado Rockies license
 55 plate, and, in connection therewith, making an
 56 appropriation.

1 The question being "Shall the bill pass?".
 2 A roll call vote was taken. As shown by the following recorded vote, a
 3 majority of those elected to the House voted in the affirmative and the bill
 4 was declared **passed**.

	YES	54	NO	9	EXCUSED	2	ABSENT	0
7	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
8	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
9	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
10	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
11	Becker	N	Holbert	N	Miklosi	E	Summers	Y
12	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
13	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
14	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
15	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
16	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
17	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
18	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
19	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
20	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
21	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
22	Fields	E	Liston	Y	Singer	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Schafer S., Scott, Todd.

25
 26 **SB12-127** by Senator(s) Newell, Aguilar, Bacon, Foster, Lundberg,
 27 Nicholson, Steadman, White; also Representative(s)
 28 Summers--Concerning the participation of providers of
 29 long-term care in medicaid care coordination programs.

30
 31 The question being "Shall the bill pass?".
 32 A roll call vote was taken. As shown by the following recorded vote, a
 33 majority of those elected to the House voted in the affirmative and the bill
 34 was declared **passed**.

	YES	63	NO	0	EXCUSED	2	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
38	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
42	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
43	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
44	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
45	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
46	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
47	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
48	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
49	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
50	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
51	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
52	Fields	E	Liston	Y	Singer	Y	Young	Y
53							Speaker	Y

54 Co-sponsor(s) added: Representative(s) Court, Fischer, Kefalas, Kerr A.,
 55 Labuda, Schafer S., Singer, Todd, Tyler, Young.

56

1 **SB12-102** by Senator(s) Brophy; also Representative(s) Nikkel--
 2 Concerning the repeal of the crime of criminal libel.
 3

4 The question being "Shall the bill pass?".

5 A roll call vote was taken. As shown by the following recorded vote, a
 6 majority of those elected to the House voted in the affirmative and the bill
 7 was declared **passed**.
 8

	YES	37	NO	26	EXCUSED	2	ABSENT	0
10	Acree	N	Fischer	Y	Looper	Y	Solano	N
11	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
12	Barker	N	Gerou	Y	McCann	Y	Soper	N
13	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
14	Becker	N	Holbert	N	Miklosi	E	Summers	N
15	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
16	Bradford	N	Jones	N	Nikkel	Y	Swerdfeger	Y
17	Brown	N	Joshi	Y	Pabon	Y	Szabo	N
18	Casso	N	Kagan	Y	Pace	Y	Todd	N
19	Conti	N	Kefalas	Y	Peniston	N	Tyler	Y
20	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
21	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
22	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
24	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
25	Fields	E	Liston	Y	Singer	Y	Young	Y
26							Speaker	Y

27 Co-sponsor(s) added: Representative(s) Levy.
 28
 29

30 **SB12-152** by Senator(s) Cadman, Morse, Shaffer B.; also
 31 Representative(s) Ferrandino, McNulty, Stephens--
 32 Concerning changes to the procedures for filing reports
 33 with the general assembly under the "Information
 34 Coordination Act".
 35

36 The question being "Shall the bill pass?".

37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.
 40

	YES	61	NO	2	EXCUSED	2	ABSENT	0
42	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
44	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
46	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
47	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
48	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
49	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
50	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
51	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
52	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
53	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
54	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
55	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
56	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y

1	Fields	E	Liston	Y	Singer	Y	Young	Y
2							Speaker	Y

3 Co-sponsor(s) added: Representative(s) Todd.

4
5 **SB12-059** by Senator(s) Brophy; also Representative(s) Sonnenberg--
6 Concerning commercial vehicle standards applied to
7 certain vehicles under twenty-six thousand one pounds.
8

9 The question being "Shall the bill pass?".

10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative and the bill
12 was declared **passed**.
13

	YES	62	NO	1	EXCUSED	2	ABSENT	0
15	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
16	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
17	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
18	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
19	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
20	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
21	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
22	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
23	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
24	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
25	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
26	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
27	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
28	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
29	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
30	Fields	E	Liston	Y	Singer	Y	Young	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Becker, Brown.
33
34

35 On motion of Representative Balmer, the House resolved itself into
36 Committee of the Whole for consideration of General Orders, and he was
37 called to the Chair to act as Chairman.
38
39

40 **GENERAL ORDERS--SECOND READING OF BILLS**

41
42 The Committee of the Whole having risen, the Chairman reported the
43 titles of the following bills had been read (reading at length had been
44 dispensed with by unanimous consent), the bills considered and action
45 taken thereon as follows:
46

47 (Amendments to the committee amendment are to the printed committee
48 report which was printed and placed in the members' bill file.)
49

50 On motion of Representative Waller, the following bills on the General
51 Orders Calendar were laid over until March 29, retaining place on
52 Calendar: **HB12-1066, 1110, 1161, SB12-087, HB12-1294.**
53

54 **HB12-1014** by Representative(s) Baumgardner; also Senator(s)
55 Neville--Concerning modification of the fee for late
56 registration of a vehicle.

1 Amendment No. 1, Transportation Report, dated February 2, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 February 6, pages 161-162.

4
5 Amendment No. 2, Appropriations Report, dated March 23, 2012, and
6 placed in member's bill file; Report also printed in House Journal,
7 March 23, page 775.

8
9 Amendment No. 3, by Representative(s) Baumgardner.

10
11 Amend the Transportation Committee Report, dated February 2, 2012,
12 page 1, strike lines 2 through 9.

13
14 As amended, ordered engrossed and placed on the Calendar for Third
15 Reading and Final Passage.

16
17 **HB12-1048** by Representative(s) Waller; also Senator(s) Tochtrop--
18 Concerning relieving the Colorado bureau of investigation
19 of its statutory duties as a point of contact for the national
20 instant criminal background check system in cases of
21 firearm transfers.

22
23 Amendment No. 1, Appropriations Report, dated March 23, 2012, and
24 placed in member's bill file; Report also printed in House Journal,
25 March 23, pages 775-776.

26
27 As amended, laid over until March 29, retaining place on Calendar.

28
29 **HB12-1240** by Representative(s) Kerr A.; also Senator(s) Bacon and
30 K. King--Concerning statutory changes to K-12 education.

31
32 Amendment No. 1, Education Report, dated February 27, 2012, and
33 placed in member's bill file; Report also printed in House Journal,
34 February 29, pages 438-458.

35
36 Amendment No. 2, Finance Report, dated March 15, 2012, and placed
37 in member's bill file; Report also printed in House Journal, March 16,
38 page 690.

39
40 As amended, ordered engrossed and placed on the Calendar for Third
41 Reading and Final Passage.

42
43
44
45 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

46
47 Representative Kagan moved to amend the Report of the Committee of
48 the Whole to reverse the action taken by the Committee in not adopting
49 the following Kagan amendment, to HB12-1048, to show that said
50 amendment passed, and that **HB12-1048**, as amended, was laid over until
51 Thursday, March 29, 2012.

52
53 Amend printed bill, page 2, line 5, strike "(1) (b)" and substitute "(1) (b);
54 and **add** (1) (c), (1) (d), and (1.5)".

55
56 Page 2, line 13, strike "and" and substitute "**and**".

1 Page 2, line 19, strike "TRANSFEREE." and substitute "TRANSFEREE;"

2
3 Page 2, after line 19, insert:

4
5 "(c) REQUIRE THE TRANSFEREE TO COMPLETE AND SIGN A WRITTEN
6 DOCUMENT THAT REQUIRES THE TRANSFEREE TO STATE, UNDER PENALTY
7 OF PERJURY, WHETHER HE OR SHE HAS ANY CRIMINAL CHARGES PENDING
8 AGAINST HIM OR HER THAT RELATE TO AN ALLEGED INCIDENT OF
9 DOMESTIC VIOLENCE, AS DEFINED IN SECTION 18-6-800.3 (1), C.R.S., AND
10 WHETHER HE OR SHE IS THE SUBJECT OF A PROTECTION ORDER, AS DEFINED
11 IN SECTION 18-6-803.7, C.R.S.; AND

12
13 (d) RETAIN THE SIGNED DOCUMENT DESCRIBED IN PARAGRAPH (c)
14 OF THIS SUBSECTION (1).

15
16 (1.5) A GUN SHOW VENDOR SHALL NOT TRANSFER OR ATTEMPT TO
17 TRANSFER A FIREARM AT A GUN SHOW TO A TRANSFEREE UNLESS THE
18 TRANSFEREE COMPLETES AND SIGNS THE WRITTEN DOCUMENT DESCRIBED
19 IN PARAGRAPH (c) OF SUBSECTION (1) OF THIS SECTION, IN WHICH
20 DOCUMENT THE TRANSFEREE ASSERTS THAT HE OR SHE DOES NOT HAVE
21 ANY CRIMINAL CHARGES PENDING AGAINST HIM OR HER THAT RELATE TO
22 AN ALLEGED INCIDENT OF DOMESTIC VIOLENCE AND THAT HE OR SHE IS
23 NOT THE SUBJECT OF A PROTECTION ORDER."

24
25 The amendment was declared **lost** by the following roll call vote:

27	YES	29	NO	35	EXCUSED	1	ABSENT	0
28	Acree	N	Fischer	Y	Looper	N	Solano	Y
29	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
30	Barker	N	Gerou	N	McCann	Y	Soper	Y
31	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
32	Becker	N	Holbert	N	Miklosi	Y	Summers	N
33	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
34	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
35	Brown	N	Joshi	N	Pabon	Y	Szabo	N
36	Casso	Y	Kagan	Y	Pace	N	Todd	Y
37	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
39	Court	Y	Kerr J.	N	Ramirez	N	Vigil	N
40	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
41	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
42	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
43	Fields	E	Liston	N	Singer	Y	Young	Y
44							Speaker	N

45
46
47 Representative Fischer moved to amend the Report of the Committee of
48 the Whole to reverse the action taken by the Committee in not adopting
49 the following Fischer amendment, to HB12-1014, to show that said
50 amendment passed, and that **HB12-1014**, as amended, passed.

51
52 Amend printed bill, page 3, line 14, strike "date." and substitute "date;
53 except that this bill shall not take effect if there is evidence that the effect
54 of the bill will result in a net loss of jobs in any field immediately affected
55 by the bill."

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YES	28	NO	36	EXCUSED	1	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
Barker	N	Gerou	N	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
Becker	N	Holbert	N	Miklosi	N	Summers	N
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
Brown	N	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	N	Vaad	N
Court	Y	Kerr J.	N	Ramirez	N	Vigil	N
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
Fields	E	Liston	N	Singer	Y	Young Speaker	Y N

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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	Y	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	E	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

APPOINTMENTS

The Speaker announced the following temporary appointments:

STATE, VETERANS, & MILITARY AFFAIRS

Representative Waller to replace Representative Liston (temporary appointment for the State, Veterans, & Military Affairs meeting on Wednesday, March 28, 2012).

LOCAL GOVERNMENT

Representative Hulinghorst to replace Representative Fields (temporary appointment for the Local Government meetings through March, 30, 2012).

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

HB12-1272 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 13, strike "a high-demand" and substitute "~~a high-demand~~ AN".

Page 2, line 16, strike "THESE".

Page 4, line 27, strike "a high-demand" and substitute "~~a high-demand~~ AN".

Page 6, after line 6 insert:

"SECTION 2. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the employment support cash fund created in section 8-77-109 (1), Colorado Revised Statutes, not otherwise appropriated, to the department of labor and employment, for the fiscal year beginning July 1, 2012, the sum of \$47,198, or so much thereof as may be necessary, related to the implementation of this act."

Renumber succeeding sections accordingly.

Page 1, line 103, strike "PROGRAMS." and substitute "**PROGRAMS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

HB12-1281 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 3, line 14, strike "**definitions** -".
- 2
- 3 Page 4, line 13, strike "ACCOUNTABLE CARE".
- 4
- 5 Page 4, line 14, strike "COLLABORATIVE" and substitute "STATE
- 6 DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 7
- 8 Page 4, strike lines 16 through 27.
- 9
- 10 Page 5, strike lines 1 and 2.
- 11
- 12 Renumber succeeding subsections accordingly.
- 13
- 14 Page 5, line 9, strike "RCCOs" and substitute "CONTRACTORS OF THE
- 15 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 16
- 17 Page 5, line 16, strike "RCCO" and substitute "STATE DEPARTMENT'S
- 18 CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 19
- 20 Page 5, line 17, strike "RCCO" and substitute "STATE DEPARTMENT'S
- 21 CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 22
- 23 Page 5, line 18, strike "RCCO" and substitute "CONTRACTOR OF THE
- 24 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 25
- 26 Page 5, line 19, strike "RCCO" and substitute "CONTRACTOR OF THE
- 27 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 28
- 29 Page 5, line 21, strike "APRIL" and substitute "JULY".
- 30
- 31 Page 5, line 23, strike the second "In".
- 32
- 33 Page 5, strike lines 24 through 26.
- 34
- 35 Page 6, line 7, strike "ACC" and substitute "STATE DEPARTMENT'S
- 36 CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 37
- 38 Page 6, line 9, strike "RCCO" and substitute "STATE DEPARTMENT'S
- 39 CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 40
- 41 Page 6, line 13, strike "RCCO" and substitute "CONTRACTOR OF THE
- 42 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 43
- 44 Page 6, line 14, strike "RCCO" and substitute "CONTRACTOR OF THE
- 45 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 46
- 47 Page 6, line 16, strike "RCCO" and substitute "CONTRACTOR OF THE
- 48 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM".
- 49
- 50 Page 6, line 21, strike "RCCO," and substitute "CONTRACTOR OF THE
- 51 STATE DEPARTMENT'S CURRENT MEDICAID COORDINATED CARE SYSTEM,".
- 52
- 53 Page 6, line 22, strike "APRIL" and substitute "JULY".
- 54
- 55 Page 8, line 12, strike "SEPTEMBER 15," and substitute "FEBRUARY 1,".
- 56

1 Page 8, line 14, strike the first "THE" and substitute "ANY" and strike
2 "SELECTED" and substitute "RECEIVED BY THE STATE DEPARTMENT".
3

4 Page 10, strike lines 13 through 22 and substitute:
5

6 "SECTION 3. In Colorado Revised Statutes, 25.5-5-402, add (6),
7 (7), and (8) as follows:
8

9 **25.5-5-402. Statewide managed care system.** (6) FOR REQUESTS
10 FOR PROPOSALS OCCURRING ON AND AFTER JANUARY 1, 2015, THE
11 DEPARTMENT SHALL ALLOW GLOBAL PAYMENT FOR HEALTH BENEFITS AND
12 SERVICES PROVIDED TO MEDICAL ASSISTANCE CLIENTS PURSUANT TO
13 SECTIONS 25.5-5-404 (1) (k) AND (1) (l), 25.5-5-406 (2), AND PARAGRAPH
14 (b) OF SUBSECTION (2) OF THIS SECTION. THE STATE DEPARTMENT SHALL
15 HAVE THE DISCRETION TO DETERMINE WHICH PROPOSALS SATISFY THE
16 REQUEST FOR PROPOSAL AND ARE APPROPRIATE FOR THE STATE'S
17 COORDINATED CARE SYSTEM.
18

19 (7) AN ENTITY THAT PROVIDES FOR THE COORDINATION AND
20 INTEGRATION OF CARE WITHIN THE STATE DEPARTMENT'S MEDICAID
21 COORDINATED CARE SYSTEM, THAT SUBMITS A PAYMENT PROJECT FOR A
22 GLOBAL PAYMENT PURSUANT TO SECTION 25.5-5-415 OR SECTION 25.5-5-
23 406, SHALL SEEK PROPOSALS FROM EACH ESSENTIAL COMMUNITY
24 PROVIDER IN THE REGION IN WHICH THE ENTITY HAS CLIENTS FOR THOSE
25 SERVICES THAT THE ESSENTIAL COMMUNITY PROVIDER PROVIDES OR IS
26 CAPABLE OF PROVIDING. TO ASSIST AN ENTITY THAT PROVIDES FOR THE
27 COORDINATION AND INTEGRATION OF CARE WITHIN THE STATE
28 DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM IN SEEKING
29 PROPOSALS FROM ESSENTIAL COMMUNITY PROVIDERS WITHIN THE
30 ENTITY'S CLIENT REGION, THE STATE DEPARTMENT SHALL PROVIDE THE
31 ENTITY WITH A LIST OF ESSENTIAL COMMUNITY PROVIDERS WITHIN THE
32 ENTITY'S CLIENT REGION. THE ENTITY THAT PROVIDES FOR THE
33 COORDINATION AND INTEGRATION OF CARE WITHIN THE STATE
34 DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM SHALL CONSIDER
35 SUCH PROPOSALS IN GOOD FAITH AND SHALL, WHEN DEEMED REASONABLE
36 BY THE ENTITY, BASED ON THE NEEDS OF ITS CLIENTS, CONTRACT WITH
37 ESSENTIAL COMMUNITY PROVIDERS. EACH ESSENTIAL COMMUNITY
38 PROVIDER SHALL BE WILLING TO NEGOTIATE ON REASONABLY EQUITABLE
39 TERMS WITH THE ENTITY THAT PROVIDES FOR THE COORDINATION AND
40 INTEGRATION OF CARE WITHIN THE STATE DEPARTMENT'S MEDICAID
41 COORDINATED CARE SYSTEM. EACH ESSENTIAL COMMUNITY PROVIDER
42 MAKING A PROPOSAL TO THE ENTITY THAT PROVIDES FOR THE
43 COORDINATION AND INTEGRATION OF CARE WITHIN THE STATE
44 DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM SHALL BE ABLE TO
45 MEET THE CONTRACTUAL REQUIREMENTS OF THE ENTITY. THE
46 REQUIREMENTS OF THIS SUBSECTION (7) DO NOT APPLY TO A MANAGED
47 CARE ORGANIZATION WITHIN AN ENTITY THAT PROVIDES FOR THE
48 COORDINATION AND INTEGRATION OF CARE WITHIN THE STATE
49 DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM THAT OPERATES
50 ENTIRELY AS A GROUP MODEL HEALTH MAINTENANCE ORGANIZATION.
51

52 (8) IN SELECTING GLOBAL PAYMENT PROJECTS PURSUANT TO
53 SECTION 25.5-5-415 OR SECTION 25.5-5-406, THE DEPARTMENT SHALL
54 GIVE PREFERENCE TO THOSE PAYMENT PROJECTS IN WHICH AN ENTITY
55 THAT PROVIDES FOR THE COORDINATION AND INTEGRATION OF CARE
56 WITHIN THE STATE DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM

1 HAS EXECUTED CONTRACTS FOR SERVICES WITH ONE OR MORE ESSENTIAL
2 COMMUNITY PROVIDERS UNLESS CONTRACTING WITH ESSENTIAL
3 COMMUNITY PARTNERS RESULTS IN A NET INCREASE IN THE COST OF
4 PROVIDING SERVICES UNDER THE PAYMENT PROJECT. THE FACT THAT A
5 GLOBAL PAYMENT PROJECT INCLUDES COST-BASED REIMBURSEMENTS TO
6 FEDERALLY QUALIFIED HEALTH CENTERS, AS DEFINED IN THE FEDERAL
7 "SOCIAL SECURITY ACT," SHALL NOT NEGATIVELY AFFECT AN ENTITY
8 THAT PROVIDES FOR THE COORDINATION AND INTEGRATION OF CARE
9 WITHIN THE STATE DEPARTMENT'S MEDICAID COORDINATED CARE SYSTEM
10 IN THE SELECTION PROCESS FOR GLOBAL PAYMENT PROJECTS PURSUANT TO
11 SECTION 25.5-5-415 OR SECTION 25.5-5-406.

12
13 **SECTION 4.** In Colorado Revised Statutes, 25.5-5-403, **add** (2.5)
14 as follows:

15
16 **25.5-5-403. Definitions.** As used in this part 4, unless the context
17 otherwise requires:

18
19 (2.5) "GLOBAL PAYMENT" MEANS A POPULATION-BASED PAYMENT
20 MECHANISM THAT IS CONSTRUCTED ON A PER-MEMBER, PER-MONTH
21 CALCULATION. GLOBAL PAYMENTS SHALL ACCOUNT FOR PROSPECTIVE
22 LOCAL COMMUNITY OR HEALTH SYSTEM COST TRENDS AND VALUE, AS
23 MEASURED BY QUALITY AND SATISFACTION METRICS, AND SHALL
24 INCORPORATE COMMUNITY COST EXPERIENCE AND REPORTED ENCOUNTER
25 DATA TO THE GREATEST EXTENT POSSIBLE TO ADDRESS REGIONAL
26 VARIATION AND IMPROVE LONGITUDINAL PERFORMANCE. RISK
27 ADJUSTMENTS, RISK-SHARING, AND ALIGNED PAYMENT INCENTIVES MAY
28 BE UTILIZED TO ACHIEVE PERFORMANCE IMPROVEMENT. THE RATE
29 CALCULATIONS FOR GLOBAL PAYMENT ARE EXEMPT FROM THE PROVISIONS
30 OF SECTION 25.5-5-408. AN ENTITY THAT USES GLOBAL PAYMENT
31 PURSUANT TO SECTION 25.5-5-406 SHALL MEET THE APPLICABLE
32 FINANCIAL SOLVENCY REQUIREMENTS OF SECTION 25.5-5-406 (1) (k) AND
33 (1) (l).

34
35 **SECTION 5.** In Colorado Revised Statutes, 25.5-5-406, **add** (2)
36 as follows:

37
38 **25.5-5-406. Required features of managed care system.**

39 (2) (a) AFTER JANUARY 1, 2015, THE STATE DEPARTMENT SHALL OPEN
40 FOR COMPETITIVE BID THE STATE DEPARTMENT'S MEDICAID COORDINATED
41 CARE SYSTEM WITHIN REGIONS OF THE STATE. BEFORE ISSUING A REQUEST
42 FOR PROPOSAL, THE STATE DEPARTMENT SHALL ANALYZE THE REGIONS OF
43 THE STATE TO DETERMINE THE APPROPRIATE NUMBER OF CARE
44 COORDINATION CONTRACTS THAT SHOULD BE AWARDED. FURTHER,
45 BEFORE ISSUING A REQUEST FOR PROPOSAL, THE STATE DEPARTMENT
46 SHALL ALSO ANALYZE THE APPROPRIATE NUMBER OF CARE COORDINATION
47 CONTRACTS IN EACH REGION OF THE STATE.

48
49 (b) NOTHING IN THIS SUBSECTION (2) SHALL DELAY THE
50 IMPLEMENTATION OF THE MEDICAID PAYMENT REFORM AND INNOVATION
51 PILOT PROGRAM CREATED IN SECTION 25.5-5-415.

52
53 **SECTION 6. Appropriation.** (1) In addition to any other
54 appropriation, there is hereby appropriated, to the department of health
55 care policy and financing, for the fiscal year beginning July 1, 2012, the
56 sum of \$213,079 and 0.8 FTE, or so much thereof as may be necessary,

1 to be allocated for the implementation of this act as follows:

2
3 (a) \$47,538 and 0.8 FTE for personal services, of which sum
4 \$23,769 is from the general fund and \$23,769 is from federal funds;

5
6 (b) \$5,541 for operating expenses, of which sum \$2,771 is from
7 the general fund and \$2,770 is from federal funds; and,

8
9 (c) \$160,000 for general professional services, of which sum
10 \$80,000 is from the general fund and \$80,000 is from federal funds.

11
12 **SECTION 7. Safety clause.** The general assembly hereby finds,
13 determines, and declares that this act is necessary for the immediate
14 preservation of the public peace, health, and safety."

15
16 Page 1, line 102, strike "MEDICAID." and substitute "MEDICAID, AND, IN
17 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

18
19
20
21
22 **EDUCATION**

23 After consideration on the merits, the Committee recommends the
24 following:

25
26 **HB12-1043** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:

29
30 Strike the Kerr A. floor amendment No. 2 (L.015) as printed in House
31 Journal, February 20, 2012, page 317, lines 5 through 15.

32
33 Strike the Education Committee Report, dated February 8, 2012, stated
34 as Amendment No.1, and adopted as printed in House Journal,
35 February 20, 2012, page 317, lines 1 through 3.

36
37 Amend printed bill, strike everything below the enacting clause and
38 substitute:

39
40 "SECTION 1. In Colorado Revised Statutes, 22-32-109, **amend**
41 (1) (nn) as follows:

42
43 **22-32-109. Board of education - specific duties.** (1) In addition
44 to any other duty required to be performed by law, each board of
45 education shall have and perform the following specific duties:

46
47 (nn) To ensure that each student who enrolls in the sixth grade in
48 a public school of the school district, including but not limited to a district
49 charter school, on the day of enrollment is registered with the
50 state-provided, free on-line college planning and preparation resource,
51 commonly referred to as "CollegeInColorado.org". The school district,
52 the department of education, and the department of higher education shall
53 collaborate to monitor the implementation of this paragraph (nn) and to
54 ensure optimal interactivity between the various data bases and student
55 record systems employed by school districts and college in Colorado.
56 Each public school shall assist each student and his or her parent or legal

1 guardian to develop and maintain the student's individual career and
2 academic plan no later than the beginning of ninth grade but may assist
3 the student and his or her parent or legal guardian to develop and
4 maintain the student's individual career and academic plan in any grade
5 prior to ninth grade. AT A MINIMUM, EACH PUBLIC SCHOOL SHALL ENSURE
6 THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S INDIVIDUAL
7 CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER EXPLAINS TO
8 THE STUDENT AND BY LETTER TO THE STUDENT'S PARENT OR LEGAL
9 GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF CONCURRENTLY
10 ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER EDUCATION
11 PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS ACT",
12 ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE STUDENT OR
13 THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE COUNSELOR OR
14 TEACHER SHALL ASSIST THE STUDENT IN COURSE PLANNING TO ENABLE
15 THE STUDENT TO CONCURRENTLY ENROLL IN COURSES WITH AN
16 INSTITUTION OF HIGHER EDUCATION.

17

18 **SECTION 2.** In Colorado Revised Statutes, 22-30.5-505, **amend**
19 (3) (f) as follows:

20

21 **22-30.5-505. State charter school institute - institute board -**
22 **appointment - powers and duties - rules.** (3) The mission of the
23 institute board shall be to foster high-quality public school choices
24 offered through institute charter schools, including particularly schools
25 that are focused on closing the achievement gap for at-risk students. In
26 discharging its duties pursuant to this part 5, the institute shall:

27

28 (f) Ensure that each student who enrolls in the sixth grade in an
29 institute charter school, on the day of enrollment, is registered with the
30 state-provided, free on-line college planning and preparation resource,
31 commonly referred to as "CollegeInColorado.org". The institute, the
32 department, and the department of higher education shall collaborate to
33 monitor the implementation of this paragraph (f) and to ensure optimal
34 interactivity between the various data bases and student record systems
35 employed by institute charter schools and college in Colorado. Each
36 institute charter school shall assist each student and his or her parent or
37 legal guardian to develop and maintain the student's individual career and
38 academic plan no later than the beginning of ninth grade but may assist
39 the student and his or her parent or legal guardian to develop and
40 maintain the student's individual career and academic plan in any grade
41 prior to ninth grade. AT A MINIMUM, EACH INSTITUTE CHARTER SCHOOL
42 SHALL ENSURE THAT, IN DEVELOPING AND MAINTAINING EACH STUDENT'S
43 INDIVIDUAL CAREER AND ACADEMIC PLAN, THE COUNSELOR OR TEACHER
44 EXPLAINS TO THE STUDENT AND BY LETTER TO THE STUDENT'S PARENT OR
45 LEGAL GUARDIAN THE REQUIREMENTS FOR AND BENEFITS OF
46 CONCURRENTLY ENROLLING IN COURSES WITH AN INSTITUTION OF HIGHER
47 EDUCATION PURSUANT TO THE "CONCURRENT ENROLLMENT PROGRAMS
48 ACT", ARTICLE 35 OF THIS TITLE. BASED ON A REQUEST FROM THE
49 STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE
50 COUNSELOR OR TEACHER SHALL ASSIST THE STUDENT IN COURSE
51 PLANNING TO ENABLE THE STUDENT TO CONCURRENTLY ENROLL IN
52 COURSES WITH AN INSTITUTION OF HIGHER EDUCATION.

53

54 **SECTION 3.** In Colorado Revised Statutes, **add** 22-35-104.5 as
55 follows:

56

1 **22-35-104.5. Concurrent enrollment - early completion of high**
2 **school graduation requirements.** (1) AS USED IN THIS SECTION,
3 "ELIGIBLE QUALIFIED STUDENT" MEANS A QUALIFIED STUDENT WHO, BY
4 THE END OF THE FIRST SEMESTER OF HIS OR HER TWELFTH-GRADE YEAR,
5 COMPLETES THE GRADUATION REQUIREMENTS ESTABLISHED BY THE LOCAL
6 EDUCATION PROVIDER AND IS APPROVED FOR ENROLLMENT IN
7 POSTSECONDARY COURSES BY THE COUNSELOR OR TEACHER WHO ASSISTS
8 THE QUALIFIED STUDENT IN MAINTAINING THE QUALIFIED STUDENT'S
9 INDIVIDUAL CAREER AND ACADEMIC PLAN.

10
11 (2) AT LEAST NINETY DAYS BEFORE THE END OF THE ACADEMIC
12 TERM THAT IMMEDIATELY PRECEDES THE INTENDED TERM OF
13 CONCURRENT ENROLLMENT, AN ELIGIBLE QUALIFIED STUDENT WHO
14 CHOOSES TO CONCURRENTLY ENROLL IN AN INSTITUTION OF HIGHER
15 EDUCATION PURSUANT TO THIS SECTION SHALL NOTIFY THE
16 SUPERINTENDENT OF THE STUDENT'S SCHOOL DISTRICT OR THE
17 SUPERINTENDENT'S DESIGNEE OR, IF THE ELIGIBLE QUALIFIED STUDENT IS
18 ENROLLED IN A CHARTER SCHOOL OR A SCHOOL OF A BOCES, THE CHIEF
19 SCHOOL ADMINISTRATOR, AND PROVIDE EVIDENCE THAT THE ELIGIBLE
20 QUALIFIED STUDENT MEETS OR, BY THE BEGINNING OF THE INTENDED
21 TERM OF CONCURRENT ENROLLMENT, WILL MEET THE REQUIREMENTS
22 SPECIFIED IN SUBSECTION (1) OF THIS SECTION.

23
24 (3) NOTWITHSTANDING ANY PROVISION OF SECTION 22-35-104 TO
25 THE CONTRARY, THE SUPERINTENDENT, THE SUPERINTENDENT'S DESIGNEE,
26 OR THE CHIEF SCHOOL ADMINISTRATOR, WHICHEVER IS APPLICABLE, MAY
27 AUTHORIZE AN ELIGIBLE QUALIFIED STUDENT WHO COMPLIES WITH THE
28 PROVISIONS OF SUBSECTION (2) OF THIS SECTION TO ENROLL
29 CONCURRENTLY.

30
31 (4) AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY
32 ENROLLS PURSUANT TO THIS SECTION SHALL ENROLL AT AN INSTITUTION
33 OF HIGHER EDUCATION WITH WHICH THE LOCAL EDUCATION PROVIDER HAS
34 AN EXISTING COOPERATIVE AGREEMENT. IF THE LOCAL EDUCATION
35 PROVIDER DOES NOT HAVE A COOPERATIVE AGREEMENT WITH AN
36 INSTITUTION OF HIGHER EDUCATION WHEN THE ELIGIBLE QUALIFIED
37 STUDENT NOTIFIES THE LOCAL EDUCATION PROVIDER PURSUANT TO
38 SUBSECTION (2) OF THIS SECTION, THE LOCAL EDUCATION PROVIDER SHALL
39 ENTER INTO A COOPERATIVE AGREEMENT WITH AN INSTITUTION OF HIGHER
40 EDUCATION.

41
42 (5) AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY
43 ENROLLS IN AN INSTITUTION OF HIGHER EDUCATION MAY CONCURRENTLY
44 ENROLL FULL-TIME UNTIL THE ELIGIBLE QUALIFIED STUDENT COMPLETES
45 HIS OR HER TWELFTH-GRADE YEAR.

46
47 (6) THE LOCAL EDUCATION PROVIDER SHALL PAY TUITION ON
48 BEHALF OF AN ELIGIBLE QUALIFIED STUDENT WHO CONCURRENTLY
49 ENROLLS PURSUANT TO THIS SECTION AT THE RATE ESTABLISHED
50 PURSUANT TO SECTION 22-35-105 (3) (a) BY THE LOCAL EDUCATION
51 PROVIDER AND THE INSTITUTION OF HIGHER EDUCATION. THE INSTITUTION
52 OF HIGHER EDUCATION, INDEPENDENT OF THE LOCAL EDUCATION
53 PROVIDER, MAY CHARGE THE PARENTS OR LEGAL GUARDIANS OF THE
54 ELIGIBLE QUALIFIED STUDENT ADDITIONAL TUITION OR ASSOCIATED FEES
55 AS PROVIDED IN SECTION 22-35-105 (3) (b).

56

(7) EACH LOCAL EDUCATION PROVIDER THAT ENROLLS QUALIFIED STUDENTS SHALL ANNUALLY NOTIFY ALL QUALIFIED STUDENTS AND PARENTS OR LEGAL GUARDIANS OF QUALIFIED STUDENTS OF THE OPPORTUNITIES AND REQUIREMENTS FOR CONCURRENT ENROLLMENT SPECIFIED IN THIS SECTION.

SECTION 4. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

SB12-036 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 2, line 3, strike "and (5) (c)" and substitute "(5) (c), and (9); and **add** (5) (g)".

Page 2, line 7, after "requires" insert "OR REQUESTS STUDENTS' VOLUNTARY".

Page 3, line 10, after the period add "IN IMPLEMENTING THIS SUBSECTION (5), THE SCHOOL OR SCHOOL DISTRICT AND EMPLOYEES SHALL ENSURE THAT THEIR FIRST RESPONSIBILITY IS TO STUDENTS AND THEIR PARENTS AND SHALL ALLOW ONLY MINIMAL USE OF STUDENTS' ACADEMIC TIME BY INSTITUTIONS, AGENCIES, OR ORGANIZATIONS OUTSIDE THE SCHOOL OR SCHOOL DISTRICT TO GATHER INFORMATION FROM STUDENTS."

Page 4, after line 2 insert:

"(g) NOTHING IN THIS SUBSECTION (5) LIMITS THE ABILITY OF A SCHOOL DISTRICT TO ADMINISTER A THREAT ASSESSMENT.

(9) A school district shall, at the beginning of each academic year, provide:

(a) To a parent or legal guardian of each student in the school district written notice of the rights contained in this section; AND

(b) TO EACH PRINCIPAL, TEACHER, AND COUNSELOR THAT THE SCHOOL DISTRICT EMPLOYS WRITTEN NOTICE OF THE REQUIREMENTS SPECIFIED IN THIS SECTION FOR OBTAINING PARENTAL PERMISSION BEFORE GIVING A STUDENT A SURVEY, ASSESSMENT, ANALYSIS, OR EVALUATION INTENDED TO REVEAL THE INFORMATION SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (5) OF THIS SECTION."

JUDICIARY

After consideration on the merits, the Committee recommends the following:

HB12-1325 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 2, line 3, strike "and (6)" and substitute "(6), and
2 (7)".
3

4 Page 3, line 11, after "SIGNATURE" insert "OR OTHER EVIDENCE OF
5 IDENTITY".
6

7 Page 3, strike lines 20 and 21 and substitute "SECTION TO AN ELECTRONIC
8 LOGGING SYSTEM".
9

10 Page 3, line 22, strike "INVESTIGATORS".
11

12 Page 4, line 8, strike "THE ELECTRONIC SALES TRACKING SYSTEM" and
13 substitute "AN ELECTRONIC LOGGING SYSTEM".
14

15 Page 4, line 14, strike "THE ELECTRONIC SALES TRACKING SYSTEM" and
16 substitute "AN ELECTRONIC LOGGING SYSTEM".
17

18 Page 4, strike lines 22 through 27.
19

20 Page 5, strike lines 1 and 2.
21

22 Reletter succeeding section accordingly.
23

24 Page 5, after line 14 insert:
25

26 "(7) AN ADMINISTRATOR OF AN ELECTRONIC LOGGING SYSTEM
27 SHALL NOT SELL, TRANSFER, SHARE, OR DISTRIBUTE THE INFORMATION
28 RECEIVED THROUGH THE LOG FOR A COMMERCIAL PURPOSE."
29

30 31 32 **MESSAGE(S) FROM THE SENATE** 33

34 The Senate has passed on Third Reading and returns herewith
35 HB12-1144, HB12-1220.
36

37 The Senate has passed on Third Reading and transmits to the Revisor of
38 Statutes:
39

40 HB12-1244 amended as printed in Senate Journal, March 26, 2012,
41 page 576.

42 SB12-044 amended as printed in Senate Journal, March 26, 2012,
43 page 577.

44 SB12-078 amended as printed in Senate Journal, March 26, 2012,
45 page 577.

46 HB12-1053 amended as printed in Senate Journal, March 26, 2012,
47 page 578.

48 HB12-1276 amended as printed in Senate Journal, March 26, 2012,
49 page 578.

50 HB12-1239 amended as printed in Senate Journal, March 26, 2012,
51 page 578.

52 HB12-1307 amended as printed in Senate Journal, March 26, 2012,
53 page 579.
54
55
56

1 The Senate has passed on Third Reading and transmits to the Revisor of
2 Statutes:

3
4 HB12-1168 amended in General Orders as printed in Senate Journal,
5 March 26, 2012, page 578.
6

7
8
9 **MESSAGE(S) FROM THE REVISOR**

10
11 We herewith transmit:
12 Without comment, as amended, HB12-1053, 1239, 1244, 1276, and 1307.
13 Without comment, as amended, SB12-044 and 078.
14

15
16 We herewith transmit:
17 Without comment, as amended, HB12-1168.
18

19
20 House in recess. House reconvened.
21

22
23
24 **INTRODUCTION OF BILL**
25 **First Reading**

26
27 The following bill was read by title and referred to the committee
28 indicated:

29
30 **HB12-1331** by Representative(s) Brown, Wilson, Pace, Hamner,
31 Kerr A., Massey, Murray, Ramirez, Schafer S., Summers,
32 Todd; also Senator(s) Schwartz, Bacon, Heath, Johnston,
33 King K., King S.--Concerning changing the name of
34 Western state college of Colorado to Western state
35 Colorado university.
36 Committee on Education
37

38
39
40 **INTRODUCTION OF RESOLUTION**

41
42 The following resolution was read by title and laid over one day under the
43 rules:

44
45 **HJR12-1018** by Representative(s) Murray and Schafer S., Acree,
46 Bradford, Conti, Court, Duran, Fields, Gerou, Hamner,
47 Hullinghorst, Labuda, Levy, Looper, McCann, Nikkel,
48 Peniston, Ryden, Solano, Stephens, Szabo, Todd, Williams
49 A.; also Senator(s) Williams S. and Spence, Aguilar,
50 Bacon, Boyd, Carroll, Foster, Giron, Guzman, Heath,
51 Hodge, Hudak, Jahn, Morse, Nicholson, Roberts,
52 Schwartz, Steadman, Tochtrop, White--Concerning the
53 celebration of Colorado girls and women in sports and
54 fitness.
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 29, retaining place on Calendar:

Consideration of General Orders--**HB12-1261, 1317, SB12-128, HB12-1046.**
Consideration of Resolution(s)--**HJR12-1017.**
Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1002, 1270, 1224, 1262.**

On motion of Representative Waller, the House adjourned until 9:00 a.m., March 29, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Seventy-ninth Legislative Day

Thursday, March 29, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Dr. Tom Melton, Greenwood Village Community Church.

4

5 Pledge of Allegiance led by Timmy Pulford, Braden Kerr
 6 and Kennedy Kerr, Sierra Longley from Scout Pack 478 and Scout
 7 Pack 537, Daisy Troop 636 Lakewood.

8

9 The roll was called with the following result:

10

11 Present--63.

12 Excused--Representative(s) Acree, Fields--2.

13 Present after roll call--Representative(s) Acree.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Summers, the reading of the journal of
 19 March 28, 2012, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

21

22

23

24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

25

26 The following bill(s) was(were) considered on Third Reading. The
 27 title(s) was(were) publicly read. Reading of the bill at length was
 28 dispensed with by unanimous consent.

29

30 **HB12-1014** by Representative(s) Baumgardner; also Senator(s)
 31 Neville--Concerning modification of the fee for late
 32 registration of a vehicle, and, in connection therewith,
 33 making an appropriation.

34

35 The question being "Shall the bill pass?".

36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the bill
 38 was declared **passed**.

39

	YES	39	NO	25	EXCUSED	1	ABSENT	0
41	Acree	Y	Fischer	N	Looper	Y	Solano	N
42	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
43	Barker	Y	Gerou	Y	McCann	N	Soper	N

1	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
2	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
3	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
4	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
6	Casso	N	Kagan	N	Pace	Y	Todd	N
7	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
8	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
9	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
11	Duran	N	Lee	Y	Schafer S.	N	Williams A.	N
12	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
13	Fields	E	Liston	Y	Singer	N	Young	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Barker, Becker, Beezley, Bradford,
 16 Brown, Conti, Coram, Gardner B., Gerou, Holbert, Kerr J., Looper, McKinley,
 17 Nikkel, Priola, Ramirez, Scott, Summers, Szabo, Vaad.

18
 19 **HB12-1240** by Representative(s) Kerr A.; also Senator(s) Bacon and
 20 King, K.--Concerning statutory changes to K-12
 21 education.

22
 23 The question being "Shall the bill pass?".

24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative and the bill
 26 was declared **passed**.

27	YES	64	NO	0	EXCUSED	1	ABSENT	0
29	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
30	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
31	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
32	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
33	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
34	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
35	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
36	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
37	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
38	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
39	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
40	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
41	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
42	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
43	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
44	Fields	E	Liston	Y	Singer	Y	Young	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Court, Fischer, Labuda, Murray,
 47 Schafer S., Summers, Todd, Wilson, Young.

48
 49
 50
 51 On motion of Representative Coram, the House resolved itself into
 52 Committee of the Whole for consideration of General Orders, and he was
 53 called to the Chair to act as Chairman.

54
 55
 56

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.)

On motion of Representative Waller, the following bills on the General Orders Calendar were laid over until March 30, retaining place on Calendar: **HB12-1048, 1110, 1294.**

HB12-1066 by Representative(s) Priola; also Senator(s) Tochtrop--
Concerning the application of vehicle laws to powersports vehicles.

Amendment No. 1, Transportation Report, dated February 1, 2012, and placed in member's bill file; Report also printed in House Journal, February 2, page 139.

Amendment No. 2, Finance Report, dated February 9, 2012, and placed in member's bill file; Report also printed in House Journal, February 10, pages 229-231.

Amendment No. 3, Appropriations Report, dated March 23, 2012, and placed in member's bill file; Report also printed in House Journal, March 23, pages 776-777.

Amendment No. 4, by Representative(s) Priola.

Amend printed bill, page 30, line 3, after "COUNTY." add "A COUNTY MAY VOTE TO OPT OUT OF THE PROVISIONS OF THIS SUBPARAGRAPH (II) AT ANY POINT."

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB12-1161 by Representative(s) Looper; also Senator(s) King K.--
Concerning scientific review of water quality rules regulating nutrients.

Amendment No. 1, Agriculture, Livestock, & Natural Resources Report, dated March 12, 2012, and placed in member's bill file; Report also printed in House Journal, March 13, pages 639-641.

Amendment No. 2, by Representative(s) Looper.

Amend Agriculture, Livestock, & Natural Resources committee report, dated March 12, 2012, page 2, line 14, after "conclusions;" add "AND".

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

1 **HB12-1261** by Representative(s) Solano, Massey, Todd; also
2 Senator(s)Bacon--Concerning effective educators in low-
3 performing, high-needs schools.
4

5 Amendment No. 1, Education Report, dated March 7, 2012, and placed
6 in member's bill file; Report also printed in House Journal, March 8,
7 pages 578-580.
8

9 Amendment No. 2, Appropriations Report, dated March 23, 2012, and
10 placed in member's bill file; Report also printed in House Journal,
11 March 23, page 778.
12

13 As amended, ordered engrossed and placed on the Calendar for Third
14 Reading and Final Passage.
15

16 **HB12-1046** by Representative(s) Sonnenberg; also Senator(s) Brophy--
17 Concerning requiring drug testing as a condition of
18 eligibility for the Colorado works program.
19

20 Amendment No. 1, Appropriations Report, dated March 23, 2012, and
21 placed in member's bill file; Report also printed in House Journal,
22 March 26, page 802.
23

24 Amendment No. 2, by Representative(s) Sonnenberg.
25

26 Amend the Appropriations Committee Report, dated March 23, 2012,
27 page 1, line 11, strike "PART 2 OF".
28

29 Amendment No. 3, by Representative(s) Sonnenberg.
30

31 Amend Appropriations Committee Report, dated March 23, 2012, page
32 1, strike lines 2 through 12 and substitute:
33

34 "SECTION 1. In Colorado Revised Statutes, **add** 24-18-114 as
35 follows:
36

37 **24-18-114. Mandatory drug testing.** THE GOVERNOR,
38 LIEUTENANT GOVERNOR, SECRETARY OF STATE, TREASURER, ATTORNEY
39 GENERAL, AND MEMBERS OF THE GENERAL ASSEMBLY SHALL SUBMIT TO
40 A DRUG TEST FOR CONTROLLED SUBSTANCES EACH YEAR DURING THE
41 MONTH OF OCTOBER AND SHALL BEAR THE COST OF THE DRUG TESTING.
42 FOR PURPOSES OF THIS SECTION, "CONTROLLED SUBSTANCES" MEANS A
43 SUBSTANCE, A DRUG, OR AN IMMEDIATE PRECURSOR INCLUDED IN
44 SCHEDULES I TO V OF PART 2 OF ARTICLE 18 OF TITLE 18, C.R.S."
45

46 As amended, declared **lost** on Second Reading.
47

48 **HB12-1324** by Representative(s) Massey and Scott; also Senator(s)
49 Johnston and King S., Bacon, Heath--Concerning
50 Colorado Mesa university.
51

52 Ordered engrossed and placed on the Calendar for Third Reading and
53 Final Passage.
54
55

1 **SB12-067** by Senator(s) Hudak, Bacon, Johnston, King K., Spence;
 2 also Representative(s) Holbert--Concerning requirements
 3 pertaining to the corporate status of charter schools.
 4

5 Ordered revised and placed on the Calendar for Third Reading and Final
 6 Passage.
 7

8
 9
 10 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**
 11

12 Representative Fischer moved to amend the Report of the Committee of
 13 the Whole to reverse the action taken by the Committee in adopting
 14 Amendment No. 2, by Representative Looper (printed in House Journal,
 15 page 845, lines 48-51), to HB12-1161, to show that said amendment lost,
 16 that the following Fischer amendment, passed, and that **HB12-1161**, as
 17 amended, passed.
 18

19 Amend the Agriculture, Livestock, and Natural Resources Committee
 20 Report, dated March 12, 2012, page 1, strike lines 22 and 23.
 21

22 Page 2, strike lines 1 through 6 and substitute:
 23

24 "(I) Controlling nutrients in the waters of the state as proposed by
 25 the division will impose some costs on a limited number of entities
 26 responsible for implementing the proposed nutrient standards but will
 27 also result in widespread benefits to human health and the environment;
 28

29 (II) The goal of implementing any nutrient control regulations
 30 should be to seek the greatest possible protection of human health and the
 31 environment while attempting to find the appropriate balance between the
 32 costs and benefits of those regulations; and
 33

34 (III) The water quality control commission is the appropriate
 35 governing body to promulgate nutrient regulations in the state of
 36 Colorado through a thorough, scientifically rigorous, and open public
 37 process free from political considerations; and".
 38

39 Page 2, strike lines 18 through 37.
 40

41 Renumber succeeding sections accordingly.
 42

43 Page 3, strike line 7 and substitute "CCR 1002-85".
 44

45 Page 3, strike lines 22 and 23.
 46

47 Renumber succeeding section accordingly.
 48

49 The amendment was declared **lost** by the following roll call vote:
 50

51	YES	29	NO	35	EXCUSED	1	ABSENT	0
52	Acree	N	Fischer	Y	Looper	N	Solano	Y
53	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
54	Barker	N	Gerou	N	McCann	Y	Soper	Y
55	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
56	Becker	N	Holbert	N	Miklosi	Y	Summers	N

1	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
2	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
3	Brown	N	Joshi	N	Pabon	Y	Szabo	N
4	Casso	Y	Kagan	Y	Pace	N	Todd	Y
5	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
7	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
8	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
9	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
10	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
11	Fields	E	Liston	N	Singer	Y	Young	Y
12							Speaker	N

13
14
15 Representative Wilson moved to amend the Report of the Committee of
16 the Whole to reverse the action taken by the Committee in adopting
17 Amendment No.4, by Representative Priola (printed in House Journal
18 page 845, lines 31-35), to HB12-1066, to show that said amendment lost,
19 that the following Wilson amendment, passed, and that **HB12-1066**, as
20 amended, passed.

21
22 Amend printed bill, page 29, strike lines 15 through 27 and substitute:

23
24 "(d) (I) (A) FOR THE PURPOSES OF THIS PARAGRAPH (d), THE
25 FOLLOWING ARE TYPE 1 COUNTIES: ADAMS, ARAPAHOE, BOULDER,
26 BROOMFIELD, DENVER, DOUGLAS, EL PASO, JEFFERSON, LARIMER, MESA,
27 PUEBLO, WELD, ALAMOSA, ARCHULETA, BACA, BENT, CHAFFEE,
28 CHEYENNE, CLEAR CREEK, CONEJOS, COSTILLA, CROWLEY, CUSTER,
29 DELTA, DOLORES, EAGLE, ELBERT, FREMONT, GARFIELD, GILPIN, GRAND,
30 GUNNISON, HINSDALE, HUERFANO, JACKSON, KIOWA, KIT CARSON, LAKE,
31 LA PLATA, LAS ANIMAS, LINCOLN, LOGAN, MINERAL, MOFFAT,
32 MONTEZUMA, MONTROSE, MORGAN, OTERO, OURAY, PARK, PHILLIPS,
33 PITKIN, PROWERS, RIO BLANCO, RIO GRANDE, ROUTT, SAGUACHE, SAN
34 JUAN, SAN MIGUEL, SEDGWICK, SUMMIT, TELLER, WASHINGTON, AND
35 YUMA.

36
37 (B) A COUNTY MAY AUTHORIZE THE OPERATION OF A COVERED
38 OFF-HIGHWAY VEHICLE ON ANY ROAD WITHIN ITS JURISDICTION."

39
40 The amendment was declared **lost** by the following roll call vote:

42	YES	28	NO	36	EXCUSED	1	ABSENT	0
43	Acree	N	Fischer	Y	Looper	N	Solano	Y
44	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
45	Barker	N	Gerou	N	McCann	Y	Soper	Y
46	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
47	Becker	N	Holbert	N	Miklosi	Y	Summers	N
48	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
49	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
50	Brown	N	Joshi	N	Pabon	Y	Szabo	N
51	Casso	N	Kagan	Y	Pace	N	Todd	Y
52	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
53	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
54	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
55	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
56	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	N

Ferrandino	N	Levy	Y	Scott	N	Wilson	Y
Fields	E	Liston	N	Singer	Y	Young	Y
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1066 amended, 1161 amended, 1261 amended, 1324, SB12-067.**

Lost on Second Reading: **HB12-1046 amended.**

Laid over until date indicated retaining place on Calendar: **HB12-1048, 1110, 1294--March 30, 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	Y	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	E	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

After consideration on the merits, the Committee recommends the following:

HB12-1315 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 3, line 6, strike "OFFICE OF ENERGY
2 DEVELOPMENT"" and substitute "ENERGY OFFICE"".
3
- 4 Page 3, line 7, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
5 "ENERGY OFFICE".
6
- 7 Page 3, line 15, strike "OFFICE OF".
8
- 9 Page 3, line 16, strike "ENERGY DEVELOPMENT" and substitute "ENERGY
10 OFFICE".
11
- 12 Page 3, line 17, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
13 "ENERGY OFFICE".
14
- 15 Page 3, line 21, strike "OFFICE OF ENERGY DEVELOPMENT." and substitute
16 "ENERGY OFFICE".
17
- 18 Page 4, line 4, strike "OFFICE OF ENERGY DEVELOPMENT." and substitute
19 "ENERGY OFFICE".
20
- 21 Page 4, line 12, strike "OFFICE OF ENERGY" and substitute "ENERGY
22 OFFICE".
23
- 24 Page 4, line 13, strike "DEVELOPMENT".
25
- 26 Page 4, line 17, strike "OFFICE OF ENERGY" and substitute "ENERGY
27 OFFICE".
28
- 29 Page 4, line 18, strike "DEVELOPMENT".
30
- 31 Page 4, line 19, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
32 "ENERGY OFFICE".
33
- 34 Page 5, line 1, strike "OFFICE OF ENERGY DEVELOPMENT." and substitute
35 "ENERGY OFFICE".
36
- 37 Page 5, line 2, strike "OFFICE OF ENERGY" and substitute "ENERGY
38 OFFICE".
39
- 40 Page 5, line 3, strike "DEVELOPMENT".
41
- 42 Page 5, line 8, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
43 "ENERGY OFFICE".
44
- 45 Page 5, line 11, strike "OFFICE OF" and substitute "ENERGY OFFICE".
46
- 47 Page 5, line 12, strike "ENERGY DEVELOPMENT".
48
- 49 Page 5, line 18, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
50 "ENERGY OFFICE".
51
- 52 Page 5, line 25, strike "OFFICE OF ENERGY DEVELOPMENT." and substitute
53 "ENERGY OFFICE".
54
- 55 Page 5, line 27, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
56 "ENERGY OFFICE".

1 Page 6, line 3, strike "OFFICE OF" and substitute "ENERGY OFFICE,".

2

3 Page 6, line 4, strike "ENERGY DEVELOPMENT,".

4

5 Page 6, line 14, strike "OFFICE OF ENERGY DEVELOPMENT," and substitute
6 "ENERGY OFFICE,".

7

8 Page 7, line 8, strike "OFFICE OF ENERGY DEVELOPMENT;" and substitute
9 "ENERGY OFFICE;".

10

11 Page 7, after line 8 insert:

12

13 "SECTION 5. In Colorado Revised Statutes, 22-89-103, **amend**
14 (1) as follows:

15

16 **22-89-103. Definitions.** As used in this article, unless the context
17 otherwise requires:

18

19 (1) "~~Governor's~~ COLORADO energy office" means the ~~governor's~~
20 COLORADO energy office created in section 24-38.5-101, C.R.S.

21

22 **SECTION 6.** In Colorado Revised Statutes, 22-89-104, **amend**
23 (1) and (2) (a) as follows:

24

25 **22-89-104. Wind for schools grant program - created -**
26 **applications.** (1) There is hereby created the wind for schools grant
27 program to fund wind for schools projects at qualified schools. A
28 qualified school may, with the written authorization of the local board of
29 education, apply to the ~~governor's~~ COLORADO energy office, in
30 accordance with procedures and deadlines adopted by the office, to
31 receive moneys through the grant program. The office shall administer the
32 grant program as provided in this article and pursuant to policies adopted
33 by the office.

34

35 (2) (a) The ~~governor's~~ COLORADO energy office shall adopt
36 policies specifying when a qualified school may request a grant and the
37 procedure for making the request.

38

39 **SECTION 7.** In Colorado Revised Statutes, 22-89-105, **amend**
40 (1), (2) (a), (2) (b) introductory portion, and (3) as follows:

41

42 **22-89-105. Wind for schools grant program - policies -**
43 **awarding grants.** (1) The ~~governor's~~ COLORADO energy office shall
44 adopt policies for the implementation of the wind for schools grant
45 program. At a minimum, the policies shall specify the procedures for
46 applying for a grant, the form of the grant application, the information to
47 be provided by the applicant, and the criteria for awarding grants.

48

49 (2) (a) The ~~governor's~~ COLORADO energy office shall review each
50 grant application received from a qualified school pursuant to section
51 22-89-104 and shall make a determination as to whether the grant should
52 be awarded and, except as provided in paragraph (c) of this subsection
53 (2), the amount of the grant. If the office determines an application is
54 missing any information required by the office's policy to be included
55 with the application, the office may contact the applicant to obtain the
56 missing information.

1 (b) In awarding grants pursuant to this article, the ~~governor's~~
2 COLORADO energy office shall consider, at a minimum, whether a
3 qualified school:
4

5 (3) The ~~governor's~~ COLORADO energy office shall use at least fifty
6 thousand dollars for the implementation of this grant program from the
7 existing resources of the office. The minimum funding requirement for
8 the implementation of this grant program may be met in one or more
9 fiscal years. The office shall not submit a request for an appropriation or
10 a supplemental appropriation for this purpose."
11

12 Renumber succeeding sections accordingly.
13

14 Page 7, line 13, strike "OFFICE OF ENERGY DEVELOPMENT"" and substitute
15 "ENERGY OFFICE"".
16

17 Page 7, line 14, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
18 "ENERGY OFFICE".
19

20 Page 8, line 1, strike "OFFICE OF ENERGY DEVELOPMENT," and substitute
21 "ENERGY OFFICE,".
22

23 Page 8, line 11, strike "OFFICE OF ENERGY DEVELOPMENT," and substitute
24 "ENERGY OFFICE,".
25

26 Page 8, line 15, strike "OFFICE OF ENERGY" and substitute "ENERGY
27 OFFICE".
28

29 Page 8, line 16, strike "DEVELOPMENT".
30

31 Page 8, line 26, strike "OFFICE OF ENERGY" and substitute "ENERGY
32 OFFICE".
33

34 Page 8, line 27, strike "DEVELOPMENT".
35

36 Page 9, line 6, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
37 "ENERGY OFFICE".
38

39 Page 9, line 10, strike "OFFICE OF ENERGY" and substitute "ENERGY
40 OFFICE".
41

42 Page 9, line 11, strike "DEVELOPMENT".
43

44 Page 9, line 18, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
45 "ENERGY OFFICE".
46

47 Page 10, line 7, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
48 "ENERGY OFFICE".
49

50 Page 10, line 10, before "OFFICE" insert "ENERGY".
51

52 Page 10, line 11, strike "OF ENERGY DEVELOPMENT".
53

54 Page 10, line 12, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
55 "ENERGY OFFICE".
56

- 1 Page 10, line 20, strike "OFFICE OF" and substitute "ENERGY OFFICE".
- 2
- 3 Page 10, line 21, strike "ENERGY DEVELOPMENT".
- 4
- 5 Page 11, line 4, before "OFFICE" insert "ENERGY".
- 6
- 7 Page 11, line 5, strike "OF ENERGY DEVELOPMENT".
- 8
- 9 Page 11, line 16, strike "OFFICE OF ENERGY DEVELOPMENT," and substitute
- 10 "ENERGY OFFICE,".
- 11
- 12 Page 11, line 20, strike "OFFICE OF ENERGY" and substitute "ENERGY
- 13 OFFICE".
- 14
- 15 Page 11, line 21, strike "DEVELOPMENT".
- 16
- 17 Page 12, line 12, strike "OFFICE OF ENERGY" and substitute "ENERGY
- 18 OFFICE,".
- 19
- 20 Page 12, line 13, strike "DEVELOPMENT,".
- 21
- 22 Page 12, line 24, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 23 "ENERGY OFFICE".
- 24
- 25 Page 13, line 8 before "the" insert "COLORADO ENERGY OFFICE.".
- 26
- 27 Page 13, line 17, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 28 "ENERGY OFFICE".
- 29
- 30 Page 13, line 21, strike "**office of energy development**" and substitute
- 31 "**energy office**".
- 32
- 33 Page 13, line 23, strike "OFFICE OF ENERGY DEVELOPMENT," and substitute
- 34 "ENERGY OFFICE,".
- 35
- 36 Page 13, line 25, strike "OFFICE OF ENERGY DEVELOPMENT." and substitute
- 37 "ENERGY OFFICE.".
- 38
- 39 Page 14, line 2, strike "PROMOTE" and substitute "SUSTAIN THE
- 40 COLORADO ENERGY ECONOMY AND PROMOTE".
- 41
- 42 Page 14, line 18, strike "(1) (f),".
- 43
- 44 Page 14, line 20, strike "**office of energy development**" and substitute
- 45 "**energy office**".
- 46
- 47 Page 14, line 21, strike "OFFICE OF" and substitute "ENERGY OFFICE".
- 48
- 49 Page 14, line 22, strike "ENERGY DEVELOPMENT".
- 50
- 51 Page 14, line 27, after "solar," insert "BIOGAS,".
- 52
- 53 Page 15, line 2, strike "COAL" and substitute "OIL AND OTHER PETROLEUM
- 54 PRODUCTS, COAL,".
- 55
- 56 Page 15, strike lines 12 and 13.

- 1 Page 16, line 6, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
2 "ENERGY OFFICE".
3
- 4 Page 16, line 7, strike "OBTAIN PRIOR APPROVAL FROM" and substitute
5 "NOTIFY".
6
- 7 Page 16, line 9, strike "BEFORE" and substitute "WHEN".
8
- 9 Page 16, line 21, strike "**Renewable**" and substitute "**Clean and**
10 **renewable**".
11
- 12 Page 16, line 22, before "RENEWABLE" insert "CLEAN AND".
13
- 14 Page 17, line 1, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
15 "ENERGY OFFICE".
16
- 17 Page 17, line 4, strike "OFFICE OF ENERGY" and substitute "ENERGY
18 OFFICE".
19
- 20 Page 17, line 5, strike "DEVELOPMENT".
21
- 22 Page 17, line 24, strike "OFFICE OF ENERGY DEVELOPMENT," and substitute
23 "ENERGY OFFICE,".
24
- 25 Page 18, line 4, strike "OFFICE OF ENERGY" and substitute "ENERGY
26 OFFICE.".
27
- 28 Page 18, line 5, strike "DEVELOPMENT.".
29
- 30 Page 18, line 10, before "RENEWABLE" insert "CLEAN AND".
31
- 32 Page 18, line 12, strike "OFFICE OF ENERGY" and substitute "ENERGY
33 OFFICE"".
34
- 35 Page 18, line 13, strike "DEVELOPMENT"" and strike "OFFICE OF" and
36 substitute "ENERGY OFFICE".
37
- 38 Page 18, line 14, strike "ENERGY DEVELOPMENT".
39
- 40 Page 18, line 24, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
41 "ENERGY OFFICE".
42
- 43 Page 19, line 2, strike "OFFICE OF ENERGY" and substitute "ENERGY
44 OFFICE".
45
- 46 Page 19, line 3, strike "DEVELOPMENT".
47
- 48 Page 20, line 4, strike "OFFICE OF ENERGY" and substitute "ENERGY
49 OFFICE".
50
- 51 Page 20, line 5, strike "DEVELOPMENT".
52
- 53 Page 20, line 7, strike "OFFICE OF ENERGY" and substitute "ENERGY
54 OFFICE".
55
- 56 Page 20, line 8, strike "DEVELOPMENT".

- 1 Page 20, line 15, strike "OFFICE OF ENERGY" and substitute "ENERGY
- 2 OFFICE".
- 3
- 4 Page 20, line 16, strike "DEVELOPMENT".
- 5
- 6 Page 20, line 22, strike "OFFICE OF" and substitute "ENERGY OFFICE".
- 7
- 8 Page 20, line 23, strike "ENERGY DEVELOPMENT".
- 9
- 10 Page 21, line 14, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 11 "ENERGY OFFICE".
- 12
- 13 Page 22, line 2, strike "OFFICE OF ENERGY DEVELOPMENT," and substitute
- 14 "ENERGY OFFICE,".
- 15
- 16 Page 22, line 4, strike "OFFICE OF ENERGY" and substitute "ENERGY
- 17 OFFICE,".
- 18
- 19 Page 22, line 5, strike "DEVELOPMENT,".
- 20
- 21 Page 22, line 16, strike "OFFICE OF" and substitute "ENERGY OFFICE".
- 22
- 23 Page 22, line 17, strike "ENERGY DEVELOPMENT".
- 24
- 25 Page 22, line 20, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 26 "ENERGY OFFICE".
- 27
- 28 Page 23, line 10, strike "OFFICE OF ENERGY" and substitute "ENERGY
- 29 OFFICE".
- 30
- 31 Page 23, line 11, strike "DEVELOPMENT".
- 32
- 33 Page 23, line 13, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 34 "ENERGY OFFICE".
- 35
- 36 Page 23, line 15, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 37 "ENERGY OFFICE".
- 38
- 39 Page 23, line 18, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 40 "ENERGY OFFICE".
- 41
- 42 Page 25, line 16, strike "OFFICE OF ENERGY" and substitute "ENERGY
- 43 OFFICE".
- 44
- 45 Page 25, line 17, strike "DEVELOPMENT".
- 46
- 47 Page 25, line 22, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 48 "ENERGY OFFICE".
- 49
- 50 Page 26, line 7, strike "OFFICE OF" and substitute "ENERGY OFFICE".
- 51
- 52 Page 26, line 8, strike "ENERGY DEVELOPMENT".
- 53
- 54 Page 26, line 24, strike "OFFICE OF" and substitute "ENERGY OFFICE,".
- 55
- 56 Page 26, line 25, strike "ENERGY DEVELOPMENT,".

- 1 Page 27, line 3, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
2 "ENERGY OFFICE".
3
- 4 Page 27, line 11, strike "**office of energy development**" and substitute
5 "**energy office**".
6
- 7 Page 27, line 15, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
8 "ENERGY OFFICE".
9
- 10 Page 27, line 21, strike "OFFICE OF".
11
- 12 Page 27, line 22, strike "DEVELOPMENT" and substitute "OFFICE".
13
- 14 Page 28, line 2, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
15 "ENERGY OFFICE".
16
- 17 Page 28, line 6, strike "OFFICE OF".
18
- 19 Page 28, line 7, strike "DEVELOPMENT," and substitute "OFFICE," and
20 strike "OFFICE OF".
21
- 22 Page 28, line 8, strike "DEVELOPMENT" and substitute "OFFICE".
23
- 24 Page 28, line 12, strike "OFFICE OF".
25
- 26 Page 28, line 13, strike "DEVELOPMENT" and substitute "OFFICE".
27
- 28 Page 28, line 17, strike "OFFICE".
29
- 30 Page 28, line 18, strike "OF ENERGY DEVELOPMENT" and substitute
31 "ENERGY OFFICE".
32
- 33 Page 28, line 19, strike "OFFICE OF".
34
- 35 Page 28, line 20, strike "DEVELOPMENT" and substitute "OFFICE".
36
- 37 Page 28, line 22, strike "OFFICE OF".
38
- 39 Page 28, line 23, strike "DEVELOPMENT" and substitute "OFFICE".
40
- 41 Page 28, line 27, strike "OFFICE OF".
42
- 43 Page 29, line 1, strike "DEVELOPMENT" and substitute "OFFICE".
44
- 45 Page 29, line 5, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
46 "ENERGY OFFICE".
47
- 48 Page 29, line 12, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
49 "ENERGY OFFICE".
50
- 51 Page 29, line 16, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
52 "ENERGY OFFICE".
53
- 54 Page 29, line 17, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
55 "ENERGY OFFICE".
56

- 1 Page 29, line 19, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
2 "ENERGY OFFICE".
3
4 Page 29, line 22, strike "OFFICE OF".
5
6 Page 29, line 23, strike "DEVELOPMENT" and substitute "OFFICE".
7
8 Page 30, line 3, strike "OFFICE OF ENERGY DEVELOPMENT." and substitute
9 "ENERGY OFFICE."
10
11 Page 30, line 6, strike "**office of energy development**" and substitute
12 "**energy office**".
13
14 Page 30, line 11, before "RENEWABLE" insert "CLEAN AND".
15
16 Page 31, line 4, strike "OFFICE OF ENERGY DEVELOPMENT." and substitute
17 "ENERGY OFFICE."
18
19 Page 31, after line 4 insert:
20
21 **"SECTION 30.** In Colorado Revised Statutes, **amend**
22 24-38.9-101 as follows:
23
24 **24-38.9-101. Legislative declaration.** The general assembly
25 finds, determines, and declares that as Colorado continues to expand its
26 ~~new~~ THE COLORADO energy economy, the state must ensure that Colorado
27 citizens have access to the necessary skills in order to compete for jobs in
28 the new energy market. The general assembly further finds, determines,
29 and declares that a skilled workforce is one of the most important drivers
30 in determining the future global competitiveness of Colorado. Therefore,
31 the general assembly finds that the purpose of the green jobs Colorado
32 training program is to maintain Colorado's competitive advantage and
33 ensure that future workforce supply can meet the oncoming demand for
34 green job skills in the ~~new~~ COLORADO energy economy."
35
36 Renumber succeeding sections accordingly.
37
38 Page 31, line 22, strike "OFFICE OF".
39
40 Page 31, line 23, strike "DEVELOPMENT," and substitute "OFFICE,".
41
42 Page 32, line 7, strike "OFFICE OF".
43
44 Page 32, line 8, strike "DEVELOPMENT." and substitute "OFFICE."
45
46 Page 33, line 11, after "COLORADO" insert "ENERGY".
47
48 Page 33, line 12, strike "OF ENERGY DEVELOPMENT".
49
50 Page 33, line 24, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
51 "ENERGY OFFICE".
52
53 Page 34, line 7, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
54 "ENERGY OFFICE".
55
56 Page 34, line 10, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute

1 "ENERGY OFFICE".

2

3 Page 34, line 25, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
4 "ENERGY OFFICE".

5

6 Page 35, line 1, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
7 "ENERGY OFFICE".

8

9 Page 35, after line 1 insert:

10

11 "SECTION 40. In Colorado Revised Statutes, 32-20-102, **amend**
12 (1) (a) (V) (B) as follows:

13

14 **32-20-102. Legislative declaration.** (1) The general assembly
15 hereby finds and declares that:

16

17 (a) It is in the best interest of the state and its citizens and a public
18 purpose to enable and encourage the owners of eligible real property to
19 invest in new energy improvements, including energy efficiency
20 improvements and renewable energy improvements, sooner rather than
21 later by creating the Colorado new energy improvement district and
22 authorizing the district to establish, develop, finance, implement, and
23 administer a new energy improvement program that includes both energy
24 efficiency improvements and renewable energy improvements to assist
25 any such owners who choose to join the district in completing new energy
26 improvements to their property because:

27

28 (V) The commitment of a significant amount of sustainable
29 funding for increased construction of new energy improvements will
30 create jobs and stimulate the state economy:

31

32 (B) By reinforcing the leadership role of the state in the ~~new~~
33 COLORADO energy economy and thereby attracting new energy
34 manufacturing facilities and related jobs to the state; and".

35

36 Renumber succeeding sections accordingly.

37

38 Page 35, line 12, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
39 "ENERGY OFFICE".

40

41 Page 36, line 2, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
42 "ENERGY OFFICE".

43

44 Page 38, line 7, strike "OFFICE OF ENERGY DEVELOPMENT." and substitute
45 "ENERGY OFFICE".

46

47 Page 38, line 8, strike "OFFICE OF".

48

49 Page 38, line 9, strike "DEVELOPMENT" and substitute "OFFICE".

50

51 Page 38, line 12, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
52 "ENERGY OFFICE".

53

54 Page 38, line 16, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
55 "ENERGY OFFICE".

56

- 1 Page 38, line 21, strike "OFFICE OF".
- 2
- 3 Page 38, line 22, strike "DEVELOPMENT" and substitute "OFFICE".
- 4
- 5 Page 38, line 25, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 6 "ENERGY OFFICE".
- 7
- 8 Page 40, line 27, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 9 "ENERGY OFFICE".
- 10
- 11 Page 41, line 6, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 12 "ENERGY OFFICE".
- 13
- 14 Page 41, line 14, strike "OFFICE OF".
- 15
- 16 Page 41, line 15, strike "DEVELOPMENT"" and substitute "OFFICE"" and
- 17 strike "OFFICE OF ENERGY DEVELOPMENT" and substitute "ENERGY
- 18 OFFICE".
- 19
- 20 Page 42, line 4, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 21 "ENERGY OFFICE".
- 22
- 23 Page 42, line 8, strike "OFFICE OF".
- 24
- 25 Page 42, line 9, strike "DEVELOPMENT" and substitute "OFFICE".
- 26
- 27 Page 42, line 23, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 28 "ENERGY OFFICE".
- 29
- 30 Page 43, line 2, after "COLORADO" insert "ENERGY".
- 31
- 32 Page 43, line 3, strike "OF ENERGY DEVELOPMENT".
- 33
- 34 Page 43, line 12, strike "OFFICE" and substitute "ENERGY OFFICE,".
- 35
- 36 Page 43, line 13, strike "OF ENERGY DEVELOPMENT,".
- 37
- 38 Page 43, line 17, after "COLORADO" insert "ENERGY".
- 39
- 40 Page 43, line 18, strike "OF ENERGY DEVELOPMENT".
- 41
- 42 Page 44, line 1, strike "OFFICE".
- 43
- 44 Page 44, line 2, strike "OF ENERGY DEVELOPMENT." and substitute
- 45 "ENERGY OFFICE.".
- 46
- 47 Page 44, line 4, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 48 "ENERGY OFFICE".
- 49
- 50 Page 44, line 13, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 51 "ENERGY OFFICE".
- 52
- 53 Page 44, line 21, strike "OFFICE OF" and substitute "ENERGY OFFICE".
- 54
- 55 Page 44, line 22, strike "ENERGY DEVELOPMENT".
- 56

- 1 Page 45, line 7, strike "OFFICE OF" and substitute "ENERGY OFFICE".
- 2
- 3 Page 45, line 8, strike "ENERGY DEVELOPMENT".
- 4
- 5 Page 45, line 16, strike "OFFICE OF ENERGY" and substitute "ENERGY
- 6 OFFICE".
- 7
- 8 Page 45, line 17, strike "DEVELOPMENT".
- 9
- 10 Page 45, line 24, strike "**office of**".
- 11
- 12 Page 45, line 25, strike "**development**" and substitute "**office**".
- 13
- 14 Page 46, line 11, strike "OFFICE OF".
- 15
- 16 Page 46, line 12, strike "DEVELOPMENT" and substitute "OFFICE".
- 17
- 18 Page 46, line 15, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 19 "ENERGY OFFICE".
- 20
- 21 Page 46, line 21, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 22 "ENERGY OFFICE".
- 23
- 24 Page 47, line 3, strike "OFFICE OF".
- 25
- 26 Page 47, line 4, strike "DEVELOPMENT" and substitute "OFFICE".
- 27
- 28 Page 47, line 8, strike "OFFICE OF".
- 29
- 30 Page 47, line 9, strike "DEVELOPMENT" and substitute "OFFICE".
- 31
- 32 Page 47, line 15, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 33 "ENERGY OFFICE".
- 34
- 35 Page 47, line 19, strike "OFFICE OF".
- 36
- 37 Page 47, line 20, strike "DEVELOPMENT" and substitute "OFFICE".
- 38
- 39 Page 47, line 22, strike "OFFICE OF".
- 40
- 41 Page 47, line 23, strike "DEVELOPMENT" and substitute "OFFICE".
- 42
- 43 Page 47, line 26, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 44 "ENERGY OFFICE".
- 45
- 46 Page 48, line 1, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 47 "ENERGY OFFICE".
- 48
- 49 Page 48, line 5, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
- 50 "ENERGY OFFICE".
- 51
- 52 Page 48, line 9, strike "OFFICE OF".
- 53
- 54 Page 48, line 10, strike "DEVELOPMENT" and substitute "OFFICE".
- 55
- 56 Page 48, line 16, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute

1 "ENERGY OFFICE".

2

3 Page 48, strike lines 17 through 20 and substitute:

4

5 "(e) The ~~governor's energy office~~ COLORADO ENERGY OFFICE may
6 use up to five percent of the moneys transferred pursuant to paragraph (a)
7 of this subsection (3) for planning, overseeing, and evaluating the
8 program to improve the home energy efficiency of low-income
9 households. The ~~governor's energy~~".

10

11 Page 48, line 21, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
12 "ENERGY OFFICE".

13

14 Page 49, line 1, strike "OFFICE OF".

15

16 Page 49, line 2, strike "DEVELOPMENT" and substitute "OFFICE".

17

18 Page 49, line 14, strike "OFFICE OF ENERGY DEVELOPMENT"" and
19 substitute "ENERGY OFFICE"".

20

21 Page 49, line 15, strike "OFFICE OF ENERGY DEVELOPMENT" and substitute
22 "ENERGY OFFICE".

23

24 Page 49, line 23, strike "OFFICE OF ENERGY DEVELOPMENT," and substitute
25 "ENERGY OFFICE,".

26

27 Page 50, line 3, strike "OFFICE OF".

28

29 Page 50, line 4, strike "DEVELOPMENT," and substitute "OFFICE,".

30

31 Page 50, line 7, strike "article 89 of".

32

33 Page 50, line 8, strike "title 22,".

34

35

36

37

38 **FINANCE**

39 After consideration on the merits, the Committee recommends the
40 following:

41

42 **HB12-1119** be amended as follows, and as so amended, be referred to
43 the Committee on Appropriations with favorable
44 recommendation:

45

46 Amend the Economic and Business Development Committee Report,
47 dated March 8, 2012, page 2, line 22, before "IF" insert "IF THE VIOLATION
48 IS THE FIRST SUCH VIOLATION FOUND IN CONNECTION WITH THE SPECIFIC
49 FACILITY, PROJECT, OR WORK ACTIVITY BEING INSPECTED AND".

50

51 Page 2, line 32, before "UNLESS:" insert "IF THE VIOLATION IS THE FIRST
52 SUCH VIOLATION FOUND IN CONNECTION WITH THE REQUIRED FORMS OR
53 FILINGS RELATED TO A SPECIFIC FACILITY, PROJECT, OR WORK ACTIVITY,".

54

55

56

1 **LOCAL GOVERNMENT**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB12-109** be postponed indefinitely.
6
7
8
9

10 **STATE, VETERANS, & MILITARY AFFAIRS**

11 After consideration on the merits, the Committee recommends the
12 following:

13
14 **HB12-1245** be postponed indefinitely.
15

16
17 **SB12-143** be postponed indefinitely.
18
19
20

21 **PRINTING REPORT**

22
23 The Chief Clerk reports the following bill has been correctly printed:
24 **HB12-1331.**
25
26

27
28 **MESSAGE(S) FROM THE SENATE**
29

30 The Senate has adopted and transmits herewith: SJM12- 001.
31
32

33 The Senate has passed on Third Reading and returns herewith
34 HB12-1083, HB12-1215, HB12-1246, HB12-1204, HB12-1009.
35

36 The Senate has passed on Third Reading and transmits to the Revisor of
37 Statutes:

38
39 SB12-121 amended as printed in Senate Journal, March 28, 2012,
40 page 599.

41 HB12-1012, amended as printed in Senate Journal, March 28, 2012,
42 pages 599-600.

43 SB12-149 amended as printed in Senate Journal, March 28, 2012,
44 page 601.

45 HB12-1052 amended as printed in Senate Journal, March 28, 2012,
46 page 602.

47 SB12-150 amended as printed in Senate Journal, March 28, 2012,
48 page 602.
49
50

51 The Senate has postponed indefinitely HB12-1149. The bills are returned
52 herewith.
53
54
55
56

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1012 and 1052.

Without comment, as amended, SB12-121, 149, and 150.

INTRODUCTION OF BILLS**First Reading**

The following bills were read by title and referred to the committees indicated:

HB12-1332 by Representative(s) Balmer, Liston, Hullinghorst, Joshi, Kerr J., Peniston, Schafer S., Young, Ramirez; also Senator(s) Guzman, Boyd, King S., Morse, Newell--Concerning licensure of anesthesiologist assistants.

Committee on Health and Environment

HB12-1333 by Representative(s) Becker, Beezley, Coram, Kerr J., Priola--Concerning public school employees' participation in labor organizations.

Committee on Education

HB12-1334 by Representative(s) Becker, Gerou, Levy; also Senator(s) Hodge, Lambert, Steadman--Concerning the extension of severance tax funding for the promotion of agricultural energy-related projects.

Committee on Agriculture, Livestock, & Natural Resources

SB12-044 by Senator(s) Guzman; also Representative(s) Pabon--Concerning failure to present valid evidence of mass transit fare payment, and, in connection therewith, making an appropriation.

Committee on Transportation

SB12-078 by Senator(s) Hudak, Aguilar, Jahn, Newell, Roberts, Tochtrop, White, Williams S.; also Representative(s) Schafer S., Fischer, Kerr A., Kerr J., Ramirez--Concerning protections for at-risk adults.

Committee on Health and Environment

SB12-121 by Senator(s) King K.; also Representative(s) Massey--Concerning charter schools.

Committee on Education

SB12-130 by Senator(s) Newell and Hodge, Steadman; also Representative(s) Massey and Hamner, Peniston--Concerning governance of child development programs, and, in connection therewith, requiring a post-enactment review of the implementation of this act.

Committee on State, Veterans, & Military Affairs

SB12-149 by Senator(s) Steadman; also Representative(s) Priola--Concerning the circumstances in which the board of a

1 defined benefit plan or system created by a local
2 government may modify retirement benefit provisions of
3 the plan or system.

4 Committee on Finance

5
6 **SB12-150** by Senator(s) Schwartz, Bacon, Renfro; also
7 Representative(s) Sonnenberg, Brown, Vigil--Concerning
8 the state treasurer's authority to manage state public
9 financing, and, in connection therewith, reducing an
10 appropriation.

11 Committee on Finance

12

13

14

15

LAY OVER OF CALENDAR ITEM(S)

16

17 On motion of Representative Stephens, the following item(s) on the
18 Calendar was (were) laid over until March 30, retaining place on
19 Calendar:

20

21 Consideration of General Orders--**HB12-1317, SB12-087, 128.**

22 Consideration of Resolution(s)--**HJR12-1017, 1018.**

23 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
24 **1034, 1114, 1151, 1070, 1002, 1270, 1224, 1262, 1053, 1239, 1244,**
25 **1276, 1307, 1168.**

26

27

28

29

30 On motion of Representative Stephens, the House adjourned until
31 9:00 a.m., March 30, 2012.

32

33

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37

38

Attest:

MARILYN EDDINS,

Chief Clerk

Approved:

FRANK McNULTY,

Speaker

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eightieth Legislative Day

Friday, March 30, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Pastor Rex Louth, Peakview Church of God, Colorado
4 Springs.

5

6 Pledge of Allegiance led by Shaylynn Swift, Lorelei and Rylie
7 McNulty, Greg McNulty from Summit Ridge Middle School,
8 Littleton.

9

10 The roll was called with the following result:

11

12 Present--59.

13 Excused--Representative(s) Bradford, J. Kerr, McKinley, Singer,
14 Stephens, A. Williams--6.

15 Present after roll call--Representative(s) Singer.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Summers, the reading of the journal of
21 March 29, 2012, was declared dispensed with and approved as corrected
22 by the Chief Clerk.

23

24 **CONSIDERATION OF RESOLUTION(S)**

25

26 **HJR12-1018** by Representative(s) Murray and Schafer S., Acree,
27 Bradford, Conti, Court, Duran, Fields, Gerou, Hamner,
28 Hullinghorst, Labuda, Levy, Looper, McCann, Nikkel,
29 Peniston, Ryden, Solano, Stephens, Szabo, Todd,
30 Williams A.; also Senator(s) Williams S. and Spence,
31 Aguilar, Bacon, Boyd, Carroll, Foster, Giron, Guzman,
32 Heath, Hodge, Hudak, Jahn, Morse, Nicholson, Roberts,
33 Schwartz, Steadman, Tochtrop, White--Concerning the
34 celebration of Colorado girls and women in sports and
35 fitness.

36

37 (Printed and placed in members' file)

38

39 On motion of Representative Murray, the resolution was read at length
40 and **adopted** by **viva voce** vote.

41

42 Current Roll Call added as co-sponsor(s): Representative(s) Balmer, Barker,
43 Baumgardner, Becker, Beezley, Brown, Casso, Coram, DelGrosso, Ferrandino,

1 Fischer, Gardner B., Holbert, Jones, Joshi, Kagan, Kefalas, Kerr A., Lee,
2 Liston, Massey, Miklosi, Pabon, Pace, Priola, Ramirez, Scott, Singer,
3 Sonnenberg, Soper, Summers, Swalm, Swerdfeger, Tyler, Vaad, Vigil, Waller,
4 Wilson, Young, Speaker.

5
6 **HJR12-1017** by Representative(s) Priola and Kerr A., Waller; also
7 Senator(s) Steadman and Roberts--Concerning the
8 designation of the Denver-Boulder Turnpike portion of
9 United States Highway 36 as the "Buffalo Highway".

10
11 (Printed and placed in members' file)

12
13 On motion of Representative Priola, the resolution was read at length and
14 **adopted by viva voce** vote.

15
16 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Beezley, Brown,
17 Casso, Conti, Court, Duran, Fields, Fischer, Gardner B., Gerou, Hamner,
18 Hulinghorst, Jones, Joshi, Kefalas, Loooper, Massey, Murray, Nikkel, Pabon,
19 Pace, Peniston, Ryden, Schafer S., Solano, Sonnenberg, Summers, Swerdfeger,
20 Todd, Vaad, Vigil, Young, Speaker.

MESSAGE(S) FROM THE SENATE

21
22
23
24
25
26 The Senate has adopted and transmits herewith: SJR12- 027.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

27
28
29
30
31
32 On motion of Representative Waller, the rules were suspended and the
33 following resolution was given immediate consideration.

34
35 **SJR12-027** by Senator(s) Bacon, Aguilar, Foster, Giron, Guzman,
36 Hudak, Schwartz; also Representative(s) Pabon, Fischer,
37 Kefalas, Pace, Todd--Concerning recognition of "César
38 Chávez Day".

39
40 (Printed and placed in member's file).

41
42 On motion of Representative Pabon, the resolution was read at length and
43 **adopted by viva voce** vote.

44
45 Co-sponsor(s) added: Representative(s) Baumgardner, Brown, Casso, Conti,
46 Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Hamner, Holbert,
47 Hulinghorst, Jones, Joshi, Kagan, Kerr A., Labuda, Lee, Liston, Massey,
48 McCann, Miklosi, Nikkel, Peniston, Priola, Ramirez, Ryden, Schafer S., Singer,
49 Solano, Sonnenberg, Soper, Summers, Swalm, Swerdfeger, Tyler, Vaad, Vigil,
50 Waller, Wilson, Young, Speaker.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**ECONOMIC & BUSINESS DEVELOPMENT**

After consideration on the merits, the Committee recommends the following:

HB12-1004 be referred favorably to the Committee on Agriculture, Livestock, & Natural Resources.

HB12-1328 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 5, after "(d)" insert "(I)".

Page 2, line 13, strike "(I)" and substitute "(A)".

Page 2, line 14, after "C.R.S.;" insert "OR".

Page 2, line 15, strike "(II)" and substitute "(B)".

Page 2, line 16, strike "C.R.S.;" and substitute "C.R.S.".

Page 2, strike lines 17 through 19 and substitute:

"(II) THE EXCLUSION IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d) APPLIES TO PAWNBROKERS AUTHORIZED TO MAKE SUPERVISED LOANS UNDER SECTION 5-2-301; EXCEPT THAT THE EXCLUSION DOES NOT APPLY TO THE DISCLOSURE OF RATES AND CHARGES OF PAWNBROKERS AUTHORIZED TO MAKE SUPERVISED LOANS.".

FINANCE

After consideration on the merits, the Committee recommends the following:

SB12-012 be referred favorably to the Committee on Appropriations.

SB12-110 be re-referred favorably to the Committee on Appropriations.

HEALTH & ENVIRONMENT

After consideration on the merits, the Committee recommends the following:

SB12-134 be referred to the Committee of the Whole with favorable recommendation.

STATE, VETERANS, & MILITARY AFFAIRS

After consideration on the merits, the Committee recommends the following:

HB12-1243 be postponed indefinitely.

HB12-1293 be referred to the Committee of the Whole with favorable recommendation.

TRANSPORTATION

After consideration on the merits, the Committee recommends the following:

SB12-013 be referred to the Committee of the Whole with favorable recommendation.

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB12-1332, 1333, 1334.

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over one day under the rules:

SJM12-001 by Senator(s) Spence and Williams S., Aguilar, Roberts, Schwartz, White; also Representative(s) Todd and Conti, Acree, Hulinghorst, Labuda, Ryden, Schafer S., Solano, Williams A.--Memorializing Congress to support the establishment of a National Women's History Museum in Washington, D.C.

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1018.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until April 2, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161, 1261, 1324, SB12-067.**

Consideration of General Orders--**HB12-1048, 1110, 1317, SB12-087, HB12-1294, SB12-128, HB12-1272, 1281, 1043, SB12-036.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1002, 1270, 1224, 1262, 1053, 1239, 1244, 1276, 1307, 1168, 1012, 1052.**

On motion of Representative Waller, the House adjourned until 10:00 a.m., April 2, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-third Legislative Day

Monday, April 2, 2012

1 The Speaker *Pro tempore* called the House to order at 10:00 a.m.

2
 3 Prayer by Rooney Black, Teacher from Greyhills Academy High
 4 School, Tuba City, Arizona.

5
 6 Pledge of Allegiance led by Cerena Gallegos and Arturo Curiel, Denver
 7 Center for International Studies.

8
 9 The roll was called with the following result:

10
 11 Present--61.
 12 Excused--Representative(s) Looper, McKinley, McNulty, Pace--4.
 13 Present after roll call--Representative(s) Pace.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Kagan, the reading of the journal of
 19 March 30, 2012, was declared dispensed with and approved as corrected
 20 by the Chief Clerk.

21
 22
 23
 24 **THIRD READING OF BILL(S)--FINAL PASSAGE**

25
 26 The following bill(s) was(were) considered on Third Reading. The
 27 title(s) was(were) publicly read. Reading of the bill at length was
 28 dispensed with by unanimous consent.

29
 30 **HB12-1261** by Representative(s) Solano, Massey, Todd; also
 31 Senator(s) Bacon--Concerning effective educators in low-
 32 performing, high-needs schools, and, in connection
 33 therewith, making an appropriation.

34
 35 The question being "Shall the bill pass?".

36 A roll call vote was taken. As shown by the following recorded vote, a
 37 majority of those elected to the House voted in the affirmative and the bill
 38 was declared **passed**.

39
 40

	YES	60	NO	0	EXCUSED	4	ABSENT	1
41	Acree	Y	Fischer	Y	Looper	E	Solano	Y
42	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	-
43	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

1	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
2	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
3	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
4	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
6	Casso	Y	Kagan	Y	Pace	E	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
8	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
13	Fields	Y	Liston	Y	Singer	Y	Young	Y
14							Speaker	E

15 Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Fields,
 16 Fischer, Hamner, Hullinghorst, Jones, Kefalas, Kerr A., Labuda, Lee, Miklosi,
 17 Peniston, Ryden, Schafer S., Singer, Tyler, Vigil, Williams A., Wilson, Young.

18
 19 **HB12-1324** by Representative(s) Massey and Scott; also Senator(s)
 20 Johnston and King S., Bacon, Heath--Concerning
 21 Colorado Mesa university.

22
 23 The question being "Shall the bill pass?".
 24 A roll call vote was taken. As shown by the following recorded vote, a
 25 majority of those elected to the House voted in the affirmative and the bill
 26 was declared **passed**.

27	YES	61	NO	0	EXCUSED	4	ABSENT	0
29	Acree	Y	Fischer	Y	Looper	E	Solano	Y
30	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
31	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
32	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
33	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
34	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
35	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
36	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
37	Casso	Y	Kagan	Y	Pace	E	Todd	Y
38	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
39	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
40	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
41	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
42	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
43	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
44	Fields	Y	Liston	Y	Singer	Y	Young	Y
45							Speaker	E

46 Co-sponsor(s) added: Representative(s) Bradford, Coram, Fields, Hamner,
 47 Holbert, Labuda, Liston, Todd, Vigil.

48
 49 **SB12-067** by Senator(s) Hudak, Bacon, Johnston, King K., Spence;
 50 also Representative(s) Holbert--Concerning requirements
 51 pertaining to the corporate status of charter schools.

52
 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**.

1	YES	62	NO	0	EXCUSED	3	ABSENT	0
2	Acree	Y	Fischer	Y	Looper	E	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	E	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Acree, Beezley, Bradford, Casso, Conti,
 20 DelGrosso, Fields, Kerr A., Labuda, Massey, Murray, Nikkel, Priola, Singer,
 21 Stephens, Summers, Todd, Young.

25 On motion of Representative Gerou, the House resolved itself into
 26 Committee of the Whole for consideration of General Orders, and she
 27 was called to the Chair to act as Chairman.

30 GENERAL ORDERS--SECOND READING OF BILLS

32 The Committee of the Whole having risen, the Chairman reported the
 33 titles of the following bills had been read (reading at length had been
 34 dispensed with by unanimous consent), the bills considered and action
 35 taken thereon as follows:

37 (Amendments to the committee amendment are to the printed committee
 38 report which was printed and placed in the members' bill file.)

40 On motion of Representative Waller, the following bills on the General
 41 Orders Calendar were laid over until April 3, retaining place on Calendar:
 42 **HB12-1048, SB12-087, HB12-1294, SB12-128, HB12-1281, SB12-036.**

44 **HB12-1110** by Representative(s) Williams A.; also Senator(s) Carroll--
 45 Concerning the regulation of appraisal management
 46 companies.

48 Amendment No. 1, Economic & Business Development Report, dated
 49 February 23, 2012, and placed in member's bill file; Report also printed
 50 in House Journal, February 24, pages 373-374.

52 Amendment No. 2, Finance Report, dated March 7, 2012, and placed in
 53 member's bill file; Report also printed in House Journal, March 8,
 54 page 581.

1 Amendment No. 3, Appropriations Report, dated March 23, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 March 23, page 777.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1317** by Representative(s) Sonnenberg; also Senator(s)
9 Schwartz--Concerning the creation of the parks and
10 wildlife commission to replace the parks and wildlife
11 board in the department of natural resources, and, in
12 connection therewith, describing the composition and
13 terms of the commission.

14
15 Laid over until April 3, retaining place on Calendar.

16
17 **HB12-1272** by Representative(s) Duran and Ramirez, Fields, Tyler,
18 Casso, Ferrandino, Hullinghorst, Miklosi, Singer, Solano,
19 Soper, Vigil; also Senator(s) Newell--Concerning
20 continuation of enhanced unemployment insurance
21 benefits for unemployed individuals participating in
22 approved training programs.

23
24 Amendment No. 1, Finance Report, dated March 7, 2012, and placed in
25 member's bill file; Report also printed in House Journal, March 8,
26 pages 581-582.

27
28 Amendment No. 2, Appropriations Report, dated March 27, 2012, and
29 placed in member's bill file; Report also printed in House Journal,
30 March 28, page 832.

31
32 As amended, ordered engrossed and placed on the Calendar for Third
33 Reading and Final Passage.

34
35 **HB12-1043** by Representative(s) Conti--Concerning concurrent
36 enrollment for students who may complete high school
37 graduation requirements before the end of twelfth grade.

38
39 Amendment No. 1, Education Report, dated March 26, 2012, and placed
40 in member's bill file; Report also printed in House Journal, March 28,
41 pages 836-839.

42
43 As amended, ordered engrossed and placed on the Calendar for Third
44 Reading and Final Passage.

45

46

47

48

49 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

50

51 Passed Second Reading: **HB12-1110 amended, 1272 amended, 1043**
52 **amended.**

53 Laid over until date indicated retaining place on Calendar: **HB12-1048,**
54 **1317, SB12-087, HB12-1294, SB12-128, HB12-1281, SB12-036--**
55 **April 3, 2012.**

56

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	62	NO	0	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	Y	Looper	E	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	E	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	E

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB12-1026, 1085, 1094, 1097, 1125, 1144, 1178, 1181, 1206, 1216, 1220, 1222, 1229, 1269, 1285, 1289, 1299, 1312; HM12-1001, 1002; SB12-007, 023, 030, 031, 033, 062, 066, 077, 099, 146.**

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB12-1026, 1085, 1094, 1097, 1125, 1144, 1178, 1181, 1206, 1216, 1220, 1222, 1229, 1269, 1285, 1289, 1299, 1312** at 8:51 a.m. on April 2, 2012.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until April 3, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161.**

Consideration of Memorial(s)--**SJM12-001.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1002, 1270, 1224, 1262, 1053, 1239, 1244, 1276, 1307, 1168, 1012, 1052.**

1 On motion of Representative Stephens, the House adjourned until
2 9:00 a.m., April 3, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-fourth Legislative Day

Tuesday, April 3, 2012

1 The Speaker *Pro tempore* called the House to order at 9:00 a.m.
2
3 Prayer by His Eminence Metropolis Isaiah, Greek Orthodox Cathedral,
4 Denver.
5
6 Pledge of Allegiance led by Alex Buchman, Derek McCartney, Brooklyn
7 Long, Abby Cha from Faith Christian Academy High School, Arvada.
8
9 The roll was called with the following result:
10
11 Present--60.
12 Excused--Representative(s) Baumgardner, Holbert, McNulty,
13 Singer, Todd--5.
14 Present after roll call--Representative(s) Holbert, McNulty,
15 Singer, Todd.
16
17 The Speaker declared a quorum present.
18
19
20 On motion of Representative Kagan, the reading of the journal of
21 April 2, 2012, was declared dispensed with and approved as corrected by
22 the Chief Clerk.
23

House in recess. House reconvened.

24
25
26
27

REPORT(S) OF COMMITTEE(S) OF REFERENCE

LOCAL GOVERNMENT

After consideration on the merits, the Committee recommends the following:

SB12-118 be referred to the Committee of the Whole with favorable recommendation.

SB12-124 be referred to the Committee of the Whole with favorable recommendation.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmits to the Revisor of Statutes: SB12-158.

The Senate has passed on Third Reading and returns herewith: HB12-1228, HB12-1323, HB12-1318.

The Senate has adopted and returns herewith: HJR12-1016.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, SB12-158.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 2nd day of April, 2012, at 2:10 pm. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 2, 2012

To the Honorable House of Representatives
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB 12-1065 CONCERNING THE DEADLINE FOR AN ADVANCED PRACTICE NURSE WHO WAS GRANTED PRESCRIPTIVE AUTHORITY PRIOR TO JULY 1, 2010, TO DEVELOP AN ARTICULATED PLAN FOR PURPOSES OF RETAINING PRESCRIPTIVE AUTHORITY.

Approved April 2, 2012 at 1:22 pm

1 **HB12-1061** CONCERNING REQUIRING A REPORT OF THE
2 CORRELATION BETWEEN THE EDUCATIONAL
3 CREDENTIALS ISSUED AND THE STATE'S WORKFORCE
4 NEEDS.

5
6 Approved April 2, 2012 at 1:28 pm
7

8 Sincerely,
9 (signed)
10 John W. Hickenlooper
11 Governor
12

13
14 I certify I received the following on the 3rd day of April, 2012, at
15 12:00 p.m. The original is on file in the records of the House of
16 Representatives of the General Assembly.
17

18 Marilyn Eddins,
19 Chief Clerk of the House
20

21 April 3, 2012

22 To the Honorable
23 House of Representatives
24 Sixty-Eighth General Assembly
25 Second Regular Session
26 State Capitol
27 Denver, CO 80203
28

29 Ladies and Gentlemen:
30

31 I have the honor to inform you that I have approved and filed with the
32 Secretary of State the following Act:
33

34 **HB12-1085** CONCERNING AN EXCEPTION TO THE HEARSAY RULE TO
35 ALLOW TESTIMONY FROM PERSONS WITH
36 DEVELOPMENTAL DISABILITIES.
37

38 Approved April 3, 2012 at 11:25 a.m.
39

40 Sincerely,
41 (signed)
42 John W. Hickenlooper
43 Governor
44

45
46
47
48
49 **INTRODUCTION OF BILL**
50 **First Reading**
51

52 The following bill was read by title and referred to the committee
53 indicated:
54

55 **SB12-158** by Senator(s) Boyd; also Representative(s) Bradford--
56 Concerning the consolidation of two public housing

1 agencies within the division of housing in the department
2 of local affairs.
3 Committee on Local Government
4
5
6

7 **LAY OVER OF CALENDAR ITEM(S)**
8

9 On motion of Representative Gardner, the following item(s) on the
10 Calendar was (were) laid over until April 4, retaining place on Calendar:
11

12 Consideration of Third Reading--**HB12-1066, 1161, 1110, 1272, 1043.**
13 Consideration of General Orders--**HB12-1048, 1317, SB12-087,**
14 **HB12-1294, SB12-128, HB12-1281, SB12-036, HB12-1328, SB12-134,**
15 **HB12-1293, SB12-013.**

16 Consideration of Memorial(s)--**SJM12-001.**

17 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
18 **1034, 1114, 1151, 1070, 1002, 1270, 1224, 1262, 1053, 1239, 1244,**
19 **1276, 1307, 1168, 1012, 1052.**
20
21
22

23 On motion of Representative Gardner, the House adjourned until
24 9:00 a.m., April 4, 2012.
25

26 Approved:
27 FRANK McNULTY,
28 Speaker

29 Attest:
30 MARILYN EDDINS,
31 Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-fifth Legislative Day

Wednesday, April 4, 2012

1 The Speaker called the House to order at 9:00 a.m.
2
3 Prayer by the Reverend Jack Cabaness, Westminster Presbyterian
4 Church.
5
6 Pledge of Allegiance led by Chloe Brown from Fruita Monument High
7 School; Hailee Denham from Discovery Canyon Campus Middle
8 School, Colorado Springs; Abi Lange from Blue Mountain
9 Elementary, Longmont; Corinne Stordahl from American
10 Academy, Castle Rock; KerryAnne Kelly from Front Range
11 Community College, Westminster.
12

13 The roll was called with the following result:
14

15 Present--61.
16 Excused--Representative(s) Becker, Singer--2.
17 Absent--Representative(s) Beezley, Miklosi--2.
18 Present after roll call--Representative(s) Beezley, Miklosi, Singer.
19

20 The Speaker declared a quorum present.
21
22

23 On motion of Representative Kagan, the reading of the journal of
24 April 3, 2012, was declared dispensed with and approved as corrected by
25 the Chief Clerk.
26
27

INTRODUCTION OF BILL
First Reading

30
31
32 The following bill was read by title and referred to the committee
33 indicated:
34

35 **HB12-1335** by Representative(s) Gerou, Becker, Levy; also Senator(s)
36 Hodge, Steadman, Lambert--Concerning the provision for
37 payment of the expenses of the executive, legislative, and
38 judicial departments of the state of Colorado, and of its
39 agencies and institutions, for and during the fiscal year
40 beginning July 1, 2012, except as otherwise noted.
41 Committee on Appropriations
42
43

CONSIDERATION OF MEMORIAL

SJM12-001 by Senator(s) Spence and Williams S., Aguilar, Roberts, Schwartz, White; also Representative(s) Todd and Conti, Acree, Hullinghorst, Labuda, Ryden, Schafer S., Solano, Williams A.--Memorializing Congress to support the establishment of a National Women's History Museum in Washington, D.C.

(Printed and placed in members' file)

On motion of Representative Todd, the memorial was read at length and **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Balmer, Barker, Baumgardner, Beezley, Bradford, Casso, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Hamner, Holbert, Jones, Joshi, Kefalas, Kerr A., Kerr J., Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Scott, Singer, Soper, Stephens, Summers, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller, Wilson, Young, Speaker.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR12- 028.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Stephens, the rules were suspended and the following resolution was given immediate consideration.

SJR12-028 by Senator(s) Newell and White; also Representative(s) Nikkel and McCann--Concerning recognition of April 2012 as Child Abuse Prevention Month in Colorado.

(Printed and placed in member's file).

On motion of Representative Nikkel, the resolution was read at length and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer, Barker, Baumgardner, Beezley, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey, McKinley, Miklosi, Murray, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

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.

HB12-1110 by Representative(s) Williams A.; also Senator(s) Carroll-- Concerning the regulation of appraisal management companies, and, in connection therewith, making an appropriation.

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	35	NO	29	EXCUSED	1	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y	
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N	
Barker	N	Gerou	N	McCann	Y	Soper	Y	
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N	
Becker	E	Holbert	N	Miklosi	Y	Summers	N	
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N	
Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y	
Brown	N	Joshi	N	Pabon	Y	Szabo	N	
Casso	Y	Kagan	Y	Pace	Y	Todd	Y	
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y	
Coram	N	Kerr A.	Y	Priola	N	Vaad	N	
Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y	
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N	
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y	
Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y	
Fields	Y	Liston	N	Singer	Y	Young	Y	
						Speaker	N	

Co-sponsor(s) added: Representative(s) Casso, Court, Fields, Fischer, Hullinghorst, Kerr A., Labuda, Pabon, Pace, Ryden, Schafer S., Tyler, Wilson.

HB12-1272 by Representative(s) Duran and Ramirez, Fields, Tyler, Casso, Ferrandino, Hullinghorst, Miklosi, Singer, Solano, Soper, Vigil; also Senator(s) Newell--Concerning continuation of enhanced unemployment insurance benefits for unemployed individuals participating in approved training programs, and, in connection therewith, making an appropriation.

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	48	NO	16	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	Y	Looper	N	Solano	Y	
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N	
Barker	N	Gerou	Y	McCann	Y	Soper	Y	
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N	
Becker	E	Holbert	N	Miklosi	Y	Summers	Y	

1	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
2	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
3	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
4	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
5	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
7	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
8	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
9	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
10	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
11	Fields	Y	Liston	Y	Singer	Y	Young	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Brown, Court, Fischer, Hamner, Jones,
 14 Kefalas, Kerr A., Labuda, Lee, Levy, Pabon, Pace, Peniston, Ryden, Schafer S.,
 15 Todd, Williams A., Wilson, Young.

16
 17 **HB12-1043** by Representative(s) Conti; also Senator K. King--
 18 Concerning concurrent enrollment for students who may
 19 complete high school graduation requirements before the
 20 end of twelfth grade.

21
 22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
 24 majority of those elected to the House voted in the affirmative and the bill
 25 was declared **passed**.

27	YES	61	NO	3	EXCUSED	1	ABSENT	0
28	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
32	Becker	E	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
40	DelGrosso	Y	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	Y	Singer	Y	Young	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Bradford, Casso, Kerr J., Pace,
 46 Peniston, Priola, Summers, Williams A.

47 48 49 50 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

51
 52 **HB12-1002** by Representative(s) Sonnenberg; also Senator(s) Jahn--
 53 Concerning the rules of state agencies applicable to
 54 applications for permits.

55
 56 (Amended as printed in Senate Journal, March 19, page 520.)

Representative Sonnenberg moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed with permission to go beyond the scope of the differences between the House and the Senate was declared **passed** by the following roll call vote:

YES	50	NO	14	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	N
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	E	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	Y	Kagan	N	Pace	Y	Todd	Y
Conti	Y	Kefalas	N	Peniston	Y	Tyler	N
Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
Fields	N	Liston	Y	Singer	N	Young	Y
						Speaker	Y

The Speaker appointed Representatives Sonnenberg, Chairman, Waller and A. Williams as House conferees to the bill.

HB12-1053 by Representative(s) Gardner B.; also Senator(s) Giron--
Concerning the victims' rights act.

(Amended as printed in Senate Journal, March 26, page 578.)

Representative B. Gardner moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed. The motion was declared **passed** by the following roll call vote:

YES	63	NO	1	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	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	E	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	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	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

The Speaker appointed Representatives Gardner, Chairman, Barker and Pace as House conferees to the bill.

1 **HB12-1168** by Representative(s) Young, Fischer, Kerr A., Levy; also
 2 Senator(s) Morse--Concerning clarification of provisions
 3 authorizing ignition interlock devices.
 4

5 (Amended as printed in Senate Journal, March 26, page 578.)
 6

7 Representative Young moved that the House **not concur** in Senate
 8 amendments and that a Conference Committee be appointed. The motion
 9 was declared **passed** by the following roll call vote:
 10

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	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	E	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

29 The Speaker appointed Representatives Young, Chairman, Barker and
 30 Gardner as House conferees to the bill.
 31
 32
 33
 34
 35

36 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

37 **HEALTH & ENVIRONMENT**

38 After consideration on the merits, the Committee recommends the
 39 following:
 40

41 **HB12-1332** be amended as follows, and as so amended, be referred to
 42 the Committee of the Whole with favorable
 43 recommendation:
 44
 45

46 Amend printed bill, page 4, strike line 6 and substitute "SUPERVISE MORE
 47 THAN THREE ANESTHESIOLOGIST ASSISTANTS; EXCEPT THAT THE BOARD
 48 MAY, BY RULE, ALLOW AN ANESTHESIOLOGIST TO SUPERVISE UP TO FOUR
 49 ANESTHESIOLOGIST ASSISTANTS ON AND AFTER JULY 1, 2016. DIRECT".
 50
 51
 52
 53
 54
 55

JUDICIARY

After consideration on the merits, the Committee recommends the following:

HB12-1223 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, line 18, after "(9)" insert "(a)".

Page 3, line 20, after "COMPLETES" insert "A MILESTONE OR PHASE OF".

Page 3, strike lines 25 and 26 and substitute "MAY BE AWARDED AS MANY AS SIXTY DAYS OF ACHIEVEMENT EARNED TIME PER PROGRAM MILESTONE OR PHASE OR PER INSTANCE OF EXCEPTIONAL CONDUCT, AT THE DISCRETION OF THE EXECUTIVE DIRECTOR; EXCEPT THAT AN OFFENDER SHALL NOT BE AWARDED MORE THAN ONE HUNDRED TWENTY DAYS OF ACHIEVEMENT EARNED TIME PURSUANT TO THIS SUBSECTION (9)".

Page 3, after line 26 insert:

"(b) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, "EXCEPTIONAL CONDUCT" INCLUDES, BUT IS NOT LIMITED TO:

(I) SAVING OR ATTEMPTING TO SAVE THE LIFE OF ANOTHER PERSON;

(II) AIDING IN THE PREVENTION OF SERIOUS BODILY INJURY OR LOSS OF LIFE;

(III) PROVIDING SIGNIFICANT ASSISTANCE IN THE PREVENTION OF A MAJOR FACILITY DISRUPTION;

(IV) PROVIDING SIGNIFICANT ASSISTANCE IN THE SOLVING OF A COLD CASE, AS DEFINED IN SECTION 24-4.1-302 (1.2), C.R.S.;

(V) ACTING TO PREVENT AN ESCAPE; OR

(VI) PROVIDING DIRECT ASSISTANCE IN A DOCUMENTED FACILITY OR COMMUNITY EMERGENCY.

SECTION 3. Applicability. The provisions of this act apply to milestones and phases of educational, vocational, therapeutic, or reentry programs completed, and exceptional conduct demonstrated, at least ninety days after the effective date of this act."

Renumber succeeding section accordingly.

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB12-1336 by Representative(s) Becker and Levy, Gerou; also Senator(s) Steadman and Lambert, Hodge--Concerning authorization of a prison utilization analysis, and, in connection therewith, making an appropriation.

Committee on Appropriations

HB12-1337 by Representative(s) Gerou and Levy, Becker; also Senator(s) Steadman and Lambert, Hodge--Concerning the closure of the south campus of the Centennial correctional facility for housing purposes.

Committee on Appropriations

HB12-1338 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the transfer of general fund surplus moneys to the state education fund at the end of certain fiscal years.

Committee on Appropriations

HB12-1339 by Representative(s) Becker, Gerou, Levy; also Senator(s) Lambert, Hodge, Steadman--Concerning the Colorado benefits management system improvement and modernization project, and, in connection therewith, making an appropriation.

Committee on Appropriations

HB12-1340 by Representative(s) Becker, Gerou, Levy; also Senator(s) Lambert, Hodge, Steadman--Concerning a reduction in the general fund portion of the per diem rates paid to nursing facilities, and, in connection therewith, reducing an appropriation.

Committee on Appropriations

HB12-1341 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the repeal of the statewide strategic use fund.

Committee on Appropriations

HB12-1342 by Representative(s) Levy, Becker, Gerou; also Senator(s) Hodge, Steadman, Lambert--Concerning a work therapy program in the department of human services, and, in connection therewith, making an appropriation.

Committee on Appropriations

HB12-1343 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the transfer of moneys from the state rail bank fund to the general fund.

Committee on Appropriations

1 **HB12-1344** by Representative(s) Gerou, Becker, Levy; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning transfers of
3 moneys relating to capital construction.
4 Committee on Appropriations
5
6
7

8 **PRINTING REPORT**
9

10 The Chief Clerk reports the following bills have been correctly printed:
11 **HB12-1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344.**
12
13

14
15 **LAY OVER OF CALENDAR ITEM(S)**
16

17 On motion of Representative Waller, the following item(s) on the
18 Calendar was (were) laid over until April 5, retaining place on Calendar:
19

20 Consideration of Third Reading---**HB12-1066, 1161.**

21 Consideration of General Orders---**HB12-1048, 1317, SB12-087,**
22 **HB12-1294, SB12-128, HB12-1281, SB12-036, HB12-1328, SB12-134,**
23 **HB12-1293, SB12-013.**

24 Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008,**
25 **1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307,**
26 **1012, 1052.**
27
28

29
30 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
31 April 5, 2012.
32

33 Approved:
34 FRANK McNULTY,
35 Speaker

36 Attest:
37 MARILYN EDDINS,
38 Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Eighty-sixth Legislative Day

Thursday, April 5, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Representative Kevin Priola.

4

5 Pledge of Allegiance led by Sidney Stadelmann, Park Hill Elementary,
6 Denver and Isabelle Stadelmann.

7

8 The roll was called with the following result:

9

10 Present--49.

11 Excused--Representative(s) Becker, DelGrosso, Ferrandino,
12 Gardner, Gerou, Hullinghorst, A. Kerr, Levy, Looper, Nikkel,
13 Pabon, Singer, Solano, Sonnenberg, Vaad--15.

14 Absent--Representative(s) Casso--1.

15 Present after roll call--Representative(s) Becker, Casso,
16 DelGrosso, Ferrandino, Gardner, Gerou, Hullinghorst, A. Kerr,
17 Levy, Looper, Nikkel, Pabon, Singer, Solano, Sonnenberg,
18 Vaad.

19

20 The Speaker declared a quorum present.

21

22

23 On motion of Representative Kagan, the reading of the journal of
24 April 4, 2012, was declared dispensed with and approved as corrected by
25 the Chief Clerk.

26

27

28

29

30 On motion of Representative Massey, the House resolved itself into
31 Committee of the Whole for consideration of General Orders, and he was
32 called to the Chair to act as Chairman.

33

34

35 **GENERAL ORDERS--SECOND READING OF BILLS**

36

37 The Committee of the Whole having risen, the Chairman reported the
38 titles of the following bills had been read (reading at length had been
39 dispensed with by unanimous consent), the bills considered and action
40 taken thereon as follows:

41

42 (Amendments to the committee amendment are to the printed committee
43 report which was printed and placed in the members' bill file.)

1 On motion of Representative Waller, the following bills on the General
2 Orders Calendar was laid over until April 9, retaining place on Calendar:
3 **HB12-1048, 1317, SB12-087, HB12-1294, 1281, SB12-118.**

4
5 **SB12-128** by Senator(s) Roberts; also Representative(s) Summers--
6 Concerning achieving efficiencies in the medicaid long-
7 term care program through greater utilization of
8 alternative care facilities.
9

10 Amendment No. 1, Health & Environment Report, dated
11 March 22, 2012, and placed in member's bill file; Report also printed in
12 House Journal, March 23, page 791.
13

14 Amendment No. 2, by Representative(s) Summers.
15

16 Amend the Health and Environment Committee Report, dated March 22,
17 2012, page 1, strike line 2 and substitute:
18

19 "(IV) STUDIES HAVE BEEN CONDUCTED".
20

21 Page 1, line 16, after "BUDGET-NEUTRAL" insert "OR SHALL PRODUCE
22 COST SAVINGS".
23

24 As amended, ordered revised and placed on the Calendar for Third
25 Reading and Final Passage.
26

27 **HB12-1328** by Representative(s) Priola, Ferrandino, DelGrosso,
28 Murray, Sonnenberg; also Senator(s) Giron--Concerning
29 exclusion from the "Uniform Consumer Credit Code" of
30 certain charges by persons regularly engaged in making
31 contracts for purchase of tangible personal property in the
32 course of business if those charges do not exceed amounts
33 permitted by law.
34

35 Amendment No. 1, Economic & Business Development Report, dated
36 March 29, 2012, and placed in member's bill file; Report also printed in
37 House Journal, March 30, page 867.
38

39 Amendment No. 2, by Representative(s) Priola.
40

41 Amend the Economic and Business Development Committee Report,
42 dated March 29, 2012, page 1, strike line 1.
43

44 Page 1 of the report, before line 2 insert:
45

46 "Amend printed bill, page 2, strike line 7 and substitute "C.R.S.:".
47

48 Page 2 of the bill, after line 7 insert:
49

50 "(I) The rates and charges, and the disclosure of rates and
51 charges, ~~of~~".
52

53 As amended, ordered engrossed and placed on the Calendar for Third
54 Reading and Final Passage.
55

1 **SB12-134** by Senator(s) Aguilar, Boyd, Carroll, Foster, Nicholson;
2 also Representative(s) Acree--Concerning financial
3 assistance in Colorado hospitals.
4

5 Ordered revised and placed on the Calendar for Third Reading and Final
6 Passage.
7

8
9 **HB12-1293** by Representative(s) Todd, Court, Ferrandino, Liston,
10 Murray--Concerning modifications to procedures that
11 govern recall elections.
12

13 Ordered engrossed and placed on the Calendar for Third Reading and
14 Final Passage.
15

16
17 **SB12-013** by Senator(s) Schwartz; also Representative(s) Jones--
18 Concerning low-speed electric vehicles.
19

20 Ordered revised and placed on the Calendar for Third Reading and Final
21 Passage.
22

23
24 **SB12-124** by Senator(s) Harvey, Scheffel, Foster, Jahn, Lambert,
25 Newell, Schwartz; also Representative(s) Nikkel, Brown,
26 Conti, Coram, DelGrosso, Gardner B., Holbert, Liston,
27 Murray, Szabo--Concerning the elimination of the limit on
28 the number of regional tourism projects that the Colorado
29 economic development commission may approve.
30

31 Ordered revised and placed on the Calendar for Third Reading and Final
32 Passage.
33

34
35 **SB12-036** by Senator(s) Mitchell; also Representative(s) Holbert--
36 Concerning parental consent for the collection of
37 information from students in schools.
38

39 Amendment No. 1, Education Report, dated March 26, 2012, and placed
40 in member's bill file; Report also printed in House Journal, March 28,
41 page 839.
42

43 Amendment No. 2, by Representative(s) Hamner.
44

45 Amend the Education Committee report, dated March 26, 2012, page 1,
46 line 2, strike ""(5) (c), and (9);" and substitute ""(5) (c);".
47

48 Page 1 of the committee report, line 13, strike "ASSESSMENT." and
49 substitute "ASSESSMENT.". "
50

51 Page 1 of the committee report, strike lines 14 through 20.
52

53 Strike page 2 of the committee report.
54
55

Amendment No. 3, by Representative(s) Hamner.

Amend the Education Committee report, dated March 26, 2012, page 1, strike lines 3 and 4.

As amended, ordered revised and placed on the Calendar for Third Reading and Final Passage.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **SB12-128 amended, HB12-1328 amended, SB12-134, HB12-1293, SB12-013, 124, 036 amended.**

Laid over until date indicated retaining place on Calendar: **HB12-1048, 1317, SB12-087, HB12-1294, 1281, SB12-118.**

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	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

After consideration on the merits, the Committee recommends the following:

HB12-1280 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute:

1 **"SECTION 1.** In Colorado Revised Statutes, 24-35-201, **add**
2 (1.3), (4.5), (5.5), (6.5), (7.5), and (9) as follows:

3
4 **24-35-201. Definitions.** As used in this part 2, unless the context
5 otherwise requires:

6
7 (1.3) "CASH VALUE" MEANS THE VALUE OF ALL CURRENCY PLUS
8 THE VALUE OF ALL PRINTED PAY VOUCHERS REDEEMABLE FOR CURRENCY.

9
10 (4.5) "LICENSED TRACK" MEANS A CLASS B TRACK, AS DEFINED IN
11 SECTION 12-60-102 (4) (a) (I), C.R.S., AT WHICH A RACE MEET OF HORSES,
12 CONSISTING OF THIRTY OR MORE RACE DAYS, WAS CONDUCTED DURING
13 THE PREVIOUS CALENDAR YEAR AND IS SCHEDULED TO CONDUCT A RACE
14 MEET OF HORSES, CONSISTING OF THIRTY OR MORE RACE DAYS, IN THE
15 CURRENT CALENDAR YEAR.

16
17 (5.5) "LOTTERY RETAILER" MEANS A LOTTERY SALES AGENT
18 LICENSED PURSUANT TO SECTIONS 24-35-206 AND 24-35-208.5.

19
20 (6.5) "NET MACHINE INCOME" MEANS THE CASH VALUE PLACED
21 INTO A VIDEO LOTTERY TERMINAL MINUS THE VALUE OF ALL FREE GAMES
22 AWARDED AND ALL PAY VOUCHERS ISSUED BY SUCH TERMINAL.

23
24 (7.5) "PARI-MUTUEL LICENSEE" MEANS A LICENSEE, AS DEFINED IN
25 SECTION 12-60-102 (17), C.R.S., THAT OWNS OR CONTROLS A LICENSED
26 TRACK AND THAT IS IN COMPLIANCE WITH ALL STATUTES AND RULES
27 REGARDING THE CONDUCT OF A RACE MEET OF HORSES AT, AND THE
28 OPERATION OF, THE LICENSED TRACK.

29
30 (9) (a) "VIDEO LOTTERY TERMINAL" MEANS AN ELECTRONIC
31 COMPUTERIZED GAME MACHINE THAT:

32
33 (I) IS OPERATED, MONITORED, CONTROLLED, AND AUDITED BY THE
34 DIVISION THROUGH A CENTRAL TECHNOLOGY SYSTEM;

35
36 (II) UPON INSERTION OF CASH VALUE, IS AVAILABLE TO PLAY A
37 VIDEO GAME OF CHANCE AUTHORIZED BY THE DIVISION; AND

38
39 (III) USES MICROPROCESSORS TO AWARD TO A PLAYER, ON THE
40 BASIS OF CHANCE, FREE GAMES OR CREDITS EVIDENCED BY A PRINTED PAY
41 VOUCHER REDEEMABLE FOR CURRENCY.

42
43 (b) "VIDEO LOTTERY TERMINAL" DOES NOT INCLUDE:

44
45 (I) A MACHINE OR DEVICE THAT DIRECTLY DISBURSES COINS, CASH,
46 TOKENS, OR ANY ITEM OF VALUE OTHER THAN A PRINTED PAY VOUCHER;
47 OR

48
49 (II) A MACHINE OR DEVICE DEFINED AS A SLOT MACHINE IN
50 SECTION 9 (4) (c) OF ARTICLE XVIII OF THE STATE CONSTITUTION.

51
52 **SECTION 2.** In Colorado Revised Statutes, **add** 24-35-208.5 as
53 follows:

54
55 **24-35-208.5. Commission - video lottery terminals -**
56 **authorization - requirements - rules.** (1) (a) THE GENERAL ASSEMBLY

1 HEREBY FINDS AND DECLARES THAT:

2
3 (I) AT VARIOUS TIMES DURING THE PAST SIXTY YEARS, THE
4 REGISTERED ELECTORS OF THE STATE OF COLORADO HAVE AUTHORIZED
5 THE CONDUCT OF DIFFERENT FORMS OF GAMBLING ACTIVITIES WITHIN THE
6 STATE;

7
8 (II) AT THE 1948 GENERAL ELECTION, A BILL REFERRED TO VOTERS
9 STATEWIDE BY THE GENERAL ASSEMBLY WAS APPROVED TO ALLOW
10 PARI-MUTUEL WAGERING ON THE RACING OF HORSES AND OTHER ANIMALS;

11
12 (III) IN 1958, VOTERS STATEWIDE APPROVED AN INITIATED
13 MEASURE AMENDING THE COLORADO CONSTITUTION ALLOWING LICENSED
14 NONPROFIT ORGANIZATIONS TO CONDUCT CERTAIN GAMES OF CHANCE
15 SUCH AS BINGO AND RAFFLES;

16
17 (IV) ANOTHER AMENDMENT TO THE COLORADO CONSTITUTION,
18 REFERRED TO VOTERS AT THE 1980 GENERAL ELECTION, WAS APPROVED
19 ALLOWING THE GENERAL ASSEMBLY TO ESTABLISH A STATE-SUPERVISED
20 LOTTERY;

21
22 (V) AN INITIATED AMENDMENT TO THE COLORADO CONSTITUTION
23 WAS APPROVED BY VOTERS AT THE 1990 GENERAL ELECTION TO ALLOW
24 LIMITED STAKES GAMING TO BE CONDUCTED WITHIN THE CITIES OF
25 CENTRAL CITY, BLACKHAWK, AND CRIPPLE CREEK; AND

26
27 (VI) IN 2008, THE COLORADO CONSTITUTION WAS FURTHER
28 AMENDED BY AN INITIATED MEASURE TO ALLOW THE VOTERS WITHIN
29 THESE THREE LIMITED GAMING CITIES TO EXPAND THE OPERATION OF
30 LIMITED GAMING WITHIN THEIR BOUNDARIES IN TERMS OF EXPANDED
31 HOURS, ADDITIONAL GAMES, AND INCREASED BETTING LIMITS.

32
33 (b) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT:

34
35 (I) THE EXPANSION AND GROWTH OF GAMBLING IN COLORADO
36 OVER THE PAST TWENTY-TWO YEARS THROUGH THE ESTABLISHMENT AND
37 EXPANSION OF THE STATE LOTTERY, WHICH NOW INCLUDES SCRATCH AND
38 WIN, LOTTO, MULTI-STATE POWERBALL, AND MULTI-STATE MEGA MILLIONS
39 GAMES, AND THE ESTABLISHMENT AND EXPANSION OF LIMITED GAMING IN
40 THE THREE MOUNTAIN CITIES, WHICH NOW INCLUDES SLOT MACHINES AS
41 WELL AS THE GAMES OF BLACKJACK, POKER, ROULETTE, AND CRAPS WITH
42 MAXIMUM SINGLE BETS OF ONE HUNDRED DOLLARS, HAS HAD A
43 SIGNIFICANT AND DETRIMENTAL ECONOMIC IMPACT ON PARI-MUTUEL
44 LICENSEES AND THEIR HORSE RACING OPERATIONS IN COLORADO;

45
46 (II) AS A RESULT OF THE INTENSE COMPETITION BETWEEN THE
47 DIFFERENT GAMBLING OPPORTUNITIES AVAILABLE WITHIN THE STATE,
48 PARI-MUTUEL LICENSEES ARE CURRENTLY STRUGGLING TO MAINTAIN
49 ECONOMICALLY VIABLE HORSE RACING OPERATIONS IN COLORADO, AND
50 THE DEMISE OF PARIMUTUEL HORSE RACING IN THIS STATE WOULD HAVE
51 A SERIOUS NEGATIVE IMPACT ON THE ECONOMIC WELL-BEING OF THE
52 STATE AND MANY OF ITS RESIDENTS;

53
54 (III) THERE IS A RATIONAL AND LEGITIMATE BASIS FOR REQUIRING
55 LOTTERY RETAILERS AUTHORIZED TO INSTALL AND OPERATE VIDEO
56 LOTTERY TERMINALS IN ACCORDANCE WITH THIS SECTION TO BE

1 PARI-MUTUEL LICENSEES AS DOING SO PROVIDES AN IMPORTANT
2 ECONOMIC OPPORTUNITY TO THESE LICENSEES TO PARTICIPATE IN THE
3 CONTINUED GROWTH AND STABILITY OF THE STATE-SUPERVISED LOTTERY
4 AND TO IMPROVE THE PROFITABILITY AND LIKELIHOOD OF CONTINUED
5 SUCCESS OF THEIR BUSINESS OPERATIONS, INCLUDING THEIR OPERATIONS
6 AS PARI-MUTUEL LICENSEES; AND

7
8 (IV) IMPROVING THE FINANCIAL VIABILITY OF PARI-MUTUEL
9 LICENSEES IN COLORADO WILL ALSO PROVIDE POSITIVE FINANCIAL
10 IMPACTS TO OTHER SEGMENTS OF COLORADO'S ECONOMY, ESPECIALLY
11 THE AGRICULTURAL AND HOSPITALITY SEGMENTS.

12
13 (1.5) THE COMMISSION MAY AUTHORIZE AT ANY TIME THE
14 INSTALLATION AND OPERATION OF VIDEO LOTTERY TERMINALS BY NO
15 MORE THAN TWO LOTTERY RETAILERS WHO MEET ALL QUALIFICATIONS SET
16 FORTH IN THIS SECTION AND SECTION 24-35-206. SUCH AUTHORIZATION
17 SHALL BE EVIDENCED BY AN ADDITIONAL LICENSE ISSUED BY THE
18 COMMISSION.

19
20 (2) (a) A LOTTERY RETAILER SHALL NOT INSTALL OR OPERATE A
21 VIDEO LOTTERY TERMINAL UNLESS THE LOTTERY RETAILER IS A
22 PARI-MUTUEL LICENSEE AND THE VIDEO LOTTERY TERMINAL IS TO BE
23 LOCATED IN AN AGE-CONTROLLED AREA, AS DEFINED BY RULE OF THE
24 COMMISSION, ON PREMISES THAT ARE OWNED OR CONTROLLED BY THE
25 LOTTERY RETAILER.

26
27 (b) THE COMMISSION MAY AUTHORIZE THE INSTALLATION AND
28 OPERATION OF VIDEO LOTTERY TERMINALS AT A SITE THAT IS WITHIN THE
29 AREA OF THE STATE LOCATED WEST OF THE CONTINENTAL DIVIDE AND
30 THAT IS AT LEAST ONE HUNDRED MILES FROM THE CITIES OF CENTRAL,
31 BLACK HAWK, AND CRIPPLE CREEK AND FROM ANY FACILITY LOCATED ON
32 INDIAN TRIBAL LANDS AT WHICH LIMITED GAMING ACTIVITIES ARE
33 OPERATED.

34
35 (3) THE COMMISSION SHALL DETERMINE THE NUMBER OF VIDEO
36 LOTTERY TERMINALS THAT MAY BE PLACED ON THE PREMISES OF A
37 LOTTERY RETAILER; EXCEPT THAT THE COMMISSION SHALL NOT APPROVE
38 MORE THAN TWO THOUSAND FIVE HUNDRED VIDEO LOTTERY TERMINALS
39 ON THOSE PREMISES OF A LOTTERY RETAILER.

40
41 (4) VIDEO LOTTERY TERMINALS SHALL NOT BE INSTALLED OR
42 OPERATED ON PREMISES LOCATED IN ANY CITY, TOWN, CITY AND COUNTY,
43 OR UNINCORPORATED PORTION OF A COUNTY UNLESS FIRST APPROVED BY:

44
45 (a) AN AFFIRMATIVE VOTE OF A MAJORITY OF THE GOVERNING
46 BODY OF SUCH CITY, TOWN, CITY AND COUNTY, OR COUNTY IN WHICH
47 SUCH PREMISES ARE WHOLLY OR PARTIALLY LOCATED; OR

48
49 (b) AN AFFIRMATIVE VOTE OF A MAJORITY OF THE ELECTORS OF
50 SUCH CITY, TOWN, CITY AND COUNTY, OR COUNTY IN WHICH SUCH
51 PREMISES ARE WHOLLY OR PARTIALLY LOCATED UPON THE QUESTION
52 BEING SUBMITTED TO THE ELECTORS BY THE GOVERNING BODY OF SUCH
53 CITY, TOWN, CITY AND COUNTY, OR COUNTY AT A GENERAL, REGULAR, OR
54 SPECIAL ELECTION CONDUCTED PURSUANT TO APPLICABLE STATE OR
55 LOCAL GOVERNMENT ELECTION LAWS.

1 (5) (a) SUBJECT TO THE PROVISIONS OF THIS SUBSECTION (5) AND
2 IN ADDITION TO ANY OTHER IMPACT FEES OR DEVELOPMENT CHARGES
3 THAT MAY BE IMPOSED BY LAW, THE GOVERNING BODY OF ANY CITY,
4 TOWN, CITY AND COUNTY, OR COUNTY IN WHICH PREMISES ARE WHOLLY
5 OR PARTIALLY LOCATED ON WHICH VIDEO LOTTERY TERMINALS ARE TO BE
6 INSTALLED OR OPERATED MAY IMPOSE VIDEO LOTTERY IMPACT FEES ON A
7 LOTTERY RETAILER TO DEFRAY THE COSTS OF THE ON- AND OFF-SITE
8 IMPACTS DIRECTLY RELATED TO THE OPERATION OF VIDEO LOTTERY
9 TERMINALS ON SUCH PREMISES.

10

11 (b) ANY VIDEO LOTTERY IMPACT FEES AUTHORIZED UNDER
12 PARAGRAPH (a) OF THIS SUBSECTION (5) SHALL BE:

13

14 (I) REASONABLY RELATED IN TIME TO THE INCURRENCE OF THE ON-
15 AND OFF-SITE IMPACTS DIRECTLY RELATED TO THE OPERATION OF VIDEO
16 LOTTERY TERMINALS ON SUCH PREMISES, OR THE COSTS THEREOF; AND

17

18 (II) NO GREATER THAN NECESSARY TO DEFRAY THE COSTS OF THE
19 ON- AND OFF-SITE IMPACTS DIRECTLY RELATED TO THE OPERATION OF
20 VIDEO LOTTERY TERMINALS ON SUCH PREMISES; EXCEPT THAT THE
21 AMOUNT OF VIDEO LOTTERY IMPACT FEES ANNUALLY IMPOSED BY A LOCAL
22 GOVERNMENT ON A LOTTERY RETAILER PURSUANT TO THIS SUBSECTION (5)
23 SHALL NOT EXCEED FIVE MILLION DOLLARS, ADJUSTED ANNUALLY FOR
24 INFLATION.

25

26 (c) FOR PURPOSES OF THIS SUBSECTION (5), "INFLATION" MEANS
27 THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
28 LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
29 DENVER-BOULDER-GREELEY, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS
30 SUCCESSOR INDEX.

31

32 (6) THE COMMISSION MAY PROMULGATE RULES AS NECESSARY TO
33 IMPLEMENT THIS SECTION AND TO MONITOR AND REGULATE THE
34 OPERATION OF VIDEO LOTTERY TERMINALS. THE COMMISSION MAY FINE,
35 ADMONISH, OR SUSPEND OR REVOKE THE LICENSE OF ANY LOTTERY
36 RETAILER THAT THE COMMISSION FINDS HAS ALLOWED AN UNDERAGE
37 PERSON TO ENTER THE AGE-CONTROLLED AREA, AS DEFINED BY RULE OF
38 THE COMMISSION, OF ANY PREMISES FOR THE PURPOSE OF USING A VIDEO
39 LOTTERY TERMINAL.

40

41 (7) THE DIRECTOR, EXECUTIVE DIRECTOR, AND THE COMMISSION
42 SHALL MANAGE AND REGULATE THE OPERATION OF VIDEO LOTTERY
43 TERMINALS IN ACCORDANCE WITH THIS SECTION AND THEIR POWERS AND
44 DUTIES AS SET FORTH IN SECTIONS 24-35-204, 24-35-204.5, 24-35-205,
45 AND 24-35-208, RESPECTIVELY.

46

47 (8) EACH VIDEO LOTTERY TERMINAL IS SUBJECT TO APPROVAL BY
48 THE COMMISSION IN ACCORDANCE WITH RULES PROMULGATED BY THE
49 COMMISSION.

50

51 (9) IN ADDITION TO ANY OTHER REQUIREMENTS SET FORTH IN THIS
52 SECTION, EACH VIDEO LOTTERY TERMINAL APPROVED UNDER THIS SECTION
53 SHALL:

54

55 (a) OFFER ONLY GAMES LICENSED AND AUTHORIZED BY THE
56 COMMISSION; AND

1 (b) NOT HAVE ANY MEANS OF MANIPULATION BY A PLAYER OR
2 OTHER UNAUTHORIZED PERSON THAT WOULD AFFECT THE PROBABILITY OF
3 WINNING A GAME.

4
5 (10) THE MANAGEMENT, OPERATION, AND CONTROL OVER VIDEO
6 LOTTERY TERMINALS SHALL BE IN ACCORDANCE WITH SECTION
7 24-35-204.5.

8
9 (11) COMPENSATION TO BE PAID TO LOTTERY RETAILERS SHALL BE
10 SEVENTY PERCENT OF NET MACHINE INCOME.

11
12 (12) OF THE PROCEEDS RECEIVED FROM THE OPERATION OF VIDEO
13 LOTTERY TERMINALS, THE DIVISION SHALL FIRST REMIT TO LOTTERY
14 RETAILERS THE COMPENSATION SET FORTH IN SUBSECTION (11) OF THIS
15 SECTION. THE DIVISION SHALL DISTRIBUTE THE BALANCE OF SUCH
16 PROCEEDS, NET OF PRIZES AND EXPENSES, IN ACCORDANCE WITH SECTION
17 3 (1) (b) OF ARTICLE XXVII OF THE STATE CONSTITUTION.

18
19 (13) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALTER,
20 LIMIT, IMPAIR, PREVENT, OR DIMINISH ANY LAND USE, BUILDING, OR
21 ZONING PLANS, CODES, RESOLUTIONS, OR REGULATIONS OF ANY CITY,
22 TOWN, CITY AND COUNTY, OR COUNTY WITHIN WHICH PREMISES ARE
23 WHOLLY OR PARTIALLY LOCATED ON WHICH VIDEO LOTTERY TERMINALS
24 ARE TO BE INSTALLED OR OPERATED PURSUANT TO THIS SECTION.

25
26 **SECTION 3.** In Colorado Revised Statutes, **add** 23-5-142 as
27 follows:

28
29 **23-5-142. Colorado college scholarship fund - creation.**

30 (1) THERE IS HEREBY CREATED IN THE STATE TREASURY THE COLORADO
31 COLLEGE SCHOLARSHIP FUND, REFERRED TO IN THIS SECTION AS THE
32 "FUND". THE FUND CONSISTS OF MONEYS CREDITED TO THE FUND
33 PURSUANT TO SUBSECTION (2) OF THIS SECTION. THE MONEYS IN THE FUND
34 ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL ASSEMBLY FOR
35 THE DIRECT AND INDIRECT COSTS OF IMPLEMENTING AND ADMINISTERING
36 A SCHOLARSHIP PROGRAM CREATED BY BILL ENACTED BY THE GENERAL
37 ASSEMBLY DURING THE FIRST REGULAR SESSION OF THE SIXTY-NINTH
38 GENERAL ASSEMBLY IN 2013 FOR THE PURPOSE OF INCREASING THE
39 ACCESS OF COLORADO RESIDENTS TO UNDERGRADUATE POSTSECONDARY
40 EDUCATION.

41
42 (2) ALL REVENUES THAT WOULD OTHERWISE BE ALLOCATED TO
43 THE GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE
44 XXVII OF THE STATE CONSTITUTION, EXCEPT FOR THE PORTION OF SUCH
45 REVENUES REQUIRED TO BE DISTRIBUTED PURSUANT TO SECTION
46 12-47.1-701.5 (3.5), C.R.S., AND REQUIRED TO BE TRANSFERRED TO THE
47 COLORADO TRAVEL AND TOURISM PROMOTION FUND PURSUANT TO
48 SECTION 24-49.7-106 (7), C.R.S., ARE CREDITED TO THE FUND.

49
50 (3) ANY MONEYS IN THE FUND NOT EXPENDED OR OTHERWISE
51 ENCUMBERED MAY BE INVESTED BY THE STATE TREASURER AS PROVIDED
52 BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE INVESTMENT AND
53 DEPOSIT OF MONEYS IN THE FUND ARE CREDITED TO THE FUND. ANY
54 UNEXPENDED AND UNENCUMBERED MONEYS REMAINING IN THE FUND AT
55 THE END OF A FISCAL YEAR REMAIN IN THE FUND AND ARE NOT TO BE
56 CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND.

1 **SECTION 4.** In Colorado Revised Statutes, 12-47.1-701.5, **add**
2 (3.5) as follows:
3

4 **12-47.1-701.5. Revenues attributable to local revisions to**
5 **gaming limits - extended limited gaming fund - identification -**
6 **separate administration - distribution - definitions.** (3.5) (a) (I) IN THE
7 FISCAL YEAR THAT COMMENCES ON JULY 1 OF A GIVEN YEAR AFTER THE
8 END OF THE FIRST FISCAL YEAR DURING WHICH VIDEO LOTTERY TERMINALS
9 ARE OPERATED DURING ONLY A PORTION OF THAT FISCAL YEAR IN
10 ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., IF THE AGGREGATE
11 AMOUNT OF REVENUE IN THE EXTENDED LIMITED GAMING FUND TO BE
12 DISTRIBUTED IN THAT FISCAL YEAR IN ACCORDANCE WITH SUBPARAGRAPH
13 (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION TO COLLEGES
14 THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IS LESS THAN
15 TWENTY-NINE MILLION DOLLARS, THE STATE TREASURER SHALL
16 DISTRIBUTE MONEYS THAT WOULD OTHERWISE BE ALLOCATED TO THE
17 GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE XXVII
18 OF THE STATE CONSTITUTION IN THE SAME MANNER AS MONEYS IN THE
19 FUND ARE DISTRIBUTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF
20 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION SO THAT THE
21 AGGREGATE AMOUNT TO BE DISTRIBUTED IN THAT FISCAL YEAR TO
22 COLLEGES THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IN
23 ACCORDANCE WITH THIS SUBPARAGRAPH (I) AND SUBPARAGRAPH (I) OF
24 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION EQUALS
25 TWENTY-NINE MILLION DOLLARS.
26

27 (II) IN THE FISCAL YEAR THAT COMMENCES ON JULY 1 OF A GIVEN
28 YEAR AFTER THE END OF THE FIRST FISCAL YEAR DURING WHICH VIDEO
29 LOTTERY TERMINALS ARE OPERATED DURING THE ENTIRE FISCAL YEAR IN
30 ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., IF THE AGGREGATE
31 AMOUNT OF REVENUE IN THE EXTENDED LIMITED GAMING FUND TO BE
32 DISTRIBUTED IN THAT FISCAL YEAR IN ACCORDANCE WITH SUBPARAGRAPH
33 (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION TO COLLEGES
34 THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IS LESS THAN
35 TWENTY-NINE MILLION DOLLARS, ADJUSTED FOR INFLATION IN THE MOST
36 RECENTLY COMPLETED CALENDAR YEAR, THE STATE TREASURER SHALL
37 DISTRIBUTE MONEYS THAT WOULD OTHERWISE BE ALLOCATED TO THE
38 GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE XXVII
39 OF THE STATE CONSTITUTION IN THE SAME MANNER AS MONEYS IN THE
40 FUND ARE DISTRIBUTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF
41 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION SO THAT THE
42 AGGREGATE AMOUNT TO BE DISTRIBUTED IN THAT FISCAL YEAR TO
43 COLLEGES THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IN
44 ACCORDANCE WITH THIS SUBPARAGRAPH (II) AND SUBPARAGRAPH (I) OF
45 PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION EQUALS
46 TWENTY-NINE MILLION DOLLARS, ADJUSTED FOR INFLATION IN THE MOST
47 RECENTLY COMPLETED CALENDAR YEAR.
48

49 (III) IN EACH FISCAL YEAR THAT COMMENCES ON JULY 1 OF A
50 GIVEN YEAR AFTER THE END OF THE SECOND FISCAL YEAR DURING WHICH
51 VIDEO LOTTERY TERMINALS ARE OPERATED DURING THE ENTIRE FISCAL
52 YEAR IN ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., IF THE
53 AGGREGATE AMOUNT OF REVENUE IN THE EXTENDED LIMITED GAMING
54 FUND TO BE DISTRIBUTED IN THAT FISCAL YEAR IN ACCORDANCE WITH
55 SUBPARAGRAPH (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION
56 TO COLLEGES THAT WERE OPERATING ON AND AFTER JANUARY 1, 2008, IS

1 LESS THAN TWENTY-NINE MILLION DOLLARS, ADJUSTED ANNUALLY BY THE
2 GREATER OF INFLATION IN THE MOST RECENTLY COMPLETED CALENDAR
3 YEAR OR THE PERCENTAGE CHANGE IN THE BALANCE OF PROCEEDS
4 RECEIVED FROM THE OPERATION OF VIDEO LOTTERY TERMINALS, NET OF
5 PRIZES, EXPENSES, AND COMPENSATION PAID TO LOTTERY RETAILERS, AND
6 DISTRIBUTED IN ACCORDANCE WITH SECTION 3 (1) (b) OF ARTICLE XXVII
7 OF THE STATE CONSTITUTION IN THE PRIOR FISCAL YEAR, THE STATE
8 TREASURER SHALL DISTRIBUTE MONEYS THAT WOULD OTHERWISE BE
9 ALLOCATED TO THE GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III)
10 OF ARTICLE XXVII OF THE STATE CONSTITUTION IN THE SAME MANNER AS
11 MONEYS IN THE FUND ARE DISTRIBUTED IN ACCORDANCE WITH
12 SUBPARAGRAPH (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION
13 SO THAT THE AGGREGATE AMOUNT TO BE DISTRIBUTED IN THAT FISCAL
14 YEAR TO COLLEGES THAT WERE OPERATING ON AND AFTER JANUARY 1,
15 2008, IN ACCORDANCE WITH THIS SUBPARAGRAPH (III) AND
16 SUBPARAGRAPH (I) OF PARAGRAPH (c) OF SUBSECTION (3) OF THIS SECTION
17 EQUALS TWENTY-NINE MILLION DOLLARS, ADJUSTED ANNUALLY BY THE
18 GREATER OF INFLATION IN THE MOST RECENTLY COMPLETED CALENDAR
19 YEAR OR THE PERCENTAGE CHANGE IN THE BALANCE OF PROCEEDS
20 RECEIVED FROM THE OPERATION OF VIDEO LOTTERY TERMINALS, NET OF
21 PRIZES, EXPENSES, AND COMPENSATION PAID TO LOTTERY RETAILERS, AND
22 DISTRIBUTED IN ACCORDANCE WITH SECTION 3 (1) (b) OF SAID ARTICLE
23 XXVII IN THE PRIOR FISCAL YEAR.

24
25 (IV) FOR PURPOSES OF THIS PARAGRAPH (a), "INFLATION" MEANS
26 THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
27 LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
28 DENVER-BOULDER-GREELEY, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS
29 SUCCESSOR INDEX.

30
31 (b) (I) MONEYS THAT WOULD OTHERWISE BE ALLOCATED TO THE
32 GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III) OF ARTICLE XXVII
33 OF THE STATE CONSTITUTION THAT ARE DISTRIBUTED PURSUANT TO
34 PARAGRAPH (a) OF THIS SUBSECTION (3.5), AND ANY INTEREST OR INCOME
35 EARNED ON A COLLEGE'S DEPOSIT OF SUCH MONEYS, SHALL SUPPLEMENT
36 AND SHALL NOT SUPPLANT ANY OTHER STATE MONEYS APPROPRIATED OR
37 OTHERWISE ALLOCATED FOR SIMILAR PROGRAMS OR PURPOSES. AS USED
38 IN THIS PARAGRAPH (b), "STATE MONEYS" MEANS GENERAL FUND
39 OPERATING FUNDING, INCLUDING COLLEGE OPPORTUNITY FUND STIPENDS
40 AND FEE-FOR-SERVICE FUNDS, ADJUSTED FOR INFLATION TO THE SAME
41 DEGREE AS THE INFLATION ADJUSTMENT RECEIVED BY OTHER
42 INSTITUTIONS OF HIGHER EDUCATION.

43
44 (II) ANY HIGHER EDUCATION FUNDING FORMULA THAT ALLOCATES
45 STATE-APPROPRIATED MONEYS SHALL NOT USE MONEYS DISTRIBUTED
46 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (3.5) TO SUPPLANT
47 STATE MONEYS OTHERWISE ALLOCATED BY SUCH FORMULA.

48
49 **SECTION 5.** In Colorado Revised Statutes, 24-49.7-106, **add** (7)
50 as follows:

51
52 **24-49.7-106. Colorado travel and tourism promotion fund -**
53 **Colorado travel and tourism additional source fund - creation -**
54 **nature of funds.** (7) (a) ALL MONEYS THAT WOULD OTHERWISE BE
55 TRANSFERRED TO THE GENERAL FUND PURSUANT TO SECTION 3 (1) (b) (III)
56 OF ARTICLE XXVII OF THE STATE CONSTITUTION SHALL BE TRANSFERRED

1 TO THE COLORADO TRAVEL AND TOURISM PROMOTION FUND; EXCEPT
2 THAT:

3
4 (I) IN THE FISCAL YEAR THAT COMMENCES ON JULY 1 OF A GIVEN
5 YEAR AFTER THE END OF THE FIRST FISCAL YEAR DURING WHICH VIDEO
6 LOTTERY TERMINALS ARE OPERATED DURING ONLY A PORTION OF THAT
7 FISCAL YEAR IN ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., THE
8 AGGREGATE AMOUNT TRANSFERRED TO THE COLORADO TRAVEL AND
9 TOURISM PROMOTION FUND IN THAT FISCAL YEAR PURSUANT TO THIS
10 SUBSECTION (7) SHALL NOT EXCEED FOUR MILLION DOLLARS

11
12 (II) IN EACH FISCAL YEAR THAT COMMENCES ON JULY 1 OF A GIVEN
13 YEAR AFTER THE END OF THE FIRST FISCAL YEAR DURING WHICH VIDEO
14 LOTTERY TERMINALS WERE OPERATED DURING THE ENTIRE FISCAL YEAR
15 IN ACCORDANCE WITH SECTION 24-35-208.5, C.R.S., THE AGGREGATE
16 AMOUNT TRANSFERRED TO THE ASSISTANCE FUND IN THAT FISCAL YEAR
17 PURSUANT TO THIS SUBSECTION (7) SHALL NOT EXCEED FOUR MILLION
18 DOLLARS, ADJUSTED FOR INFLATION IN THE MOST RECENTLY COMPLETED
19 CALENDAR YEAR.

20
21 (b) FOR PURPOSES OF THIS SUBSECTION (7), "INFLATION" MEANS
22 THE PERCENTAGE CHANGE IN THE UNITED STATES DEPARTMENT OF
23 LABOR, BUREAU OF LABOR STATISTICS, CONSUMER PRICE INDEX FOR
24 DENVER-BOULDER-GREELEY, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS
25 SUCCESSOR INDEX.

26
27 **SECTION 6.** In Colorado Revised Statutes, 22-43.7-104, **repeal**
28 (2) (b) (III) as follows:

29
30 **22-43.7-104. Public school capital construction assistance fund**
31 **- creation - crediting of moneys to fund - use of fund - emergency**
32 **reserve - creation.** (2) (b) For each fiscal year commencing on or after
33 July 1, 2008, the following moneys shall be credited to the assistance
34 fund:

35
36 ~~(III) All moneys that would otherwise be transferred to the general~~
37 ~~fund pursuant to section 3 (1) (b) (III) of article XXVII of the state~~
38 ~~constitution. The moneys credited to the assistance fund pursuant to this~~
39 ~~subparagraph (III) and any income and interest derived from the deposit~~
40 ~~and investment of such moneys shall be exempt from any restriction on~~
41 ~~spending, revenue, or appropriations, including, without limitation, the~~
42 ~~restrictions of section 20 of article X of the state constitution.~~

43
44 **SECTION 7. Safety clause.** The general assembly hereby finds,
45 determines, and declares that this act is necessary for the immediate
46 preservation of the public peace, health, and safety."

47
48 Page 1, line 104, strike "UNDER THE CONTROL OF THE".

49
50 Page 1, strike line 105 and substitute: "AT ONE SITE WITHIN THE AREA OF
51 THE STATE WEST OF THE CONTINENTAL DIVIDE."

52
53
54
55 **HB12-1334** be referred favorably to the Committee on Appropriations.
56

1 **APPROPRIATIONS**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB12-1037** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **HB12-1286** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:

12
13 Amend printed bill, page 13, strikes lines 2 and 3 and substitute:

14
15 "(II) MONEYS TRANSFERRED TO THE FUND, INCLUDING THREE
16 MILLION DOLLARS THAT SHALL BE TRANSFERRED ON JULY 1, 2012, FROM
17 THE GENERAL FUND TO THE COLORADO OFFICE OF FILM, TELEVISION, AND
18 MEDIA OPERATIONAL ACCOUNT CASH FUND; AND".

19
20 Page 15, strike lines 24 through 27.

21
22 Page 16, strike lines 1 through 4 and substitute:

23
24 **"SECTION 7. Appropriation.** In addition to any other
25 appropriation, there is hereby appropriated, out of any moneys in the
26 Colorado office of film, television, and media operational account cash
27 fund created in section 24-48.5-116 (5) (a), Colorado Revised Statutes,
28 not otherwise appropriated, to the governor - lieutenant governor - state
29 planning and budgeting, for the fiscal year beginning July 1, 2012, the
30 sum of \$3,000,000, or so much thereof as may be necessary, for allocation
31 to economic development programs for the Colorado office of film,
32 television, and media related to the implementation of this act.".

33
34
35
36 **HB12-1315** be amended as follows, and as so amended, be referred to
37 the Committee of the Whole with favorable
38 recommendation:

39
40 Amend the Agriculture, Livestock, & Natural Resources Committee
41 Report, dated March 28, 2012, page 6, after line 25 insert:

42
43 "Page 16, strike lines 25 and 26 and substitute:

44
45 "(a) ANY MONEYS TRANSFERRED TO THE FUND, INCLUDING:

46
47 (I) (A) ON JULY 1, 2012, ONE MILLION FIVE HUNDRED SIXTY
48 THOUSAND FOUR HUNDRED NINETY-ONE DOLLARS SHALL BE TRANSFERRED
49 FROM THE GENERAL FUND TO THE CLEAN AND RENEWABLE ENERGY FUND.

50
51 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JANUARY 1,
52 2013.

53
54 (II) (A) ON JULY 1, 2013, AND EACH JULY 1 THEREAFTER THROUGH
55 JULY 1, 2016, ONE MILLION SIX HUNDRED THOUSAND DOLLARS SHALL BE
56 TRANSFERRED FROM THE GENERAL FUND TO THE CLEAN AND RENEWABLE

1 ENERGY FUND.

2

3 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JANUARY
4 1, 2017."."

5

6 Page 7 of the Committee Report, after line 7 insert:

7

8 "Page 17, line 27, strike "39-29-109 (2) (a)," and substitute "39-29-108
9 (2),"."

10

11 Page 7 of the Committee Report, after line 10 insert:

12

13 "Page 18, line 9, strike "MONEYS" and substitute "EXCEPT AS PROVIDED
14 IN PARAGRAPH (d) OF THIS SUBSECTION (1), MONEYS"."

15

16 Page 7 of the Committee Report, after line 16 insert:

17

18 "Page 18, after line 21 insert:

19

20 "(c) ON JULY 1, 2012, THE STATE TREASURER SHALL TRANSFER SIX
21 HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE COLORADO
22 ENERGY OFFICE LOW-INCOME ENERGY ASSISTANCE FUND CREATED IN
23 SECTION 40-8.7-112 (3) (a), C.R.S.

24

25 (d) ON JULY 1, 2012, THE STATE TREASURER SHALL TRANSFER ONE
26 MILLION SIX HUNDRED THOUSAND DOLLARS FROM THE FUND TO THE
27 CLEAN AND RENEWABLE ENERGY FUND CREATED IN SECTION
28 24-38.5-102.4."."

29

30 Page 13 of the Committee Report, after line 14 insert:

31

32 "Page 39, strike lines 19 through 27.

33

34 Page 40, strike lines 1 through 10 and substitute:

35

36 "SECTION 47. In Colorado Revised Statutes, 39-29-108, amend
37 (2) as follows:

38

39 **39-29-108. Allocation of severance tax revenues - definitions.**

40 (2) (a) (I) Of the total gross receipts realized from the severance taxes
41 imposed on minerals and mineral fuels under the provisions of this article
42 after ~~June 30, 1981~~ JUNE 30, 2012, BUT BEFORE JULY 1, 2016, ONE
43 MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL BE TRANSFERRED IN
44 EACH FISCAL YEAR TO THE INNOVATIVE ENERGY FUND CREATED IN
45 SECTION 24-38.5-102.5, C.R.S. OF THE REMAINDER OF THE TOTAL GROSS
46 RECEIPTS AFTER THE TRANSFER TO THE INNOVATIVE ENERGY FUND, fifty
47 percent shall be credited to the state severance tax trust fund created by
48 section 39-29-109, and fifty percent shall be credited to the local
49 government severance tax fund created by section 39-29-110.

50

51 (II) THIS PARAGRAPH (a) IS REPEALED, EFFECTIVE JANUARY 1,
52 2017.

53

54 (b) OF THE TOTAL GROSS RECEIPTS REALIZED FROM THE
55 SEVERANCE TAXES IMPOSED ON MINERALS AND MINERAL FUELS UNDER
56 THE PROVISIONS OF THIS ARTICLE AFTER JUNE 30, 2016, FIFTY PERCENT

1 SHALL BE CREDITED TO THE STATE SEVERANCE TAX TRUST FUND CREATED
2 BY SECTION 39-29-109, AND FIFTY PERCENT SHALL BE CREDITED TO THE
3 LOCAL GOVERNMENT SEVERANCE TAX FUND CREATED BY SECTION
4 39-29-110."."

5
6 Page 15 of the Committee Report, after line 21 insert:

7
8 "Page 48, line 3, strike "C.R.S." and substitute "C.R.S., ALL MONEYS
9 TRANSFERRED TO THE FUND, ALL MONEYS RECEIVED AS A RESULT OF
10 CONTRACTS ENTERED INTO BY THE COLORADO ENERGY OFFICE FOR THE
11 OFFICES'S PROGRAM TO IMPROVE THE HOME ENERGY EFFICIENCY OF
12 LOW-INCOME HOUSEHOLDS, AND ALL MONEYS RECEIVED BY THE
13 COLORADO ENERGY OFFICE FROM GIFTS, GRANTS, AND DONATIONS FOR
14 THE OFFICES'S PROGRAM TO IMPROVE THE HOME ENERGY EFFICIENCY OF
15 LOW-INCOME HOUSEHOLDS."."

16
17 Page 16 of the Committee Report, after line 23 insert:

18
19 "Page 50, after line 10 insert:

20
21 **"SECTION 54. Appropriation.** (1) In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 innovative energy fund created in section 24-38.5-102.5, Colorado
24 Revised Statutes, not otherwise appropriated, to the governor - lieutenant
25 governor - state planning and budgeting, for the fiscal year beginning July
26 1, 2012, the sum of \$1,500,000 and 10.3 FTE, or so much thereof as may
27 be necessary, to be allocated for the implementation of this act as follows:

28
29 (a) \$1,373,312 and 10.3FTE for Colorado energy office, program
30 administration;

31
32 (b) \$33,604 for Colorado energy office, legal services;

33
34 (c) \$45,714 for special purpose, health, life, and dental;

35
36 (d) \$1,368 for special purpose ,short-term disability;

37
38 (e) \$24,740 for special purpose, amortization equalization
39 disbursement; and

40
41 (f) \$21,262 for special purpose, supplemental amortization
42 equalization disbursement.

43
44 **SECTION 55. Appropriation.** In addition to any other
45 appropriation, there is hereby appropriated, out of any moneys in the
46 Colorado energy office low-income assistance fund created in section
47 40-8.7-112 (3) (a), Colorado Revised Statutes, not otherwise
48 appropriated, to the governor - lieutenant governor - state planning and
49 budgeting, for the fiscal year beginning July 1, 2012, the sum of
50 \$600,000, or so much thereof as may be necessary, for allocation to the
51 Colorado energy office for weatherization services related to the
52 implementation of this act.

53
54 **SECTION 56. Appropriation.** (1) In addition to any other
55 appropriation, there is hereby appropriated, out of any moneys in the clean
56 and renewable energy fund, created in section 24-38.5-102.4, Colorado

1 Revised Statutes, not otherwise appropriated, to the governor - lieutenant
2 governor - state planning and budgeting, for the fiscal year beginning July
3 1, 2012, the sum of \$1,560,491 and 10.4 FTE, or so much thereof as may
4 be necessary, to be allocated for the implementation of this act as follows:

5
6 (a) \$1,433,803 and 10.4 FTE for Colorado energy office, program
7 administration;

8
9 (b) \$33,604 for Colorado energy office, legal services;

10
11 (c) \$45,714 for special purpose, health, life, and dental;

12
13 (d) \$1,368 for special purpose ,short-term disability;

14
15 (e) \$24,740 for special purpose, amortization equalization
16 disbursement; and

17
18 (f) \$21,262 for special purpose, supplemental amortization
19 equalization disbursement.".

20
21 Renumber succeeding sections accordingly.

22
23 Page 1, line 102, strike "OFFICE." and substitute "OFFICE, AND IN
24 CONNECTION THEREWITH, MAKING AN APPROPRIATION.".

25
26
27
28 **HB12-1326** be amended as follows, and as so amended, be referred to
29 the Committee of the Whole with favorable
30 recommendation:

31
32 Amend printed bill, page 3, strike lines 2 through 4 and substitute the
33 following:

34
35 "(II) IS ELIGIBLE FOR MEDICAL ASSISTANCE PURSUANT TO SECTION
36 25.5-5-101 (1) (I), C.R.S., BUT IS NOT ELIGIBLE FOR LONG-TERM CARE
37 SERVICES PURSUANT TO ARTICLE 6 OF TITLE 25.5, C.R.S.".

38
39 Page 3, line 9, strike "\$3,000,000," and substitute "\$3,022,800,".

40
41 Page 3, after line 10, insert:

42
43 **"SECTION 4. Continuous appropriation - adjustments in 2012**
44 **long bill.** In the annual general appropriations act, for the fiscal year
45 beginning July 1, 2012, the amount that represents an estimate of
46 expenditures by the department of human services from the old age
47 pension cash fund for old age pension cash assistance programs pursuant
48 to section 1 of article XXIV of the state constitution is increased by
49 \$6,695,581. This amount is subject to the (I) notation included in the
50 annual general appropriations act. Although these funds are not
51 appropriated in this act, they are noted for the purpose of indicating
52 assumed expenditures that may be authorized by the state board of human
53 services as encouraged pursuant to section 1 of this act." .

54
55 Renumber succeeding section accordingly.

- 1 **HB12-1335** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
- 5 **HB12-1336** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
- 9 **HB12-1337** be referred to the Committee of the Whole with favorable
10 recommendation.
11
12
- 13 **HB12-1338** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
- 17 **HB12-1339** be referred to the Committee of the Whole with favorable
18 recommendation.
19
20
- 21 **HB12-1340** be referred to the Committee of the Whole with favorable
22 recommendation.
23
24
- 25 **HB12-1341** be referred to the Committee of the Whole with favorable
26 recommendation.
27
28
- 29 **HB12-1342** be referred to the Committee of the Whole with favorable
30 recommendation.
31
32
- 33 **HB12-1343** be referred to the Committee of the Whole with favorable
34 recommendation.
35
36
- 37 **HB12-1344** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
- 41 **SB12-110** be referred to the Committee of the Whole with favorable
42 recommendation.
43
44
- 45 **SB12-156** be referred to the Committee of the Whole with favorable
46 recommendation.
47
48
49
- 50 **LOCAL GOVERNMENT**
51 After consideration on the merits, the Committee recommends the
52 following:
53
- 54 **HB12-1319** be amended as follows, and as so amended, be referred to
55 the Committee on Appropriations with favorable
56 recommendation:

1 Amend printed bill, page 2, strike lines 3 through 9 and substitute "(7)
2 and (8) as follows:
3

4 **12-23-116. Inspection - application - standards.**
5 (7) Notwithstanding the fact that any incorporated town or city, any
6 county, or any city and county in which a public school is located or is to
7 be located has its own electrical code and inspection authority, any
8 electrical installation in any new construction or remodeling or repair of
9 a public school shall be inspected by EITHER a state electrical inspector OR
10 A LOCAL ELECTRICAL INSPECTOR AT THE DISCRETION OF THE SCHOOL
11 DISTRICT."
12

13 Page 2, line 22, after "PERFORMING" insert "SCHOOL".
14

15 Page 3, strike lines 3 through 24.
16

17 Renumber succeeding sections accordingly.
18

19 Page 3, strike lines 26 and 27 and substitute "(5) and (6) as follows:
20

21 **12-58-114.5. Inspection - application - standards.**
22 (5) Notwithstanding the fact that any incorporated town or city, any
23 county, or any city and county in which a public school is located or is to
24 be located has its own plumbing code and inspection authority, any
25 plumbing or gas piping installation in any new construction or remodeling
26 or repair of a public school shall be inspected by EITHER a state plumbing
27 inspector OR A LOCAL PLUMBING INSPECTOR AT THE DISCRETION OF THE
28 SCHOOL DISTRICT."
29

30 Page 4, strike lines 1 through 6.
31

32 Page 4, line 7, after "(6)" insert "(a)".
33

34 Page 4, after line 18 insert:
35

36 "(b) STATE PLUMBING INSPECTORS AND PLUMBING INSPECTORS
37 PERFORMING SCHOOL INSPECTIONS FOR ANY LOCAL JURISDICTION SHALL
38 INSPECT TO THE PLUMBING AND GAS STANDARDS IN THE COLORADO
39 PLUMBING CODE AS ESTABLISHED BY THE BOARD PURSUANT TO SECTION
40 12-58-114.5 (1)."
41
42
43

44 **SB12-158** be referred to the Committee of the Whole with favorable
45 recommendation.
46
47
48

49 **MESSAGE(S) FROM THE SENATE**
50

51 The Senate has passed on Third Reading and returns herewith
52 HB12-1295.
53
54

55 The Senate has passed on Third Reading and transmits to the Revisor of
56 Statutes: SB12-161.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB12-161.

House in recess. House reconvened.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB12-1295**.

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB12-1295** at 1:31 p.m. on April 5, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR12- 006.

The Senate has adopted and transmits herewith: SJR12- 024.

The Senate has passed on Third Reading and returns herewith HB12-1271.

The Senate has postponed indefinitely HB12-1111 and HB12-1118. The bills are returned herewith.

**INTRODUCTION OF BILL
First Reading**

The following bill was read by title and referred to the committees indicated:

HB12-1345 by Representative(s) Massey; also Senator(s) Bacon--
Concerning the financing of public schools, and, in
connection therewith, making an appropriation.

Committee on Education
Committee on Appropriations

LAY OVER OF CALENDAR ITEM(S)

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21

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until April 9, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161.**
Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052.**

On motion of Representative Stephens, the House adjourned until 10:00 a.m., April 9, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninetieth Legislative Day

Monday, April 9, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by Elder Larry Henry, Word Alive, Thornton.

4

5 Pledge of Allegiance led by Julianne Seifert and Lauren Beaugh, Early
6 College of Arvada High School.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Becker, Pace, Sonnenberg--3.

12

13 The Speaker declared a quorum present.

14

15

16 On motion of Representative Joshi, the reading of the journal of
17 April 5, 2012, was declared dispensed with and approved as corrected by
18 the Chief Clerk.

19

20

21

22 House in recess. House reconvened.

23

24

25

26 **PRINTING REPORT**

27

28 The Chief Clerk reports the following bill has been correctly printed:
29 **HB12-1345.**

30

31

32

33 **MESSAGE(S) FROM THE SENATE**

34

35 The Senate has passed on Third Reading and transmits to the Revisor of
36 Statutes:

37

38 SB12-015 amended as printed in Senate Journal, February 10, 2012,
39 page 122.

40

41

42

43

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, SB12-015.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Baumgardner, the following item(s) on the Calendar was (were) laid over until April 10, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161, SB12-128, HB12-1328, SB12-134, HB12-1293, SB12-013, 124, 036.**

Consideration of General Orders--**HB12-1048, 1317, SB12-087, HB12-1294, 1281, SB12-118, HB12-1332.**

Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052.**

On motion of Representative Baumgardner, the House adjourned until 9:00 a.m., April 10, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-first Legislative Day

Tuesday, April 10, 2012

1 The Speaker called the House to order at 9:00 a.m.
2
3 Prayer by Father Timothy McMahon, Arrupe Jesuit High School, Denver.
4
5 Pledge of Allegiance led by Carter Hines from Black Rock Elementary,
6 Grand Junction and Carson Hines.
7
8 The roll was called with the following result:
9
10 Present--49.
11 Excused--Representative(s) Becker, DelGrosso, Ferrandino,
12 Gardner, Gerou, Hulinghorst, A. Kerr, Levy, Looper, Nikkel,
13 Schafer, Solano, Sonnenberg, Vaad--14.
14 Absent--Representative(s) Labuda, Singer--2.
15 Present after roll call--Representative(s) Becker, DelGrosso,
16 Ferrandino, Gardner, Gerou, Hulinghorst, A. Kerr, Labuda,
17 Levy, Looper, Singer, Solano, Sonnenberg, Vaad.
18
19 The Speaker declared a quorum present.
20
21
22 On motion of Representative Joshi, the reading of the journal of
23 April 9, 2012, was declared dispensed with and approved as corrected by
24 the Chief Clerk.
25
26
27

REPORT(S) OF COMMITTEE(S) OF REFERENCE

EDUCATION

31 After consideration on the merits, the Committee recommends the
32 following:

33
34 **HB12-1345** be amended as follows, and as so amended, be referred to
35 the Committee on Appropriations with favorable
36 recommendation:
37

38 Amend printed bill, page 7, line 8, strike "AN ORGANIZATION THAT
39 REPRESENTS" and substitute "A COUNCIL CREATED BY THE COMMISSIONER
40 OF EDUCATION THAT ADVISES THE COMMISSIONER AND THE DEPARTMENT
41 OF EDUCATION REGARDING THE NEEDS AND CONCERNS OF".
42

43 Page 7, line 25, strike "INDIVIDUAL PLANS" and substitute "A PLAN AS A

1 CONSORTIUM OF DISTRICTS OR AS A NEWLY FORMED BOCES".

2
3 Page 7, line 26, strike "DISTRICT" and substitute "DISTRICTS".

4
5 Page 8, line 13, strike "DISTRICTS." and substitute "DISTRICTS AND UP TO
6 FIFTY THOUSAND DOLLARS ANNUALLY FOR THE PURPOSE OF FUNDING THE
7 DEPARTMENT'S ONGOING SUPPORT OF A COUNCIL CREATED BY THE
8 COMMISSIONER OF EDUCATION THAT ADVISES THE COMMISSIONER AND
9 THE DEPARTMENT REGARDING THE NEEDS AND CONCERNS OF RURAL
10 SCHOOL DISTRICTS.".

11
12 Page 9, after line 9 insert:

13
14 "(6) THE STATE BOARD SHALL PROMULGATE RULES PURSUANT TO
15 THE "STATE ADMINISTRATIVE PROCEDURE ACT", ARTICLE 4 OF TITLE 24,
16 C.R.S., FOR THE ADMINISTRATION OF THIS SECTION.".

17
18 Renumber succeeding subsection accordingly.

19
20
21 House in recess. House reconvened.
22
23

24 25 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

26 27 **APPROPRIATIONS**

28 After consideration on the merits, the Committee recommends the
29 following:

30
31 **HB12-1045** be referred to the Committee of the Whole with favorable
32 recommendation.

33
34
35 **HB12-1099** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend printed bill, strike everything below the enacting clause and
40 substitute:

41
42 "SECTION 1. In Colorado Revised Statutes, **add** article 18.7 to
43 title 25 as follows:

44 45 **ARTICLE 18.7**

46 47 **Industrial Hemp Remediation Pilot Program**

48 **25-18.7-101. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE
49 CONTEXT OTHERWISE REQUIRES:

50
51 (1) "COMMITTEE" MEANS THE INDUSTRIAL HEMP REMEDIATION
52 PILOT PROGRAM COMMITTEE ESTABLISHED IN SECTION 25-18.7-103.

53
54 (2) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
55 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT.
56

1 (3) "INDUSTRIAL HEMP" MEANS ANY VARIETY OF THE PLANT
2 CANNABIS SATIVA L. CONTAINING NO MORE THAN THREE-TENTHS OF ONE
3 PERCENT OF TETRAHYDROCANNABINOLS, WHETHER GROWING OR NOT.

4
5 (4) "PHYTOREMEDIATION" MEANS THE MITIGATION OF POLLUTANT
6 CONCENTRATIONS, INCLUDING METALS, PESTICIDES, SOLVENTS,
7 EXPLOSIVES, AND CRUDE OIL AND ITS DERIVATIVES, IN CONTAMINATED
8 SOILS, WATER, AND AIR MAKING SOILS MORE CONDUCTIVE TO CROP
9 PRODUCTION THROUGH THE GROWTH OF INDUSTRIAL HEMP.

10
11 (5) "TETRAHYDROCANNABINOLS" HAS THE SAME MEANING SET
12 FORTH IN SECTION 12-22-303 (32), C.R.S.

13
14 **25-18.7-102. Industrial hemp - permitted growth.**

15 (1) GROWING AND POSSESSING INDUSTRIAL HEMP FOR THE PURPOSES OF
16 THIS ARTICLE IS PERMITTED IN THIS STATE.

17
18 (2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AN
19 INDIVIDUAL IS NOT SUBJECT TO ANY CIVIL OR CRIMINAL ACTIONS FOR
20 GROWING INDUSTRIAL HEMP OR OTHERWISE PARTICIPATING IN THE
21 INDUSTRIAL HEMP REMEDIATION PILOT PROGRAM IF THE INDIVIDUAL'S
22 ACTIONS ARE IN COMPLIANCE WITH THE PILOT PROGRAM ESTABLISHED IN
23 THIS ARTICLE.

24
25 **25-18.7-103. Industrial hemp remediation pilot program**
26 **committee - appointments - duties.** (1) THE CHAIR OF THE
27 AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE IN THE
28 HOUSE OF REPRESENTATIVES AND THE CHAIR OF THE AGRICULTURE,
29 NATURAL RESOURCES, AND ENERGY COMMITTEE IN THE SENATE SHALL
30 JOINTLY APPOINT SEVEN MEMBERS TO THE INDUSTRIAL HEMP
31 REMEDIATION PILOT PROGRAM COMMITTEE, WHICH IS HEREBY
32 ESTABLISHED.

33
34 (2) (a) THE COMMITTEE SHALL ESTABLISH AN INDUSTRIAL HEMP
35 REMEDIATION PILOT PROGRAM, REFERRED TO IN THIS SECTION AS THE
36 "PILOT PROGRAM", IN ORDER TO DETERMINE HOW SOILS AND WATER MAY
37 BE MADE MORE PRISTINE AND HEALTHY BY PHYTOREMEDIATION, REMOVAL
38 OF CONTAMINANTS, AND REJUVENATION THROUGH THE GROWTH OF
39 INDUSTRIAL HEMP. THE COMMITTEE SHALL CHOOSE A SECURE, INDOOR
40 GROWING SITE FOR THE PILOT PROGRAM.

41
42 (b) THE COMMITTEE SHALL STUDY AND INCLUDE IN A FINAL
43 REPORT TO THE EXECUTIVE DIRECTOR THE FOLLOWING COMPONENTS AS
44 PART OF THE PILOT PROGRAM:

45
46 (I) THE RATE OF CONTAMINATION UPTAKE FROM SOIL AND WATER;

47
48 (II) THE MODE OF EFFICIENT UPTAKE FROM SOIL AND WATER;

49
50 (III) THE RATE OF CARBON FIXATION IN THE CALVIN CYCLE;

51
52 (IV) THE LOCATIONS IN THE ROOTS, STEMS, LEAVES, AND FLOWERS
53 OF THE PLANTS AT WHICH CONTAMINANT ARE FIXATED;

54
55 (V) WHAT CONTAMINANTS ARE STABILIZED IN THE PLANTS;

56

1 (VI) WHAT CONTAMINANTS ON THE SITE NEED ADDITIONAL
2 TREATMENT IN ORDER TO MAKE THE SOIL OR WATER HEALTHY AND
3 PRISTINE;
4

5 (VII) WHAT DISPOSAL METHOD IS BEST FOR THE DIFFERENT
6 CONTAMINANTS, INCLUDING PETRIFICATION, ENCASEMENT, INCINERATION,
7 BURIAL, AND COMPOSTING;
8

9 (VIII) SET A BASELINE FOR THE PLANTS CULTIVATED IN A CLEAN
10 SOIL TO SET A STANDARD; AND
11

12 (IX) OTHER DATA DEEMED IMPORTANT TO THE PILOT PROGRAM.
13

14 (c) THE COMMITTEE SHALL SUBMIT A REPORT TO THE EXECUTIVE
15 DIRECTOR NO LATER THAN SIX MONTHS AFTER THE CONCLUSION OF THE
16 PILOT PROGRAM THAT OUTLINES THE FINDINGS OF THE COMMITTEE.
17

18 **25-18.7-104. Gifts, grants, and donations - authority to accept**
19 **- cash fund - notice of funding through gifts, grants, and donations -**
20 **repeal.** (1) THE COMMITTEE IS AUTHORIZED TO SEEK AND ACCEPT GIFTS,
21 GRANTS, OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE
22 PURPOSES OF THIS ARTICLE; EXCEPT THAT THE COMMITTEE SHALL NOT
23 ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS
24 THAT ARE INCONSISTENT WITH THIS ARTICLE OR ANY OTHER LAW OF THE
25 STATE. THE COMMITTEE SHALL TRANSMIT ALL PRIVATE AND PUBLIC
26 MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS TO THE
27 STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE HEMP
28 REMEDIATION PILOT PROGRAM CASH FUND, WHICH FUND IS HEREBY
29 CREATED AND REFERRED TO IN THIS ARTICLE AS THE "FUND". THE MONEYS
30 IN THE FUND ARE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
31 ASSEMBLY TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
32 FOR APPROPRIATION TO THE COMMITTEE FOR THE DIRECT AND INDIRECT
33 COSTS ASSOCIATED WITH IMPLEMENTING THIS ARTICLE.
34

35 (2) (a) IN SEEKING OR ACCEPTING A GIFT, GRANT, OR DONATION ,
36 THE COMMITTEE SHALL NOTIFY THE LEGISLATIVE COUNCIL STAFF WHEN IT
37 HAS RECEIVED ADEQUATE FUNDING THROUGH GIFTS, GRANTS, OR
38 DONATIONS FOR THE INDUSTRIAL HEMP REMEDIATION PILOT PROGRAM
39 AND SHALL INCLUDE IN THE NOTIFICATION THE INFORMATION SPECIFIED IN
40 SECTION 24-75-1303 (3), C.R.S.
41

42 (b) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JULY 1, 2015.
43

44 **25-18.7-105. Repeal of article.** THIS ARTICLE IS REPEALED,
45 EFFECTIVE JULY 1, 2022.
46

47 **SECTION 2. Appropriation.** In addition to any other
48 appropriation, there is hereby appropriated, out of any moneys in the
49 hemp remediation pilot program cash fund created in section 25-18.7-
50 104, Colorado Revised Statutes, not otherwise appropriated, to the
51 department of public health and environment, for the fiscal year
52 beginning July 1, 2012, the sum of \$25,000, or so much thereof as may
53 be necessary, for allocation to the hazardous materials and solid waste
54 management division, for expenses of the industrial hemp remediation
55 pilot program committee related to the implementation of this act.
56

1 **SECTION 3. Effective date.** This act takes effect July 1, 2012.

2
3 **SECTION 4. Safety clause.** The general assembly hereby finds,
4 determines, and declares that this act is necessary for the immediate
5 preservation of the public peace, health, and safety."

6
7 Page 1, line 103, strike "SOIL." and substitute "SOIL, AND, IN
8 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

9
10
11
12 **HB12-1213** be referred to the Committee of the Whole with favorable
13 recommendation.

14
15
16 **HB12-1280** be referred favorably to the Committee on Finance.

17
18
19 **HB12-1310** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22
23 Amend printed bill, page 25, after line 3 insert:

24
25 **"SECTION 27. Appropriation.** In addition to any other
26 appropriation, there is hereby appropriated, out of any moneys in the
27 interstate compact probation transfer cash fund created in section 18-1.3-
28 204 (4) (b) (II) (A), Colorado Revised Statutes, not otherwise
29 appropriated, to the judicial department, for the fiscal year beginning July
30 1, 2012, the sum of \$93,750, or so much thereof as may be necessary, for
31 allocation to probation and related services for reimbursing law
32 enforcement agencies for the costs of returning a probationer pursuant to
33 section 18-1.3-204 (4) (b) (II) (B), Colorado Revised Statutes."

34
35 Renumber succeeding section accordingly.

36
37 Page 1, line 102, strike "PROCEEDINGS." and substitute "PROCEEDINGS,
38 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

39
40
41
42 **HB12-1311** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45
46 Amend printed bill, page 172, after line 17 insert:

47
48 **"SECTION 92. Appropriation.** (1) In addition to any other
49 appropriation, there is hereby appropriated, out of any moneys in the
50 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
51 Colorado Revised Statutes, not otherwise appropriated, to the department
52 of regulatory agencies, for the fiscal year beginning July 1, 2012, the sum
53 of \$225,108 and 1.0 FTE, or so much thereof as may be necessary, to be
54 allocated for the implementation of this act as follows:

55
56 (a) \$181,055 and 1.0 FTE for personal services;

1 (b) \$6,110 for operating expenses;

2
3 (c) \$8,251 for travel;

4
5 (d) \$6,600 for board expenses; and

6
7 (e) \$23,092 for the purchase of legal services.

8
9 (2) In addition to any other appropriation, there is hereby
10 appropriated to the department of law, for the fiscal year beginning July
11 1, 2012, the sum of \$23,092, or so much thereof as may be necessary, for
12 the provision of legal services for the department of regulatory agencies
13 related to the implementation of this act. Said sum is from reappropriated
14 funds received from the department of regulatory agencies out of the
15 appropriation made in paragraph (e) of subsection (1) of this section."

16
17 Renumber succeeding sections accordingly.

18
19 Amend printed bill, page 1, line 107 strike "SUBSTANCES." and substitute
20 "SUBSTANCES, AND MAKING AN APPROPRIATION."

21
22
23
24 **HB12-1314** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:

27
28 Amend printed bill, page 3, before line 20 insert:

29
30 "SECTION 3. Appropriation. (1) In addition to any other
31 appropriation, there is hereby appropriated, out of any moneys in the
32 general fund not otherwise appropriated, to the department of revenue, for
33 the fiscal year beginning July 1, 2012, the sum of \$14,800, or so much
34 thereof as may be necessary, for allocation to the information technology
35 division for the purchase of computer center services.

36
37 (2) In addition to any other appropriation, there is hereby
38 appropriated to the governor - lieutenant governor - state planning and
39 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$14,800,
40 or so much thereof as may be necessary, for allocation to the office of
41 information technology, for the provision of computer center services for
42 the department of revenue related to the implementation of this act. Said
43 sum is from reappropriated funds received from the department of
44 revenue out of the appropriation made in subsection (1) of this section."

45
46 Renumber succeeding sections accordingly.

47
48 Page 1, line 103, strike "WITHHELD." and substitute "WITHHELD, AND, IN
49 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

50
51
52
53 **HB12-1345** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

1 Amend printed bill, page 10, after line 11 insert:

2
3 "(b) The cash funds appropriation for state aid for charter school
4 facilities is increased by \$1,000,000. Said sum is from the state education
5 fund created in section 17 (4) (a) of article IX of the state constitution.

6
7 (c) The general fund appropriation for the state share of districts'
8 total program funding is increased by \$57,232,000.

9
10 (d) The cash funds appropriation for the state share of districts'
11 total program funding is decreased by \$228,551. Said sum is from the
12 state education fund created in section 17 (4) (a) of article IX of the state
13 constitution.

14
15 (e) The cash funds appropriation for hold-harmless full-day
16 kindergarten funding is increased by \$74,671. Said sum is from the state
17 education fund created in section 17 (4) (a) of article IX of the state
18 constitution.

19
20 (f) The cash funds appropriation for facility school funding is
21 increased by \$153,000. Said sum is from the state education fund created
22 in section 17 (4) (a) of article IX of the state constitution."

23
24 Page 10, after line 18 insert:

25 **"SECTION 9. Appropriation to the department of education**
26 **for the fiscal year beginning July 1, 2012.** In section 2 of House Bill
27 12-1335, **amend** Part III (2) (A) Footnote 8, as follows:

28
29 Section 2. **Appropriation.**

30
31 8 Department of Education, Assistance to Public Schools, Public
32 School Finance, State Share of Districts' Total Program Funding
33 -- Pursuant to Section 22-35-108 (2) (a), C.R.S., the purpose of
34 this footnote is to specify what portion of this appropriation is
35 intended to be available for the Accelerating Students Through
36 Concurrent Enrollment (ASCENT) Program for FY 2012-13. It is
37 the intent of the General Assembly that the Department of
38 Education be authorized to utilize up to ~~\$1,198,549~~ \$1,211,689 of
39 this appropriation to fund qualified students designated as
40 ASCENT Program participants. This amount is calculated based
41 on an estimated 205 participants funded at a rate of ~~\$5,846.58~~
42 \$5,910.68 per FTE pursuant to Section 22-54-104 (4.7), C.R.S."

43
44 Renumber succeeding section accordingly.

45
46 Page 1, line 102, strike "AN APPROPRIATION." and substitute "AND
47 REDUCING APPROPRIATIONS."

48
49
50
51 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

52
53 The Speaker has signed: **HB12-1009, 1083, 1204, 1215, 1246;**
54 **HJR12-1015, 1016, 1018; SB12-022, 034, 040, 045, 055, 056, 057, 059,**
55 **061, 074, 091, 092, 095, 102, 131, 148, 152; SJR12-026, 027.**

56

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB12-1009, 1083, 1204, 1215, 1246** at 10:13 a.m. on April 10, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith HB12-1126, HB12-1017, HB12-1290, HB12-1023, HB12-1006.

The Senate has passed on Third Reading and transmits to the Revisor of Statutes:

SB12-068	amended as printed in Senate Journal, April 9, 2012, pages 677-678.
SB12-160	amended as printed in Senate Journal, April 9, 2012, page 678.
SB12-168	amended as printed in Senate Journal, April 9, 2012, page 679.
HB12-1063	amended as printed in Senate Journal, April 9, 2012, page 676.
HB12-1019	amended as printed in Senate Journal, April 9, 2012, page 676.
HB12-1105	amended as printed in Senate Journal, April 9, 2012, page 677.
HB12-1146	amended as printed in Senate Journal, April 9, 2012, page 678.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1019, 1063, 1105, and 1146.

Without comment, as amended, SB12-068, 160, and 168.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 9th day of April, 2012, at 2:00 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 6, 2012

To the Honorable House of Representatives
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

1 I have the honor to inform you that I have approved and filed with the
2 Secretary of State the following Acts:

3
4 **HB12-1026** CONCERNING PEACE OFFICER STATUS FOR CERTAIN
5 MUNICIPALITY PROSECUTING ATTORNEYS.

6
7 Approved April 6, 2012 at 10:36 am

8
9 **HB12-1094** CONCERNING INCREASING THE FINE FOR PARKING IN
10 FRONT OF A FIRE HYDRANT IN AN UNINCORPORATED
11 AREA OF A COUNTY.

12
13 Approved April 6, 2012 at 10:37 am

14
15 **HB12-1097** CONCERNING CIVIL PENALTIES FOR RETAIL FOOD
16 ESTABLISHMENTS.

17
18 Approved April 6, 2012 at 10:38 am

19
20 **HB12-1178** CONCERNING THE DEADLINE FOR FILING NOTICE FOR
21 REIMBURSEMENT OF TAX PAYMENTS FOR LOST
22 GASOLINE OR SPECIAL FUEL.

23
24 Approved April 6, 2012 at 10:38 am

25
26 **HB12-1181** CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE
27 DEPARTMENT OF CORRECTIONS.

28
29 Approved April 6, 2012 at 10:39 am

30
31 **HB12-1216** CONCERNING THE FINANCING OF THE DIVISION OF
32 MOTOR VEHICLES IN THE DEPARTMENT OF REVENUE,
33 AND, IN THE CONNECTION THEREWITH, MAKING AND
34 REDUCING APPROPRIATIONS.

35
36 Approved April 6, 2012 at 10:39 am

37
38 **HB12-1222** CONCERNING THE RECREATION OF THE DEPARTMENT OF
39 TRANSPORTATION RENOVATION FUND TO BE USED FOR
40 TRANSPORTATION-RELATED PURPOSES.

41
42 Approved April 6, 2012 at 10:40 am

43
44 **HB12-1229** CONCERNING PUBLICATION REQUIREMENTS FOR A
45 NEWSPAPER IN WHICH A LEGAL NOTICE OR
46 ADVERTISEMENT IS PRINTED.

47
48 Approved April 6, 2012 at 10:40 am

49
50 **HB12-1269** CONCERNING THE THRESHOLD AMOUNT OF CAMPAIGN
51 ACTIVITIES BY A CANDIDATE COMMITTEE IN
52 CONNECTION WITH A SPECIAL DISTRICT ELECTION THAT
53 TRIGGERS DISCLOSURE REQUIREMENTS UNDER THE
54 "FAIR CAMPAIGN PRACTICES ACT".

55
56 Approved April 6, 2012 at 10:40 am

1 **HB12-1285** CONCERNING MODIFICATION TO STATUTORY
2 PROVISIONS GOVERNING INTERGOVERNMENTAL
3 COOPERATION TO ADDRESS WILDLAND FIRE MITIGATION
4 WHERE A MUNICIPALITY OWNS LAND INSIDE A COUNTY
5 FOR UTILITY PURPOSES.

6
7 Approved April 6, 2012 at 10:41 am
8

9 Sincerely,
10 (signed)
11 John W. Hickenlooper
12 Governor
13

14
15
16 April 9, 2012
17

18 To the Honorable House of Representatives
19 Sixty-Eighth General Assembly
20 Second Regular Session
21 State Capitol
22 Denver, CO 80203
23

24 Ladies and Gentlemen:
25

26 I have the honor to inform you that I have approved and filed with the
27 Secretary of State the following Act:
28

29 **HB12-1295** CONCERNING THE CREATION OF A COLORADO ROCKIES
30 LICENSE PLATE, AND, IN CONNECTION THEREWITH,
31 MAKING AN APPROPRIATION
32

33 Approved April 9, 2012 at 12:33 pm
34

35 Sincerely,
36 (signed)
37 John W. Hickenlooper
38 Governor
39

40
41
42 **LAY OVER OF CALENDAR ITEM(S)**
43

44 On motion of Representative Murray, the following item(s) on the
45 Calendar was (were) laid over until April 11, retaining place on Calendar:
46

47 Consideration of Third Reading--**HB12-1066, 1161, SB12-128,**
48 **HB12-1328, SB12-134, HB12-1293, SB12-013, 124, 036.**

49 Consideration of General Orders--**HB12-1048, 1317, SB12-087,**
50 **HB12-1294, 1281, SB12-118, HB12-1332, 1037, 1286, 1315, 1326,**
51 **1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, SB12-110,**
52 **156, 158.**

53 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,**
54 **1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307,**
55 **1012, 1052.**
56

1 On motion of Representative Murray, the House adjourned until
2 9:00 a.m., April 11, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-second Legislative Day

Wednesday, April 11, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by the Reverend Tim Mooney, Peoples' Presbyterian Church,
4 Denver.

5

6 Pledge of Allegiance led by Charles Young from Hill Middle school,
7 Denver, Xavion Young from Montclair Elementary, Denver and
8 Isaiah Young.

9

10 The roll was called with the following result:

11

12 Present--65.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Joshi, the reading of the journal of
18 April 10, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21 House in recess. House reconvened.

22

23

24

INTRODUCTION OF BILL
First Reading

25

26
27 The following bill was read by title and referred to the committee
28 indicated:

29

30 **SB12-161** by Senator(s) Nicholson, King S.; also Representative(s)
31 Bradford--Concerning measures to reduce health care
32 costs in correctional facilities.

33 Committee on Health and Environment

34

35

36

INTRODUCTION OF RESOLUTIONS

37

38 The following resolutions were read by title and laid over one day under
39 the rules:

40

41 **SJR12-006** by Senator(s) Roberts; also Representative(s) Brown--
42 Concerning a prohibition on mandates to state and local
43 governments without adequate funding.

1 **SJR12-024** by Senator(s) Bacon, Schwartz, Renfroe; also
2 Representative(s) Sonnenberg, Brown, Vigil--Concerning
3 the abatement of environmental contaminants in and
4 demolition of structures on land located in the city of
5 Pueblo, adjacent to the Colorado State Fair grounds.
6
7
8

9 On motion of Representative Gardner, the House resolved itself into
10 Committee of the Whole for consideration of General Orders, and he was
11 called to the Chair to act as Chairman.
12
13

14 **GENERAL ORDERS--SECOND READING OF BILLS**

15
16 The Committee of the Whole having risen, the Chairman reported the
17 titles of the following bills had been read (reading at length had been
18 dispensed with by unanimous consent), the bills considered and action
19 taken thereon as follows:
20

21 (Amendments to the committee amendment are to the printed committee
22 report which was printed and placed in the members' bill file.)
23

24 **HB12-1335** by Representative(s) Gerou, Becker, Levy; also Senator(s)
25 Hodge, Steadman, Lambert--Concerning the provision for
26 payment of the expenses of the executive, legislative, and
27 judicial departments of the state of Colorado, and of its
28 agencies and institutions, for and during the fiscal year
29 beginning July 1, 2012, except as otherwise noted.
30

31 Amendment No. 1, by Representative(s) Kagan, Bradford, DelGrosso,
32 Fields, Hamner, Hullinghorst, A. Kerr, Labuda, Lee, Kefalas, McCann,
33 Peniston, Ryden, Williams, and Young.
34

35 Amend printed bill, page 255, line 3, in the ITEM & SUBTOTAL
36 column strike "2,000,000" and substitute "2,200,000" and in the
37 GENERAL FUND column strike "2,000,000" and substitute
38 "2,200,000".
39

40 Adjust affected totals accordingly.
41

42 Amendment No. 2, by Representative(s) Stephens.
43

44 Amend printed bill, page 20, line 8, in the ITEM & SUBTOTAL column
45 strike "42,363,061" and substitute "42,287,905" and in the GENERAL
46 FUND column strike "41,092,220" and substitute "41,017,064".
47

48 Page 20, line 9, in the ITEM & SUBTOTAL column strike "537,151" and
49 substitute "535,860" and in the GENERAL FUND column strike
50 "521,650" and substitute "520,359".
51

52 Page 20, line 11, in the ITEM & SUBTOTAL column strike "9,768,352"
53 and substitute "9,745,013" and in the GENERAL FUND column strike
54 "9,469,770" and substitute "9,446,431".
55

56 Page 20, line 14, in the ITEM & SUBTOTAL column strike "8,340,754"

1 and substitute "8,320,697" and in the GENERAL FUND column strike
2 "8,084,160" and substitute "8,064,103".
3
4 Adjust affected totals accordingly.
5
6 Page 26, line 3, in the ITEM & SUBTOTAL column strike "17,974,485"
7 and substitute "17,930,205".
8
9 Page 26, line 4, in the ITEM & SUBTOTAL column strike "(300.4 FTE)"
10 and substitute "(299.5 FTE)".
11
12 Page 26, line 5, in the ITEM & SUBTOTAL column strike "5,334,085"
13 and substitute "5,261,740".
14
15 Page 26, line 7, in the ITEM & SUBTOTAL column strike "24,776,390"
16 and substitute "24,659,765" and in the GENERAL FUND column strike
17 "24,776,390" and substitute "24,659,765".
18
19 Page 26, line 10, in the ITEM & SUBTOTAL column strike
20 "160,469,421^a" and substitute "159,930,305^a" and in the GENERAL
21 FUND column strike "160,466,474" and substitute "159,927,358".
22
23 Page 26, line 11, in the GENERAL FUND column strike "(3,052.1 FTE)"
24 and substitute "(3,031.9 FTE)".
25
26 Page 26, line 12, in the ITEM & SUBTOTAL column strike "1,829,858"
27 and substitute "1,807,249" and in the GENERAL FUND column strike
28 "1,829,858" and substitute "1,807,249".
29
30 Adjust affected totals accordingly.
31
32 Page 27, line 8, in the ITEM & SUBTOTAL column strike "15,590,439"
33 and substitute "15,347,897" and in the GENERAL FUND column strike
34 "15,510,439" and substitute "15,267,897".
35
36 Adjust affected totals accordingly.
37
38 Page 28, line 2, in the ITEM & SUBTOTAL column strike "2,590,939"
39 and substitute "2,581,364" and in the GENERAL FUND column strike
40 "2,590,939" and substitute "2,581,364".
41
42 Adjust affected totals accordingly.
43
44 Page 29, line 2, in the ITEM & SUBTOTAL column strike "2,118,511"
45 and substitute "2,099,960".
46
47 Page 29, line 3, in the ITEM & SUBTOTAL column strike "4,356,704"
48 and substitute "4,338,153" and in the GENERAL FUND column strike
49 "4,356,704" and substitute "4,338,153".
50
51 Page 29, line 8, in the ITEM & SUBTOTAL column strike "3,347,725"
52 and substitute "3,312,490".
53
54 Page 29, line 10, in the ITEM & SUBTOTAL column strike "13,978,130"
55 and substitute "13,942,895" and in the GENERAL FUND column strike
56 "13,978,130" and substitute "13,942,895".

1 Page 30, line 6, in the ITEM & SUBTOTAL column strike "15,280,425"
2 and substitute "15,158,111".

3
4 Page 30, line 7, in the ITEM & SUBTOTAL column strike "(214.9 FTE)"
5 and substitute "(212.2 FTE)".

6
7 Page 30, line 8, in the ITEM & SUBTOTAL column strike "159,680" and
8 substitute "159,018".

9
10 Page 30, line 9, in the ITEM & SUBTOTAL column strike "15,440,105"
11 and substitute "15,317,129" and in the GENERAL FUND column strike
12 "15,440,105" and substitute "15,317,129".

13
14 Page 30, line 14, in the ITEM & SUBTOTAL column strike "260,123"
15 and substitute "259,477" and in the GENERAL FUND column strike
16 "260,123" and substitute "259,477".

17
18 Adjust affected totals accordingly.

19
20 Page 31, line 6, in the ITEM & SUBTOTAL column strike "1,498,362"
21 and substitute "1,470,396" and in the GENERAL FUND column strike
22 "1,498,362" and substitute "1,470,396".

23
24 Adjust affected totals accordingly.

25
26 Page 35, line 4, in the ITEM & SUBTOTAL column strike "277,405" and
27 substitute "276,430".

28
29 Page 35, line 5, in the ITEM & SUBTOTAL column strike "2,133,087"
30 and substitute "2,132,112" and in the GENERAL FUND column strike
31 "2,133,087" and substitute "2,132,112".

32
33 Adjust affected totals accordingly.

34
35 Page 37, line 1, in the ITEM & SUBTOTAL column strike "88,052" and
36 substitute "85,764".

37
38 Page 37, line 2, in the ITEM & SUBTOTAL column strike "5,374,219"
39 and substitute "5,371,931" and in the GENERAL FUND column strike
40 "5,374,219" and substitute "5,371,931".

41
42 Page 37, line 5, in the ITEM & SUBTOTAL column strike "11,542,516"
43 and substitute "11,434,266" and in the GENERAL FUND column strike
44 "10,628,255" and substitute "10,520,005".

45
46 Page 37, line 6, in the GENERAL FUND column strike "(174.2 FTE)"
47 and substitute "(172.4 FTE)".

48
49 Page 37, line 7, in the ITEM & SUBTOTAL column strike "2,450,962"
50 and substitute "2,444,298" and in the CASH FUNDS column strike
51 "1,839,947^a" and substitute "1,833,283^a".

52
53 Adjust affected totals accordingly.

54
55 Page 37, line 14, strike "\$1,328,479" and substitute "\$1,321,815".

56

- 1 Page 38, line 8, in the ITEM & SUBTOTAL column strike "71,200" and
2 substitute "69,276" and in the CASH FUNDS column strike "71,200"^a
3 and substitute "69,276".
4
5 Adjust affected totals accordingly.
6
7 Page 208, line 9, in the ITEM & SUBTOTAL column strike "2,335,970"
8 and substitute "3,703,167" and in the GENERAL FUND column insert
9 "1,367,197".
10
11 Adjust affected totals accordingly.
12
13 Amendment No. 3, by Representative(s) Waller.
14
15 Amend printed bill, page 23, line 13, in the ITEM & SUBTOTAL column
16 strike "64,027,488" and substitute "63,027,488" and in the GENERAL
17 FUND column strike "61,668,781" and substitute "60,668,781".
18
19 Adjust affected totals accordingly.
20
21 Page 25, line 12, in the ITEM & SUBTOTAL column strike "20,025,190"
22 and substitute "18,525,190" and in the GENERAL FUND strike
23 "18,974,356" and substitute "17,474,356".
24
25 Adjust affected totals accordingly.
26
27 Page 26, line 3, in the ITEM & SUBTOTAL column strike "17,974,485"
28 and substitute "16,774,485".
29
30 Page 26, line 4, in the ITEM & SUBTOTAL column strike "(300.4 FTE)"
31 and substitute "(280.3 FTE)".
32
33 Page 26, line 5, in the ITEM & SUBTOTAL column strike "5,334,085"
34 and substitute "5,034,085".
35
36 Page 26, line 7, in the ITEM & SUBTOTAL column strike "24,776,390"
37 and substitute "23,276,390" and in the GENERAL FUND column strike
38 "24,776,390" and substitute "23,276,390".
39
40 Adjust affected totals accordingly.
41
42 Page 34, line 11, in the ITEM & SUBTOTAL column strike "2,766,619"
43 and substitute "2,566,619" and in the GENERAL FUND column strike
44 "2,382,278" and substitute "2,182,278".
45
46 Adjust affected totals accordingly.
47
48 Page 60, line 2, in the ITEM & SUBTOTAL column strike
49 "3,309,457,170" and substitute "3,313,657,170" and in the GENERAL
50 FUND column strike "2,482,867,253" and substitute "2,487,067,253".
51
52 Adjust affected totals accordingly.
53
54 Amendment No. 4, by Representative(s) Vigil.
55
56 Amend printed bill, page 23, line 13, in the ITEM & SUBTOTAL column

1 strike "64,027,488" and substitute "63,927,488" and in the GENERAL
2 FUND column strike "61,668,781" and substitute "61,568,781".

3

4 Adjust affected total accordingly.

5

6 Page 293, line 8, in the ITEM & SUBTOTAL column strike "1,430,824"
7 and substitute "1,530,824" and in the GENERAL FUND column strike
8 "991,316" and substitute "1,091,316".

9

10 Adjust affected totals accordingly.

11

12 Amendment No. 5, by Representative(s) Sonnenberg.

13

14 Amend printed bill, page 327, line 5, in the ITEM & SUBTOTAL column
15 strike "1,619,588" and substitute "1,628,784" and in the CASH FUNDS
16 column strike "1,153,204^b" and substitute "1,162,400^b".

17

18 Adjust affected totals accordingly.

19

20 Page 327, line 13, strike "\$208,075" and substitute "\$217,271".

21

22 Page 329, line 11, in the ITEM & SUBTOTAL column strike "2,976,008"
23 and substitute "2,920,400" and in the CASH FUNDS column strike
24 "2,500,473^b" and substitute "2,444,865^b".

25

26 Adjust affected totals accordingly.

27

28 Page 330, line 4, strike "\$1,250,000" and substitute "\$1,194,392".

29

30 Page 330, line 10, in the ITEM & SUBTOTAL column strike "3,086,715"
31 and substitute "3,027,267" and in the CASH FUNDS column strike
32 "1,981,451^a" and substitute "1,922,003^a".

33

34 Page 330, line 11, in the CASH FUNDS column strike "(23.9 FTE)" and
35 substitute "(22.9 FTE)".

36

37 Page 330, line 12, in the ITEM & SUBTOTAL column strike "414,659"
38 and substitute "409,989" and in the CASH FUNDS column strike
39 "321,101^a" and substitute "316,431^a".

40

41 Adjust affected totals accordingly.

42

43 Page 331, line 2, strike "\$885,905" and substitute "\$821,787".

44

45 Page 332, line 12, in the ITEM & SUBTOTAL column strike "7,420,896"
46 and substitute "7,002,410" and in the CASH FUNDS column strike
47 "5,924,391^a" and substitute "5,505,905^a".

48

49 Page 332, line 13, in the CASH FUNDS column strike "(77.9 FTE)" and
50 substitute "(71.9 FTE)".

51

52 Page 332, line 14, in the ITEM & SUBTOTAL column strike "461,540"
53 and substitute "433,520" and in the CASH FUNDS column strike
54 "444,187^a" and substitute "416,167^a".

55

56 Adjust affected totals accordingly.

1 Page 333, line 6, strike "\$6,321,473" and substitute "\$5,874,967".

2
3 Page 334, line 5, in the ITEM & SUBTOTAL column strike "2,049,741"
4 and substitute "2,066,244" and in the CASH FUNDS column strike
5 "911,888^b" and substitute "928,391^b".

6
7 Adjust affected totals accordingly.

8
9 Page 334, line 11, strike "\$50,000" and substitute "\$66,503".

10
11 Page 349, line 4, in the ITEM & SUBTOTAL column strike "3,598,339"
12 and substitute "3,607,548" and in the CASH FUNDS column strike
13 "985,656^a" and substitute "994,865^a".

14
15 Adjust affected totals accordingly.

16
17 Page 361, line 9, in the ITEM & SUBTOTAL column strike "2,422,897"
18 and substitute "2,443,597" and in the CASH FUNDS column strike
19 "1,099,415^a" and substitute "1,120,115^a".

20
21 Adjust affected totals accordingly.

22
23 Amendment No. 6, by Representative(s) Swalm.

24
25 Amend printed bill, page 395, line 7, strike "**(4) OFFICE OF**
26 **CONSUMER COUNSEL**".

27
28 Page 395, line 8, strike "Personal Services", in the ITEM & SUBTOTAL
29 column strike "792,953", and in the CASH FUNDS column strike
30 "792,953^a".

31
32 Page 395, line 9, in the CASH FUNDS column strike "(7.0 FTE)".

33
34 Page 395, line 10, strike "Operating Expenses", in the ITEM &
35 SUBTOTAL column strike "55,787", and in the CASH FUNDS column
36 strike "55,787^a".

37
38 Page 395, line 11, strike "Indirect Cost Assessment", in the ITEM &
39 SUBTOTAL column strike "48,510", and in the CASH FUNDS column
40 strike "48,510^a".

41
42 Page 395, line 12, in the TOTAL column strike "897,250".

43
44 Page 395, line 14, strike "^a These amounts shall be from the Public
45 Utilities Commission Fixed Utility Fund created in Section 40-2-114,
46 C.R.S.".

47
48 Adjust affected totals accordingly.

49
50 Renumber succeeding divisions accordingly.

51
52 Amendment No. 7, by Representative(s) Young, Pabon, Hullinghorst.

53
54 Amend printed bill, page 417, line 14, strike "**Services**" and substitute
55 "**Services**^{49a}".

56

1 Page 430, after line 1 insert:

2 "49a Department of Revenue, Division of Motor Vehicles,
3 Driver and Vehicle Services -- It is the intent of the
4 General Assembly that the Department of Revenue provide
5 efficient, effective, and customer-oriented service in the
6 Division of Motor Vehicles."
7

8 Amendment No. 8, by Representative(s) Hullinghorst, Pabon, Labuda.
9

10 Amend printed bill, page 431, line 2, strike "**STATE**" and substitute
11 "**STATE**^{50a}".
12

13 Page 435, after line 15 insert:

14 "**FOOTNOTES** -- The following statement is referenced
15 to the numbered footnotes throughout Section 2.
16

17 50a Department of State -- It is the intent of the General
18 Assembly that moneys expended from the
19 Department of State Cash Fund to the Department
20 of State be used, in part, to fully enfranchise
21 voters."
22

23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25 (For change in action, see Amendments to Report, pages 942 and 945.)
26
27

28 **HB12-1286** by Representative(s) Massey and Ferrandino, Todd,
29 Brown, Casso, Coram, Court, Duran, Fields, Fischer,
30 Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J.,
31 Liston, McCann, Miklosi, Pabon, Pace, Peniston, Priola,
32 Ryden, Schafer S., Singer, Soper, Summers, Swerdfeger,
33 Vigil, Williams A., Wilson, Young; also Senator(s) Newell
34 and White, Aguilar, Bacon, Boyd, Foster, Heath, Jahn,
35 Morse, Nicholson, Shaffer B., Steadman, Williams S.--
36 Concerning film production activities in Colorado, and, in
37 connection therewith, making an appropriation.
38

39 Amendment No. 1, Economic & Business Development Report, dated
40 February 16, 2012, and placed in member's bill file; Report also printed
41 in House Journal, February 17, pages 294-295.
42

43 Amendment No. 2, Finance Report, dated February 29, 2012, and placed
44 in member's bill file; Report also printed in House Journal, March 1,
45 page 503.
46

47 Amendment No. 3, Appropriations Report, dated April 5, 2012, and
48 placed in member's bill file; Report also printed in House Journal, April 5,
49 page 903.
50

51 Amendment No. 4, by Representative(s) Massey.

52 Amend printed bill, page 10, line 7, after "COMMERCIAL" insert "OR VIDEO
53 GAME".
54

55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB12-1315** by Representative(s) Becker; also Senator(s) Steadman--
2 Concerning the reorganization of the governor's energy
3 office.
4

5 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
6 dated March 28, 2012, and placed in member's bill file; Report also
7 printed in House Journal, March 29, pages 849-861.
8

9 Amendment No. 2, Appropriations Report, dated April 5, 2012, and
10 placed in member's bill file; Report also printed in House Journal, April 5,
11 pages 903-906.
12

13 Amendment No. 3, by Representative(s) Becker.
14

15 Amend the Appropriations Committee Report, dated April 5, 2012, page
16 2, strike lines 19 through 28 and substitute:
17

18 "(2) (a) (I) Of the total gross receipts realized from the severance taxes
19 imposed on minerals and mineral fuels under the provisions of this article
20 after ~~June 30, 1981~~ JUNE 30, 2012, ONE MILLION FIVE HUNDRED
21 THOUSAND DOLLARS SHALL BE ANNUALLY TRANSFERRED ON JULY 1, 2012,
22 AND EACH JULY 1 THEREAFTER THROUGH JULY 1, 2016, TO THE
23 INNOVATIVE ENERGY FUND CREATED IN SECTION 24-38.5-102.5, C.R.S. OF
24 THE REMAINDER OF THE TOTAL GROSS RECEIPTS IN EACH FISCAL YEAR
25 AFTER EACH JULY 1 TRANSFER TO THE INNOVATIVE ENERGY FUND, fifty
26 percent shall be credited to the state severance tax trust fund created by
27 section 39-29-109, and fifty percent shall be credited to the local
28 government severance tax fund created by section 39-29-110."
29

30 Page 2, line 33, strike "JUNE 30, 2016," and substitute "JUNE 30, 2017,".
31

32 Amendment No. 4, by Representative(s) Levy.
33

34 Amend the Agriculture, Livestock, & Natural Resources Committee
35 Report, dated March 28, 2012, page 5, strike lines 24 and 25 and
36 substitute:
37

38 "Page 13, strike lines 11 through 18.
39

40 Renumber succeeding sections accordingly."
41

42 Page 9 of the Committee Report, strike lines 13 through 18 and substitute:
43

44 "Page 27, strike lines 12 through 23 and substitute:
45

46 "**to audit.** (1) NO LATER THAN JULY 1, 2017, THE STATE AUDITOR SHALL
47 COMPLETE A PERFORMANCE AUDIT OF THE COLORADO ENERGY OFFICE.
48 THE STATE AUDITOR SHALL PRESENT THE PERFORMANCE AUDIT REPORT TO
49 THE LEGISLATIVE AUDIT COMMITTEE. AFTER THE PERFORMANCE AUDIT
50 REPORT IS RELEASED BY THE LEGISLATIVE AUDIT COMMITTEE, THE STATE
51 AUDITOR SHALL PROVIDE COPIES TO THE HOUSE AGRICULTURE, LIVESTOCK,
52 NATURAL RESOURCES COMMITTEE, THE SENATE AGRICULTURE AND
53 NATURAL RESOURCES COMMITTEE, AND THE JOINT BUDGET COMMITTEE."
54

55 Renumber succeeding sections accordingly."."
56

1 Amendment No. 5, by Representative(s) Levy.

2
3 Amend printed bill, page 14, after line 8 insert:

4
5 "(d) PROMOTE ENERGY EFFICIENCY;"

6
7 Reletter succeeding paragraphs accordingly.

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **HB12-1326** by Representative(s) Acree and Kefalas; also Senator(s)
13 Johnston--Concerning assistance to the elderly, and, in
14 connection therewith, making an appropriation.

15
16 Amendment No. 1, Appropriations Report, dated April 5, 2012, and
17 placed in member's bill file; Report also printed in House Journal, April 5,
18 page 906.

19
20 As amended, ordered engrossed and placed on the Calendar for Third
21 Reading and Final Passage.

22
23 **HB12-1336** by Representative(s) Becker and Levy, Gerou; also
24 Senator(s) Steadman and Lambert, Hodge--Concerning
25 authorization of a prison utilization analysis, and, in
26 connection therewith, making an appropriation.

27
28 Ordered engrossed and placed on the Calendar for Third Reading and
29 Final Passage.

30
31 **HB12-1337** by Representative(s) Gerou and Levy, Becker; also
32 Senator(s) Steadman and Lambert, Hodge--Concerning the
33 closure of the south campus of the Centennial correctional
34 facility for housing purposes.

35
36 Ordered engrossed and placed on the Calendar for Third Reading and
37 Final Passage.

38
39 **HB12-1339** by Representative(s) Becker, Gerou, Levy; also Senator(s)
40 Lambert, Hodge, Steadman--Concerning the Colorado
41 benefits management system improvement and
42 modernization project, and, in connection therewith,
43 making an appropriation.

44
45 Ordered engrossed and placed on the Calendar for Third Reading and
46 Final Passage.

47
48 **HB12-1338** by Representative(s) Gerou, Becker, Levy; also Senator(s)
49 Hodge, Steadman, Lambert--Concerning the transfer of
50 general fund surplus moneys to the state education fund at
51 the end of certain fiscal years.

52
53 Amendment No. 1, by Representative(s) Massey and Jones.

54
55 Amend printed bill, page 2, line 10, strike "FIFTY-NINE MILLION DOLLARS
56 FROM".

1 Page 2, line 14, strike "24-75-201.1 (1) (d)." and substitute "24-75-201.1
2 (1) (d), IN THE FOLLOWING AMOUNTS:
3

4 (a) FIFTY-NINE MILLION DOLLARS.
5

6 (b) AN AMOUNT EQUAL TO THE AMOUNT BY WHICH THE ACTUAL
7 GENERAL FUND REVENUE FOR THE 2011-12 FISCAL YEAR EXCEEDS THE
8 MARCH 2012 ESTIMATE OF GENERAL FUND REVENUE PREPARED BY THE
9 OFFICE OF STATE PLANNING AND BUDGETING FOR THE 2011-12 FISCAL
10 YEAR."
11

12 As amended, ordered engrossed and placed on the Calendar for Third
13 Reading and Final Passage.
14

15 **HB12-1340** by Representative(s) Becker, Gerou, Levy; also Senator(s)
16 Lambert, Hodge, Steadman--Concerning a reduction in the
17 general fund portion of the per diem rates paid to nursing
18 facilities, and, in connection therewith, reducing an
19 appropriation.
20

21 Amendment No. 1, by Representative(s) Sonnenberg, Bradford, Kefalas,
22 Singer, Vigil.
23

24 Amend printed bill, page 2, strike lines 6 and 7 and substitute "OTHER
25 PROVISION OF LAW, COMMENCING JULY 1, 2012, THROUGH JUNE 30, 2013,
26 THE GENERAL FUND PORTION OF THE PER DIEM RATE".
27

28 As amended, ordered engrossed and placed on the Calendar for Third
29 Reading and Final Passage.
30

31 32 33 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT** 34

35 Representative Hamner moved to amend the Report of the Committee of
36 the Whole to reverse the action taken by the Committee in not adopting
37 the following Hamner, Hullinghorst, and Wilson amendment, to
38 HB12-1335, to show that said amendment passed, and that **HB12-1335**,
39 as amended, passed.
40

41 Amend printed bill, page 2, strike lines 19 through 21.
42

43 Reletter succeeding paragraphs accordingly.
44

45 Page 2, line 25, strike "\$87,500,000" and substitute "\$100,500,000".
46

47 Page 15, after line 5 insert:
48

49	ITEM &	GENERAL
50	SUBTOTAL	FUND
51	\$	\$
52		
53	"Agriculture	
54	Development Board	169,487
55		169,487".

56 Adjust affected totals accordingly.

1 Page 18, line 9, in the ITEM & SUBTOTAL column strike "450,000" and
2 substitute "602,538" and in the GENERAL FUND column insert
3 "152,538".
4

5 Adjust affected totals accordingly.
6

7 Page 80, line 5, in the ITEM & SUBTOTAL column strike "6,500,000"
8 and substitute "9,804,991" and in the GENERAL FUND column insert
9 "3,304,991".
10

11 Adjust affected totals accordingly.
12

13 Page 128, line 13, in the ITEM & SUBTOTAL column strike
14 "421,567,311" and substitute "422,397,797" and in the GENERAL
15 FUND column insert "830,486".
16

17 Adjust affected totals accordingly.
18

19 Page 163, line 15, in the ITEM & SUBTOTAL column strike
20 "48,093,420" and substitute "49,195,084" and in the GENERAL FUND
21 column insert "1,101,664".
22

23 Adjust affected totals accordingly.
24

25 Page 274, after line 8 insert:
26

	ITEM & SUBTOTAL	GENERAL FUND
	\$	\$
27 "Species Conservation		
28 Trust Fund	2,237,226	2,237,226".

29
30
31
32
33

34 Adjust affected totals accordingly.
35

36 Page 285, line 2, in the ITEM & SUBTOTAL column strike "2,684,673"
37 and substitute "3,600,397" and in the GENERAL FUND column insert
38 "915,724".
39

40 Adjust affected totals accordingly.
41

42 Page 288, line 7, in the ITEM & SUBTOTAL column strike "1,304,544"
43 and substitute "1,746,750" and in the GENERAL FUND column insert
44 "442,206".
45

46 Adjust affected totals accordingly.
47

48 Page 291, line 7, in the ITEM & SUBTOTAL column strike "598,788"
49 and substitute "785,223" and in the GENERAL FUND column insert
50 "186,435".
51

52 Page 291, line 10, in the ITEM & SUBTOTAL column strike "1,141,167"
53 and substitute "1,393,725" and in the GENERAL FUND column insert
54 "252,558".
55

56 Page 292, after line 2 insert:

1
2
3
4
5 "Water Supply
6 Reserve Account 3,389,736 3,389,736".
7
8 Adjust affected totals accordingly.
9
10 Page 374, line 7, in the ITEM & SUBTOTAL column strike "2,157,955"
11 and substitute "2,174,904" and in the GENERAL FUND column strike
12 "226,634" and substitute "243,583".
13

14 Adjust affected totals accordingly.
15

16 Page 546, strike lines 1 through 6.
17

18 Renumber succeeding section accordingly.
19

20 The amendment was declared **lost** by the following roll call vote:
21

	YES	31	NO	34	EXCUSED	0	ABSENT	0
23	Acree	N	Fischer	Y	Looper	N	Solano	Y
24	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
25	Barker	N	Gerou	N	McCann	Y	Soper	Y
26	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
27	Becker	N	Holbert	N	Miklosi	Y	Summers	N
28	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
29	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
30	Brown	N	Joshi	N	Pabon	Y	Szabo	N
31	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
32	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
33	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
34	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
35	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
37	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
38	Fields	Y	Liston	N	Singer	Y	Young	Y
39							Speaker	N

40
41 Representative Young moved to amend the Report of the Committee of
42 the Whole to reverse the action taken by the Committee in not adopting
43 the following Young, Kerr A., Kefalas, Hamner, Lee, Ferrandino,
44 Hullinghorst, McCann, and Ryden amendment, to HB12-1335, to show
45 that said amendment passed, and that **HB12-1335**, as amended, passed.
46

47 Amend printed bill, page 2, line 21, strike "\$13,000,000" and substitute
48 "\$8,000,000".
49

50 Page 2, line 25, strike "\$87,500,000" and substitute "\$92,500,000".
51

52 Page 83, line 12, in the ITEM & SUBTOTAL column strike "2,065,853"
53 and substitute "7,065,853" and in the GENERAL FUND column strike
54 "1,467,716" and substitute "6,467,716".
55

56 Adjust affected totals accordingly.

1 Page 546, line 5, strike "\$13,000,000" and substitute "\$8,000,000".

2
3 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	35	EXCUSED	0	ABSENT	0
6	Acree	N	Fischer	Y	Looper	N	Solano	Y
7	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
8	Barker	N	Gerou	N	McCann	Y	Soper	N
9	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
10	Becker	N	Holbert	N	Miklosi	Y	Summers	N
11	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
12	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
13	Brown	N	Joshi	N	Pabon	Y	Szabo	N
14	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
15	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
16	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
17	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
18	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
19	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
20	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
21	Fields	Y	Liston	N	Singer	Y	Young	Y
22							Speaker	N

23
24 Representative Duran moved to amend the Report of the Committee of
25 the Whole to reverse the action taken by the Committee in not adopting
26 the following Duran, Labuda, Fields, Tyler, Hullinghorst, and McCann
27 amendment, to HB12-1335, to show that said amendment passed, and that
28 **HB12-1335**, as amended, passed.

29
30 Amend printed bill, page 363, line 8, after "each." insert "This prohibition
31 in funding shall not apply to contraception.".

32
33 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
36	Acree	N	Fischer	Y	Looper	N	Solano	Y
37	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
38	Barker	N	Gerou	N	McCann	Y	Soper	Y
39	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
40	Becker	N	Holbert	N	Miklosi	Y	Summers	N
41	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
42	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
43	Brown	N	Joshi	N	Pabon	Y	Szabo	N
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
47	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
48	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
49	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
51	Fields	Y	Liston	N	Singer	Y	Young	Y
52							Speaker	N

53
54 Representative Peniston moved to amend the Report of the Committee of
55 the Whole to reverse the action taken by the Committee in not adopting
56 the following Peniston, Williams, Ryden, Labuda, Kagan, Hamner, Lee,

Ferrandino, Young, Hullinghorst, and McCann amendment, to HB12-1335, to show that said amendment passed, and that **HB12-1335**, as amended, passed.

Amend printed bill, page 54, line 13, in the ITEM & SUBTOTAL column strike "6,357,743" and substitute "107,743" and in the CASH FUNDS column strike "6,357,743" and substitute "107,743".

Adjust affected totals accordingly.

Page 60, line 2, in the GENERAL FUND column strike "2,482,867,253" and substitute "2,476,617,253" and in the CASH FUNDS column strike "514,387,293" and substitute "520,637,293".

Page 61, line 1, strike "\$189,922,411" and substitute "\$196,172,411".

Adjust affected totals accordingly.

Page 85, line 4, in the ITEM & SUBTOTAL column strike "1,092,280" and substitute "7,342,280" and in the GENERAL FUND column strike "1,013,764" and substitute "7,263,764".

Adjust affected totals accordingly.

The amendment was declared **lost** by the following roll call vote:

YES	31	NO	34	EXCUSED	0	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
Barker	N	Gerou	N	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	N
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
Brown	N	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	N	Vaad	N
Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	N

Representative Labuda moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Labuda amendment, to HB12-1335, to show that said amendment passed, and that **HB12-1335**, as amended, passed.

Amend printed bill, page 23, line 13, in the ITEM & SUBTOTAL column strike "64,027,488" and substitute "54,427,488" and in the GENERAL FUND column strike "61,668,781" and substitute "52,068,781".

Adjust affected totals accordingly.

1 Page 60, line 2, in the ITEM & SUBTOTAL column strike
 2 "3,309,457,170" and substitute "3,319,057,170" and in the GENERAL
 3 FUND column strike "2,482,867,253" and substitute "2,492,467,253".

4
 5 Adjust affected totals accordingly.

6
 7 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
10	Acree	N	Fischer	Y	Looper	N	Solano	Y
11	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
12	Barker	N	Gerou	N	McCann	Y	Soper	Y
13	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
14	Becker	N	Holbert	N	Miklosi	Y	Summers	N
15	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
16	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
17	Brown	N	Joshi	N	Pabon	Y	Szabo	N
18	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
19	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
20	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
21	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
22	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
24	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
25	Fields	Y	Liston	N	Singer	Y	Young	Y
26							Speaker	N

27
 28 Representative Court moved to amend the Report of the Committee of the
 29 Whole to reverse the action taken by the Committee in not adopting the
 30 following Court, Williams, Labuda, Kefalas, Peniston, Tyler, Young,
 31 Schafer, and Hullinghorst amendment, to HB12-1335, to show that said
 32 amendment passed, and that **HB12-1335**, as amended, passed.

33
 34 Amend printed bill, page 123, line 10, strike "**PROGRAM**" and
 35 substitute "**PROGRAM**^{15a}".

36
 37 Page 140, after line 9 insert:

38
 39 "15a Department of Higher Education, College Opportunity Fund
 40 Program -- It is the intent of the General Assembly that higher
 41 education institutions that receive money through the College
 42 Opportunity Fund Program use the \$23.2 million that was restored
 43 from the original proposed cut of \$29.0 million in the Department
 44 of Higher Education to limit tuition increases."

45
 46 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	35	EXCUSED	0	ABSENT	0
49	Acree	N	Fischer	Y	Looper	N	Solano	Y
50	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
51	Barker	N	Gerou	N	McCann	N	Soper	Y
52	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
53	Becker	N	Holbert	N	Miklosi	Y	Summers	N
54	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
55	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
56	Brown	N	Joshi	N	Pabon	Y	Szabo	N

1	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
2	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
3	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
4	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
5	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
6	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
7	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
8	Fields	Y	Liston	N	Singer	Y	Young	Y
9							Speaker	N

10
11 Representative Jones moved to amend the Report of the Committee of the
12 Whole to reverse the action taken by the Committee in not adopting the
13 following Jones, Court, Kagan, Lee, Ryden, Peniston, Tyler, Young,
14 Schafer, Hullinghorst, and Court amendment, to HB12-1335, to show that
15 said amendment passed, and that **HB12-1335**, as amended, passed.

16
17 Amend printed bill, page 23, line 13, in the ITEM & SUBTOTAL column
18 strike "64,027,488" and substitute "55,027,488" and in the GENERAL
19 FUND column strike "61,668,781" and substitute "52,668,781".

20
21 Adjust affected totals accordingly.

22
23 Page 112, line 9, in the ITEM & SUBTOTAL column strike
24 "340,502,802" and substitute "358,502,802", in the GENERAL FUND
25 column strike "170,251,400(M)" and substitute "179,251,400(M)", and
26 in the FEDERAL FUNDS column strike "170,251,401" and substitute
27 "179,251,401".

28
29 Adjust affected totals accordingly.

30
31 Page 179, line 12, strike "Costs²⁸" and substitute "Costs^{28, 28a}".

32
33 Page 179, line 14, strike "4,267.7" and substitute "4,458.7".

34
35 Page 179, line 15, in the ITEM & SUBTOTAL column strike
36 "303,205,654" and substitute "318,301,721".

37
38 Page 180, line 3, strike "3,358.3" and substitute "3,435.3".

39
40 Page 180, line 4, in the ITEM & SUBTOTAL column strike "44,117,306"
41 and substitute "45,290,940".

42
43 Page 180, line 8, strike "393" and substitute "447.4".

44
45 Page 180, line 9, in the ITEM & SUBTOTAL column strike "7,530,361"
46 and substitute "8,572,719".

47
48 Page 180, line 11, strike "8,019" and substitute "8,341.4".

49
50 Page 180, line 12, in the ITEM & SUBTOTAL column strike
51 "28,796,235" and substitute "29,484,176".

52
53 Page 180, line 14, in the ITEM & SUBTOTAL column strike
54 "401,176,649" and substitute "419,176,649" and in the
55 REAPPROPRIATED FUNDS column strike "340,502,802^b" and
56 substitute "358,502,802^b".

1 Adjust affected totals accordingly.

2
3 Page 201, after line 11 insert:

4
5 "28a Department of Human Services, Services for
6 People with Disabilities, Community Services for
7 People With Developmental Disabilities, Program
8 Costs -- The appropriation in this subsection
9 includes an increase of \$18.0 million dollars
10 reappropriated funds to be used to fund placements
11 and case management for individuals on the
12 waiting list. This includes 191 comprehensive
13 residential placements, 77 supported living
14 placements, and 54.4 children's extensive services
15 placements. It is the intent of the General
16 Assembly that these funds be transferred among the
17 line items as needed to serve those individuals on
18 the waiting list with the highest level of need."
19

20 The amendment was declared **lost** by the following roll call vote:

22	YES	29	NO	36	EXCUSED	0	ABSENT	0
23	Acree	N	Fischer	Y	Looper	N	Solano	Y
24	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
25	Barker	N	Gerou	N	McCann	Y	Soper	Y
26	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
27	Becker	N	Holbert	N	Miklosi	Y	Summers	N
28	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
29	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
30	Brown	N	Joshi	N	Pabon	Y	Szabo	N
31	Casso	Y	Kagan	Y	Pace	N	Todd	Y
32	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
33	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
34	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
35	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
37	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
38	Fields	Y	Liston	N	Singer	Y	Young	Y
39							Speaker	N

40
41 Representatives Brown and Sonnenberg moved to amend the Report of
42 the Committee of the Whole to reverse the action taken by the Committee
43 in not adopting the following Brown amendment, to HB 12-1335, to show
44 that said amendment passed, and that **HB12-1335**, as amended, passed.

45
46 Amend printed bill, page 2, strike lines 19 through 21.

47
48 Reletter succeeding paragraphs accordingly.

49
50 Page 2, line 25, strike "\$87,500,000" and substitute "\$100,500,000".

51
52 Page 470, after line 2 insert:

53	ITEM &	CAPITAL
54	SUBTOTAL	CONSTRUCTION
55		FUND
56	\$	\$

1 "Level 2 Controlled
2 Maintenance Projects 13,000,000 13,000,000".

3
4 Adjust affected totals accordingly.

5
6 Page 546, strike lines 1 through 6.

7
8 Renumber succeeding section accordingly.

9
10 The amendment was declared **passed** by the following roll call vote:

11	YES	62	NO	3	EXCUSED	0	ABSENT	0
12								
13	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
14	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
15	Barker	Y	Gerou	N	McCann	Y	Soper	Y
16	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
17	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
18	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
19	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
20	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
21	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
22	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
23	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
24	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
25	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
28	Fields	Y	Liston	Y	Singer	Y	Young	Y
29							Speaker	Y

30
31 Representative Pace moved to amend the Report of the Committee of the
32 Whole to reverse the action taken by the Committee in not adopting the
33 following Pace amendment, to HB 2-1335, to show that said amendment
34 passed, and that **HB12-1335**, as amended, passed.

35
36 Amend printed bill, page 257, line 10, strike "Disbursements" and
37 substitute "Disbursements^{40a}".

38
39 Page 264, after line 1 insert:

40
41 **"FOOTNOTES** -- The following statements are referenced
42 to the numbered footnotes throughout section 2.

43
44 40a Department of Local Affairs, Division of Local
45 Governments, Local Government and Community
46 Services, Local Government Services,
47 Conservation Trust Fund Disbursements -- It is the
48 intent of the General Assembly that the first
49 \$326,000 of any Conservation Trust Fund moneys
50 allocated to the Department in excess of \$45
51 million be allocated to metropolitan districts that
52 have one thousand or more individuals residing
53 within their territory, have only elected board
54 members, and provide only parks and recreation
55 facilities that are open to the general public
56 including individuals who are not residents of the

district. Each metropolitan district share shall be apportioned according to that percentage which the population of the surrounding county is to the total population of all counties in the State."

The amendment was declared **lost** by the following roll call vote:

YES	28	NO	37	EXCUSED	0	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
Barker	N	Gerou	N	McCann	Y	Soper	N
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	N
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
Brown	N	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	N	Vaad	N
Court	Y	Kerr J.	N	Ramirez	N	Vigil	N
DelGrosso	N	Labuda	Y	Ryden	N	Waller	N
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	N

Representative Lee moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Lee, Ryden, Fields, Kerr A., Todd, and Young amendment, to **HB12-1335**, to show that said amendment passed, and that HB12-1335, as amended, passed.

Amend printed bill, page 23, line 13, in the ITEM & SUBTOTAL column strike "64,027,488" and substitute "62,027,488" and in the GENERAL FUND column strike "61,668,781" and substitute "59,668,781".

Adjust affected totals accordingly.

Page 268, after line 12 insert:

	ITEM & SUBTOTAL	GENERAL FUND
	\$	\$
"Colorado State Veterans Trust Fund	2,000,000	2,000,000".

Adjust affected totals accordingly.

The amendment was declared **lost** by the following roll call vote:

YES	30	NO	35	EXCUSED	0	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
Barker	N	Gerou	N	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N

1	Becker	N	Holbert	N	Miklosi	Y	Summers	N
2	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
3	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
4	Brown	N	Joshi	N	Pabon	Y	Szabo	N
5	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
6	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
7	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
8	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
9	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
10	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
11	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
12	Fields	Y	Liston	N	Singer	Y	Young	Y
13							Speaker	N

14
15 Representative A. Kerr moved to amend the Report of the Committee of
16 the Whole to reverse the action taken by the Committee in not adopting
17 the following Kerr A., Todd, Hamner, Labuda, Court, Fields, Peniston,
18 Tyler, Young, Schafer, and McCann amendment, to HB12-1335, to show
19 that said amendment passed, and that **HB12-1335**, as amended, passed.

20
21 Amend printed bill, page 23, line 13, in the ITEM & SUBTOTAL column
22 strike "64,027,488" and substitute "58,627,488" and in the GENERAL
23 FUND column strike "61,668,781" and substitute "56,268,781".

24
25 Adjust affected totals accordingly.

26
27 The amendment was declared **lost** by the following roll call vote:

28	YES	29	NO	36	EXCUSED	0	ABSENT	0
30	Acree	N	Fischer	Y	Looper	N	Solano	Y
31	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
32	Barker	N	Gerou	N	McCann	Y	Soper	Y
33	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
34	Becker	N	Holbert	N	Miklosi	Y	Summers	N
35	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
36	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
37	Brown	N	Joshi	N	Pabon	Y	Szabo	N
38	Casso	Y	Kagan	Y	Pace	N	Todd	Y
39	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
40	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
41	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
42	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
43	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
44	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
45	Fields	Y	Liston	N	Singer	Y	Young	Y
46							Speaker	N

47
48 Representatives Ryden and Todd moved to amend the Report of the
49 Committee of the Whole to reverse the action taken by the Committee in
50 Amendment No. 5 by Representative Sonnenberg (printed in House
51 Journal page 930, lines 12-56 and page 931, lines 1-21), to HB12-1335,
52 to show that said amendment lost, and that **HB12-1335**, as amended,
53 passed.

54
55 The amendment was declared **lost** by the following roll call vote:

56

	YES	31	NO	34	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Fischer	Y	Looper	N	Solano	Y
3	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
4	Barker	N	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
6	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
7	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
8	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
9	Brown	N	Joshi	N	Pabon	Y	Szabo	N
10	Casso	N	Kagan	Y	Pace	N	Todd	Y
11	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
13	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
14	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
17	Fields	Y	Liston	N	Singer	Y	Young	Y
18							Speaker	N
19								

20 Representative Lee moved to amend the Report of the Committee of the
 21 Whole to reverse the action taken by the Committee in not adopting the
 22 following Lee, Williams, Labuda, Ryden, Kagan, Tyler, Young, and
 23 Hullinghorst amendment, to HB12-1335, to show that said amendment
 24 passed, and that **HB12-1335**, as amended, passed.

25
 26 Amend printed bill, page 83, line 7, strike "**PROGRAMS**" and substitute
 27 "**PROGRAMS**^{9a}".

28
 29 Page 94, after line 9 insert:

30
 31 "**FOOTNOTES** -- The following statements are referenced
 32 to the numbered footnotes throughout section 2.

33
 34 9a Governor - Lieutenant Governor - State Planning and
 35 Budgeting, Economic Development Programs -- It is the
 36 intent of the General Assembly that funds appropriated to
 37 the Governor's Office of Economic Development and
 38 International Trade be expended with preference given to
 39 companies domiciled in Colorado and employing workers
 40 domiciled in Colorado."

41
 42 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
44								
45	Acree	N	Fischer	Y	Looper	N	Solano	Y
46	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
47	Barker	N	Gerou	N	McCann	Y	Soper	Y
48	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
49	Becker	N	Holbert	N	Miklosi	Y	Summers	N
50	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
51	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
52	Brown	N	Joshi	N	Pabon	Y	Szabo	N
53	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
54	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
55	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
56	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y

1	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
2	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
3	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
4	Fields	Y	Liston	N	Singer	Y	Young	Y
5							Speaker	N

6
7 Representative Ferrandino moved to amend the Report of the Committee
8 of the Whole to reverse the action taken by the Committee in adopting
9 Amendment No. 6 by Representative Swalm (printed in House Journal
10 page 931, lines 23-50), to HB12-1335, to show that said amendment lost,
11 and that **HB12-1335**, as amended, passed.

12
13 The amendment was declared **passed** by the following roll call vote:
14

15	YES	65	NO	0	EXCUSED	0	ABSENT	0
16	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
17	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
18	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
19	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
20	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
21	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
22	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
23	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
24	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
25	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
26	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
27	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
28	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
29	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
30	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
31	Fields	Y	Liston	Y	Singer	Y	Young	Y
32							Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

33
34
35
36
37
38
39 Passed Second Reading: **HB12-1335 amended, 1286 amended, 1315**
40 **amended, 1326 amended, 1336, 1337, 1339, 1338 amended, 1340**
41 **amended.**

42
43 The Chairman moved the adoption of the Committee of the Whole
44 Report. As shown by the following roll call vote, a majority of those
45 elected to the House voted in the affirmative, and the Report was
46 **adopted.**

48	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	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

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB12-1228, 1271, 1318, 1323.**

MESSAGE(S) FROM THE SENATE

The President appoints Senators Giron Chair, S. King, and Carroll as conferees on the First Conference Committee on HB12-1053.

The President appoints Senators Jahn Chair, Carroll, and Grantham as conferees on the First Conference Committee on HB12-1002.

The Senate has passed on Third Reading and returns herewith HB12-1297 and HB12-1080.

The Senate has passed on Third Reading and transmits to the Revisor of Statutes:

SB12-001 amended as printed in Senate Journal, April 10, 2012, pages 702-703.

The Senate has adopted and transmits herewith: SJR12- 031.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, SB12-001.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until April 12, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161, SB12-128, HB12-1328, SB12-134, HB12-1293, SB12-013, 124, 036.**

1 Consideration of General Orders--**HB12-1048, 1317, SB12-087,**
2 **HB12-1294, 1281, SB12-118, HB12-1332, 1037, 1341, 1342, 1343,**
3 **1344, SB12-110, 156, 158.**

4 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,**
5 **1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307,**
6 **1012, 1052, 1019, 1063, 1105, 1146.**

7

8

9

10 On motion of Representative Stephens, the House adjourned until
11 10:00 a.m., April 12, 2012.

12

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Approved:
FRANK McNULTY,
Speaker

Attest:

MARILYN EDDINS,

Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-third Legislative Day

Thursday, April 12, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4

5 Pledge of Allegiance led by Jamie Edwards from West Jefferson Middle
6 School, Conifer.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) Holbert--1.

12 Present after roll call--Representative(s) Holbert.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Joshi, the reading of the journal of
18 April 11, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22 House in recess. House reconvened.

23

24

25

26 **THIRD READING OF BILL(S)--FINAL PASSAGE**

27

28 The following bill(s) was(were) considered on Third Reading. The
29 title(s) was(were) publicly read. Reading of the bill at length was
30 dispensed with by unanimous consent.

31

32 **HB12-1335** by Representative(s) Gerou, Becker, Levy; also Senator(s)
33 Hodge, Steadman, Lambert--Concerning the provision for
34 payment of the expenses of the executive, legislative, and
35 judicial departments of the state of Colorado, and of its
36 agencies and institutions, for and during the fiscal year
37 beginning July 1, 2012, except as otherwise noted.

38

39 The question being "Shall the bill pass?".

40 A roll call vote was taken. As shown by the following recorded vote, a
41 majority of those elected to the House voted in the affirmative and the bill
42 was declared **passed**.

43

	YES	64	NO	1	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Barker, Brown, Casso, Coram,
 20 Ferrandino, Fields, Fischer, Gardner B., Hamner, Kefalas, Kerr J., Labuda,
 21 McCann, Murray, Nikkel, Pabon, Pace, Peniston, Schafer S., Stephens, Todd,
 22 Tyler, Vigil, Waller, Williams A., Wilson, Young, Speaker.

23
 24
 25
 26 **HB12-1286** by Representative(s) Massey and Ferrandino, Todd,
 27 Brown, Casso, Coram, Court, Duran, Fields, Fischer,
 28 Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J.,
 29 Liston, McCann, Miklosi, Pabon, Pace, Peniston, Priola,
 30 Ryden, Schafer S., Singer, Soper, Summers, Swerdfeger,
 31 Vigil, Williams A., Wilson, Young; also Senator(s) Newell
 32 and White, Aguilar, Bacon, Boyd, Foster, Heath, Jahn,
 33 Morse, Nicholson, Shaffer B., Steadman, Williams S.--
 34 Concerning film production activities in Colorado, and, in
 35 connection therewith, making an appropriation.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	45	NO	20	EXCUSED	0	ABSENT	0
43	Acree	N	Fischer	Y	Looper	N	Solano	N
44	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	Y
45	Barker	N	Gerou	Y	McCann	Y	Soper	Y
46	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
47	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
48	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
49	Bradford	N	Jones	N	Nikkel	Y	Swerdfeger	Y
50	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
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	N	Labuda	Y	Ryden	Y	Waller	N
56	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y

1	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	N

4 Co-sponsor(s) added: Representative(s) Gerou, Lee.

5
6 **HB12-1315** by Representative(s) Becker; also Senator(s) Steadman--
7 Concerning the reorganization of the governor's energy
8 office, and in connection therewith, making an
9 appropriation.

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	49	NO	16	EXCUSED	0	ABSENT	0
17	Acree	Y	Fischer	N	Looper	Y	Solano	Y
18	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
19	Barker	Y	Gerou	Y	McCann	N	Soper	N
20	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
22	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
23	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
24	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
25	Casso	Y	Kagan	N	Pace	Y	Todd	Y
26	Conti	Y	Kefalas	N	Peniston	Y	Tyler	N
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	N	Waller	Y
30	Duran	N	Lee	Y	Schafer S.	N	Williams A.	Y
31	Ferrandino	N	Levy	N	Scott	Y	Wilson	Y
32	Fields	Y	Liston	Y	Singer	N	Young	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Baumgardner, Bradford, Brown, Conti,
35 Coram, Gardner B., Kerr J., Priola, Ramirez, Summers.

36
37 **HB12-1336** by Representative(s) Becker and Levy, Gerou; also
38 Senator(s) Steadman and Lambert, Hodge--Concerning
39 authorization of a prison utilization analysis, and, in
40 connection therewith, making an appropriation.

41
42 The question being "Shall the bill pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the bill
45 was declared **passed**.

47	YES	65	NO	0	EXCUSED	0	ABSENT	0
48	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Barker, Bradford, Fields, Gardner B.,
10 Hamner, Kagan, Kefalas, Labuda, Lee, Pace, Ramirez, Singer, Todd, Wilson.

11
12 **HB12-1337** by Representative(s) Gerou and Levy, Becker; also
13 Senator(s) Steadman and Lambert, Hodge--Concerning the
14 closure of the south campus of the Centennial correctional
15 facility for housing purposes.

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								
22	YES	65	NO	0	EXCUSED	0	ABSENT	0
23	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
24	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
25	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
26	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
27	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
28	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
29	Bradford	Y	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	Y	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	Y
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
37	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
38	Fields	Y	Liston	Y	Singer	Y	Young	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Barker, Bradford, Court, Fields,
41 Fischer, Gardner B., Jones, Kagan, Kefalas, Kerr A., Labuda, Pabon, Priola,
42 Schafer S., Todd, Tyler, Vigil, Williams A., Young.

43
44
45 **HB12-1339** by Representative(s) Becker, Gerou, Levy; also Senator(s)
46 Lambert, Hodge, Steadman--Concerning the Colorado
47 benefits management system improvement and
48 modernization project, and, in connection therewith,
49 making an appropriation.

50
51 The question being "Shall the bill pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.

55

	YES	59	NO	6	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	N	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	N	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	N
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	N	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Ryden, Tyler, Wilson.

20
21
22 **HB12-1338** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning the transfer of
24 general fund surplus moneys to the state education fund at
25 the end of certain fiscal years.

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	65	NO	0	EXCUSED	0	ABSENT	0
32								
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	Y	Hamner	Y	McKinley	Y	Stephens	Y
37	Becker	Y	Holbert	Y	Miklosi	Y	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) Conti, Court, Ferrandino, Fields,
51 Fischer, Hamner, Jones, Kagan, Kefalas, Kerr A., Labuda, Massey, Miklosi,
52 Pabon, Pace, Peniston, Ryden, Schafer S., Solano, Summers, Todd, Tyler,
53 Williams A., Wilson, Young.

54
55
56

1 **HB12-1340** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 2 Lambert, Hodge, Steadman--Concerning a reduction in the
 3 general fund portion of the per diem rates paid to nursing
 4 facilities, and, in connection therewith, reducing an
 5 appropriation.
 6

7 The question being "Shall the bill pass?".
 8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.
 11

	YES	59	NO	6	EXCUSED	0	ABSENT	0
13	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
14	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
15	Barker	Y	Gerou	Y	McCann	Y	Soper	N
16	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
17	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
18	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
19	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
20	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
21	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
22	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
23	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
24	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
25	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
28	Fields	Y	Liston	N	Singer	Y	Young	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Schafer S., Vigil.
 31
 32
 33

34 On motion of Representative Ramirez, the House resolved itself into
 35 Committee of the Whole for consideration of General Orders, and he was
 36 called to the Chair to act as Chairman.
 37
 38

39 **GENERAL ORDERS--SECOND READING OF BILLS**

40
 41 The Committee of the Whole having risen, the Chairman reported the
 42 titles of the following bills had been read (reading at length had been
 43 dispensed with by unanimous consent), the bills considered and action
 44 taken thereon as follows:
 45

46 (Amendments to the committee amendment are to the printed committee
 47 report which was printed and placed in the members' bill file.)
 48

49 **HB12-1341** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 50 Hodge, Steadman, Lambert--Concerning the repeal of the
 51 statewide strategic use fund.
 52

53 Ordered engrossed and placed on the Calendar for Third Reading and
 54 Final Passage.
 55

1 **HB12-1342** by Representative(s) Levy, Becker, Gerou; also Senator(s)
2 Hodge, Steadman, Lambert--Concerning a work therapy
3 program in the department of human services, and, in
4 connection therewith, making an appropriation.
5

6 Amendment No. 1, by Representative(s) Levy.
7

8 Amend printed bill, page 2, strike line 8 and substitute "MENTAL HEALTH
9 INSTITUTES AND AT THE".
10

11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.
13

14 **HB12-1343** by Representative(s) Gerou, Becker, Levy; also Senator(s)
15 Hodge, Steadman, Lambert--Concerning the transfer of
16 moneys from the state rail bank fund to the general fund.
17

18 Ordered engrossed and placed on the Calendar for Third Reading and
19 Final Passage.
20

21 **HB12-1344** by Representative(s) Gerou, Becker, Levy; also Senator(s)
22 Hodge, Steadman, Lambert--Concerning transfers of
23 moneys relating to capital construction.
24

25 Amendment No. 1, by Representative(s) Brown.
26

27 Amend printed bill, page 3, strike lines 2 and 3 and substitute:
28

29 "(y) On July 1, 2012, SEVENTY-TWO MILLION NINE HUNDRED
30 NINETEEN THOUSAND THREE HUNDRED NINE DOLLARS, PLUS one hundred
31 twelve".
32

33 As amended, ordered engrossed and placed on the Calendar for Third
34 Reading and Final Passage.
35

36 **SB12-110** by Senator(s) Steadman, Hodge, Lambert; also
37 Representative(s) Levy, Becker, Gerou--Concerning a
38 fund consisting of surcharges on insurance premiums to
39 pay for costs associated with criminal prosecution of
40 insurance fraud investigations, and, in connection
41 therewith, making an appropriation.
42

43 Ordered revised and placed on the Calendar for Third Reading and Final
44 Passage.
45

46 **SB12-156** by Senator(s) Steadman, Hodge, Lambert; also
47 Representative(s) Gerou, Becker, Levy--Concerning the
48 authority of the department of personnel to expend gifts,
49 grants, and donations.
50

51 Ordered revised and placed on the Calendar for Third Reading and Final
52 Passage.
53

54
55
56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1341, 1342 amended, 1343, 1344 amended, SB12-110, 156.**

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	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

House in recess. House reconvened.

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB12-1228, HB12-1271, HB12-1318, HB12-1323** at 10:56 a.m. on April 12, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has postponed indefinitely HB12-1130. The bill is returned herewith.

INTRODUCTION OF BILLS First Reading

The following bills were read by title and referred to the committees indicated:

SB12-015 by Senator(s) Giron and Johnston, Guzman, Steadman; also Representative(s) Duran and Williams A.--

1 Concerning creating an optional category of tuition at state
2 institutions of higher education.

3 Committee on Education

4 Committee on Appropriations

5

6 **SB12-160** by Senator(s) Hudak; also Representative(s) Duran--
7 Concerning parent involvement in public education
8 advisory committees.

9 Committee on Education

10

11 **SB12-168** by Senator(s) Steadman, Hodge, Lambert; also
12 Representative(s) Gerou, Becker, Levy--Concerning a
13 trigger related to general fund obligations created in
14 Senate Bill 09-228.

15 Committee on Finance

16

17

18

19

20

21

APPOINTMENT

22

23 The Speaker announced the following temporary appointments:

24

APPROPRIATIONS

25

26 Representative Tyler to replace Representative A. Kerr to the
27 Committee on Appropriations (temporary appointment for the
28 meeting on Tuesday, April 17, 2012).

29

EDUCATION

30

31 Representative Young to replace Representative A. Kerr to the
32 Committee on Education (temporary appointment for the meeting
33 on Monday, April 16, 2012).

34

35

36

37

38

39

LAY OVER OF CALENDAR ITEM(S)

40

41 On motion of Representative Scott, the following item(s) on the Calendar
42 was (were) laid over until April 13, retaining place on Calendar:

43

44 Consideration of Third Reading--**HB12-1066, 1161, SB12-128,**
45 **HB12-1328, SB12-134, HB12-1293, SB12-013, 124, 036, HB12-1326.**

46 Consideration of General Orders--**HB12-1048, 1317, SB12-087,**

47 **HB12-1294, 1281, SB12-118, HB12-1332, 1037, SB12-158, HB12-1045,**
48 **1099, 1213, 1310, 1311, 1314, 1345.**

49 Consideration of Resolution(s)--**SJR12-006, 024.**

50 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,**
51 **1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307,**
52 **1012, 1052, 1019, 1063, 1105, 1146.**

53

54

55

56

1 On motion of Representative Scott, the House adjourned until 9:00 a.m.,
2 April 13, 2012.

3

4

5

6

Approved:
FRANK McNULTY,
Speaker

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-fourth Legislative Day

Friday, April 13, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Dr. Jack VanEns (acting as Thomas Jefferson), Creative
4 Growth Ministries-Making History Come Alive, Arvada.

5

6 Pledge of Allegiance led by Hannah and Andrea Thenhaus, Home
7 Schooled, Lakewood.

8

9 The roll was called with the following result:

10

11 Present--57.

12 Excused--Representative(s) Becker, Bradford, Casso, Kefalas,
13 Liston, Pabon, Pace, Sonnenberg--8.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Joshi, the reading of the journal of
19 April 12, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

24

25 The Speaker has signed: **SB12-035, 067, 127, 133.**

26

27

28

29

30 **MESSAGE(S) FROM THE GOVERNOR**

31

32 I certify I received the following on the 12th day of April, 2012, at
33 2:35 p.m. The original is on file in the records of the House of
34 Representatives of the General Assembly.

35

36

Marilyn Eddins,
Chief Clerk of the House

37 April 12, 2012

38

39 To the Honorable House of Representatives
40 Sixty-Eighth General Assembly
41 Second Regular Session
42 State Capitol
43 Denver, CO 80203

1 Ladies and Gentlemen:

2
3 I have the honor to inform you that I have approved and filed with the
4 Secretary of State the following Acts:

5
6 **HB12-1206** CONCERNING THE IMPLEMENTATION OF SUNSET REVIEW
7 OF THE COLD CASE TASK FORCE.

8
9 Approved April 12, 2012 at 12:36 pm

10
11 **HB12-1289** CONCERNING COMPLAINTS TO THE DIVISION OF
12 INSURANCE ON CERTAIN ADVERSE ACTIONS OF AUTO
13 INSURERS

14
15 Approved April 12, 2012 at 12:54 pm

16
17 **HB12-1299** CONCERNING THE SPECIFICATION THAT A MOTOR
18 VEHICLE LESSEE IS ENTITLED TO CLAIM THE
19 INNOVATIVE MOTOR VEHICLE TAX CREDIT

20
21 Approved April 12, 2012 at 1:05 pm

22
23 **HB12-1144** CONCERNING AUTHORIZING INSTITUTIONS OF HIGHER
24 EDUCATION TO ENTER INTO EMPLOYMENT CONTRACTS
25 FOR NON-TENURE-TRACK CLASSROOM TEACHERS

26
27 Approved April 12, 2012 at 1:12 pm

28
29 **HB12-1220** CONCERNING CHANGES TO THE GOVERNANCE
30 STRUCTURE OF THE BOARD OF GOVERNORS OF THE
31 COLORADO STATE UNIVERSITY SYSTEM, AND, IN
32 CONNECTION THEREWITH, ESTABLISHING THE
33 GOVERNANCE STRUCTURE FOR COLORADO STATE
34 UNIVERSITY - GLOBAL CAMPUS

35
36 Approved April 12, 2012 at 1:16 pm

37
38 **HB12-1312** CONCERNING THE EXCLUSION OF LAND USE ISSUES
39 ADDRESSED BY LOCAL GOVERNING BODIES FROM THE
40 PUBLIC UTILITIES COMMISSION'S PROPER SCOPE OF
41 REVIEW WITH RESPECT TO APPLICATIONS FOR
42 CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY
43 FOR TRANSMISSION LINES

44
45 Approved April 12, 2012 at 1:23 pm

46
47 **HB12-1125** CONCERNING PROCEDURES RELATED TO THE COSTS OF
48 IMPOUNDED ANIMALS

49
50 Approved April 12, 2012 at 1:31 pm

51
52 Sincerely,
53 (signed)
54 John W. Hickenlooper
55 Governor

56

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB12-1346 by Representative(s) Gardner B.--Concerning sex offender registration.
Committee on Judiciary

SB12-001 by Senator(s) Hudak, Bacon, Boyd, Foster, Heath, Shaffer B., Steadman; also Representative(s) Duran and Ryden--Concerning contracting preferences for persons who employ at least a specified percentage of Colorado residents to perform the requirements of a government contract, and, in connection therewith, making an appropriation.
Committee on State, Veterans, & Military Affairs

SB12-068 by Senator(s) Guzman; also Representative(s) Massey and Duran--Concerning prohibiting the inclusion of industrially produced trans fats in foods made available to students by public schools, and, in connection therewith, making an appropriation.
Committee on Education

CHANGE IN SPONSORSHIP

The Speaker announced the following change in sponsorship:
SB12-068--Representative Duran to be added as dual prime sponsor with Representative Massey.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until April 16, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161, SB12-128, HB12-1328, SB12-134, HB12-1293, SB12-013, 124, 036, HB12-1326, 1341, 1342, 1343, 1344, SB12-110, 156.**

Consideration of General Orders--**HB12-1048, 1317, SB12-087, HB12-1294, 1281, SB12-118, HB12-1332, 1037, SB12-158, HB12-1045, 1099, 1213, 1310, 1311, 1314, 1345.**

Consideration of Resolution(s)--**SJR12-006, 024.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052, 1019, 1063, 1105, 1146.**

1 On motion of Representative Waller, the House adjourned until
2 10:00 a.m., April 16, 2012.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:

FRANK McNULTY,

Speaker

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-seventh Legislative Day

Monday, April 16, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

4

5 Pledge of Allegiance led by Reese Hummel, Cherry Hills Christian
6 School, Highlands Ranch.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) Bradford, Duran, A. Kerr, Pabon--4.

12 Present after roll call--Representative(s) Bradford, Pabon.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Hamner, the reading of the journal of
18 April 13, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23 On motion of Representative Ramirez, the House resolved itself into
24 Committee of the Whole for consideration of General Orders, and he was
25 called to the Chair to act as Chairman.

26

27

28 **GENERAL ORDERS--SECOND READING OF BILLS**

29

30 The Committee of the Whole having risen, the Chairman reported the
31 titles of the following bills had been read (reading at length had been
32 dispensed with by unanimous consent), the bills considered and action
33 taken thereon as follows:

34

35 (Amendments to the committee amendment are to the printed committee
36 report which was printed and placed in the members' bill file.)

37

38 On motion of Representative Waller, the following bills on the General
39 Orders Calendar was laid over until April 17, retaining place on Calendar:
40 **HB12-1294, SB12-118, HB12-1310, 1345.**

41

42 **HB12-1048** by Representative(s) Waller; also Senator(s) Tochtrop--
43 Concerning relieving the Colorado bureau of investigation

1 of its statutory duties as a point of contact for the national
2 instant criminal background check system in cases of
3 firearm transfers.
4

5 (Previously amended as printed in House Journal, March 28, page 829.)
6

7 As amended, ordered engrossed and placed on the Calendar for Third
8 Reading and Final Passage.
9

10 **HB12-1317** by Representative(s) Sonnenberg; also Senator(s)
11 Schwartz--Concerning the creation of the parks and
12 wildlife commission to replace the parks and wildlife
13 board in the department of natural resources, and, in
14 connection therewith, describing the composition and
15 terms of the commission.
16

17 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
18 dated March 7, 2012, and placed in member's bill file; Report also
19 printed in House Journal, March 7, pages 574-575.
20

21 Amendment No. 2, Appropriations Report, dated March 23, 2012, and
22 placed in member's bill file; Report also printed in House Journal,
23 March 23, page 779.
24

25 Amendment No. 3, by Representative(s) Scott.
26

27 Amend the Agriculture, Livestock, & Natural Resources Committee
28 Report, dated March 7, 2012, page 2, line 15, strike "17." and substitute
29 "17 and substitute "AT LEAST FIVE VOTING MEMBERS SHALL BE
30 APPOINTED FROM WEST OF THE CONTINENTAL DIVIDE."."
31

32 Amendment No. 4, by Representative(s) Sonnenberg.
33

34 Amend the Agriculture, Livestock, & Natural Resources Committee
35 Report, dated March 7, 2012, page 1, strike lines 3 and 4.
36

37 Page 1 of the report, strike lines 9 through 16 and substitute:
38

39 "Page 3 of the bill, line 25, after "PURSUITS." add "ONE MEMBER
40 APPOINTED UNDER THIS SUBPARAGRAPH (III) SHALL REPRESENT A
41 NONPROFIT ORGANIZATION THAT SUPPORTS AND PROMOTES THE
42 CONSERVATION AND ENHANCEMENT OF COLORADO'S WILDLIFE AND
43 HABITAT; RECOGNIZES AND PROMOTES PRIMARILY NONCONSUMPTIVE
44 WILDLIFE USE; AND HAS EXPERTISE IN WILDLIFE ISSUES, WILDLIFE
45 HABITAT, OR WILDLIFE MANAGEMENT; AND
46

47 (IV) TWO MEMBERS APPOINTED FROM THE PUBLIC AT-LARGE."."
48

49 Amendment No. 5, by Representative(s) Sonnenberg.
50

51 Amend the Agriculture, Livestock, & Natural Resources Committee
52 Report, dated March 7, 2012, page 2, after line 2 insert:
53

54 "Page 4 of the bill, line 2, strike "KNOWLEDGE," and substitute
55 "KNOWLEDGE AND EXPERIENCE,"."
56

1 Page 2 of the report, line 3, strike "BUSINESS, "." and substitute "BUSINESS,
2 SERVICE AS A CURRENT OR FORMER LOCAL ELECTED OFFICIAL, YOUTH
3 OUTDOOR EDUCATION, ".".

4
5 Page 2 of the report, strike line 4 and substitute "Page 4 of the bill, line
6 4, after "CONSERVATION," insert "BENEFICIAL USES OF WATER, AND".

7
8 Page 2 of the report, line 6, strike ""CONSERVATION AND WILDLIFE" and
9 substitute ""WILDLIFE".

10
11 Page 2 of the report, after line 27 insert:
12

13 "(II) COLORADO'S AGRICULTURE PLAYS A VITAL ROLE IN
14 PROVIDING THE STATE'S WILDLIFE, NATURAL, SCENIC, AND SCIENTIFIC
15 RESOURCES THE HABITAT AND CONDITIONS THAT ALLOW THESE
16 RESOURCES TO THRIVE;"

17
18 Renumber succeeding subparagraphs accordingly.
19

20 Page 3 of the report, strike line 6 and substitute "FACILITIES IN A MANNER
21 THAT RECOGNIZES THE PRIVATE PROPERTY RIGHTS OF INDIVIDUAL
22 PROPERTY OWNERS; AND".
23

24 Amendment No. 6, by Representative(s) Sonnenberg.
25

26 Amend printed bill, page 7, before line 21 insert:

27 "SECTION 2. In Colorado Revised Statutes, 2-3-1203, **amend**
28 (3) (aa) (II) as follows:

29 **2-3-1203. Sunset review of advisory committees.** (3) The
30 following dates are the dates for which the statutory authorization for the
31 designated advisory committees is scheduled for repeal:

32 (aa) July 1, 2014:

33 (II) The Colorado natural areas council, an advisory council to the
34 ~~board of parks and outdoor recreation~~ PARKS AND WILDLIFE COMMISSION,
35 appointed pursuant to section 33-33-106, C.R.S.;

36 **SECTION 3.** In Colorado Revised Statutes, 2-3-1304, **amend** (1)
37 introductory portion, (1) (a.3) introductory portion, (1) (a.3) (III), and (1)
38 (a.3) (IV) as follows:

39 **2-3-1304. Powers and duties of capital development**
40 **committee.** (1) The capital development committee ~~shall have~~ HAS the
41 following powers and duties:

42 (a.3) To review and make required recommendations on reports
43 from state agencies, including ~~but not limited to~~ reports from:

44 (III) The PARKS AND wildlife commission in the department of
45 natural resources on the acquisition of certain real property interests
46 pursuant to section 33-1-105 (3) (a), C.R.S., and the acquisition of certain
47 interest in real property or water pursuant to section 33-1-105.5 (9),
48 C.R.S.; and

49 (IV) The ~~board of parks and outdoor recreation~~ PARKS AND
50 WILDLIFE COMMISSION in the department of natural resources on the
51 acquisition of certain interests in real property pursuant to section
52 33-10-107 (2), C.R.S.;

53 **SECTION 4.** In Colorado Revised Statutes, 18-9-120, **amend** (3)
54 (a) as follows:

55 **18-9-120. Terrorist training activities - penalties - exemptions.**
56 (3) (a) Nothing in this section ~~shall make~~ MAKES unlawful any activity

1 pursuant to section 13 of article II of the state constitution or activity of
2 the PARKS AND wildlife commission, any law enforcement agency, any
3 hunting club, or any rifle club, any activity engaged in on a rifle range,
4 pistol range, or shooting range, or any activity undertaken pursuant to any
5 shooting school or other program or instruction, any of which activities
6 is intended to teach the safe handling or use of firearms, archery
7 equipment, or other weapons or techniques and is employed in connection
8 with lawful sports or teach the use of arms for the defense of home,
9 person, or property, or the lawful use of force as defined in part 7 of
10 article 1 of this title, or other lawful activities.

11 **SECTION 5.** In Colorado Revised Statutes, 18-9-202, **amend** (3)
12 as follows:

13 **18-9-202. Cruelty to animals - aggravated cruelty to animals**
14 **- cruelty to a service animal - restitution.** (3) Nothing in this part 2
15 ~~shall be construed to amend or~~ MODIFIES in any manner ~~change~~ the
16 authority of the PARKS AND wildlife commission, as established in title 33,
17 C.R.S., or ~~to prohibit~~ PROHIBITS any conduct ~~therein~~ authorized or
18 permitted UNDER TITLE 33, C.R.S.

19 **SECTION 6.** In Colorado Revised Statutes, 24-1-124, **amend** (3)
20 (k) (I) as follows:

21 **24-1-124. Department of natural resources - creation -**
22 **divisions.** (3) The department of natural resources consists of the
23 following divisions:

24 (k) (I) (A) The parks and wildlife ~~board~~ COMMISSION, created
25 ~~under~~ IN article 9 of title 33, C.R.S. The powers, duties, and functions of
26 the wildlife commission and the board of parks and outdoor recreation are
27 transferred by a **type 1** transfer to the parks and wildlife ~~board~~
28 COMMISSION as powers, duties, and functions of the parks and wildlife
29 ~~board~~ COMMISSION.

30 (B) The parks and wildlife ~~board~~ COMMISSION includes, as an
31 advisory council, the Colorado natural areas council created by article 33
32 of title 33, C.R.S.

33 **SECTION 7.** In Colorado Revised Statutes, 24-33-104, **amend**
34 (1) introductory portion and (1) (h) as follows:

35 **24-33-104. Composition of the department.** (1) The department
36 of natural resources consists of the following COMMISSIONS, divisions,
37 ~~and~~ boards, OFFICES, AND COUNCILS:

38 (h) The division of parks and wildlife; and the parks and wildlife
39 ~~board~~ COMMISSION;

40 **SECTION 8.** In Colorado Revised Statutes, 24-33-111, **amend**
41 (3) (a) and (5) as follows:

42 **24-33-111. Conservation of native species - fund created.**

43 (3) **Species conservation eligibility list and annual report.** (a) The
44 executive director of the department of natural resources, after
45 consultation with the Colorado water conservation board and its director,
46 the PARKS AND wildlife commission, and the director of the division of
47 PARKS AND wildlife, shall annually prepare a species conservation
48 eligibility list describing programs and associated costs that are eligible
49 to receive funding pursuant to this section. The species conservation
50 eligibility list ~~shall be~~ IS subject to modification and adoption through
51 passage of a bill. At the same time as the species conservation eligibility
52 list is submitted, the director of the department of natural resources, after
53 consultation with the Colorado water conservation board and its director,
54 the PARKS AND wildlife commission, and the director of the division of
55 PARKS AND wildlife, shall also provide a detailed report to the general
56 assembly on the progress and status of activities to date and their

1 effectiveness in the recovery of the species and identify proposed future
2 activities. The report shall include an assessment of habitat benefits, both
3 public and private, attributable to such activities.

4 (5) **Maximization of funds.** The Colorado water conservation
5 board and the PARKS AND wildlife commission shall maximize the species
6 conservation trust fund by applying for available grants consistent with
7 the purposes of the fund. Federal grants and voluntary contributions may
8 by accepted and expended as provided in this section. Such grants and
9 contributions shall, upon acceptance, be placed in the species
10 conservation trust fund created in subsection (2) of this section. Nothing
11 in this section ~~shall be construed to limit~~ LIMITS the authority of the
12 Colorado division of PARKS AND wildlife to manage or regulate game,
13 nongame, or threatened or endangered species. No funding shall be
14 accepted, approved, or used to initiate the listing of species as threatened
15 or endangered under federal law. Nothing in this section is intended to be
16 construed as a mechanism to substitute funding that would otherwise be
17 available for expenditure by the division of wildlife or to replace or
18 reduce the obligation of the division to carry out nongame programs
19 under title 33, C.R.S.

20 **SECTION 9.** In Colorado Revised Statutes, 24-34-104, **amend**
21 (50.5) (d) as follows:

22 **24-34-104. General assembly review of regulatory agencies**
23 **and functions for termination, continuation, or reestablishment.**
24 (50.5) The following agencies, functions, or both, shall terminate on
25 September 1, 2019:

26 (d) The function of licensing river outfitters through the ~~board of~~
27 parks and ~~outdoor recreation~~ WILDLIFE COMMISSION and the division of
28 parks and ~~outdoor recreation~~ WILDLIFE in accordance with article 32 of
29 title 33, C.R.S.

30 **SECTION 10.** In Colorado Revised Statutes, 30-11-107, **amend**
31 (3) as follows:

32 **30-11-107. Powers of the board.** (3) The board of county
33 commissioners of any county eligible to receive impact assistance grants
34 pursuant to part 3 of article 25 of this title may certify a dollar amount to
35 the PARKS AND wildlife commission ~~or the board of parks and outdoor~~
36 ~~recreation or both said commission and said board~~ pursuant to part 3 of
37 article 25 of this title.

38 **SECTION 11.** In Colorado Revised Statutes, 30-25-302, **amend**
39 (1) (a) introductory portion, (3), and (4) (a) as follows:

40 **30-25-302. Eligibility - determination of impact - procedures**
41 **- legislative declaration.** (1) (a) Except as provided in section
42 33-60-104.5, C.R.S., for real property interests acquired with funds made
43 available from the great outdoors Colorado trust fund, in any county in
44 which the division of parks and wildlife owns property, the board of
45 county commissioners of the county shall certify once a year during the
46 regular tax assessment period, to the parks and wildlife ~~board~~
47 COMMISSION, the current dollar amount representing the negative
48 financial impact that the ownership has on the county's finances and the
49 finances of any political subdivision that lies within the county. In
50 calculating the dollar amount, the board of county commissioners shall
51 take into consideration the following factors:

52 (3) The parks and wildlife ~~board~~ COMMISSION shall review the
53 dollar amounts certified pursuant to subsection (1) of this section and
54 shall certify to the general assembly these dollar amounts. In making its
55 determinations, the parks and wildlife ~~board~~ COMMISSION shall consider
56 the factors set forth in subsection (1) of this section and may consider any

1 additional relevant factors. All certifications to the general assembly must
2 include an explanation of the grounds upon which the determinations of
3 the certified amounts are based. The parks and wildlife board
4 COMMISSION shall include an estimate of the amount to be certified for
5 impact assistance grants in their budget requests for each fiscal year.

6 (4) (a) The general assembly may make an appropriation in the
7 form of an impact assistance grant to any county qualifying for such grant
8 upon certification by the parks and wildlife board COMMISSION of the
9 amount for the grant. Appropriations concerning lands purchased with
10 wildlife cash or other wildlife moneys must be made from the wildlife
11 cash fund. Appropriations concerning lands purchased with general fund
12 or parks and outdoor recreation cash or other parks and outdoor recreation
13 moneys must be made from the general fund or the parks and outdoor
14 recreation cash fund.

15 **SECTION 12.** In Colorado Revised Statutes, 30-28-106, **amend**
16 (3) (a) introductory portion and (3) (a) (XI) (B) as follows:

17 **30-28-106. Adoption of master plan - contents.** (3) (a) The
18 master plan of a county or region, with the accompanying maps, plats,
19 charts, and descriptive and explanatory matter, shall show the county or
20 regional planning commission's recommendations for the development of
21 the territory covered by the plan. The master plan of a county or region
22 shall be an advisory document to guide land development decisions;
23 however, the plan or any part thereof may be made binding by inclusion
24 in the county's or region's adopted subdivision, zoning, platting, planned
25 unit development, or other similar land development regulations after
26 satisfying notice, due process, and hearing requirements for legislative or
27 quasi-judicial processes as appropriate. After consideration of each of the
28 following, where applicable or appropriate, the master plan may include:
29 ~~but shall not be limited to:~~

30 (XI) The location of areas containing steep slopes, geological
31 hazards, endangered or threatened species, wetlands, floodplains,
32 floodways, and flood risk zones, highly erodible land or unstable soils,
33 and wildfire hazards. For purposes of determining the location of such
34 areas, the planning commission should consider the following sources for
35 guidance:

36 (B) The United States fish and wildlife service of the United
37 States department of the interior and the Colorado PARKS AND wildlife
38 commission CREATED IN SECTION 33-9-101, C.R.S., for locating areas
39 inhabited by endangered or threatened species;

40 **SECTION 13.** In Colorado Revised Statutes, 31-23-206, **amend**
41 (1) introductory portion and (1) (k) (II) as follows:

42 **31-23-206. Master plan.** (1) It is the duty of the commission to
43 make and adopt a master plan for the physical development of the
44 municipality, including any areas outside its boundaries, subject to the
45 approval of the governmental body having jurisdiction thereof, which in
46 the commission's judgment bear relation to the planning of such
47 municipality. The master plan of a municipality shall be an advisory
48 document to guide land development decisions; however, the plan or any
49 part thereof may be made binding by inclusion in the municipality's
50 adopted subdivision, zoning, platting, planned unit development, or other
51 similar land development regulations after satisfying notice, due process,
52 and hearing requirements for legislative or quasi-judicial processes as
53 appropriate. When a commission decides to adopt a master plan, the
54 commission shall conduct public hearings, after notice of such public
55 hearings has been published in a newspaper of general circulation in the
56 municipality in a manner sufficient to notify the public of the time, place,

1 and nature of the public hearing, prior to final adoption of a master plan
 2 in order to encourage public participation in and awareness of the
 3 development of such plan and shall accept and consider oral and written
 4 public comments throughout the process of developing the plan. Such
 5 plan, with the accompanying maps, plats, charts, and descriptive matter,
 6 shall, after consideration of each of the following, where applicable or
 7 appropriate, show the commission's recommendations for the
 8 development of said municipality and outlying areas, including: ~~but not~~
 9 ~~limited to:~~

10 (k) The areas containing steep slopes, geological hazards,
 11 endangered or threatened species, wetlands, floodplains, floodways, and
 12 flood risk zones, highly erodible land or unstable soils, and wildfire
 13 hazards. For purposes of determining the location of such areas, the
 14 planning commission should consider the following sources for guidance:

15 (II) The United States fish and wildlife service of the United
 16 States department of the interior and the Colorado PARKS AND wildlife
 17 commission CREATED IN SECTION 33-9-101, C.R.S., for locating areas
 18 inhabited by endangered or threatened species;

19 **SECTION 14.** In Colorado Revised Statutes, 33-1-101, **amend**
 20 (2) as follows:

21 **33-1-101. Legislative declaration.** (2) All wildlife within this
 22 state not lawfully acquired and held by private ownership is declared to
 23 be the property of this state. Right, title, interest, acquisition, transfer,
 24 sale, importation, exportation, release, donation, or possession of wildlife
 25 ~~shall be~~ IS permitted only as provided in articles 1 to 6 of this title or in
 26 any rule or regulation of the PARKS AND wildlife commission.

27 **SECTION 15.** In Colorado Revised Statutes, 33-1-102, **amend**
 28 (4.3), (5), (6), and (10); and **repeal** (2.5) as follows:

29 **33-1-102. Definitions.** As used in this title, unless the context
 30 otherwise requires:

31 (2.5) ~~"Board" or "parks and wildlife board" means the parks and~~
 32 ~~wildlife board created in section 33-9-101.~~

33 (4.3) "Colorado wildlife officer" means an employee of the
 34 division of PARKS AND wildlife, or any other person who is commissioned
 35 by the director of the division to enforce the wildlife statutes and rules
 36 and regulations of the commission and all laws of the state of Colorado,
 37 who is recognized as a peace officer in section 16-2.5-116, C.R.S.

38 (5) "Commission" or "PARKS AND wildlife commission" means the
 39 parks and wildlife ~~board~~ COMMISSION CREATED IN SECTION 33-9-101.

40 (6) "Commissioner" means a member of the PARKS AND wildlife
 41 commission.

42 (10) "Division" means the division of parks and wildlife and its
 43 employees, and, when necessary, the term may be construed as referring
 44 to the parks and wildlife ~~board~~ COMMISSION.

45 **SECTION 16.** In Colorado Revised Statutes, 33-1-106, **amend**
 46 (3) (a) as follows:

47 **33-1-106. Authority to regulate taking, possession, and use of**
 48 **wildlife - rules.** (3) (a) The state agricultural commission shall review
 49 the ~~regulations~~ RULES concerning captive wild ungulates submitted by the
 50 division and make recommendations to the PARKS AND wildlife
 51 commission concerning ~~such regulations~~ THE RULES. The PARKS AND
 52 wildlife commission shall not pass nor implement ~~regulations~~ RULES
 53 concerning captive wild ungulates without the approval of the state
 54 agricultural commission. If the PARKS AND wildlife commission ~~should~~
 55 ~~make~~ MAKES the possession of red deer unlawful in this state, the division
 56 shall compensate any person who owns or possesses any red deer on the

1 effective date of ~~such~~ THE prohibition for the cost to replace such red deer
2 with a legal elk of the same sex and comparable age.

3 **SECTION 17.** In Colorado Revised Statutes, 33-1-110, **amend**
4 (6.7), (7) (c) introductory portion, and (7) (c) (V); and **repeal** (2) as
5 follows:

6 **33-1-110. Duties of the director of the division.** (2) ~~The director~~
7 ~~shall exercise all the powers and perform all the functions of the~~
8 ~~commission in the interim between its meetings, subject to the ratification~~
9 ~~thereof by the commission. He shall act as recording secretary for the~~
10 ~~commission and shall be custodian of all minutes and other records of the~~
11 ~~commission. The director shall perform such duties as prescribed by the~~
12 ~~commission, by the executive director, or by law; except that he has no~~
13 ~~authority to make rules or regulations.~~

14 (6.7) The director shall certify to the state controller that
15 commitment or payment vouchers submitted by local habitat partnership
16 committees are consistent with distribution management plans and
17 guidelines approved by the ~~wildlife~~ commission. Such certification ~~shall~~
18 ~~be~~ IS the only requirement necessary to authorize the state controller to
19 disburse funds from the habitat partnership cash fund.

20 (7) (c) The duties of the council are: ~~the following:~~

21 (V) To advise the director whether or not payment vouchers
22 submitted by local habitat partnership committees are consistent with
23 distribution management plans approved by the ~~wildlife~~ commission;

24 **SECTION 18.** In Colorado Revised Statutes, 33-1-120.5, **amend**
25 (3) (c) as follows:

26 **33-1-120.5. Oversight of the division - target dates for**
27 **implementation of management review recommendations.** (3) The
28 director shall:

29 (c) Make decisions concerning the implementation of or departure
30 from review recommendations in conjunction with the executive director
31 of the department of natural resources and the ~~wildlife~~ commission.

32 **SECTION 19.** In Colorado Revised Statutes, 33-4-102, **amend**
33 (9) as follows:

34 **33-4-102. Types of licenses and fees - rules - repeal.** (9) All
35 licenses issued pursuant to this section ~~shall~~ expire on the date written or
36 printed thereon, unless otherwise provided by the commission ~~or board~~
37 or by any other law.

38 **SECTION 20.** In Colorado Revised Statutes, 33-4-102.7, **amend**
39 (1.5), (4) (a) (I), and (4) (c) as follows:

40 **33-4-102.7. Colorado wildlife habitat stamp - review**
41 **committee - Colorado wildlife passport created - Colorado wildlife**
42 **passport fund - rules - study - repeal.** (1.5) A person eighteen years of
43 age or older and under sixty-five years of age shall purchase a Colorado
44 wildlife habitat stamp, or shall have purchased a lifetime Colorado
45 wildlife habitat stamp, when applying for or purchasing a hunting or
46 fishing license. No habitat stamp purchase ~~shall be~~ IS required prior to
47 application for or purchase of such person's first two one-day hunting or
48 fishing licenses, but a habitat stamp shall be purchased prior to applying
49 for or purchasing a third one-day hunting or fishing license. ~~Until March~~
50 ~~31, 2011, no person shall be required to purchase more than two Colorado~~
51 ~~wildlife habitat stamps within a twelve-month period. On and after April~~
52 ~~1, 2011, No person shall be~~ IS required to purchase more than one
53 Colorado wildlife habitat stamp within a twelve-month period. Any
54 person acquiring a license issued pursuant to section 33-4-104 and any
55 person who is mobility-impaired, as defined by ~~wildlife~~ commission
56 rules, ~~shall be exempted~~ IS EXEMPT from the requirement to purchase a

1 Colorado wildlife habitat stamp.

2 (4) (a) (I) All moneys received pursuant to the issuance of the
3 Colorado wildlife habitat stamp shall be used for the benefit of wildlife
4 habitat or access to wildlife habitat, including costs associated with the
5 operation and maintenance, such as weed control and fencing, of lands
6 under the Colorado wildlife habitat protection program administered by
7 the division. Revenues collected from the sale of the stamp ~~shall be~~ ARE
8 subject to annual appropriation. The Colorado wildlife habitat stamp
9 review committee shall annually review proposed projects for expenditure
10 of Colorado wildlife habitat stamp funds, including projects proposed
11 pursuant to subparagraph (II) of this paragraph (a), and make
12 recommendations to the director and the ~~wildlife~~ commission. In
13 consultation with the habitat stamp committee, the ~~wildlife~~ commission
14 shall, in its discretion, ensure that sufficient priority is given to improve
15 access for anglers to the waters of the state and to conserve and protect
16 winter range and vital habitats for deer, elk, and other big game wildlife
17 species in the allocation of revenues pursuant to this section.

18 (c) Real property interest acquisitions made by the commission
19 pursuant to this section shall emphasize the acquisition of easements and
20 ensure that all other avenues are pursued prior to fee simple acquisition.
21 Conservation easements, as described in section 38-30.5-104 (2), C.R.S.,
22 and fee simple title purchases are allowed. All fee simple title purchases
23 made with revenues collected pursuant to this section, not including
24 purchases of water for maintenance or enhancement of aquatic habitats,
25 such as minimum storage pools or direct flow rights purchased
26 specifically to protect habitat, shall be primarily for the purpose of
27 providing access to the public for wildlife-related recreation, and shall be
28 made available to the public for hunting or fishing, subject to ~~wildlife~~
29 commission rules. The commission shall not use the power of eminent
30 domain to obtain fee simple title or a conservation easement on real
31 property. The commission shall comply with a seller's agreement or
32 sections 33-1-105 and 33-1-105.5 prior to purchasing real property. ~~Prior~~
33 ~~to December 31, 2010, a minimum of sixty percent of the moneys~~
34 ~~received from the sale of the Colorado wildlife habitat stamp shall be~~
35 ~~spent to benefit big game winter range or big game migration corridors.~~

36 **SECTION 21.** In Colorado Revised Statutes, 33-5.5-102, **amend**
37 (8) as follows:

38 **33-5.5-102. Duties of the fish health board.** (8) The board shall
39 periodically review ~~regulations of the~~ division RULES relating to
40 destruction or quarantine of aquaculture stock or facilities and ~~shall~~
41 recommend appropriate changes to the ~~wildlife~~ commission.

42 **SECTION 22.** In Colorado Revised Statutes, 33-6-208, amend (1)
43 (b) introductory portion and (1) (b) (V) as follows:

44 **33-6-208. Thirty-day period - administration - conditions**
45 **precedent to use of exemption.** (1) For purposes of the exemption
46 specified in section 33-6-207:

47 (b) The division shall verify that the owner or lessee has made
48 reasonable efforts to alleviate ongoing damage to livestock or crops
49 through reasonable efforts using methods other than those prohibited by
50 section 33-6-203. The use of at least two of the following methods ~~shall~~
51 ~~be~~ IS presumed to represent reasonable efforts:

52 (V) Any other industry-accepted method that is effective in
53 reducing losses and whose use is approved by the agriculture commission
54 and the PARKS AND wildlife commission for that purpose.

55 **SECTION 23.** In Colorado Revised Statutes, **amend** 33-9-102 as
56 follows:

1 **33-9-102. Powers and duties of commission - rules.** (1) The
2 ~~board~~ COMMISSION is vested with all the powers, responsibilities,
3 obligations, functions, and duties that previously were under the
4 jurisdiction of ~~either~~ the FORMER wildlife commission or the FORMER
5 board of parks and outdoor recreation as of June 30, 2011.

6 (2) In addition to any other specific grant of rule-making
7 authority, the ~~board~~ COMMISSION may adopt or revise any rules, in
8 accordance with article 4 of title 24, C.R.S., that the ~~board~~ COMMISSION
9 deems necessary or convenient to effect the purposes of, and fulfill its
10 duties under, this title.

11 (3) The ~~board~~ COMMISSION shall designate a ~~board~~ COMMISSION
12 member with wildlife knowledge appointed pursuant to ~~section 33-9-101~~
13 ~~(2)-(c)~~ SECTION 33-9-101 (3) (a) (I) to serve as a representative to the state
14 board of the great outdoors Colorado trust fund established under article
15 XXVII of the state constitution. The ~~board~~ COMMISSION shall designate
16 a ~~board~~ COMMISSION member with parks and outdoor recreation
17 knowledge appointed pursuant to ~~section 33-9-101 (2) (d)~~ SECTION
18 33-9-101 (3) (a) (III) to serve as a representative to the state board of the
19 great outdoors Colorado trust fund established under article XXVII of the
20 state constitution.

21 (4) (a) Except as provided in paragraph (b) of this subsection (4),
22 in promulgating a rule to increase or decrease a park fee or charge under
23 articles 10 to 32 of this title, the ~~board~~ COMMISSION shall consider the
24 effect that the change in the fee or charge would have on park usage, the
25 demand for the service for which the fee or charge is used, and
26 opportunities to implement differential pricing.

27 (b) The ~~board~~ COMMISSION may raise or lower park fees and
28 charges described in paragraph (a) of this subsection (4) if the ~~board~~
29 COMMISSION reasonably anticipates that the total annual revenues realized
30 from such fees and charges will not increase by more than twenty percent
31 over the annual amount earned from fees and charges as they existed on
32 July 1, 2011.

33 **SECTION 24.** In Colorado Revised Statutes, 33-9-103, **amend**
34 (1) and (3) as follows:

35 **33-9-103. Office of director of division created - duties.**

36 (1) (a) The office of director of the division is hereby created. The ~~board~~
37 COMMISSION, with the consent of the executive director, shall appoint the
38 director. The director shall devote his or her entire time to the service of
39 the state in the discharge of his or her official duties and shall not hold
40 any other public office. The appointment or removal of the director is
41 subject to section 13 of article XII of the state constitution. ~~Except as~~
42 ~~otherwise provided in paragraph (b) of this subsection (1),~~ The director
43 shall possess such qualifications as may be established by the ~~board~~
44 COMMISSION, the executive director, and the state personnel director.

45 ~~(b) (I) The members of the wildlife commission and the board of~~
46 ~~parks and outdoor recreation shall meet as necessary to appoint, in~~
47 ~~accordance with this section, a director of the division, whose~~
48 ~~appointment begins July 1, 2011.~~

49 ~~(H) Until such time as the board, the executive director, and the~~
50 ~~state personnel director establish specific qualifications that the director~~
51 ~~must possess, the qualifications previously established for the director of~~
52 ~~the former division of wildlife and the director of the former division of~~
53 ~~parks and outdoor recreation, as those offices existed on June 30, 2011,~~
54 ~~apply to the director.~~

55 (3) The director shall exercise all the powers and perform all the
56 functions of the ~~board~~ COMMISSION in the interim between its meetings,

1 subject to the ratification of the ~~board~~ COMMISSION. The director shall act
2 as recording secretary for the ~~board~~ COMMISSION and is the custodian of
3 all minutes and other records of the ~~board~~ COMMISSION. The director shall
4 perform such duties as prescribed by the ~~board~~ COMMISSION, by the
5 executive director, or by law; except that the director has no authority to
6 promulgate rules.

7 **SECTION 25.** In Colorado Revised Statutes, 33-9-104, **amend**
8 (1) as follows:

9 **33-9-104. Division - creation - duties.** (1) There is hereby
10 created a division of parks and wildlife in the department of natural
11 resources, also referred to in this article as the "division". The division is
12 under the jurisdiction of the ~~board~~ COMMISSION.

13 **SECTION 26.** In Colorado Revised Statutes, 33-9-105, **amend**
14 (1) and (2) as follows:

15 **33-9-105. Enterprise status of commission and division.**
16 (1) The division and the ~~board~~ COMMISSION constitute an enterprise for
17 the purposes of section 20 of article X of the state constitution, so long as
18 the ~~board~~ COMMISSION retains the authority to issue revenue bonds and
19 the division receives less than ten percent of its total annual revenues in
20 grants, as defined in section 24-77-102 (7), C.R.S., from all Colorado
21 state and local governments combined. So long as they constitute an
22 enterprise pursuant to this section, the division and the ~~board~~ COMMISSION
23 are not subject to any of the provisions of section 20 of article X of the
24 state constitution.

25 (2) The enterprise created pursuant to this section has all the
26 powers and duties of the ~~board~~ COMMISSION and the division as
27 authorized under this title.

28 **SECTION 27.** In Colorado Revised Statutes, **amend** 33-9-106 as
29 follows:

30 **33-9-106. Reports.** (1) ~~(a) Before or during the second regular~~
31 ~~session of the sixty-eighth general assembly, but on or by February 29,~~
32 ~~2012, the executive director shall report to the joint house agriculture,~~
33 ~~livestock, and natural resources committee and the senate agriculture,~~
34 ~~natural resources, and energy committee, or any successor committees,~~
35 ~~regarding the board's activities since June 1, 2011, identification of any~~
36 ~~problems following the board's inception, the implementation plan~~
37 ~~formulated by the board, and any recommendations for further legislation~~
38 ~~to effectuate the creation, and facilitate or improve the operation, of the~~
39 ~~division. The report must reflect public input received regarding the~~
40 ~~creation and operation of the division. The report must also describe any~~
41 ~~cost savings that are expected to result from the merger of the former~~
42 ~~division of wildlife and the former division of parks and outdoor~~
43 ~~recreation.~~

44 ~~(b) On November 30, 2011, the executive director shall submit to~~
45 ~~the members of the house agriculture, livestock, and natural resources~~
46 ~~committee and the senate agriculture, natural resources, and energy~~
47 ~~committee, or any successor committees, an informal progress report that~~
48 ~~provides a general update on the board's efforts to create the~~
49 ~~implementation plan and that identifies any apparent current, outstanding,~~
50 ~~or reasonably anticipated issues and potential solutions to those issues.~~
51 ~~The report must be in paper or electronic format, and need not exceed~~
52 ~~three pages in length.~~

53 (2) Beginning in 2013 AND NOTWITHSTANDING SECTION 24-1-136
54 (11), C.R.S., the executive director shall report annually to the joint house
55 agriculture, livestock, and natural resources committee and the senate
56 agriculture, natural resources, and energy committee, or any successor

1 committees, regarding the administration of the division, including an
2 evaluation of division resources and their utilization and an identification
3 of opportunities for efficiencies. Each such report must summarize
4 stakeholder outreach conducted during the prior year and must also
5 identify disposition of assets and cost savings, both planned and realized,
6 since the previous year, including savings pertaining to personnel,
7 equipment, services, and provisioning.

8 **SECTION 28.** In Colorado Revised Statutes, 33-9-108, **amend**
9 (1) (a), (2) (a), (3) (a), (4) (a), (5), (6), and (8) as follows:

10 **33-9-108. Transfer of functions - employees - property -**
11 **records - rules - contracts - lawsuits - statutory references.** (1) (a) The
12 ~~board~~ COMMISSION shall execute, administer, perform, and enforce the
13 rights, powers, duties, functions, and obligations vested previously in the
14 FORMER wildlife commission or the FORMER board of parks and outdoor
15 recreation.

16 (2) (a) All positions of employment in the wildlife commission
17 and the board of parks and outdoor recreation concerning the powers,
18 duties, and functions transferred to the parks and wildlife ~~board~~
19 COMMISSION pursuant to this article and determined to be necessary to
20 carry out the purposes of this title by the parks and wildlife ~~board~~
21 COMMISSION are transferred to the ~~board~~ COMMISSION and are
22 employment positions therein. All such employees are employees of the
23 ~~board~~ COMMISSION for purposes of section 24-50-124, C.R.S., and retain
24 all rights under the state personnel system and to retirement benefits
25 pursuant to the laws of this state, and their services shall be deemed
26 continuous.

27 (3) (a) All items of property, real and personal, including office
28 furniture and fixtures, books, documents, and records of the wildlife
29 commission or the board of parks and outdoor recreation are transferred
30 to the parks and wildlife ~~board~~ COMMISSION and become the property
31 thereof.

32 (4) (a) Whenever the wildlife commission or the board of parks
33 and outdoor recreation is referred to or designated by any contract or
34 other document, the reference or designation applies to the parks and
35 wildlife ~~board~~ COMMISSION. All contracts entered into by the wildlife
36 commission or the board of parks and outdoor recreation prior to June 30,
37 2011, are hereby validated, with the ~~board~~ COMMISSION succeeding to all
38 rights and obligations under such contracts. Any cash funds, custodial
39 funds, trusts, grants, and any appropriations of funds from prior fiscal
40 years available to satisfy obligations incurred under such contracts shall
41 be transferred and appropriated to the ~~board~~ COMMISSION for the payment
42 of such obligations.

43 (5) (a) Unless otherwise specified:

44 (I) Whenever any ~~provision of~~ law refers to the wildlife
45 commission, ~~or to the board of parks and outdoor recreation, OR THE~~
46 ~~PARKS AND WILDLIFE BOARD~~, that law shall be construed as referring to
47 the parks and wildlife ~~board~~ COMMISSION; and

48 (II) Whenever any ~~provision of~~ law refers to the division of
49 wildlife or the division of parks and outdoor recreation, that law shall be
50 construed as referring to the division of parks and wildlife.

51 (b) The revisor of statutes is hereby authorized to change all
52 references in the Colorado Revised Statutes to the wildlife commission,
53 ~~or the board of parks and outdoor recreation, OR THE PARKS AND WILDLIFE~~
54 ~~BOARD~~ from such references to the parks and wildlife ~~board~~ COMMISSION,
55 as appropriate. The revisor of statutes is also authorized to change all
56 references in the Colorado Revised Statutes to the division of wildlife or

1 the division of parks and outdoor recreation from such references to the
2 division of parks and wildlife, as appropriate. In connection with ~~such~~
3 THIS authority, the revisor of statutes is hereby authorized to amend or
4 delete provisions of the Colorado Revised Statutes so as to make the
5 statutes consistent with the powers, duties, and functions transferred
6 pursuant to this article.

7 (6) All rules and orders of the wildlife commission or the board
8 of parks and outdoor recreation continue to be effective and shall be
9 enforced by the ~~board~~ COMMISSION until superseded, revised, amended,
10 repealed, or nullified pursuant to law. The ~~board~~ COMMISSION shall adopt
11 any rules necessary for the administration of the division and as otherwise
12 authorized by this title.

13 (8) No suit, action, or other proceeding, judicial or administrative,
14 lawfully commenced, or which could have been commenced, by or
15 against the wildlife commission, the board of parks and outdoor
16 recreation, THE PARKS AND WILDLIFE BOARD, the division of wildlife, or
17 the division of parks and outdoor recreation, or any officer thereof in such
18 officer's official capacity or in relation to the discharge of the official's
19 duties, is abated by reason of the transfer of duties and functions to the
20 ~~board~~ PARKS AND WILDLIFE COMMISSION or the division under this article.

21 **SECTION 29.** In Colorado Revised Statutes, 33-9-109, **amend**
22 (1), (2), and (3) as follows:

23 **33-9-109. Funds - appropriations to former divisions in 2011**
24 **general appropriations act - repeal.** (1) Nothing in this article alters or
25 affects funds previously administered by the FORMER wildlife commission
26 or the FORMER board of parks and outdoor recreation; except that the
27 ~~board~~ PARKS AND WILDLIFE COMMISSION shall administer such funds.

28 (2) The ~~board~~ COMMISSION shall adopt policies, procedures, or
29 accounting methods to ensure transparency and prevent the unauthorized
30 commingling or impermissible use of moneys in distinct funds, to ensure
31 that moneys are expended consistent with the purposes for which they are
32 received, collected, or appropriated, and to ensure that appropriate records
33 are maintained for audit purposes.

34 (3) (a) The ~~board~~ COMMISSION shall segregate all moneys received
35 pursuant to section 3 (1) (b) (II) of article XXVII of the state constitution
36 from all other moneys and shall spend these moneys solely for
37 development and improvement of new and existing state parks, recreation
38 areas, and recreational trails.

39 (b) The ~~board~~ COMMISSION shall segregate all moneys received
40 pursuant to section 5 (1) (a) (I) of article XXVII of the state constitution
41 and spend these moneys solely for investments in the wildlife resources
42 of Colorado, including the protection and restoration of crucial wildlife
43 habitats, appropriate programs for maintaining Colorado's diverse wildlife
44 heritage, wildlife watching, and educational programs about wildlife and
45 wildlife environment, consistent with the purposes set forth under section
46 1 (1) (a) of article XXVII.

47 (c) The ~~board~~ COMMISSION shall segregate all moneys received
48 pursuant to section 5 (1) (a) (II) of article XXVII of the state constitution
49 and spend these moneys solely for investments in the outdoor recreation
50 resources of Colorado, including the state parks system, trails, public
51 information and environmental education resources, and water for
52 recreational facilities, consistent with the purposes set forth under section
53 1 (1) (a) of article XXVII.

54 **SECTION 30.** In Colorado Revised Statutes, 33-10-101, **amend**
55 (2) (d) as follows:

56 **33-10-101. Legislative declaration.** (2) In implementing the

1 policy set forth in subsection (1) of this section, the state shall:

2 (d) Charge a fee for required passes or permits for the use of any
3 state park or state recreation area where appropriate supervision and
4 maintenance is required and when certain facilities, as determined by the
5 ~~board of parks and outdoor recreation~~ PARKS AND WILDLIFE COMMISSION,
6 are maintained at any such area;

7 **SECTION 31.** In Colorado Revised Statutes, 33-10-102, **amend**
8 (15), (18), and (21) introductory portion; and **repeal** (1), (3), (4), (5), (6),
9 (9), (11), (12) as follows:

10 **33-10-102. Definitions.** As used in articles 10 to 15 of this title,
11 unless the context otherwise requires:

12 (1) ~~"Board" or "board of parks and outdoor recreation" means the~~
13 ~~parks and wildlife board created in section 33-9-101.~~

14 (3) ~~"Department" means the department of natural resources.~~

15 (4) ~~"Director" means the director of the division of parks and~~
16 ~~wildlife created in section 33-9-104.~~

17 (5) ~~"Division" means the division of parks and wildlife created in~~
18 ~~section 33-9-104 and its employees, and, when necessary, the term may~~
19 ~~be construed as referring to the board.~~

20 (6) ~~"Executive director" means the executive director of the~~
21 ~~department of natural resources.~~

22 (9) ~~"Hunt" or "take" shall have the same meaning as that specified~~
23 ~~in section 33-1-102.~~

24 (11) ~~"Motor vehicle" means any self-propelled vehicle or any~~
25 ~~vehicle drawn by a self-propelled vehicle by which persons or property~~
26 ~~may be moved, carried, or transported from one place to another by land,~~
27 ~~air, or water.~~

28 (12) ~~"Nonresident" means any person who is not a resident of this~~
29 ~~state.~~

30 (15) "Parks and recreation officer" or "special parks and
31 recreation officer" means a person who is appointed by the director and
32 authorized to enforce the park laws and the rules ~~and regulations~~ of the
33 ~~board~~ COMMISSION and who shall cooperate with the division of wildlife
34 in the enforcement of the wildlife laws AND rules. ~~and regulations.~~

35 (18) "Permit" means a document issued pursuant to ~~board~~
36 ~~regulation~~ COMMISSION RULE and ~~shall include~~ INCLUDES such documents
37 as campground permits, electrical hookup permits, group picnic area
38 permits, and other permits as authorized by the ~~board~~ COMMISSION.

39 (21) "Resident" means any person who has been domiciled in this
40 state for six consecutive months or more immediately preceding the date
41 of application for or purchase of any registration or aspen leaf passport
42 under ~~the provisions of~~ articles 10 to 15 of this title or the rules ~~or~~
43 ~~regulations~~ of the ~~board~~ COMMISSION, who resides in this state with the
44 genuine intent of making this state his OR HER place of permanent abode,
45 and who, when absent, intends to return to this state. A person who is a
46 resident of this state does not terminate residency upon entering the armed
47 services of the United States. A member of the armed services domiciled
48 in Colorado at the time HE OR SHE entered military service is presumed to
49 retain his OR HER status as a domiciliary of Colorado throughout his stay
50 in the service, regardless of where he OR SHE may be assigned to duty or
51 for how long. For the purposes of this subsection (21), the following ~~shall~~
52 ~~be~~ ARE deemed residents of this state:

53 **SECTION 32.** In Colorado Revised Statutes, 33-10-106, **amend**
54 (1) introductory portion, (1) (j) (II), (1) (j) (III), (2) introductory portion,
55 and (4) as follows:

56 **33-10-106. Duties of the commission - rules.** (1) The board

1 COMMISSION shall:

2 (j) (II) In adopting rules pursuant to this paragraph (j), the ~~board~~
 3 COMMISSION shall consult with the director and personnel of the division
 4 and shall not initiate any special or additional rule-making hearings
 5 outside the ~~board's~~ COMMISSION'S normal rule-making schedule. The
 6 intent of this subparagraph (II) is to allow the ~~board~~ COMMISSION and the
 7 division to implement section 33-10-108.5 within existing appropriations.

8 (III) Whenever the ~~board~~ COMMISSION negotiates a contract or
 9 agreement affecting a specific state park, natural area, or facility, the
 10 ~~board~~ COMMISSION shall promptly give written notice to the staff assigned
 11 to that park, area, or facility.

12 (2) The ~~board~~ COMMISSION shall adopt such rules ~~or regulations~~
 13 as may be reasonably necessary for the administration, protection, and
 14 maintenance of all state parks and recreation areas under the direct
 15 control of the division. Specifically, the ~~board~~ COMMISSION has the power
 16 to adopt rules ~~or regulations~~ for such areas on the following matters:

17 (4) (a) Rule-making procedures ~~shall be~~ ARE as prescribed in
 18 article 4 of title 24, C.R.S., except as otherwise provided in articles 10 to
 19 15 and 32 of this title. Notice of rules may also be given ~~such~~ other
 20 publicity as the ~~board~~ COMMISSION may deem desirable.

21 (b) A certified copy, which may be certified by the director or his
 22 THE DIRECTOR'S designee, of any rule ~~regulation~~, or order of the ~~board~~
 23 ~~shall be~~ COMMISSION CONSTITUTES prima facie evidence in any court of
 24 this state. A printed copy of any rule ~~or regulation~~ purporting or proved
 25 to have been adopted and published by the authority of the ~~board~~
 26 COMMISSION or as published in the code of Colorado regulations in
 27 accordance with ~~the provisions of~~ section 24-4-103, C.R.S., is
 28 presumptive evidence of such rule ~~or regulation~~ and of its adoption.

29 (c) All rules ~~regulations~~, and orders of the ~~board~~ COMMISSION,
 30 lawfully adopted and in force on December 31, 1984, ~~shall~~ continue to be
 31 effective until revised, amended, repealed, or nullified, or until they have
 32 expired, pursuant to law.

33 **SECTION 33.** In Colorado Revised Statutes, 33-10-107, **amend**
 34 (1) introductory portion, (1) (a), (1) (b), (1) (c), (1) (e), and (2) as follows:

35 **33-10-107. Powers of commission - rules - definitions.** (1) The
 36 ~~board~~ COMMISSION has power to:

37 (a) Acquire by gift, transfer, lease, purchase, or long-term
 38 operating agreement such land and water, or interests in land and water,
 39 as the director, with the approval of the executive director, deems
 40 necessary, suitable, or proper for parks and outdoor recreation purposes
 41 or for the preservation or conservation of sites, scenes, open space, and
 42 vistas of public interest. As used in this section, "interest in land and
 43 water" means any and all rights and interest in land less than the full fee
 44 interest, including ~~but not limited to~~ future interests, easements,
 45 covenants, and contractual rights. Every ~~such~~ interest in land and water
 46 held by the ~~board~~ COMMISSION when properly recorded ~~shall run~~ RUNS
 47 with the land or water to which it pertains for the benefit of the citizens
 48 of this state and may be protected and enforced by the ~~board~~ COMMISSION
 49 in the district court of the county in which the land or water, or any
 50 portion thereof, is located.

51 (b) Lease, exchange, or sell any property, water rights, land, or
 52 interest in land or water rights, including oil, gas, and other organic and
 53 inorganic substances which now are or may become surplus or which, in
 54 the proper management of the division, the ~~board~~ COMMISSION desires to
 55 lease, exchange, or sell. All sales of property, water rights, or lands shall
 56 be at public sale, and the ~~board~~ COMMISSION has the right to reject any or

1 all bids. As used in this paragraph (b), "exchange" means the transferring
2 of property, water rights, land, or interest in land or water rights to
3 another person in consideration for the transfer to the ~~board~~ COMMISSION
4 of other property, water rights, land, or interest in land or water rights, or
5 cash, or any combination thereof; except that any cash received may not
6 exceed fifty percent of the total value of the consideration. A transaction
7 otherwise qualifying as an exchange ~~shall~~ IS not ~~be~~ deemed a sale merely
8 because dollar values have been assigned to any property, water rights,
9 land, or interest in land or water rights, for the purpose of ensuring that
10 the ~~board~~ COMMISSION will receive adequate compensation.

11 (c) Construct, lease, or otherwise establish public parks or outdoor
12 recreational facilities and conveniences at any site or on any land
13 controlled by the ~~board~~ COMMISSION or in which it holds an interest;
14 operate and maintain any such lands, facilities, and conveniences, and
15 provide services with respect thereto, and, when appropriate, make
16 reasonable charges for their use or enter into contracts for their
17 maintenance or operation;

18 (e) Receive and expend grants, gifts, and bequests, including
19 federal funds, made available for the purposes for which the ~~board~~
20 COMMISSION is authorized. The ~~board~~ COMMISSION may provide matching
21 funds whenever funds are available on such a basis. The ~~board~~
22 COMMISSION shall provide such information as may be required in order
23 to secure such funds. The receipt and expenditure of money so received
24 shall be reported to the executive director prior to the time of submission
25 of the ~~board's~~ COMMISSION'S annual budget requests.

26 (2) In the event that the ~~board~~ COMMISSION plans to acquire the
27 fee title to any real property at a cost ~~to exceed~~ THAT EXCEEDS one
28 hundred thousand dollars or to acquire an easement for a period ~~to exceed~~
29 THAT EXCEEDS twenty-five years or at a cost ~~to exceed~~ THAT EXCEEDS one
30 hundred thousand dollars or to enter into any lease agreement for the use
31 of real property for a period ~~to exceed~~ THAT EXCEEDS twenty-five years
32 or at a cost ~~to exceed~~ THAT EXCEEDS one hundred thousand dollars, or to
33 sell or otherwise dispose of such property, after the ~~board~~ COMMISSION
34 has approved of the transaction but before it has completed the
35 transaction, the ~~board~~ COMMISSION shall submit a report to the capital
36 development committee that outlines the anticipated use of the real
37 property, the maintenance costs related to the property, the current value
38 of the property, any conditions or limitations that may restrict the use of
39 the property, and, in the event real property is acquired, the potential
40 liability to the state that will result from the acquisition. The capital
41 development committee shall review the reports submitted by the ~~board~~
42 COMMISSION and make recommendations to the ~~board~~ COMMISSION
43 concerning the proposed land transaction within thirty days from the day
44 on which the report is received. The ~~board~~ COMMISSION shall not
45 complete the transaction without considering the recommendations of the
46 capital development committee, if the recommendations are made in a
47 timely manner.

48 **SECTION 34.** In Colorado Revised Statutes, **amend** (1) (f) and
49 (1) (h) as follows:

50 **33-10-108. Duties of the division of parks and wildlife -**
51 **definitions.** (1) The division, unless otherwise provided by law, has the
52 following duties:

53 (f) To enter into and administer agreements with the United
54 States, or any appropriate agency thereof, for the planning, acquisition,
55 and development of projects involving participating federal aid funds on
56 behalf of any county, city, or other political subdivision if such county,

1 city, or other political subdivision gives necessary assurances to the
2 division that it has available sufficient funds to meet its share of the cost
3 of the project and that the acquired or developed areas will be operated
4 and maintained in perpetuity at its expense for public outdoor recreation
5 use. Funds distributed to a city, county, or any other political subdivision
6 pursuant to this section and not utilized shall, pursuant to rules ~~and~~
7 ~~regulations~~ adopted by the ~~board~~ COMMISSION, revert to the division for
8 its use. Any administrative costs assessed by the division to any county,
9 city, or other political subdivision for local projects shall be for actual
10 administrative costs incurred by the division, not to exceed five percent
11 of federal aid funds distributed to such political subdivision.

12 (h) To study the availability of areas selected by the ~~board~~
13 COMMISSION pursuant to section 33-10-106 (1) (h) for the establishment
14 of trails under article 11 of this title and to recommend trails to be
15 included in the Colorado greenway trails system.

16 **SECTION 35.** In Colorado Revised Statutes, 33-10-109, **amend**
17 (1) (d), (1) (e), and (1) (f); and **repeal** (1) (c) as follows:

18 **33-10-109. Powers and duties of director.** (1) It is the duty of
19 the director to:

20 (c) ~~Exercise all the powers and functions of the board in the~~
21 ~~interim between its meetings, subject to the ratification thereof by the~~
22 ~~board, act as recording secretary for the board and custodian of all~~
23 ~~minutes and other records of the board, and perform such duties as may~~
24 ~~be prescribed by the board, the executive director, or by law, but the~~
25 ~~director has no authority to make rules or regulations;~~

26 (d) Prepare such reports as the executive director requires the
27 ~~board~~ COMMISSION or director to submit;

28 (e) Authorize, with approval of the ~~board~~ COMMISSION, such
29 studies as are necessary to collect, classify, and disseminate statistics,
30 data, and other information which, in ~~his~~ THE DIRECTOR'S discretion, tend
31 to accomplish the objectives of articles 10 to 15 and 32 of this title,
32 consistent with the state policy as set forth in section 33-10-101;

33 (f) Appoint special parks and recreation officers who ~~shall~~ have
34 the power to enforce ~~the provisions of~~ articles 10 to 15 and 32 of this title
35 and rules of the ~~board~~ COMMISSION. Special parks and recreation officers
36 commissions shall not be issued until the applicant has submitted an
37 application to the division setting forth his OR HER qualifications. The
38 director may revoke such appointments at any time.

39 **SECTION 36.** In Colorado Revised Statutes, 33-10-111, **amend**
40 (5) (a) introductory portion, (5) (a) (I), (5) (b) (I), (5) (b) (II), and (5) (c)
41 as follows:

42 **33-10-111. Parks and outdoor recreation cash fund created -**
43 **fees - accounting expenditures for roads and highways - repeal.**

44 (5) (a) Subject to ~~the provisions of~~ this subsection (5), the ~~board~~
45 COMMISSION may set fees by rule for the use of facilities and programs of
46 the division, including discounts for marketing purposes. The ~~board~~
47 COMMISSION shall:

48 (I) Before adopting any such rule, provide the ~~general assembly's~~
49 joint budget committee with the proposed rule and the ~~board's~~
50 COMMISSION'S analysis of the proposed rule;

51 (b) (I) All actions of the ~~board~~ COMMISSION to change fees ~~shall~~
52 ~~be~~ ARE subject to the requirements of the "State Administrative Procedure
53 Act", article 4 of title 24, C.R.S. Whenever the ~~board~~ COMMISSION desires
54 to change any fee, the ~~board~~ COMMISSION shall conduct rule-making, with
55 timely notice and an opportunity for comment by interested parties.

56 (II) In its annual budget request to the general assembly, the ~~board~~

1 COMMISSION shall include the amount of any fee changed, proposed, or
2 under consideration by the ~~board~~ COMMISSION.

3 (c) This subsection (5) is repealed, effective ~~July 1, 2012~~
4 SEPTEMBER 1, 2017.

5 **SECTION 37.** In Colorado Revised Statutes, **amend** 33-10-114
6 as follows:

7 **33-10-114. Limitation on division and commission authority.**

8 (1) Neither the ~~board~~ COMMISSION nor the division shall enter into any
9 mitigation agreements with any agency of the federal government relating
10 to the transfer or exchange of land or water condemned by the federal
11 government without the express consent of the general assembly.

12 (2) ~~The provisions of~~ NOTHING IN subsection (1) of this section
13 ~~shall not be construed to prevent~~ PREVENTS the ~~board~~ COMMISSION or the
14 division from entering into common agreements with a federal agency
15 pertaining to the administration or management of federally owned lands.

16 **SECTION 38.** In Colorado Revised Statutes, 30-10-115, **amend**
17 (4) as follows:

18 **33-10-115. Use of parks and recreational areas by nonprofit**
19 **search and rescue organizations - definitions - rules.** (4) The ~~board~~
20 COMMISSION shall promulgate rules as are reasonably necessary ~~for the~~
21 ~~implementation of~~ TO IMPLEMENT this section.

22 **SECTION 39.** In Colorado Revised Statutes, 33-10.5-102,
23 **amend** (1), (5), and (8); and **repeal** (3) as follows:

24 **33-10.5-102. Definitions.** As used in this article, unless the
25 context otherwise requires:

26 (1) "Aquatic nuisance species" means exotic or nonnative aquatic
27 wildlife or any plant species that have been determined by the ~~board~~
28 COMMISSION to pose a significant threat to the aquatic resources or water
29 infrastructure of the state.

30 (3) ~~"Board" means the board of parks and outdoor recreation in~~
31 ~~the department of natural resources created in section 33-10-103.~~

32 (5) "Decontaminate" means to wash, drain, dry, or chemically or
33 thermally treat a conveyance in accordance with rules promulgated by the
34 ~~board~~ COMMISSION in order to remove or destroy an aquatic nuisance
35 species.

36 (8) "Inspect" means to examine a conveyance pursuant to
37 procedures established by the ~~board~~ COMMISSION by rule in order to
38 determine whether an aquatic nuisance species is present, and includes
39 examining, draining, or chemically treating water in the conveyance.

40 **SECTION 40.** In Colorado Revised Statutes, 33-10.5-107,
41 **amend** (1) and (2) introductory portion as follows:

42 **33-10.5-107. Commission to promulgate rules.** (1) The ~~board~~
43 COMMISSION is authorized to promulgate rules pursuant to article 4 of title
44 24, C.R.S., as necessary to prevent, control, contain, monitor, and,
45 whenever possible, eradicate aquatic nuisance species. In promulgating
46 such rules, the ~~board~~ COMMISSION shall consult with ~~the commission and~~
47 any affected state, federal, and tribal governmental entities and
48 subdivisions thereof, including ~~but not limited to~~, special districts, water
49 conservancy districts, and water supply agencies.

50 (2) The ~~board~~ COMMISSION shall promulgate rules to administer
51 and enforce this article. Such rules shall include: ~~but not be limited to:~~

52 **SECTION 41.** In Colorado Revised Statutes, 33-11-104, **amend**
53 (5) as follows:

54 **33-11-104. Acquisition.** (5) Nothing in this section ~~shall alter,~~
55 ~~impair, supersede, or change~~ MODIFIES, IMPAIRS, OR SUPERSEDES the
56 authority of the ~~board~~ COMMISSION or the ability of the division to acquire

1 any interest in water or water rights pursuant to section 33-10-107 (1) (a).

2 **SECTION 42.** In Colorado Revised Statutes, 33-11-105, **amend**
3 (1) as follows:

4 **33-11-105. Recreational trails committee.** (1) There is hereby
5 created the Colorado recreational trails committee, which ~~shall be~~ IS
6 advisory and ~~shall consist~~ CONSISTS of nine members, eight of whom ~~shall~~
7 ~~be~~ ARE appointed by the ~~board of parks and outdoor recreation~~
8 COMMISSION. One member shall be appointed from the governing
9 committee of the state board of the great outdoors Colorado trust fund
10 created by section 6 of article XXVII of the state constitution. The TERMS
11 OF THE members appointed by the ~~board of parks and outdoor recreation~~
12 ~~shall be appointed for terms of~~ COMMISSION ARE four years. No member
13 shall serve more than two consecutive terms. One member shall be
14 appointed from each congressional district, one member shall be
15 appointed from the state at large, and one member shall represent and be
16 appointed by the state board of the great outdoors Colorado trust fund.
17 The committee shall include in its membership representation of the
18 broad spectrum of trail users. Vacancies ~~from the members appointed by~~
19 ~~the state board of parks and outdoor recreation~~ on the committee shall be
20 filled for the unexpired term by the ~~board of parks and outdoor recreation~~
21 APPROPRIATE APPOINTING AUTHORITY SET FORTH IN THIS SUBSECTION (1).

22 **SECTION 43.** In Colorado Revised Statutes, 33-11-106, **amend**
23 (1) as follows:

24 **33-11-106. Responsibilities of committee.** (1) The committee,
25 with the approval of the ~~board~~ COMMISSION, shall coordinate trail
26 development among local governments and shall assist local governments
27 in the formation of their trail plans and advise the ~~board~~ COMMISSION
28 quarterly of its findings. In carrying out this responsibility, the committee
29 shall review records of easements and other interests in land which are
30 available and may be adapted for recreational trail usage, including public
31 lands, utility easements, floodplains, railroad and other rights-of-way,
32 geological hazard areas, gifts of land or interests therein, and steep slope
33 areas. The committee shall advise the ~~board~~ COMMISSION in the
34 development of uniform standards for trail construction ~~which~~ that may
35 be adopted by the ~~board~~ COMMISSION for statewide use and ~~which~~ THAT
36 shall be made available to participating local governments. The
37 committee shall offer plans and methods for funding a trails system
38 through user fees or other financing methods.

39 **SECTION 44.** In Colorado Revised Statutes, **amend** 33-11-107
40 as follows:

41 **33-11-107. Availability of funds.** The ~~board~~ COMMISSION is
42 authorized to make funds appropriated by the general assembly for the
43 purposes of this article available to local governments and nonprofit
44 organizations in accordance with criteria developed by the committee and
45 adopted by the ~~board~~ COMMISSION. The committee shall advise the ~~board~~
46 COMMISSION of its recommendations for the allocation of such funds
47 among participating local governments and nonprofit organizations.

48 **SECTION 45.** In Colorado Revised Statutes, 33-11-108, **amend**
49 (1), (2), (3), and (4) as follows:

50 **33-11-108. State trails system.** (1) The ~~board~~ COMMISSION shall
51 designate a state trails system. The trails comprising such system shall
52 meet criteria established by the ~~board~~ COMMISSION and shall be consistent
53 with the objectives of this article.

54 (2) The ~~board~~ COMMISSION shall establish a procedure whereby
55 federal, state, and local governments and nongovernmental organizations
56 may propose trails for inclusion within the system.

(3) In consultation with appropriate federal, state, and local governments and nongovernmental organizations, the ~~board~~ COMMISSION shall establish a procedure for review and public hearings upon proposals for the inclusion of trails in the system.

(4) The ~~board~~ COMMISSION may participate in the planning, establishment, development, and long-term operation and maintenance of segments of national scenic trails which might be authorized by the congress of the United States.

SECTION 46. In Colorado Revised Statutes, 33-11-109, **amend** (3) as follows:

33-11-109. Trail categories - rules. (3) The ~~board~~ COMMISSION, through the division, is authorized to conduct studies, and to promulgate such rules as may be necessary for establishing and managing the Colorado greenway trails system. The ~~board~~ COMMISSION shall consult and cooperate with the Colorado water conservation board, transportation commission, Colorado water resources and power development authority, and all other appropriate units of state government and political subdivisions of the state, including ~~but not limited to~~, any county, city, city and county, and water conservation and conservancy district; any other public and private persons; and any appropriate federal agencies to establish a Colorado greenway trails system that minimizes adverse impacts on activities, natural features, and sensitive habitats adjacent to trails.

SECTION 47. In Colorado Revised Statutes, **amend** 33-11-110 as follows:

33-11-110. Uniform signs and markers. The ~~board~~ COMMISSION may establish uniform signs and markers, ~~including thereon~~ WHICH SIGNS AND MARKERS MAY INCLUDE appropriate and distinctive symbols. Where trails cross lands administered by federal agencies, such markers may be provided and erected by the appropriate federal agency at appropriate points along trails and maintained by the federal agency administering the trails in accordance with standards mutually established by the division and the federal agency concerned. Where trails cross lands of state or local governmental agencies, the division may provide such uniform signs and markers to such agencies in accordance with written agreements and may require such agencies to erect and maintain them in accordance with standards established in such agreements.

SECTION 48. In Colorado Revised Statutes, 33-12-101, **amend** (1) (a) as follows:

33-12-101. Passes and registrations - rules - definition. (1) (a) Except as specified in section 33-12-103 (1) (b), every pass or registration ~~shall expire~~ EXPIRES on the date printed or written on the face of ~~said~~ THE document. The ~~board~~ COMMISSION may adopt rules establishing a subscription program through which a person to whom an annual pass has been issued pursuant to this article is notified, prior to the expiration of the pass, of the opportunity to renew the pass by mail or other means determined by the ~~board~~ COMMISSION. As used in this article, "document" means pass or registration.

SECTION 49. In Colorado Revised Statutes, 33-12-103, **amend** (1) (a), (1) (b) (I), (2), and (3) as follows:

33-12-103. Aspen leaf annual pass - aspen leaf lifetime pass - rules - report. (1) (a) A resident of this state, as defined in section 33-10-102, may obtain from the division an aspen leaf annual pass, which ~~shall be~~ PASS IS valid from the date the pass is purchased through the last day of the month of purchase in the following year. The COMMISSION SHALL DETERMINE THE age of eligibility for the aspen leaf pass. ~~shall be~~

1 ~~determined by the board.~~

2 (b) (I) A resident of this state, as defined in section 33-10-102,
3 may obtain from the division an aspen leaf lifetime pass, which ~~shall be~~
4 is valid from the date the pass is purchased through the lifetime of the
5 pass holder. The age of eligibility for the aspen leaf lifetime pass is the
6 same as that for the aspen leaf annual pass pursuant to paragraph (a) of
7 this subsection (1). Notwithstanding any provision of law to the contrary,
8 the fee for the aspen leaf lifetime pass ~~shall be~~ IS AS set by rule of the
9 ~~board but~~ COMMISSION; EXCEPT THAT THE FEE shall not exceed five times
10 the cost of the aspen leaf annual pass.

11 (2) Except as provided by rule of the ~~board~~ COMMISSION, for the
12 purpose of this section, the holder of an aspen leaf annual pass or aspen
13 leaf lifetime pass shall own in whole or in part any vehicle used to enter
14 a park area, the vehicle shall have a current valid registration issued by
15 the department of revenue, and the pass holder shall be present in the
16 vehicle. An aspen leaf pass or aspen leaf lifetime pass entitles the holder
17 to enter state park and recreation areas during the period that the pass is
18 valid and when such areas are open.

19 (3) Each aspen leaf annual pass issued shall be affixed to the
20 vehicle for which it was issued in the manner prescribed by rule
21 promulgated by the ~~board~~ COMMISSION. Each aspen leaf lifetime pass
22 shall be displayed by the person to whom it was issued, in the manner
23 prescribed by the ~~board~~ COMMISSION by rule, when the person enters a
24 state park or state recreation area.

25 **SECTION 50.** In Colorado Revised Statutes, 33-12-103.5,
26 **amend** (2) (b) as follows:

27 **33-12-103.5. Columbine annual pass - rules.** (2) (b) The ~~board~~
28 COMMISSION, by rule, shall provide for a transferable columbine annual
29 pass that ~~shall be~~ IS valid when temporarily affixed to any vehicle used to
30 bring such pass holder into a park.

31 **SECTION 51.** In Colorado Revised Statutes, 33-12-104, **amend**
32 (1), (9), and (10) as follows:

33 **33-12-104. Pass and registration agents - reports - board of**
34 **claims - unlawful acts - rules.** (1) The director may designate sole
35 proprietors, partnerships, or corporations having permanent business
36 locations in this state as pass and registration agents to sell, at their
37 permanent business locations, passes and registrations. Pass and
38 registration agents shall be paid a commission on all moneys collected for
39 passes and registrations sold by such agents in an amount determined by
40 the ~~board~~ COMMISSION by rule. All agents authorized to sell passes and
41 registrations shall keep accurate records of all sales of passes and
42 registrations and shall make such reports to the division regarding pass
43 and registration sales as may be required. Such agents shall be required
44 to give evidence of financial responsibility, in the form of a savings
45 account, deposit, or certificate of deposit meeting the requirements of
46 section 11-35-101, C.R.S., or an irrevocable letter of credit meeting the
47 requirements of section 11-35-101.5, C.R.S., or a bond, in such amount
48 as may be fixed by the division to insure the remittance of all moneys
49 collected from such pass and registration sales, less amounts allowed as
50 commissions, and the making of reports required by the division. The
51 ~~board~~ COMMISSION may promulgate rules for the establishment and
52 cancellation of pass and registration agencies. All pass and registration
53 moneys received shall be kept separate and apart from any other moneys
54 of the agent authorized to sell passes and registrations and shall at all
55 times belong to the state. All moneys due from the sale of passes and
56 registrations ~~shall~~ belong to the state and shall draw interest at the rate of

1 one and one-half percent per month from the time that the agency is
2 cancelled by the division until paid.

3 (9) The ~~board~~ COMMISSION may promulgate rules for the cash sale
4 of passes and registrations to pass and registration agents of the division
5 for resale to the public. Only agents of the division in good standing may
6 qualify to purchase and sell under this subsection (9); except that no
7 evidence of financial responsibility shall be required to qualify under this
8 subsection (9). A post or base exchange of the United States government
9 located in Colorado may qualify as an agent for the purpose of this
10 subsection (9). Failure to comply with all applicable rules of the ~~board~~
11 COMMISSION and lawful directives of the division regarding pass and
12 registration agents ~~shall be~~ CONSTITUTES grounds for the suspension or
13 termination of such an agent, and, upon suspension or termination, all
14 unsold passes and registrations shall be returned immediately to the
15 division for return of cash in the amount paid by the agent for the passes
16 and registrations. The ~~board~~ COMMISSION, in connection with a program
17 that it may adopt under this subsection (9), shall provide for redemption
18 by the division, at least annually, of any unsold passes and registrations
19 in the amount paid by the agent for such unsold passes and registrations.
20 ~~The provisions of Subsections (1) to (8) of this section, except the~~
21 ~~provisions of subsection (1) regarding the designation of pass and~~
22 ~~registration agents, shall~~ DO not apply to passes and registrations sold
23 under this subsection (9).

24 (10) The ~~board~~ COMMISSION may authorize certain employees to
25 sell passes and registrations at the headquarters and regional offices of the
26 division. Such employees are not entitled to a discount off of the face
27 value of the passes and registrations and are not required to give evidence
28 of financial responsibility. Such employees may make claims under oath
29 for relief from responsibility for passes and registrations or moneys that
30 have been lost, stolen, or destroyed and for which the employees are
31 unable to account in accordance with ~~the provisions of~~ subsections (4) to
32 (8) of this section.

33 **SECTION 52.** In Colorado Revised Statutes, 33-12-106, **amend**
34 (2.3) and (2.7) (b) as follows:

35 **33-12-106. Park entrance privileges - identified veterans -**
36 **wounded warriors - search and rescue organizations conducting**
37 **training activities - legislative declaration - rules.** (2.3) The ~~board~~
38 COMMISSION may promulgate rules to allow free entrance to any state
39 park or recreation area, not to include campgrounds, yurts, or other
40 amenities and services offered, for veterans on one day each year. The
41 ~~board~~ COMMISSION may determine by rule which day veterans are allowed
42 free entrance to state parks and recreation areas.

43 (2.7) (b) The ~~board~~ COMMISSION may promulgate rules to allow
44 free entrance to any state park or recreation area, not to include
45 campgrounds, yurts, or other amenities or services offered, for
46 participants in the United States armed services wounded warrior
47 programs who are residents of, or stationed in, Colorado. Any such rules
48 must also allow for free admission of persons accompanying the wounded
49 warrior program participant in the same vehicle.

50 **SECTION 53.** In Colorado Revised Statutes, **amend** 33-12.5-102
51 as follows:

52 **33-12.5-102. Legislative declaration.** The general assembly
53 recognizes that the Arkansas river is a major recreation attraction and a
54 vital resource for residents and nonresidents alike and hereby declares
55 that it is the policy of this state to safeguard the recreational quality of the
56 Arkansas river and the adjacent lands by granting the ~~board~~ COMMISSION

1 the authority to regulate recreational use on the Arkansas river. It is not
2 the intent of the general assembly to in any way interfere with private
3 landowner rights along the river or with the determination,
4 administration, or change of water rights in the drainage of the Arkansas
5 river and its tributaries and the legal utilization thereof.

6 **SECTION 54.** In Colorado Revised Statutes, **amend** 33-12.5-103
7 as follows:

8 **33-12.5-103. Powers of the commission.** (1) The ~~board shall~~
9 ~~have~~ COMMISSION HAS the authority, consistent with ~~the legislative~~
10 ~~declaration of this article~~ SECTION 33-12.5-102, to regulate the manner,
11 type, time, location, and amount of recreational and commercial use on
12 that portion of the Arkansas river that runs from the confluence of the
13 Lake Fork and the East Fork of the Arkansas river to the Pueblo reservoir.

14 (2) Subject to section 33-12.5-102, the ~~board shall~~ COMMISSION
15 also ~~have~~ HAS the authority to enter into agreements with municipalities,
16 water conservancy districts, and private individuals to effect reservoir
17 operation in order to provide water flows beneficial to recreation and
18 consistent with section 33-12.5-104.

19 (3) The ~~board~~ COMMISSION shall, to the maximum extent possible
20 but consistent with ~~the legislative declaration of this article~~ SECTION
21 33-12.5-102, keep the regulation of the recreational uses of the Arkansas
22 river to a minimum.

23 **SECTION 55.** In Colorado Revised Statutes, 33-12.5-104,
24 **amend** (1) (c) and (1) (f) as follows:

25 **33-12.5-104. Effect of article - rights of property owners -**
26 **water rights.** (1) Nothing in this article shall be construed as:

27 (c) Granting the ~~board~~ COMMISSION any vested water rights or
28 right to apply for or obtain any decree for a water right for recreational
29 purposes;

30 (f) Allowing the ~~board~~ COMMISSION or the division to require
31 minimum stream flows or minimum water levels in any lakes or
32 impoundments.

33 **SECTION 56.** In Colorado Revised Statutes, 33-13-103, **amend**
34 (3) as follows:

35 **33-13-103. Numbering of vessels required - rules.** (3) The
36 ~~board~~ COMMISSION shall prescribe by rule ~~or regulation~~ a system of
37 numbering ~~which is in compliance~~ THAT COMPLIES with the federal
38 system for numbering vessels.

39 **SECTION 57.** In Colorado Revised Statutes, 33-13-104, **amend**
40 (3) as follows:

41 **33-13-104. Application for vessel number.** (3) When a
42 numbered vessel is lost, destroyed, or abandoned, the registration issued
43 for the vessel shall be surrendered to the division within fifteen days after
44 any such event. When the owner of a numbered vessel changes his OR
45 HER address from that shown on the registration, ~~he~~ THE OWNER shall
46 notify the division within fifteen days of such change and, as a part of
47 such notification, shall furnish the division with his OR HER new address.
48 The ~~board~~ COMMISSION may provide in its rules ~~or regulations~~ for the
49 surrender of the registration bearing the former address and its
50 replacement with a registration bearing the correct address or for the
51 alteration of an outstanding registration to show the new address of the
52 owner.

53 **SECTION 58.** In Colorado Revised Statutes, 33-13-106, **amend**
54 (3) (a), (4), and (6) as follows:

55 **33-13-106. Equipment requirements.** (3) Every vessel, other
56 than a personal watercraft, operated on the waters of this state shall at all

1 times have aboard:

2 (a) One personal flotation device of a type approved by the
3 commandant of the United States Coast Guard in good and serviceable
4 condition and in a readily accessible place of storage for each person on
5 board; except that sailboard operators may wear a wet suit, as defined by
6 the ~~board~~ COMMISSION, in lieu of carrying a personal flotation device as
7 required by this paragraph (a);

8 (4) Every vessel operated on the waters of this state shall have
9 such additional equipment that is designed to promote navigational safety
10 and that the ~~board~~ COMMISSION may find to be necessary or desirable for
11 the safe operation of vessels upon the waters of this state.

12 (6) The ~~board~~ COMMISSION may exempt vessels from ~~the~~
13 ~~provisions of~~ subsection (1), (2), (3), (4), or (4.5) of this section under
14 certain conditions or upon certain waters.

15 **SECTION 59.** In Colorado Revised Statutes, 33-13-108, **amend**
16 (1) (a) (II), (1) (a) (III), (1) (a) (IV) as follows:

17 **33-13-108. Prohibited vessel operations.** (1) (a) No person shall
18 operate or give permission for the operation of a vessel:

19 (II) Which emits noise in excess of the permissible level
20 established in standards promulgated by the ~~board~~ COMMISSION in
21 accordance with article 4 of title 24, C.R.S.;

22 (III) Above a wakeless speed in areas zoned as wakeless, as
23 defined by ~~board~~ COMMISSION rule; ~~or regulation~~;

24 (IV) In a manner that violates any rule promulgated by the ~~board~~
25 COMMISSION for safe use and operation of vessels.

26 **SECTION 60.** In Colorado Revised Statutes, 33-13-109, **amend**
27 (2) and (3) as follows:

28 **33-13-109. Collisions, accidents, and casualties - rules.** (2) The
29 ~~board~~ COMMISSION shall adopt rules ~~and regulations~~ concerning
30 notification and reporting procedures to be followed in the case of a
31 collision, accident, or other casualty involving a vessel or its equipment.
32 ~~Such~~ THE regulations ~~shall~~ MUST be consistent with applicable federal
33 requirements.

34 (3) The owner or operator of a vessel involved in a collision,
35 accident, or other casualty shall report the collision, accident, or casualty
36 as provided in the rules ~~and regulations~~ of the ~~board~~ COMMISSION.

37 **SECTION 61.** In Colorado Revised Statutes, 33-13-110, **amend**
38 (2) (b) and (2) (c) as follows:

39 **33-13-110. Water skis, aquaplanes, surfboards, inner tubes,**
40 **and similar devices - rules.** (2) (b) The ~~board~~ COMMISSION shall
41 promulgate such rules ~~and regulations~~ as are necessary or desirable for the
42 safe use of water skis, aquaplanes, surfboards, inner tubes, and other
43 similar devices.

44 (c) In addition, the ~~board~~ COMMISSION may promulgate rules ~~and~~
45 ~~regulations~~ to prohibit recreational activities pertaining to the use of all
46 single-chambered air-inflated devices, including ~~but not limited to~~, inner
47 tubes and air mattresses, on rivers and streams when water conditions are
48 considered dangerous to such activities and when bodily injury may result
49 to participants of those activities.

50 **SECTION 62.** In Colorado Revised Statutes, 33-13-111, **amend**
51 (1) (a) and (2) as follows:

52 **33-13-111. Authority to close waters - rules.** (1) (a) The ~~board~~
53 COMMISSION shall promulgate rules to prohibit the operation of vessels on
54 any waters of the state and ordering the removal of vessels from any
55 waters of the state when such operation constitutes or may constitute a
56 hazard to human life or safety.

1 (2) Any parks and recreation officer or other peace officer as
2 defined in section 33-10-102 has the authority to enforce ~~the provisions~~
3 ~~of this section under the rules promulgated by the board~~ COMMISSION.
4 **SECTION 63.** In Colorado Revised Statutes, 33-14-107, **amend**
5 (1) introductory portion as follows:
6 **33-14-107. Rules.** (1) The ~~board~~ COMMISSION shall adopt rules,
7 ~~and regulations~~ in the manner provided by article 4 of title 24, C.R.S., for
8 the following purposes:
9 **SECTION 64.** In Colorado Revised Statutes, 33-14-119, **amend**
10 (2) as follows:
11 **33-14-119. Enforcement - federal cooperation.** (2) The
12 division, with the advice and consent of the ~~board~~ COMMISSION, is
13 authorized to enter into cooperative agreements with federal land
14 management agencies for the purpose of regulating snowmobile use on
15 federal lands.
16 **SECTION 65.** In Colorado Revised Statutes, 33-14.5-107,
17 **amend** (1) introductory portion as follows:
18 **33-14.5-107. Rules.** (1) The ~~board~~ COMMISSION shall adopt rules
19 ~~and regulations~~ in the manner provided by article 4 of title 24, C.R.S.,
20 concerning the following:
21 **SECTION 66.** In Colorado Revised Statutes, 33-15-101, **amend**
22 (1) as follows:
23 **33-15-101. Powers of officers.** (1) Every peace officer, as
24 defined in section 33-10-102 (17), ~~shall have~~ HAS the authority to enforce
25 ~~the provisions of~~ this article and shall assist parks and recreation officers
26 in the enforcement of articles 10 to 15 and 32 of this title and the rules of
27 the ~~board~~ COMMISSION adopted pursuant thereto. Each such officer has
28 the full power and authority to arrest any person who such officer has
29 probable cause to believe is guilty of a violation of articles 10 to 15 or 32
30 of this title or any rule adopted pursuant thereto, and, in accordance with
31 the constitutions and laws of the United States and the state of Colorado,
32 to open, enter, and search all places of concealment including motor
33 vehicles and vessels and all other places as provided by law where such
34 officer has probable cause to believe evidence relating to a violation of
35 this title is to be found and to seize the same.
36 **SECTION 67.** In Colorado Revised Statutes, **amend** 33-15-102
37 as follows:
38 **33-15-102. Imposition of penalty - procedures.** (1) Any person
39 who violates any of the provisions of articles 10 to 15 or 32 of this title
40 or any rule of the ~~board~~ COMMISSION that does not have a specific penalty
41 listed is guilty of a class 2 petty offense and, upon conviction, shall be
42 punished by a fine of fifty dollars.
43 (2) At the time that any person is charged with violating any petty
44 offense or misdemeanor provisions of articles 10 to 15 or 32 of this title
45 or any rule of the ~~board~~ COMMISSION, the officer shall issue a summons
46 and complaint to the alleged offender or, in the case of a violation for
47 which a fine of a fixed amount is prescribed, may give the alleged
48 offender an opportunity to voluntarily pay the fine and surcharge in the
49 form of a penalty assessment. Penalty assessments shall not be issued for
50 violations for which minimum and maximum fines have been established.
51 The penalty assessment notice given to the alleged offender shall contain
52 the information required in and be in the form of a summons and
53 complaint and shall specify in dollars the amount of the penalty to be
54 assessed for the alleged offense and the amount of the surcharge to be
55 collected pursuant to section 24-33.5-415.6, C.R.S. If the alleged offender
56 accepts such notice and pays the fine and surcharge entered thereon to the

1 division within twenty days of issuance of the notice, such acceptance and
2 payment shall constitute an acknowledgment of guilt by such person of
3 the violation set forth in the penalty assessment notice. Any person who
4 accepts a penalty assessment notice but who does not furnish satisfactory
5 evidence of identity or who the officer has reasonable and probable
6 grounds to believe will disregard a written promise to pay the specified
7 fine and surcharge may be taken by the officer to the nearest known
8 post-office facility and be required to remit the amount of the specified
9 fine and surcharge to the division immediately by mail in United States
10 currency or other legal tender or by money order or personal check.
11 Refusal or inability to remit the specified fine and surcharge by mail
12 when required shall constitute a refusal to accept a penalty assessment
13 notice. Checks tendered by the violator to and accepted by the division
14 and on which payment is received by the division shall be deemed
15 sufficient receipt. If the fine and surcharge are not so paid, then the
16 officer who issued the penalty assessment notice shall docket the
17 summons and complaint with a court of competent jurisdiction for
18 appearance by the person to answer the charges therein contained at such
19 time and place as is specified in the summons and complaint.

20 **SECTION 68.** In Colorado Revised Statutes, **amend** 33-15-107
21 as follows:

22 **33-15-107. Camping.** It is unlawful for any person to camp on
23 land or water under the control of the division unless ~~such~~ THE area is so
24 designated and posted pursuant to rule of the ~~board~~ COMMISSION. Any
25 person who violates this section is guilty of a class 2 petty offense and,
26 upon conviction, shall be punished by a fine of fifty dollars.

27 **SECTION 69.** In Colorado Revised Statutes, **amend** 33-15-114
28 as follows:

29 **33-15-114. Commercial use of state property.** It is unlawful to
30 operate any commercial business or to solicit business on any property
31 owned or managed by the division without first obtaining written
32 permission from the division or the ~~board~~ as provided by COMMISSION
33 PURSUANT TO this title or pursuant to any applicable rules promulgated by
34 the ~~board~~ COMMISSION. Any person who violates this section is guilty of
35 a misdemeanor and, upon conviction, shall be punished by a fine of not
36 less than one hundred dollars nor more than one thousand dollars, or by
37 imprisonment in the county jail for not more than one year, or by both
38 such fine and imprisonment.

39 **SECTION 70.** In Colorado Revised Statutes, 33-32-102, **repeal**
40 (1.4) and (2) as follows:

41 **33-32-102. Definitions.** As used in this article, unless the context
42 otherwise requires:

43 (1.4) ~~"Board" means the board of parks and outdoor recreation.~~

44 (2) ~~"Division" means the division of parks and outdoor recreation.~~

45 **SECTION 71.** In Colorado Revised Statutes, **amend** 33-32-103
46 as follows:

47 **33-32-103. Powers and duties of the commission - rules.** The
48 ~~board~~ COMMISSION shall promulgate rules to govern the licensing of river
49 outfitters, to regulate river outfitters, guides, trip leaders, and guide
50 instructors, to ensure the safety of associated river-running activities, to
51 establish guidelines to enable a river outfitter, guide, or trip leader to
52 make a determination that the condition of the river constitutes a hazard
53 to the life and safety of certain persons, and to carry out the purposes of
54 this article. The ~~board~~ COMMISSION may promulgate rules specifically
55 outlining the procedures to be followed by the ~~board~~ COMMISSION and by
56 the enforcement section of the division in the event of a death or serious

1 injury during a regulated trip. The ~~board~~ COMMISSION shall e-mail a
2 notice of every proposed rule to each licensee. The ~~board~~ COMMISSION
3 shall adopt rules regarding notification to outfitters of certain division
4 personnel changes within ten days of the change and safety training
5 standards and customer and outfitter interaction training standards for
6 division rangers who monitor regulated trips.

7 **SECTION 72.** In Colorado Revised Statutes, **amend** 33-32-103.5
8 as follows:

9 **33-32-103.5. Variances.** The director ~~of the division~~ may grant
10 variances from ~~regulations~~ RULES adopted by the ~~board~~ COMMISSION
11 pursuant to section 33-32-103 to any river outfitter on a case-by-case
12 basis if the director determines that the health, safety, and welfare of the
13 general public will not be endangered by the issuance of such variance.

14 **SECTION 73.** In Colorado Revised Statutes, 33-32-104, **amend**
15 (1) and (2) as follows:

16 **33-32-104. License required - fee.** (1) No person shall act in the
17 capacity of a paid river outfitter or advertise or represent himself or
18 herself as a river outfitter in this state without first obtaining a river
19 outfitter's license in accordance with rules prescribed by the ~~board~~
20 COMMISSION.

21 (2) An applicant for a river outfitter's license shall meet the
22 minimum qualifications pursuant to section 33-32-105 and shall apply on
23 a form prescribed by the ~~board~~ COMMISSION. All applicants shall pay a
24 nonrefundable license fee ~~to be~~ IN AN AMOUNT determined by the ~~board~~
25 COMMISSION, which fee shall be adequate to cover the expenses incurred
26 for inspections, licensing, and enforcement required by ~~the provisions of~~
27 this article, and shall renew such license pursuant to a schedule adopted
28 by the ~~board~~ COMMISSION upon payment of the fee. License terms shall
29 not exceed three years. The ~~board~~ COMMISSION may offer licenses that
30 differ in the length of their terms and may stagger the length of license
31 terms so that approximately equal numbers of licensees renew their
32 licenses each year.

33 **SECTION 74.** In Colorado Revised Statutes, 33-32-105, **amend**
34 (1) (b) and (1) (c) as follows:

35 **33-32-105. Minimum qualifications and conditions for a river**
36 **outfitter's license.** (1) A river outfitter's license may be granted to any
37 river outfitter, either within or without this state, meeting the following
38 minimum qualifications and conditions:

39 (b) The river outfitter shall submit to the ~~board~~ COMMISSION
40 evidence of liability insurance in the minimum amount of three hundred
41 thousand dollars' combined single limit for property damage and bodily
42 injury.

43 (c) The river outfitter shall meet the safety standards for
44 river-running established by the ~~board~~ COMMISSION by regulation.

45 **SECTION 75.** In Colorado Revised Statutes, 33-32-105.5,
46 **amend** (1) introductory portion as follows:

47 **33-32-105.5. Minimum qualifications of guides, trip leaders,**
48 **and guide instructors.** (1) Individuals providing the services of guides,
49 trip leaders, or guide instructors shall have the following minimum
50 qualifications and such additional qualifications as the ~~board~~ COMMISSION
51 may establish by rule:

52 **SECTION 76.** In Colorado Revised Statutes, **amend** 33-32-106
53 as follows:

54 **33-32-106. Equipment required - employees required to meet**
55 **minimum qualifications.** (1) All licensed river outfitters shall provide
56 the river-outfitting equipment required by ~~regulations~~ RULES promulgated

1 by the ~~board~~ COMMISSION, and said equipment shall be in a serviceable
2 condition for its operation as required by the ~~regulations~~ RULES
3 promulgated by the ~~board~~ COMMISSION.

4 (2) All river outfitters who employ or contract with guides, trip
5 leaders, or guide instructors shall employ or contract only with such
6 individuals who meet the qualifications provided in section 33-32-105.5
7 (1) and provided by those ~~regulations~~ RULES promulgated by the ~~board~~
8 COMMISSION.

9 **SECTION 77.** In Colorado Revised Statutes, 33-32-109, **amend**
10 (1) introductory portion, (1) (e), (1) (g), and (4) as follows:

11 **33-32-109. Denial, suspension, or revocation of license -**
12 **disciplinary actions.** (1) The ~~board~~ COMMISSION may deny, suspend, or
13 revoke a river outfitter license, place a licensed river outfitter on
14 probation, or issue a letter of admonition to a licensed river outfitter if the
15 applicant or holder:

16 (e) Violates section 18-4-503 or 18-4-504, C.R.S., resulting in two
17 or more second or third degree criminal trespass convictions within any
18 three- to five-year period while acting as a river outfitter or guide; except
19 that the ~~board~~ COMMISSION shall be governed by section 24-5-101,
20 C.R.S., when considering any such conviction;

21 (g) Violates any order of the division or ~~board~~ COMMISSION or any
22 other provision of this article or any ~~regulations-established~~ RULES
23 PROMULGATED under this article.

24 (4) The ~~board~~ COMMISSION may deny an application for a river
25 outfitter license or a renewal of a river outfitter's license if the applicant
26 does not meet the requirements specified in section 33-32-105 or
27 33-32-106.

28 **SECTION 78.** In Colorado Revised Statutes, 33-32-110, **amend**
29 (1) as follows:

30 **33-32-110. Advisory committee - repeal.** (1) The ~~board~~
31 COMMISSION shall appoint a river outfitter advisory committee, consisting
32 of two river outfitters and one representative of the division. The
33 committee shall review and make recommendations concerning rules
34 PROMULGATED and proposed ~~rules-promulgated~~ pursuant to this article.

35 **SECTION 79.** In Colorado Revised Statutes, 33-33-103, **amend**
36 (1) and (3); and **repeal** (2), (5), and (6) as follows:

37 **33-33-103. Definitions.** As used in this article, unless the context
38 otherwise requires:

39 (1) "Articles" or "articles of designation" means the documents
40 filed by or at the direction of the owner of a natural area or a government
41 agency having ownership or control thereof with the ~~board~~ COMMISSION
42 and accepted by the ~~board~~ COMMISSION in the process of the designation
43 of a natural area as provided in section 33-33-108.

44 (2) ~~"Board" means the board of parks and outdoor recreation.~~

45 (3) "Council" means the Colorado natural areas council created as
46 an advisory council to the ~~board of parks and outdoor recreation~~
47 COMMISSION by section 33-33-106.

48 (5) ~~"Director" means the director of the division of parks and~~
49 ~~outdoor recreation.~~

50 (6) ~~"Division" means the division of parks and outdoor recreation.~~

51 **SECTION 80.** In Colorado Revised Statutes, 33-33-104, **amend**
52 (1) as follows:

53 **33-33-104. Colorado natural areas program.** (1) There is
54 hereby established a statewide Colorado natural areas program to
55 implement the intent and provisions of this article. The program shall be
56 administered by the ~~board~~ COMMISSION through the division with the

1 advice of the council.

2 **SECTION 81.** In Colorado Revised Statutes, 33-33-105, **amend**
3 (1) introductory portion, (1) (d), (1) (f), (1) (i), (1) (j), and (2) as follows:

4 **33-33-105. Powers and duties of the commission.** (1) The ~~board~~
5 COMMISSION, through the division and with the advice of the council,
6 shall administer the program in accordance with ~~the provisions of this~~
7 article and ~~shall have~~ HAS the following additional powers and duties:

8 (d) To seek and approve, upon recommendation by the council,
9 the designation of natural areas under the provisions of section 33-33-108
10 and, when necessary, to acquire by gift, devise, or grant the fee or other
11 interest in real property or accept, under ~~the provisions of~~ section
12 33-33-108, the designation of real property for inclusion in the system;
13 except that the ~~board shall~~ COMMISSION DOES not have the power of
14 eminent domain for such purposes;

15 (f) To administer and enforce ~~the provisions of~~ this article and
16 rules and regulations adopted pursuant thereto, including the provisions
17 of the articles of a designated natural area; except that the ~~board shall~~
18 ~~have~~ COMMISSION HAS no regulatory jurisdiction under this article over
19 lands or interests therein which are not part of the system;

20 (i) To accept and disburse moneys and grants made available to
21 the ~~board~~ COMMISSION under ~~the provisions of~~ any federal law for the
22 purposes of this article; and

23 (j) To notify, ninety days prior to the final designation action, the
24 board of county commissioners in the county in which any designation is
25 being considered. At the request of the board of county commissioners,
26 the ~~board~~ COMMISSION shall hold a public hearing in said county for the
27 purpose of evaluating any local concerns regarding the proposed
28 designation.

29 (2) It ~~shall~~ IS not be a permitted function of the ~~board~~ COMMISSION
30 under this article to make or pursue direct or indirect objection or
31 opposition before any governing body to any application for development
32 of private lands.

33 **SECTION 82.** In Colorado Revised Statutes, 33-33-106, **amend**
34 (1) and (2) as follows:

35 **33-33-106. Colorado natural areas council.** (1) There is hereby
36 created the Colorado natural areas council as an advisory council to the
37 ~~board~~ COMMISSION. The council shall advise the ~~board~~ COMMISSION on
38 the administration of the program and shall approve the registry and
39 recommend the designation of natural areas by the ~~board~~ COMMISSION.

40 (2) The council consists of the following seven members:

41 (a) One member each from the ~~membership of the board~~
42 COMMISSION and the state board of land commissioners, appointed by
43 their respective ~~boards or commissions~~ COMMISSION OR BOARD, who ~~shall~~
44 serve for three-year terms; and

45 (b) Five members appointed by the governor, who ~~shall be~~ ARE
46 individuals with a substantial interest in the preservation of natural areas
47 and who ~~shall~~ serve for four-year terms.

48 **SECTION 83.** In Colorado Revised Statutes, 33-33-107, **amend**
49 (1) introductory portion, (1) (c), (1) (d), (1) (h), and (1) (i) as follows:

50 **33-33-107. Responsibilities of the council.** (1) The council ~~shall~~
51 ~~have~~ HAS the following responsibilities:

52 (c) To review and make recommendations on the ~~board's~~
53 COMMISSION'S criteria for and selection of natural areas to be included in
54 the registry and the system; except that no area shall be included in the
55 registry without permission of the owner of the land;

56 (d) To advise the ~~board~~ COMMISSION of the promulgation of rules

1 for the registry and for the designation, management, protection, and use
2 of designated natural areas;

3 (h) To advise the ~~board~~ COMMISSION on the disbursement of funds
4 for the purposes of this article; and

5 (i) To review and make recommendations on ~~board~~ COMMISSION
6 reports made to the governor on the status of the program.

7 **SECTION 84.** In Colorado Revised Statutes, 33-33-108, **amend**
8 (1), (2) introductory portion, (2) (c), (3), and (4) as follows:

9 **33-33-108. Designation of a natural area.** (1) A natural area
10 ~~which~~ THAT has been found by the ~~board~~ COMMISSION, pursuant to its
11 criteria, to be desirable for inclusion within the system and which
12 inclusion has been approved by the owner of the land, ~~shall become~~
13 BECOMES a designated natural area when articles of designation have been
14 filed with the ~~board~~ COMMISSION by the owner of the land or by a
15 governmental agency having ownership or control of the land and such
16 articles have been accepted by the ~~board~~ COMMISSION with the advice and
17 recommendation of the council.

18 (2) Articles of designation filed with the ~~board~~ COMMISSION under
19 ~~the provisions of~~ subsection (1) of this section shall:

20 (c) Define the respective rights and duties of the owner and the
21 ~~board~~ COMMISSION;

22 (3) The ~~board~~ COMMISSION may, with the approval or upon the
23 request of the owner of an interest therein and with the approval of the
24 council, amend the articles of a designated natural area.

25 (4) A notice of the designation shall be certified by the ~~board~~
26 COMMISSION to the county clerk and recorder in the county or counties in
27 which the designated natural area is located for filing in the same manner
28 as any document affecting real property.

29 **SECTION 85.** In Colorado Revised Statutes, **amend** 33-33-110
30 as follows:

31 **33-33-110. Public entities urged to encourage designation of**
32 **natural areas.** State agencies, counties, municipalities, institutions of
33 higher education, and all other entities and institutions of the state and its
34 political subdivisions are empowered and urged to recommend to the
35 ~~board~~ COMMISSION natural areas within their jurisdictions for inclusion in
36 the system.

37 **SECTION 86.** In Colorado Revised Statutes, **amend** 33-33-111
38 as follows:

39 **33-33-111. Periodic evaluation to be made by commission.** The
40 ~~board~~ COMMISSION shall make an evaluation of each designated natural
41 area every three years, or more often as it deems necessary, to determine
42 whether it is being administered in accordance with the conditions and
43 provisions of the articles of designation. If such conditions and provisions
44 are not ~~continuing to be~~ BEING met, the ~~board~~ COMMISSION may remove
45 the area from the system.

46 **SECTION 87.** In Colorado Revised Statutes, 34-32-115, **amend**
47 (4) (f) (IV) as follows:

48 **34-32-115. Action by board - appeals.** (4) The board or the
49 office shall grant a permit to an operator if the application complies with
50 the requirements of this article. The board or the office shall not deny a
51 permit if the operator demonstrates compliance with the following:

52 (f) The mining operation is not located upon lands:

53 (IV) ~~Which~~ THAT are within the boundaries of any unit of the
54 state park system or any state recreational area in which the entire fee
55 estate is owned by the state of Colorado, unless the mining operation is
56 approved jointly by the board, by the governor, and by the ~~board~~ of parks

1 and ~~outdoor recreation~~ WILDLIFE COMMISSION, or unless the operation will
2 not create any surface disturbance therein.

3 **SECTION 88.** In Colorado Revised Statutes, 34-32.5-115,
4 **amend** (4) (f) (IV) as follows:

5 **34-32.5-115. Action by board - appeals.** (4) In the determination
6 of whether the board or the office shall grant a permit to an operator, the
7 applicant must comply with the requirements of this article and section
8 24-4-105 (7), C.R.S. The board or office shall not deny a permit except
9 on one or more of the following grounds:

10 (f) The mining operation is located upon lands:

11 (IV) Which are within the boundaries of any unit of the state park
12 system or any state recreational area in which the entire fee estate is
13 owned by the state of Colorado, unless the mining operation is approved
14 jointly by the board, by the governor, and by the ~~board of~~ parks and
15 ~~outdoor recreation~~ WILDLIFE COMMISSION or unless the operation will not
16 create any surface disturbance therein.

17 **SECTION 89.** In Colorado Revised Statutes, 34-60-103, **amend**
18 (7.1); and **repeal** (14) as follows:

19 **34-60-103. Definitions.** As used in this article, unless the context
20 otherwise requires:

21 (7.1) "Parks and wildlife ~~board~~ COMMISSION" or "~~board~~" means
22 the parks and wildlife ~~board~~ COMMISSION created in section 33-9-101,
23 C.R.S.

24 (14) "~~Wildlife commission~~" means the board.

25 **SECTION 90.** In Colorado Revised Statutes, 34-60-104, **amend**
26 (2) (b) as follows:

27 **34-60-104. Oil and gas conservation commission - report -**
28 **publication.** (2) (b) Members of the commission shall be appointed for
29 terms of four years each. The governor may at any time remove any
30 member of the commission, and by appointment the governor shall fill
31 any vacancy on the commission. In case one or more vacancies occur on
32 the same day, the governor shall designate the order of filling vacancies.
33 The members of the commission shall receive a per diem allowance of
34 fifty dollars for each day spent in attendance at ~~board~~ COMMISSION
35 meetings or hearings and shall be reimbursed for their actual expenses.

36 **SECTION 91.** In Colorado Revised Statutes, 34-60-128, **amend**
37 (3) (a) and (3) (d) introductory portion as follows:

38 **34-60-128. Habitat stewardship - rules.** (3) In order to
39 minimize adverse impacts to wildlife resources, the commission shall:

40 (a) Establish a timely and efficient procedure for consultation with
41 the PARKS AND wildlife commission and division of PARKS AND wildlife
42 on decision-making that impacts wildlife resources;

43 (d) Promulgate rules, by July 16, 2008, in consultation with the
44 PARKS AND wildlife commission, to establish standards for minimizing
45 adverse impacts to wildlife resources affected by oil and gas operations
46 and to ensure the proper reclamation of wildlife habitat during and
47 following such operations. At a minimum, the rules shall address:

48 **SECTION 92.** In Colorado Revised Statutes, 35-1-106, **amend**
49 (2) as follows:

50 **35-1-106. Powers and duties of commission.** (2) The PARKS
51 AND wildlife commission shall review the rules concerning alternative
52 livestock proposed by the commission pursuant to paragraph (o) of
53 subsection (1) of this section and shall make recommendations to the
54 commission concerning such rules. The commission shall not adopt or
55 implement rules concerning alternative livestock that impact native big
56 game wildlife without the prior approval of the PARKS AND wildlife

1 commission. In addition, the PARKS AND wildlife commission may
2 propose rules to the commission designed to protect native big game
3 wildlife.

4 **SECTION 93.** In Colorado Revised Statutes, 35-7-203, **amend**
5 (1) introductory portion as follows:

6 **35-7-203. Release of destructive rodent pests - definitions.**
7 (1) No person shall release destructive rodent pests into a county unless
8 ~~such~~ THE person ~~has complied~~ COMPLIES with all requirements for such
9 release imposed by the PARKS AND wildlife commission and ~~obtained~~
10 OBTAINS both the prior approval of the commission and the prior
11 approval, by resolution duly adopted, of the board of county
12 commissioners of such county. A person need not obtain such prior
13 approval before:

14 **SECTION 94.** In Colorado Revised Statutes, 35-24.5-105,
15 **amend** (1) as follows:

16 **35-24.5-105. Duties of the board.** (1) The board shall consider,
17 initiate, and recommend rules, ~~and regulations~~, not inconsistent with law,
18 to the commissioner concerning the regulation of the aquaculture industry
19 and its markets, except for rules ~~and regulations which~~ THAT regulate,
20 control, or otherwise relate to fish health, to the spread of aquatic disease,
21 or to the importation into the state or the distribution and management of
22 any exotic aquatic species, all of which subjects ~~shall be~~ ARE within the
23 jurisdiction of the PARKS AND wildlife commission.

24 **SECTION 95.** In Colorado Revised Statutes, 35-24.5-106,
25 **amend** (2) as follows:

26 **35-24.5-106. Rules.** (2) Nothing in this section ~~shall be construed~~
27 ~~to diminish or supersede~~ DIMINISHES OR SUPERSEDES the authority of the
28 division or the PARKS AND wildlife commission to regulate or manage
29 wild populations of aquatic organisms in the waters of the state or in
30 facilities controlled or managed by the division or by the United States
31 fish and wildlife service.

32 **SECTION 96.** In Colorado Revised Statutes, 35-24.5-107,
33 **amend** (2) as follows:

34 **35-24.5-107. Powers and duties of the commissioner.**
35 (2) Nothing in this section ~~shall be construed to diminish or supersede~~
36 DIMINISHES OR SUPERSEDES the authority of the division or the PARKS AND
37 wildlife commission to regulate or manage wild populations of aquatic
38 organisms in the waters of the state or in facilities controlled or managed
39 by the division or by the United States fish and wildlife service.

40 **SECTION 97.** In Colorado Revised Statutes, 35-40-100.2,
41 **amend** (1), (1.5) introductory portion, and (1.5) (c) as follows:

42 **35-40-100.2. Definitions.** As used in this part 1, unless the
43 context otherwise requires:

44 (1) "Animal" means coyotes, foxes, bobcats, bears, mountain
45 lions, wolves, beavers, muskrats, raccoons, opossums, and striped skunks
46 and any animals identified by rule promulgated by the commissioner and
47 approved by the PARKS AND wildlife commission.

48 (1.5) "At risk" means any depredating animal species that has
49 been designated by the PARKS AND wildlife commission as endangered,
50 threatened, or at risk after:

51 (c) Presentation of scientifically valid data, analysis, or
52 commentary by objective professionals, mutually identified by the state
53 agricultural commission and the PARKS AND wildlife commission relating
54 to depredating animals.

55 **SECTION 98.** In Colorado Revised Statutes, 35-40-101, **amend**
56 (2) introductory portion, (2) (a), (4) introductory portion, (4) (a), (7), and

1 (8) as follows:

2 **35-40-101. Powers and duties of the commissioner - rules -**
3 **agreements.** (2) The commissioner may take such steps as are necessary
4 to carry out ~~the provisions of~~ this part 1, including:

5 (a) Adopting rules for the control of depredating animals, in
6 consultation with the PARKS AND wildlife commission;

7 (4) With respect to controlling depredating animals of an at-risk
8 species, the following ~~shall apply~~ APPLIES:

9 (a) The PARKS AND wildlife commission must approve any rules
10 concerning the taking of depredating animals of an at-risk species prior
11 to the adoption of such rules by the commissioner.

12 (7) The commissioner is authorized to enter into agreements with
13 the division of wildlife in the department of natural resources for
14 assistance in carrying out ~~the provisions of~~ this part 1, which assistance
15 may include resources, including financial assistance, at the discretion of
16 the PARKS AND wildlife commission.

17 (8) The commissioner shall contact and provide information to the
18 PARKS AND wildlife commission as said commission sets population
19 levels and hunting permit numbers for predators in areas where there is
20 depredation to agriculture.

21 **SECTION 99.** In Colorado Revised Statutes, 35-41.5-105,
22 **amend** (2) introductory portion, (2) (b), and (8) as follows:

23 **35-41.5-105. Powers and duties of the board.** (2) The board
24 shall adopt any necessary and reasonable rules for the administration and
25 enforcement of this article, including ~~but not limited to,~~ rules governing:

26 (b) Inspections of alternative livestock for purposes of licensing
27 or renewing a license, changes of ownership of alternative livestock, and
28 movement of alternative livestock, including requiring proof that
29 alternative livestock meet the requirements of a tuberculosis surveillance
30 plan adopted pursuant to section 35-1-106 (1) (o) and that such alternative
31 livestock meet requirements concerning the control of infectious diseases
32 as required by the commission, and requirements concerning genetic
33 purity as required by the PARKS AND wildlife commission;

34 (8) The PARKS AND wildlife commission may review rules
35 concerning alternative livestock proposed by the board and may make
36 recommendations to the board concerning such rules.

37 **SECTION 100.** In Colorado Revised Statutes, 35-41.5-109,
38 **amend** (2) (a) as follows:

39 **35-41.5-109. Unlawful acts.** (2) It is unlawful and a violation of
40 this article for any alternative livestock farm to:

41 (a) Import or possess for the purpose of selling, trading, giving,
42 or otherwise transferring any alternative livestock without having said
43 alternative livestock inspected in accordance with this article; except that
44 this paragraph (a) shall not apply to alternative livestock sold, traded,
45 given, or transferred by an operating zoological park as defined by the
46 PARKS AND wildlife commission or research institution using such
47 animals for scientific research, if the park or institution otherwise
48 complies with this article and all rules promulgated pursuant thereto;

49 **SECTION 101.** In Colorado Revised Statutes, **amend** 35-44-114
50 as follows:

51 **35-44-114. Disputed ownership - animal deemed not**
52 **alternative livestock.** In any instance where the board determines that an
53 animal is not an alternative livestock, any dispute as to ownership shall
54 be decided by the ~~state~~ PARKS AND wildlife commission CREATED IN
55 SECTION 33-9-101, C.R.S.

56 **SECTION 102.** In Colorado Revised Statutes, **amend** 35-50-112

1 as follows:

2 **35-50-122. Savings clause.** Nothing in this article ~~shall be~~
3 ~~construed to diminish or supercede~~ DIMINISHES OR SUPERSEDES the
4 concurrent jurisdiction or the authorities of the PARKS AND wildlife
5 commission or the agriculture commission to regulate captive wildlife and
6 alternative livestock.

7 **SECTION 103.** In Colorado Revised Statutes, 37-60-122.2,
8 **amend** (1) (b) as follows:

9 **37-60-122.2. Fish and wildlife resources - legislative**
10 **declaration - fund - authorization.** (1) (b) Except as provided in this
11 paragraph (b), the applicant for any water diversion, delivery, or storage
12 facility which requires an application for a permit, license, or other
13 approval from the United States shall inform the Colorado water
14 conservation board, PARKS AND wildlife commission, and division of
15 PARKS AND wildlife of its application and submit a mitigation proposal
16 pursuant to this section. Exempted from such requirement are the
17 Animas-La Plata project, the Two Forks dam and reservoir project, and
18 the Homestake water project for which definite plan reports and final
19 environmental impact statements have been approved or which are
20 awaiting approval of the same, applicants for site specific dredge and fill
21 permits for operations not requiring construction of a reservoir, and
22 applicants for section 404 federal nationwide permits. If an applicant that
23 is subject to the provisions of this section and the commission agree upon
24 a mitigation plan for the facility, the commission shall forward such
25 agreement to the Colorado water conservation board, and the board shall
26 adopt such agreement at its next meeting as the official state position on
27 the mitigation actions required of the applicant. In all cases the
28 commission shall proceed expeditiously and, no later than sixty days from
29 the applicant's notice, unless extended in writing by the applicant, make
30 its evaluation regarding the probable impact of the proposed facility on
31 fish and wildlife resources and their habitat and to make its
32 recommendation regarding such reasonable mitigation actions as may be
33 needed.

34 **SECTION 104.** In Colorado Revised Statutes, 37-60-123.7,
35 **amend** (1.5) as follows:

36 **37-60-123.7. Acquisitions of water for instream flows.** (1.5) In
37 any year that the board expends all of the moneys available for the costs
38 of acquiring water, water rights, and interests in water for instream flow
39 use from the moneys that have been appropriated for the current fiscal
40 year from the Colorado water conservation board construction fund
41 pursuant to this section, the board shall apply to the PARKS AND wildlife
42 commission for all or any portion of the five hundred thousand dollars
43 from habitat stamp moneys made available pursuant to section 33-4-102.7
44 (4) (a) (II), C.R.S. Any habitat stamp moneys received shall be used to
45 acquire water, water rights, or interests in water pursuant to section
46 37-92-102 (3), subject to the limitations set forth in this section.

47 **SECTION 105.** In Colorado Revised Statutes, 43-1-106, **amend**
48 (8) (l) and (8) (m) as follows:

49 **43-1-106. Transportation commission - powers and duties.**
50 (8) In addition to all other powers and duties imposed upon it by law, the
51 commission has the following powers and duties:

52 (l) To do all things necessary and appropriate in the construction,
53 improvement, and maintenance of the public roads serving the state parks
54 and recreation areas and, to this end, to cooperate with the ~~board of parks~~
55 ~~and outdoor recreation~~ PARKS AND WILDLIFE COMMISSION and the director
56 of the division of parks and ~~outdoor recreation~~ WILDLIFE;

1 (m) To do all things necessary and appropriate in the construction,
2 maintenance, and improvement of recreational trails along and across new
3 or existing state or interstate highways and, to this end, to cooperate with
4 the ~~board of parks and outdoor recreation~~ PARKS AND WILDLIFE
5 COMMISSION and the director of the division of parks and ~~outdoor~~
6 ~~recreation~~ WILDLIFE;".

7
8 Renumber succeeding section accordingly.

9
10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.

12
13 **SB12-087** by Senator(s) Foster; also Representative(s) Kerr J.--
14 Concerning the period marking the commencement of the
15 accrual of interest on the refund of property taxes
16 erroneously collected.

17
18 Laid over until May 10, 2012. Bill deemed lost.

19
20 **HB12-1213** by Representative(s) Fields; also Senator(s) King S.--
21 Concerning the penalty for a person who escapes from a
22 place of confinement other than a county jail or
23 correctional facility.

24
25 Amendment No. 1, Judiciary Report, dated February 23, 2012, and placed
26 in member's bill file; Report also printed in House Journal, February 24,
27 pages 384-385.

28
29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.

31
32 **HB12-1332** by Representative(s) Balmer, Liston, Hulinghorst, Joshi,
33 Kerr J., Peniston, Schafer S., Young, Ramirez; also
34 Senator(s) Guzman, Boyd, King S., Morse, Newell--
35 Concerning licensure of anesthesiologist assistants.

36
37 Amendment No. 1, Health & Environment Report, dated April 3, 2012,
38 and placed in member's bill file; Report also printed in House Journal,
39 April 4, page 886.

40
41 Amendment No. 2, by Representative(s) Balmer.

42
43 Amend printed bill, page 3, line 23, strike "A LICENSED" and substitute
44 "AN" and after "ASSISTANT" insert "LICENSED PURSUANT TO SECTION
45 12-36-107.3".

46
47 Page 3, line 25, after "TASKS" insert "REFERRED TO IN THIS PARAGRAPH
48 (a)".

49
50 Page 5, after line 8 insert:

51
52 "(3) A PERSON LICENSED TO PRACTICE AS AN ANESTHESIOLOGIST
53 ASSISTANT SHALL NOT PERFORM ANY ACT THAT CONSTITUTES THE
54 PRACTICE OF MEDICINE WITHIN A HOSPITAL OR AMBULATORY SURGICAL
55 CENTER LICENSED PURSUANT TO PART 1 OF ARTICLE 3 OF TITLE 25, C.R.S.,
56 OR REQUIRED TO OBTAIN A CERTIFICATE OF COMPLIANCE PURSUANT TO

1 SECTION 25-1.5-103 (1) (a) (II), C.R.S., UNLESS THE LICENSED
2 ANESTHESIOLOGIST ASSISTANT OBTAINS AUTHORIZATION FROM THE
3 GOVERNING BOARD OF THE HOSPITAL OR AMBULATORY SURGICAL CENTER.
4 THE GOVERNING BOARD OF A HOSPITAL OR AMBULATORY SURGICAL
5 CENTER MAY GRANT, DENY, OR LIMIT A LICENSED ANESTHESIOLOGIST
6 ASSISTANT'S AUTHORIZATION BASED ON THE GOVERNING BOARD'S
7 ESTABLISHED PROCEDURES."

8

9 Renumber succeeding subsections accordingly.

10

11 As amended, ordered engrossed and placed on the Calendar for Third
12 Reading and Final Passage.

13

14

15

16 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

17

18 Representative Fischer moved to amend the Report of the Committee of
19 the Whole to reverse the action taken by the Committee in not adopting
20 the following Fischer amendment, to HB12-1317, to show that said
21 amendment passed, that Amendment No. 4, by Representative
22 Sonnenberg (printed in House Journal page 966, lines 32-47), to
23 HB12-1317, lost, and that **HB12-1317**, as amended, passed.

24

25 Amend proposed Agriculture, Livestock, & Natural Resources committee
26 report, dated March 7, 2012, page 1, strike lines 3 through 16 and
27 substitute:

28

29 "Page 3 of the bill, strike lines 8 through 25 and substitute:

30

31 "(I) TWO MEMBERS WHO ARE AGRICULTURAL LANDOWNERS OR
32 PRODUCERS, ONE OF WHOM HAS EXPERIENCE IN LIVESTOCK PRODUCTION
33 AND THE OTHER OF WHOM HAS EXPERIENCE IN CROP PRODUCTION;

34

35 (II) TWO MEMBERS WHO ARE SPORTS PERSONS WHO HAVE
36 PURCHASED OR APPLIED FOR A HUNTING OR FISHING LICENSE ISSUED
37 UNDER THIS TITLE FOR EACH OF THE PREVIOUS THREE YEARS AND WHO
38 CAN DEMONSTRATE REASONABLE KNOWLEDGE OF WILDLIFE ISSUES,
39 WILDLIFE HABITAT, AND WILDLIFE MANAGEMENT; OR THE COMMISSION'S
40 DUTIES, PROCEDURES, POLICIES, AUTHORITY, AND PAST DECISIONS;

41

42 (III) TWO MEMBERS WHO HAVE EXPERIENCE IN OUTDOOR
43 RECREATION AND WHO CAN DEMONSTRATE REASONABLE KNOWLEDGE OF
44 PARKS AND OUTDOOR RECREATION RESOURCES AND MANAGEMENT AND
45 THE COMMISSION'S DUTIES, PROCEDURES, POLICIES, AUTHORITY, AND PAST
46 DECISIONS;

47

48 (IV) ONE MEMBER WHO IS A COUNTY COMMISSIONER;

49

50 (V) ONE MEMBER WHO IS A MEMBER OF A NONPROFIT
51 ORGANIZATION THAT SUPPORTS AND PROMOTES THE CONSERVATION AND
52 ENHANCEMENT OF COLORADO'S WILDLIFE AND ITS HABITATS AND
53 RECOGNIZES AND PROMOTES PRIMARILY NONCONSUMPTIVE WILDLIFE USE
54 AND WHO HAS EXPERTISE IN WILDLIFE ISSUES, WILDLIFE HABITAT, AND
55 WILDLIFE MANAGEMENT; AND

56

(VI) THREE AT-LARGE MEMBERS."."

Page 2 of the committee report, after line 16 insert:

"Page 6 of the bill, line 17, strike "(I)" and substitute "(II)"."

The amendment was declared **lost** by the following roll call vote:

	YES	28	NO	35	EXCUSED	2	ABSENT	0
Acree	N		Fischer	Y	Looper	N	Solano	Y
Balmer	N		Gardner B.	N	Massey	N	Sonnenberg	N
Barker	N		Gerou	N	McCann	Y	Soper	Y
Baumgardner	N		Hamner	Y	McKinley	N	Stephens	N
Becker	N		Holbert	N	Miklosi	Y	Summers	N
Beezley	N		Hullinghorst	Y	Murray	N	Swalm	N
Bradford	N		Jones	Y	Nikkel	N	Swerdfeger	N
Brown	N		Joshi	N	Pabon	Y	Szabo	N
Casso	Y		Kagan	Y	Pace	N	Todd	Y
Conti	N		Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N		Kerr A.	E	Priola	N	Vaad	N
Court	Y		Kerr J.	N	Ramirez	N	Vigil	Y
DelGrosso	N		Labuda	Y	Ryden	Y	Waller	N
Duran	E		Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y		Levy	Y	Scott	N	Wilson	Y
Fields	Y		Liston	N	Singer	Y	Young	Y
							Speaker	N

Representative Jones moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following Jones amendment, to HB12-1317, to show that said amendment passed, that Amendment No. 4, by Representative Sonnenberg (printed in House Journal page 966, lines 32-47) to HB12-1317, lost, and that **HB12-1317**, as amended, passed.

Amend the Agriculture, Livestock, & Natural Resources Committee Report, dated March 7, 2012, page 1, strike lines 3 through 16 and substitute:

"Page 3 of the bill, strike lines 8 through 25 and substitute:

"(I) THREE MEMBERS WHO ARE SPORTS PERSONS WHO HAVE PURCHASED OR APPLIED FOR A HUNTING OR FISHING LICENSE ISSUED UNDER THIS TITLE FOR EACH OF THE PREVIOUS THREE YEARS AND WHO CAN DEMONSTRATE REASONABLE KNOWLEDGE OF WILDLIFE ISSUES, WILDLIFE HABITAT, AND WILDLIFE MANAGEMENT, OR REASONABLE KNOWLEDGE OF THE COMMISSION'S DUTIES, PROCEDURES, POLICIES, AUTHORITY, AND PAST DECISIONS;

(II) TWO MEMBERS ACTIVELY INVOLVED IN PRODUCTION AGRICULTURE AS OWNERS OR LESSEES OF THE AGRICULTURAL PROPERTY AND OWNERS OR PARTIAL OWNERS OF THE COMMODITIES PRODUCED ON THE LAND;

(III) FOUR MEMBERS WHO HAVE EXPERIENCE IN OUTDOOR RECREATION AND WHO CAN DEMONSTRATE REASONABLE KNOWLEDGE OF

1 PARKS AND OUTDOOR RECREATION RESOURCES AND MANAGEMENT AND
 2 THE COMMISSION'S DUTIES, PROCEDURES, POLICIES, AUTHORITY, AND PAST
 3 DECISIONS; AND

4
 5 (IV) TWO MEMBERS WHO ARE ACTIVELY INVOLVED IN OR HAVE
 6 KNOWLEDGE OF NONCONSUMPTIVE WILDLIFE USES."."

7
 8 The amendment was declared **lost** by the following roll call vote:

	YES	27	NO	36	EXCUSED	2	ABSENT	0
11	Acree	N	Fischer	Y	Looper	N	Solano	Y
12	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
13	Barker	N	Gerou	N	McCann	Y	Soper	Y
14	Baumgardner	N	Hamner	N	McKinley	N	Stephens	N
15	Becker	N	Holbert	N	Miklosi	Y	Summers	N
16	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
17	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
18	Brown	N	Joshi	N	Pabon	Y	Szabo	N
19	Casso	Y	Kagan	Y	Pace	N	Todd	Y
20	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
21	Coram	N	Kerr A.	E	Priola	N	Vaad	N
22	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
23	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
24	Duran	E	Lee	Y	Schafer S.	Y	Williams A.	Y
25	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
26	Fields	Y	Liston	N	Singer	Y	Young	Y
27							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

33 Passed Second Reading: **HB12-1048 amended, 1317 amended, 1213**
 34 **amended, 1332 amended.**

36 Laid over until date indicated retaining place on Calendar:
 37 **HB12-1294, SB12-118, HB12-1310, 1345--April 17, 2012.**
 38 **SB12-087--May 10, 2012.**

40 The Chairman moved the adoption of the Committee of the Whole
 41 Report. As shown by the following roll call vote, a majority of those
 42 elected to the House voted in the affirmative, and the Report was
 43 **adopted.**

	YES	62	NO	1	EXCUSED	2	ABSENT	0
46	Acree	Y	Fischer	N	Looper	Y	Solano	Y
47	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
48	Barker	Y	Gerou	Y	McCann	Y	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.	E	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	E	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							Speaker	Y

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.

HB12-1341 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the repeal of the statewide strategic use fund.

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	62	NO	1	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	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.	E	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
Duran	E	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) Hullinghorst.

HB12-1342 by Representative(s) Levy, Becker, Gerou; also Senator(s) Hodge, Steadman, Lambert--Concerning a work therapy program in the department of human services, and, in connection therewith, making an appropriation.

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	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	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.	E	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	E	Lee	Y	Schafer S.	Y	Williams A.	Y
13	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
14	Fields	Y	Liston	Y	Singer	Y	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Labuda, Summers.

17
18 **HB12-1343** by Representative(s) Gerou, Becker, Levy; also Senator(s)
19 Hodge, Steadman, Lambert--Concerning the transfer of
20 moneys from the state rail bank fund to the general fund.

21
22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.

27	YES	48	NO	15	EXCUSED	2	ABSENT	0
28	Acree	N	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
32	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
33	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
36	Casso	Y	Kagan	Y	Pace	N	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	N	Kerr A.	E	Priola	N	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
41	Duran	E	Lee	Y	Schafer S.	Y	Williams A.	Y
42	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
43	Fields	Y	Liston	N	Singer	Y	Young	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Young.

46
47
48 **HB12-1344** by Representative(s) Gerou, Becker, Levy; also Senator(s)
49 Hodge, Steadman, Lambert--Concerning transfers of
50 moneys relating to capital construction.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

1	YES	53	NO	10	EXCUSED	2	ABSENT	0
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
4	Barker	N	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
7	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	N	Kerr A.	E	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	E	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	N	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Brown, Vigil.

20 21 22 PRINTING REPORT

23
24 The Chief Clerk reports the following bill has been correctly printed:
25 **HB12-1346.**

26 27 28 MESSAGE(S) FROM THE SENATE

29
30 The Senate has passed on Third Reading and returns herewith:
31 HB12-1313, HB12-1209, HB12-1236.

32
33 The Senate has passed on Third Reading and transmits to the Revisor of
34 Statutes:

35
36 SB12-123 amended as printed in Senate Journal, April 12, 2012,
37 page 723.

38 HB12-1321 amended as printed in Senate Journal, April 12, 2012,
39 page 725.

40
41 The Senate has postponed indefinitely HB12-1150. The bill is returned
42 herewith.

43
44
45 The Senate has adopted and returns herewith: HJR12-1004.

46
47
48 The Senate has adopted and transmits herewith: SJR12- 029.

49
50
51 The Senate has passed on Third Reading and transmits to the Revisor of
52 Statutes:

53
54 SB12-004 amended as printed in Senate Journal, April 12, 2012,
55 page 724.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB12-1321 and SB12-123.

We herewith transmit:
Without comment, as amended, SB12-004.

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR12-031 by Senator(s) Aguilar; also Representative(s) Kefalas--
Concerning Hepatitis C Awareness Day.

House in recess. House reconvened.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 16th day of April, 2012, at 3:30 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

April 13, 2012
To the Honorable House of Representatives
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following Acts:

HB12-1204 CONCERNING THE CONTINUATION OF THE REGULATION OF HEMODIALYSIS TECHNICIANS, AND, CONNECTION THEREWITH, IMPLEMENTING THE SUNSET REVIEW RECOMMENDATIONS OF THE DEPARTMENT OF REGULATORY AGENCIES

Approved April 13, 2012 at 3:09 pm

HB12-1215 CONCERNING CHANGES TO THE "NONADMITTED INSURANCE ACT" TO CONFORM IT TO THE

1 REQUIREMENTS OF THE FEDERAL "NONADMITTED AND
2 REINSURANCE REFORM ACT OF 2012"

3
4 Approved April 13, 2012 at 3:09 pm

5
6 **HB12-1323** CONCERNING THE ASSOCIATE COUNTY JUDGE FOR
7 MONTROSE COUNTY

8
9 Approved April 13, 2012 at 3:09 pm

10
11 Sincerely,
12 (signed)
13 John W. Hickenlooper
14 Governor

15
16
17 April 16, 2012

18
19 To the Honorable House of Representatives
20 Sixty-Eighth General Assembly
21 Second Regular Session
22 State Capitol
23 Denver, CO 80203

24
25 Ladies and Gentlemen:

26
27 I have the honor to inform you that I have approved and filed with the
28 Secretary of State the following Acts:

29
30 **HB12-1083** CONCERNING MAINTENANCE OF THE CURRENT FEE
31 STRUCTURE ON CERTAIN FEEDING OPERATIONS UNDER
32 THE "COLORADO WATER QUALITY CONTROL ACT"

33
34 Approved April 16, 2012 at 2:08 pm

35
36 **HB12-1246** CONCERNING A REVERSAL OF THE ANNUAL PAYDAY
37 SHIFT AS IT APPLIES TO STATE EMPLOYEES PAID ON A
38 BIWEEKLY BASIS, AND MAKING AN APPROPRIATION IN
39 CONNECTION THEREWITH

40
41 Approved April 16, 2012 at 2:29 pm

42
43 **HB12-1009** CONCERNING A REPORT RELATED TO THE FEDERAL
44 MONEYS RECEIVED BY THE EXECUTIVE BRANCH

45
46 Approved April 16, 2012 at 2:26 pm

47
48 Sincerely,
49 (signed)
50 John W. Hickenlooper
51 Governor

CHANGE IN SPONSORSHIP

The Speaker announced the following change in sponsorship:
SB12-038--Representative Priola to replace Representative Vaad as prime sponsor.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until April 17, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161, SB12-128, HB12-1328, SB12-134, HB12-1293, SB12-013, 124, 036, HB12-1326, SB12-110, 156.**

Consideration of General Orders--**HB12-1281, 1037, SB12-158, HB12-1045, 1099, 1311, 1314.**

Consideration of Resolution(s)--**SJR12-006, 024.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052, 1019, 1063, 1105, 1146.**

On motion of Representative Brown, the House adjourned until 9:00 a.m., April 17, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-eighth Legislative Day

Tuesday, April 17, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by the Reverend Michael Cheshire, Journey Church, Conifer.

4

5 Pledge of Allegiance led by Trevor Pergola, Allison Finger, Skylar
6 Mabry, from VanArsdale School, Arvada.

7

8 The roll was called with the following result:

9

10 Present--46.

11 Excused--Representative(s) Becker, Coram, DelGrosso,
12 Ferrandino, Gardner, Gerou, Holbert, Hullinghorst, A. Kerr,
13 Labuda, Levy, Looper, McKinley, Pabon, Peniston, Solano,
14 Sonnenberg, Todd, Vaad--19.

15 Present after roll call--Representative(s) Becker, Coram,
16 DelGrosso, Ferrandino, Gardner, Gerou, Holbert, Hullinghorst,
17 Labuda, Levy, Looper, McKinley, Pabon, Peniston, Solano,
18 Sonnenberg, Todd, Vaad.

19

20 The Speaker declared a quorum present.

21

22

23 On motion of Representative Hamner, the reading of the journal of
24 April 16, 2012, was declared dispensed with and approved as corrected
25 by the Chief Clerk.

26

27

28 House in recess. House reconvened.

29

30

31

32

MESSAGE(S) FROM THE SENATE

33

34 The Senate has adopted and transmits herewith: SJM12- 002.

35

36

37

INTRODUCTION AND CONSIDERATION OF MEMORIAL

38

39 On motion of Representative Stephens, the rules were suspended for
40 immediate consideration of SJM12-002.

41

42 **SJM12-002** by Senator(s) Hudak; also Representative(s) Szabo and
43 Pabon--Memorializing former Senator Jim Congrove.

1 (Printed in and placed in members' file.)

2
3 On motion of Representative Szabo, the memorial was read at length and
4 **adopted** by the following roll call vote:

	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	Y	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.	E	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, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
26 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
27 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr J., Labuda,
28 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray,
29 Nikkel, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer,
30 Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Todd,
31 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

32
33
34 On motion of Representative Szabo, the House resolved itself into
35 Committee of the Whole for consideration of General Orders, and she
36 was called to the Chair to act as Chairman.

37 38 39 **GENERAL ORDERS--SECOND READING OF BILLS**

40
41 The Committee of the Whole having risen, the Chairman reported the
42 titles of the following bills had been read (reading at length had been
43 dispensed with by unanimous consent), the bills considered and action
44 taken thereon as follows:

45
46 (Amendments to the committee amendment are to the printed committee
47 report which was printed and placed in the members' bill file.)

48
49 On motion of Representative Waller, the following bills on the General
50 Orders Calendar were laid over until date indicated, retaining place on
51 Calendar:

52 **SB12-118**--April 18, 2012.

53 **HB12-1310**--April 23, 2012.

54
55 **HB12-1294** by Representative(s) Liston, Todd, Acree, Baumgardner,
56 Gardner B., Kerr J., Massey, Miklosi, Murray, Priola,

Ramirez, Soper, Swalm, Swerdfeger, Szabo; also
Senator(s) Tochtrop, Boyd, Mitchell, Neville, White--
Concerning modifications to the system of regulation of
health facilities currently regulated by the department of
public health and environment.

Amendment No. 1, Economic & Business Development Report, dated
March 1, 2012, and placed in member's bill file; Report also printed in
House Journal, March 2, pages 515-518.

Amendment No. 2, Health & Environment Report, dated March 22, 2012,
and placed in member's bill file; Report also printed in House Journal,
March 23, pages 787-791.

Amendment No. 3, by Representative(s) Liston.

Amend printed bill, page 11, line 21, strike "REGULATORY" and substitute
"STATUTORY OR REGULATORY LICENSING".

Page 11, line 26, after "APPLICANT." add "THE DEPARTMENT MAY
REQUIRE THE APPLICANT TO ATTEST TO THE ACCURACY OF THE
INFORMATION PROVIDED AS LONG AS THE ATTESTATION DOES NOT
REQUIRE THE APPLICANT'S AFFIRMATION OF ITS GENERAL COMPLIANCE
WITH STATUTORY OR REGULATORY LICENSING REQUIREMENTS.".

Page 12, strike lines 4 through 16 and substitute:

"(e) (I) FOR A CHANGE OF OWNERSHIP, THE DEPARTMENT SHALL
CONDUCT A FITNESS REVIEW OF A NEW OWNER BASED UPON INFORMATION
COMPILED WITHIN THE FIVE YEARS PRECEDING THE DATE OF THE
APPLICATION; EXCEPT THAT THE NEW OWNER SHALL DISCLOSE WHETHER,
WITHIN THE TEN YEARS PRECEDING THE DATE OF AN APPLICATION, THE
NEW OWNER:

(A) HAS BEEN CONVICTED OF A FELONY OR MISDEMEANOR
INVOLVING MORAL TURPITUDE OR THAT CAN BE REASONABLY SAID TO
DIRECTLY INVOLVE CONDUCT THAT POSED AN APPRECIABLE RISK TO THE
HEALTH, SAFETY, AND WELFARE OF PATIENTS;

(B) HAD A STATE LICENSE OR FEDERAL CERTIFICATION DENIED,
REVOKED, OR SUSPENDED BY ANOTHER JURISDICTION;

(C) HAD A CIVIL JUDGMENT OR CRIMINAL CONVICTION AGAINST
THE NEW OWNER IN A CASE BROUGHT BY THE FEDERAL, STATE, OR LOCAL
AUTHORITIES THAT RESULTED FROM THE OPERATION, MANAGEMENT, OR
OWNERSHIP OF A HEALTH FACILITY OR OTHER ENTITY RELATED TO
SUBSTANDARD PATIENT CARE OR HEALTH CARE FRAUD.

(II) THE NEW OWNER SHALL PROVIDE THE INFORMATION SPECIFIED
IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (e) TO THE DEPARTMENT
REGARDLESS OF WHETHER ACTION HAS BEEN STAYED DURING A JUDICIAL
APPEAL OR OTHERWISE SETTLED BETWEEN THE PARTIES.

(III) THE DEPARTMENT MAY REVIEW AN EXISTING OWNER OF A
LICENSED HEALTH FACILITY OR ENTITY ONLY WHEN THE DEPARTMENT HAS
NEW INFORMATION NOT PREVIOUSLY AVAILABLE OR DISCLOSED THAT
BEARS ON THE FITNESS OF THE EXISTING OWNER TO OPERATE OR MAINTAIN
A LICENSED HEALTH FACILITY OR ENTITY.".

Renumber succeeding subparagraph accordingly.

1 Page 12, line 17, after "FACILITY'S" insert "OR ENTITY'S".

2
3 Page 12, line 18, strike the second "AN" and substitute "A DIRECT OR".

4
5 Page 12, line 19, strike "FACILITY," and substitute "FACILITY OR ENTITY,".

6
7 Amendment No. 4, by Representative(s) Liston.

8
9 Amend printed bill, page 21, before line 25 insert:

10
11 **"SECTION 10.** In Colorado Revised Statutes, 25-3-602, **amend**
12 (4) (a) (IV) as follows:

13 **25-3-602. Health facility reports - repeal.** (4) (a) The executive
14 director of the department shall appoint an advisory committee. The
15 advisory committee shall consist of:

16 (IV) Four infection control practitioners AS FOLLOWS:

17 (A) One from a stand-alone ambulatory surgical center; and

18 (B) Three ~~registered nurses who are~~ HEALTH CARE PROFESSIONALS
19 certified by the certification board of infection control and epidemiology,
20 INC., OR ITS SUCCESSOR;".

21
22 Renumber succeeding sections accordingly.

23
24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.

26
27 **HB12-1281** by Representative(s) Young and Gerou, Ferrandino,
28 Fields, Kefalas, Kerr A., McCann, Peniston, Schafer S.;
29 also Senator(s) Steadman and Roberts--Concerning a pilot
30 program establishing new payment methodologies in
31 medicaid.

32
33 Amendment No. 1, Appropriations Report, dated March 27, 2012, and
34 placed in member's bill file; Report also printed in House Journal,
35 March 28, pages 832-836.

36
37 Amendment No. 2, by Representative(s) Gerou and Young.

38
39 Amend the Appropriations Committee Report, dated March 27, 2012,
40 page 2 of the committee report, after line 18 insert:

41
42 "Page 6 of the bill, strike line 26 and substitute "SHALL BE FOR A PERIOD
43 OF AT LEAST TWO YEARS, BUT SHALL NOT EXTEND BEYOND JUNE 30, 2016.
44 THE PROVIDER".".

45
46 Page 2 of the committee report, line 23, strike "(6)," and substitute "(6)
47 as follows:".

48
49 Page 2 of the committee report, strike line 24.

50
51 Page 3 of the committee report, strike line 1 and substitute "STATE
52 DEPARTMENT SHALL ALLOW FOR PAYMENT PROPOSALS THAT INCLUDE, BUT
53 NEED NOT BE LIMITED TO, GLOBAL PAYMENT, RISK ADJUSTMENT, RISK
54 SHARING, AND ALIGNED PAYMENT INCENTIVES FOR HEALTH BENEFITS
55 AND".

56

1 Page 3 of the committee report, line 7, strike "SYSTEM." and substitute
2 "SYSTEM, SUBJECT TO THE CRITERIA ESTABLISHED UNDER SECTION
3 25.5-5-415 (3) (c) (II) AND (3) (c) (V).".

4
5 Page 3 of the committee report, strike lines 8 through 41.

6
7 Page 4 of the committee report, strike lines 1 through 14.

8
9 Page 4 of the committee report, line 31, strike "25.5-5-406" and substitute
10 "25.5-5-404".

11
12 Page 4 of the committee report, line 32, strike "25.5-5-406 (1) (k)" and
13 substitute "25.5-5-404 (1) (k)".

14
15 Page 4 of the committee report, line 33, strike "(1) (l)." and substitute "(1)
16 (l), AND THE ESSENTIAL COMMUNITY PROVIDER REQUIREMENTS OF
17 SECTION 25.5-5-404 (2) AND (3).".

18
19 Page 5 of the committee report, strike line 1 and substitute
20 "COORDINATION REGIONS THAT SHOULD BE CREATED. FURTHER,".

21
22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.

24
25 **HB12-1037** by Representative(s) Becker; also Senator(s) Tochtrop--
26 Concerning the classification of the sales of certain items
27 used in agricultural production as wholesale sales.

28
29 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
30 dated January 30, 2012, and placed in member's bill file; Report also
31 printed in House Journal, January 31, page 119.

32
33 As amended, ordered engrossed and placed on the Calendar for Third
34 Reading and Final Passage.

35
36 **SB12-158** by Senator(s) Boyd; also Representative(s) Bradford--
37 Concerning the consolidation of two public housing
38 agencies within the division of housing in the department
39 of local affairs.

40
41 Ordered revised and placed on the Calendar for Third Reading and Final
42 Passage.

43
44 **HB12-1045** by Representative(s) Bradford; also Senator(s) King S.--
45 Concerning sales and use tax exemptions for the sale and
46 use of wood from trees harvested in Colorado damaged by
47 beetles.

48
49 Ordered engrossed and placed on the Calendar for Third Reading and
50 Final Passage.

51
52 **HB12-1099** by Representative(s) McKinley, Sonnenberg--Concerning
53 the establishment of an industrial hemp remediation pilot
54 program to study phytoremediation through the growth of
55 hemp on contaminated soil.

56

1 Amendment No. 1, Appropriations Report, dated April 10, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 10, pages 914-917.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1311** by Representative(s) Summers, Acree, Brown, Fields,
9 Joshi, Kefalas, McCann, Schafer S., Young; also
10 Senator(s) Boyd--Concerning continuation of the state
11 board of pharmacy, and, in connection therewith,
12 implementing the recommendations contained in the
13 sunset review and report regarding the board and
14 recodifying the laws regulating pharmacists, the practice
15 of pharmacy, and the manufacture, distribution, and
16 dispensing of prescription drugs and controlled substances.

17
18 Amendment No. 1, Health & Environment Report, dated March 8, 2012,
19 and placed in member's bill file; Report also printed in House Journal,
20 March 12, pages 624-637.

21
22 Amendment No. 2, Finance Report, dated March 21, 2012, and placed
23 in member's bill file; Report also printed in House Journal, March 22,
24 page 762.

25
26 Amendment No. 3, Appropriations Report, dated April 10, 2012, and
27 placed in member's bill file; Report also printed in House Journal,
28 April 10, pages 917-918.

29
30 Amendment No. 4, by Representative(s) Summers.

31 Amend printed bill, page 44, line 2, strike "SEVENTY-TWO".
32 Page 44, line 3, strike "HOURS" and substitute "THREE BUSINESS DAYS".
33
34 Page 109, line 9, strike "SEVENTY-TWO HOURS" and substitute "THREE
35 BUSINESS DAYS".
36

37
38 As amended, ordered engrossed and placed on the Calendar for Third
39 Reading and Final Passage.

40
41 **HB12-1314** by Representative(s) Sonnenberg; also Senator(s) Hodge--
42 Concerning an exception to the requirement to file an oil
43 and gas severance tax return for a person who has less than
44 a certain amount withheld.

45
46 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
47 dated March 21, 2012, and placed in member's bill file; Report also
48 printed in House Journal, March 22, page 761.

49
50 Amendment No. 2, Appropriations Report, dated April 10, 2012, and
51 placed in member's bill file; Report also printed in House Journal,
52 April 10, page 918.

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1294 amended, 1281 amended, 1037 amended, SB12-158, HB12-1045, 1099 amended, 1311 amended, 1314 amended.**

Laid over until date indicated retaining place on Calendar:

SB12-118--April 18, 2012.

HB12-1310--April 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	63	NO	0	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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.	E	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	E
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

House in recess. House reconvened.

APPOINTMENT

The Speaker announced the temporary appointment:

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

Representative Becker to replace Representative Baumgardner to the Committee on Agriculture, Livestock, & Natural Resources (temporary appointment for the meeting only on Wednesday, April 18, 2012).

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

HB12-1042 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, line 3, after "(1)" insert "(a)".

Page 3, line 4, strike "COMMENCING ON OR AFTER".

Page 3, line 5, strike "JANUARY 1, 2013," and substitute "SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (1)".

Page 3, after line 14 insert:

"(b) THE CREDIT SHALL NOT APPLY UNTIL THE FIRST INCOME TAX YEAR:

(I) AFTER CONGRESS ENACTS A LAW DELAYING TO A DATE AFTER DECEMBER 31, 2012, THE SUNSET OF THE AMENDMENTS TO SECTION 26 U.S.C. 2011 THAT WERE INCLUDED IN THE "ECONOMIC GROWTH AND TAX RELIEF RECONCILIATION ACT OF 2001", PUBLIC LAW 107-16; AND

(II) THAT AN ESTATE TAX IS OWED PURSUANT TO ARTICLE 23.5 OF THIS TITLE."

HB12-1044 be postponed indefinitely.

HB12-1075 be referred to the Committee of the Whole with favorable recommendation.

HB12-1084 be referred to the Committee of the Whole with favorable recommendation.

HB12-1101 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 3, after line 10, insert:

"SECTION 2. Exception to the requirements of section 2-2-703, Colorado Revised Statutes. The general assembly hereby finds that the amendments to section 18-5-902, Colorado Revised Statutes, enacted in section 1 of this act will result in the minor fiscal impact of one additional offender being convicted and sentenced to the department of corrections during the five years following passage of this act. Because of the relative insignificance of this degree of fiscal impact, these amendments are an exception to the five-year appropriation requirements specified in section 2-2-703, Colorado Revised Statutes."

Renumber succeeding section accordingly.

1 **HB12-1109** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB12-1119** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend the Economic and Business Development Committee Report,
10 dated March 8, 2012, page 2, after line 38 insert:
11

12 "SECTION 2. No appropriation. The general assembly has
13 determined that this act can be implemented within existing
14 appropriations, and therefore no separate appropriation of state moneys
15 is necessary to carry out the purposes of this act."
16

17 Renumber succeeding section accordingly.
18
19
20

21 **HB12-1129** be postponed indefinitely.
22
23

24 **HB12-1143** be amended as follows, and as so amended, be referred to
25 the Committee of the Whole with favorable
26 recommendation:
27

28 Amend printed bill, page 2, after line 16 insert:
29

30 "SECTION 2. Appropriation. In addition to any other
31 appropriation, there is hereby appropriated, out of any moneys in the
32 department of state cash fund created in section 24-21-104 (3) (b),
33 Colorado Revised Statutes, not otherwise appropriated, to the department
34 of state, for the fiscal year beginning July 1, 2012, the sum of \$233,128,
35 or so much thereof as may be necessary, for allocation to the special
36 purpose section for local election reimbursement related to the
37 implementation of this act."
38

39 Renumber succeeding section accordingly.
40

41 Page 1, line 103 strike "MEASURES." and substitute "MEASURES, AND, IN
42 CONNECTION THEREWITH, MAKING AN APPROPRIATION."
43
44
45

46 **HB12-1266** be amended as follows, and as so amended, be referred to
47 the Committee of the Whole with favorable
48 recommendation:
49

50 Amend the House Judiciary Committee Report, dated February 28, 2012,
51 page 37, before line 1 insert:
52

53 "SECTION 48. Appropriation - adjustments in 2012 long bill.
54 For the implementation of this act, the cash funds appropriations made in
55 the annual general appropriation act to the department of regulatory
56 agencies for the fiscal year beginning July 1, 2012, for the division of

1 insurance, is decreased by \$3,930 and 0.1 FTE. Said sum is from the
2 division of insurance cash fund created in section 10-1-103 (3), Colorado
3 Revised Statutes."

4

5 Renumber succeeding sections accordingly.

6

7 Page 37 of the committee report, after line 6 insert:

8

9 "Page 1 of the bill, line 102, strike "COMPENSATION." and substitute
10 "COMPENSATION, AND, IN CONNECTION THEREWITH, REDUCING AN
11 APPROPRIATION."."

12

13

14

15 **HB12-1306** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18

19 Amend the House Education Committee Report, dated March 7, 2012,
20 page 2, line 3, strike "DETERMINED" and substitute "PROJECTED".

21 Page 2 of the Committee Report, after line 24 insert:

22 "Page 7, after line 13 insert:

23 **"SECTION 3. Appropriation.** In addition to any other
24 appropriation, there is hereby appropriated, out of any moneys in the state
25 education fund created in section 17 (4) (a) of Article IX of the State
26 Constitution, not otherwise appropriated, to the department of education,
27 for the fiscal year beginning July 1, 2012, the sum of \$1,253,132, or so
28 much thereof as may be necessary, for the implementation of section 22-
29 54-136, Colorado Revised Statutes."

30

31 Renumber succeeding section accordingly.

32

33 Page 1, line 102, strike "SCHOOLS." and substitute "SCHOOLS, AND, IN
34 CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

35

36

37

38 **HB12-1325** be referred to the Committee of the Whole with favorable
39 recommendation.

40

41

42 **HB12-1334** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45

46 Amend printed bill, page 2, after line 26 insert:

47 **"SECTION 3. Appropriation.** In addition to any other
48 appropriation, there is hereby appropriated, out of any moneys in the
49 agriculture value-added cash fund, created in section 35-75-205 (1),
50 Colorado Revised Statutes, not otherwise appropriated, to the department
51 of agriculture for the fiscal year beginning July 1, 2012, the sum of
52 \$500,000, or so much thereof as may be necessary, related to the
53 implementation of this act."

54

55 Renumber succeeding sections accordingly.

56

1 Page 1, line 102, strike "**PROJECTS.**" and substitute "**PROJECTS, AND, IN**
2 **CONNECTION THEREWITH, MAKING AN APPROPRIATION.**".

3
4
5
6
7 **EDUCATION**

8 After consideration on the merits, the Committee recommends the
9 following:

10
11 **HB12-1214** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:
14

15 Amend printed bill, page 2, line 11, strike "NURSING OR".
16
17

18
19 **HB12-1322** be postponed indefinitely.
20

21
22 **HB12-1331** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:
25

26 Amend printed bill, page 13, after line 27 insert:

27 "SECTION 21. **Effective date.** This act takes effect August 1,
28 2012."
29

30 Renumber succeeding section accordingly.
31
32
33

34 **SB12-145** be amended as follows, and as so amended, be referred to
35 the Committee on Appropriations with favorable
36 recommendation:
37

38 Amend reengrossed bill, page 2, line 5, strike "FIFTEEN" and substitute
39 "TWENTY-SIX".
40

41 Page 2, line 11, strike "FIFTEEN" and substitute "TWENTY-SIX".
42
43

44 **MESSAGE(S) FROM THE SENATE**

45
46 The Senate has adopted and transmits herewith:
47

48 SJR12- 035 amended as printed in Senate Journal, April 17, 2012.
49
50

51 The Senate has passed on Third Reading and transmits to the Revisor of
52 Statutes:
53

54 SB12-026 amended as printed in Senate Journal, April 12, 2012,
55 page 723.
56

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, as amended, SB12-026.

INTRODUCTION OF BILLS**First Reading**

The following bills were read by title and referred to the committees indicated:

HB12-1347 by Representative(s) Kerr J., Bradford, Brown, Conti, DelGrosso, Gardner B., Gerou, Hamner, Kerr A., Massey, Murray, Ramirez, Schafer S., Summers, Tyler; also Senator(s) Jahn, Boyd, Harvey, Hudak, Neville, Nicholson, Tochtrop--Concerning the limitation on the amount of beer a brew pub licensed under the "Colorado Liquor Code" can produce annually.

Committee on Finance

SB12-004 by Senator(s) Foster, Shaffer B.; also Representative(s) Miklosi--Concerning the creation of a procurement preference to be granted for materials manufactured in the United States, and, in connection therewith, making an appropriation.

Committee on State, Veterans, & Military Affairs

SB12-123 by Senator(s) Renfro, Brophy, Cadman, Grantham, Harvey, King K., King S., Lambert, Lundberg, Mitchell, Neville, Roberts, Scheffel, Steadman, White; also Representative(s) Brown--Concerning the secretary of state's on-line business filing system, and, in connection therewith, authorizing enhancements to the system, the designation of commercial registered agents, and changes to a reporting entity's anniversary month and making an appropriation.

Committee on Economic and Business Development

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR12-029 by Senator(s) Williams S., Bacon, Spence; also Representative(s) Todd, Court, Hamner, Kerr A., Massey, Peniston, Schafer S., Solano--Concerning a world language roadmap for Colorado.

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB12-1347.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until April 18, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1161, SB12-128, HB12-1328, SB12-134, HB12-1293, SB12-013, 124, 036, HB12-1326, SB12-110, 156, HB12-1048, 1317, 1213, 1332.**

Consideration of General Orders--**HB12-1345.**

Consideration of Resolution(s)--**SJR12-006, 024, 031.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052, 1019, 1063, 1105, 1146, 1321.**

On motion of Representative Waller, the House adjourned until 9:00 a.m., April 18, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

Ninety-ninth Legislative Day

Wednesday, April 18, 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 Emhyr Subramanian, Arjun Batra, Siddarth
7 Ijju, Austen Mazenko from Challenge School, Denver.

8

9 The roll was called with the following result:

10

11 Present--63.

12 Excused--Representative(s) Baumgardner, Casso--2.

13 Present after roll call--Representative(s) Baumgardner, Casso.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Hamner, the reading of the journal of
19 April 17, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 House in recess. House reconvened.

24

25

26

27 **CONSIDERATION OF RESOLUTION(S)**

28

29 **SJR12-029** by Senator(s) Williams S., Bacon, Spence; also
30 Representative(s) Todd, Court, Hamner, Kerr A., Massey,
31 Peniston, Schafer S., Solano--Concerning a world
32 language roadmap for Colorado.

33

34 Printed and placed in members' file)

35

36 On motion of Representative Todd, the resolution was **adopted** by **viva**
37 **voce** vote.

38

39 Co-sponsor(s) added: Representative(s) Bradford, Brown, Duran, Ferrandino,
40 Fields, Fischer, Hullinghorst, Jones, Kagan, Labuda, Lee, Levy, Miklosi, Pace,
41 Ryden, Singer, Soper, Swerdfeger, Vigil, Williams A., Wilson.

42

43

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.

On motion of Representative Waller, the following bills on the Third Reading Calendar were laid over until date indicated retaining place on Calendar: **HB12-1066, 1099**--April 19, 2012.

HB12-1161 by Representative(s) Looper; also Senator(s) King K.--Concerning scientific review of water quality rules regulating nutrients.

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	36	NO	29	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	N	Soper	N
Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	N	Kagan	N	Pace	Y	Todd	N
Conti	Y	Kefalas	N	Peniston	N	Tyler	N
Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
Duran	N	Lee	N	Schafer S.	N	Williams A.	N
Ferrandino	N	Levy	N	Scott	Y	Wilson	N
Fields	N	Liston	Y	Singer	N	Young	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Baumgardner, Becker, Beezley, Bradford, Brown, Coram, Gerou, Holbert, Murray, Nikkel, Pace, Scott, Sonnenberg, Stephens, Summers, Vaad, Waller, Speaker.

SB12-128 by Senator(s) Roberts; also Representative(s) Summers--Concerning achieving efficiencies in the medicaid long-term care program through greater utilization of alternative care facilities.

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	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y

1	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
2	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
3	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
4	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
5	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
6	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
7	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
8	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
9	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
10	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
11	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
12	Fields	Y	Liston	Y	Singer	Y	Young	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Fields, Kagan, Kerr A., Kerr J., Labuda,
 15 Massey, Schafer S., Singer, Stephens, Todd, Wilson, Young.

16
 17 **HB12-1328** by Representative(s) Priola, Ferrandino, DelGrosso,
 18 Murray, Sonnenberg; also Senator(s) Giron--Concerning
 19 exclusion from the "Uniform Consumer Credit Code" of
 20 certain charges by persons regularly engaged in making
 21 contracts for purchase of tangible personal property in the
 22 course of business if those charges do not exceed amounts
 23 permitted by law.

24
 25 As shown by the following roll call vote, a majority of all members
 26 elected to the House voted in the affirmative, and Representative Priola
 27 was given permission to offer a Third Reading amendment:

29	YES	65	NO	0	EXCUSED	0	ABSENT	0
30	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
31	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
32	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
33	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
34	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
35	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
36	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
37	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
38	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
39	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
40	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
41	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
42	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
43	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
44	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
45	Fields	Y	Liston	Y	Singer	Y	Young	Y
46							Speaker	Y

47
 48 **Third Reading amendment No. 1**, by Representative Priola.

49
 50 Amend engrossed bill, page 2, line 5, after "(d)" insert "(I)".

51
 52 Page 2, strike lines 7 and 8 and substitute "C.R.S., the rates and charges,
 53 and the disclosure of rates and charges,".

54
 55 Page 2, line 12, strike "PARAGRAPH (d)" and substitute "SUBPARAGRAPH
 56 (I)".

1 Page 2, line 18, after "(d)" insert "ALSO".

2
3 Page 2, line 20, strike "5-2-301;" and substitute "5-2-301 WITH RESPECT
4 TO CONTRACTS FOR PURCHASE;".

5
6 The amendment was declared **passed** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
9	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
10	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
11	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
12	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
13	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
14	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
15	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
16	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
17	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
18	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
19	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
20	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
21	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
22	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
23	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
24	Fields	Y	Liston	Y	Singer	Y	Young	Y
25							Speaker	Y

26
27 The question being, "Shall the bill, as amended, 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
30 bill, as amended, was declared **passed**.

	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
37	Becker	Y	Holbert	Y	Miklosi	Y	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) Brown, Labuda.

51
52 **SB12-134** by Senator(s) Aguilar, Boyd, Carroll, Foster, Nicholson;
53 also Representative(s) Acree--Concerning financial
54 assistance in Colorado hospitals.

55
56 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	45	NO	20	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	N	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	Y
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	N	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Casso, Court, Ferrandino, Fields, Fischer, Hamner, Hullinghorst, Jones, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Massey, Miklosi, Pabon, Pace, Peniston, Schafer S., Singer, Summers, Todd, Tyler, Vigil, Williams A., Young.

HB12-1293 by Representative(s) Todd, Court, Ferrandino, Liston, Murray; also Senator(s) King, K.--Concerning modifications to procedures that govern recall elections.

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	1	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	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) Kerr J., Labuda.

1 **SB12-013** by Senator(s) Schwartz; also Representative(s) Jones--
 2 Concerning low-speed electric vehicles.
 3

4 The question being "Shall the bill pass?".
 5 A roll call vote was taken. As shown by the following recorded vote, a
 6 majority of those elected to the House voted in the affirmative and the bill
 7 was declared **passed**.
 8

	YES	62	NO	3	EXCUSED	0	ABSENT	0
10	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
11	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
12	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
13	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	N
14	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
15	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
16	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
17	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
18	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
19	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
20	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
21	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
22	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
24	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
25	Fields	Y	Liston	N	Singer	Y	Young	Y
26							Speaker	Y

27 Co-sponsor(s) added: Representative(s) Fields, Fischer, Hullinghorst, Lee,
 28 Levy, Todd, Vigil, Williams A., Wilson, Young.
 29

30 **SB12-124** by Senator(s) Harvey, Scheffel, Foster, Jahn, Lambert,
 31 Newell, Schwartz; also Representative(s) Nikkel, Brown,
 32 Conti, Coram, DelGrosso, Gardner B., Holbert, Liston,
 33 Murray, Szabo--Concerning the elimination of the limit on
 34 the number of regional tourism projects that the Colorado
 35 economic development commission may approve.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	37	NO	28	EXCUSED	0	ABSENT	0
43	Acree	Y	Fischer	N	Looper	Y	Solano	N
44	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
45	Barker	Y	Gerou	Y	McCann	N	Soper	Y
46	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
47	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
48	Beezley	N	Hullinghorst	N	Murray	Y	Swalm	Y
49	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
50	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
51	Casso	Y	Kagan	N	Pace	N	Todd	N
52	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
53	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
54	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
55	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
56	Duran	N	Lee	Y	Schafer S.	N	Williams A.	N

1	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
2	Fields	N	Liston	Y	Singer	N	Young	N
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Casso, Gerou, Kerr J., Summers.

5
6
7 **SB12-036** by Senator(s) Mitchell; also Representative(s) Holbert--
8 Concerning parental consent for the collection of
9 information from students in schools.

10
11 As shown by the following roll call vote, a majority of all members
12 elected to the House voted in the affirmative, and Representative Holbert
13 was given permission to offer a Third Reading amendment:

15	YES	60	NO	5	EXCUSED	0	ABSENT	0
16	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
17	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
18	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
19	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
20	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
21	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
22	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
23	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
24	Casso	Y	Kagan	N	Pace	Y	Todd	Y
25	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
26	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
27	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
28	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
29	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
30	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
31	Fields	Y	Liston	Y	Singer	Y	Young	Y
32							Speaker	Y

33
34
35 **Third Reading amendment No. 1**, by Representative Holbert.

36
37 Amend revised bill, page 4, line 9, after "A", insert "SUICIDE ASSESSMENT
38 OR".

39
40 The amendment was declared **passed** by the following roll call vote:

42	YES	62	NO	3	EXCUSED	0	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	Y	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	N
55	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
56	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4
5 The question being, "Shall the bill, as amended, 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
8 bill, as amended, was declared **passed**.

10	YES	49	NO	16	EXCUSED	0	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	N	Soper	N
14	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
15	Becker	Y	Holbert	Y	Miklosi	Y	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	N	Kagan	Y	Pace	Y	Todd	Y
20	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	N
21	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
22	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
23	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
24	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
25	Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
26	Fields	Y	Liston	Y	Singer	N	Young	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Barker, Beezley, Brown, Joshi,
29 Ramirez, Scott, Stephens, Summers.

30
31
32 **HB12-1326** by Representative(s) Acree and Kefalas; also Senator(s)
33 Spence and Nicholson--Concerning assistance to the
34 elderly, and, in connection therewith, making an
35 appropriation.

36
37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
39 majority of those elected to the House voted in the affirmative and the bill
40 was declared **passed**.

42	YES	59	NO	6	EXCUSED	0	ABSENT	0
43	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
44	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
45	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
46	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
47	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
48	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
49	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
50	Brown	Y	Joshi	N	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

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Casso, Court, Duran, Ferrandino,
 5 Fields, Fischer, Hamner, Hulinghorst, Kagan, Kerr A., Kerr J., Labuda, Lee,
 6 Levy, Miklosi, Pabon, Pace, Peniston, Schafer S., Singer, Todd, Tyler, Vigil,
 7 Williams A., Wilson, Young.

8
 9 **SB12-110** by Senator(s) Steadman, Hodge, Lambert; also
 10 Representative(s) Levy, Becker, Gerou--Concerning a
 11 fund consisting of surcharges on insurance premiums to
 12 pay for costs associated with criminal prosecution of
 13 insurance fraud investigations, and, in connection
 14 therewith, making an appropriation.

15
 16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative and the bill
 19 was declared **passed**.

21	YES	51	NO	14	EXCUSED	0	ABSENT	0
22	Acree	N	Fischer	Y	Looper	N	Solano	Y
23	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
26	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
27	Beezley	Y	Hulinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
33	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
37	Fields	Y	Liston	N	Singer	Y	Young	Y
38							Speaker	N

39 Co-sponsor(s) added: Representative(s) Kefalas.

40
 41 **SB12-156** by Senator(s) Steadman, Hodge, Lambert; also
 42 Representative(s) Gerou, Becker, Levy--Concerning the
 43 authority of the department of personnel to expend gifts,
 44 grants, and donations.

45
 46 The question being "Shall the bill pass?".

47 A roll call vote was taken. As shown by the following recorded vote, a
 48 majority of those elected to the House voted in the affirmative and the bill
 49 was declared **passed**.

51	YES	64	NO	1	EXCUSED	0	ABSENT	0
52	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
53	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
54	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
56	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y

1	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
2	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
3	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
4	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
5	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
7	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
8	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
9	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
10	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
11	Fields	Y	Liston	Y	Singer	Y	Young	Y
12							Speaker	Y

13
14 **HB12-1048** by Representative(s) Waller; also Senator(s) Tochtrop--
15 Concerning relieving the Colorado bureau of investigation
16 of its statutory duties as a point of contact for the national
17 instant criminal background check system in cases of
18 firearm transfers, and in connection therewith, reducing
19 appropriations.
20

21 The question being "Shall the bill pass?".
22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.
25

26	YES	37	NO	28	EXCUSED	0	ABSENT	0
27	Acree	Y	Fischer	N	Looper	Y	Solano	N
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	N	Soper	N
30	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
32	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
35	Casso	Y	Kagan	N	Pace	Y	Todd	N
36	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
37	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
38	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
40	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
41	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
42	Fields	N	Liston	Y	Singer	N	Young	N
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Becker, Beezley,
45 Brown, Gardner B., Holbert, Liston, Looper, Murray, Nikkel, Priola, Scott,
46 Sonnenberg, Stephens, Swalm.
47

48 **HB12-1317** by Representative(s) Sonnenberg; also Senator(s)
49 Schwartz--Concerning the creation of the parks and
50 wildlife commission to replace the parks and wildlife
51 board in the department of natural resources, and, in
52 connection therewith, describing the composition and
53 terms of the commission, and reducing appropriations.
54

55 The question being "Shall the bill pass?".
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**.

YES	35	NO	30	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	N	Soper	N
Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	N	Kagan	N	Pace	Y	Todd	N
Conti	Y	Kefalas	N	Peniston	N	Tyler	N
Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
Duran	N	Lee	N	Schafer S.	N	Williams A.	N
Ferrandino	N	Levy	N	Scott	Y	Wilson	N
Fields	N	Liston	Y	Singer	N	Young	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Becker, Bradford, Coram, Gerou, Looper, McKinley, Scott.

HB12-1213 by Representative(s) Fields; also Senator(s) King S.--
Concerning the penalty for a person who escapes from a
place of confinement other than a county jail or
correctional facility.

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	1	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	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) Barker, Court, Fischer, Gardner B., Kagan, Labuda, Lee, Levy, Pabon, Ryden, Schafer S., Todd.

1 **HB12-1332** by Representative(s) Balmer, Liston, Hullinghorst, Joshi,
 2 Kerr J., Peniston, Schafer S., Young, Ramirez; also
 3 Senator(s) Guzman, Boyd, King S., Morse, Newell--
 4 Concerning licensure of anesthesiologist assistants.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

10

	YES	49	NO	16	EXCUSED	0	ABSENT	0
12	Acree	Y	Fischer	N	Looper	N	Solano	N
13	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N
14	Barker	N	Gerou	Y	McCann	Y	Soper	Y
15	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
16	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
17	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
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	N	Peniston	Y	Tyler	Y
22	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
23	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
24	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
25	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
26	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
27	Fields	Y	Liston	Y	Singer	Y	Young	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Labuda, Singer.

30

31 **HB12-1294** by Representative(s) Liston, Todd, Acree, Baumgardner,
 32 Gardner B., Kerr J., Massey, Miklosi, Murray, Priola,
 33 Ramirez, Soper, Swalm, Swerdfeger, Szabo; also
 34 Senator(s) Tochtrop, Boyd, Mitchell, Neville, White--
 35 Concerning modifications to the system of regulation of
 36 health facilities currently regulated by the department of
 37 public health and environment.

38

39 The question being "Shall the bill pass?".
 40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.

43

	YES	60	NO	5	EXCUSED	0	ABSENT	0
45	Acree	Y	Fischer	Y	Looper	N	Solano	Y
46	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
47	Barker	Y	Gerou	Y	McCann	N	Soper	Y
48	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
49	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
50	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
51	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
52	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
53	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
54	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
55	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
56	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y

1	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
2	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
3	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
4	Fields	Y	Liston	Y	Singer	Y	Young	Y
5							Speaker	Y

6 Representative Baumgardner requested his name be removed as sponsor.
 7 Co-sponsor(s) added: Representative(s) Labuda.

8
 9 **HB12-1281** by Representative(s) Young and Gerou, Ferrandino,
 10 Fields, Kefalas, Kerr A., McCann, Peniston, Schafer S.;
 11 also Senator(s) Steadman and Roberts--Concerning a pilot
 12 program establishing new payment methodologies in
 13 medicaid and, in connection therewith, making an
 14 appropriation.

15
 16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative and the bill
 19 was declared **passed**.

21	YES	51	NO	14	EXCUSED	0	ABSENT	0
22	Acree	N	Fischer	Y	Looper	N	Solano	Y
23	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
26	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
27	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
29	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
33	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
37	Fields	Y	Liston	N	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Casso, Fischer, Hamner, Hullinghorst,
 40 Kagan, Labuda, Levy, Massey, Miklosi, Pabon, Pace, Solano, Todd,
 41 Williams A., Wilson.

42
 43 **HB12-1037** by Representative(s) Becker; also Senator(s) Tochtrop--
 44 Concerning the classification of the sales of certain items
 45 used in agricultural production as wholesale sales.

46
 47 The question being "Shall the bill pass?".

48 A roll call vote was taken. As shown by the following recorded vote, a
 49 majority of those elected to the House voted in the affirmative and the bill
 50 was declared **passed**.

52	YES	45	NO	20	EXCUSED	0	ABSENT	0
53	Acree	Y	Fischer	N	Looper	Y	Solano	N
54	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
55	Barker	Y	Gerou	Y	McCann	N	Soper	N
56	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	N	Nikkel	Y	Swerdfeger	Y
4	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
5	Casso	N	Kagan	N	Pace	Y	Todd	Y
6	Conti	Y	Kefalas	Y	Peniston	N	Tyler	N
7	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
8	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
9	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
10	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	N
11	Ferrandino	N	Levy	Y	Scott	Y	Wilson	Y
12	Fields	N	Liston	Y	Singer	N	Young	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Acree, Barker, Beezley, Bradford,
15 Brown, Coram, DelGrosso, Gerou, Looper, Massey, Pace, Priola, Scott,
16 Sonnenberg, Stephens, Vigil, Wilson.

17
18 **SB12-158** by Senator(s) Boyd; also Representative(s) Bradford--
19 Concerning the consolidation of two public housing
20 agencies within the division of housing in the department
21 of local affairs.

22
23 The question being "Shall the bill pass?".

24 A roll call vote was taken. As shown by the following recorded vote, a
25 majority of those elected to the House voted in the affirmative and the bill
26 was declared **passed**.

27	YES	65	NO	0	EXCUSED	0	ABSENT	0
29	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
30	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
31	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
32	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
33	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
34	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
35	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
36	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
37	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
38	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
39	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
40	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
41	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
42	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
43	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
44	Fields	Y	Liston	Y	Singer	Y	Young	Y
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Court, Duran, Fields, Fischer, Kefalas,
47 Kerr J., Labuda, Peniston, Schafer S., Todd.

48
49
50 **HB12-1045** by Representative(s) Bradford; also Senator(s) King S.--
51 Concerning sales and use tax exemptions for the sale and
52 use of wood from trees harvested in Colorado damaged by
53 beetles.

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
5	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
6	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
7	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
8	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
9	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
10	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
11	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
12	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
13	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
14	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
15	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
16	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
17	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
18	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
19	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
20	Fields	Y	Liston	Y	Singer	Y	Young	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Barker, Brown, Conti, Coram,
23 DelGrosso, Ferrandino, Gardner B., Gerou, Hamner, Holbert, Kerr A., Kerr J.,
24 Labuda, Liston, Looper, Massey, Nikkel, Pace, Priola, Ramirez, Scott,
25 Stephens, Summers, Todd, Vigil, Wilson, Speaker.

27 **HB12-1311** by Representative(s) Summers, Acree, Brown, Fields,
28 Joshi, Kefalas, McCann, Schafer S., Young; also
29 Senator(s) Boyd--Concerning continuation of the state
30 board of pharmacy, and, in connection therewith,
31 implementing the recommendations contained in the
32 sunset review and report regarding the board and
33 recodifying the laws regulating pharmacists, the practice
34 of pharmacy, and the manufacture, distribution, and
35 dispensing of prescription drugs and controlled substances,
36 and making an appropriation.

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**.

	YES	61	NO	4	EXCUSED	0	ABSENT	0
44	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
45	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
46	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
47	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
49	Beezley	N	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) Kerr A., Kerr J., Labuda, Massey,
6 Todd.

7
8
9 **HB12-1314** by Representative(s) Sonnenberg; also Senator(s) Hodge--
10 Concerning an exception to the requirement to file an oil
11 and gas severance tax return for a person who has less than
12 a certain amount withheld, and, in connection therewith,
13 making an appropriation.

14
15 The question being "Shall the bill pass?".

16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative and the bill
18 was declared **passed**.

19	YES	65	NO	0	EXCUSED	0	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	Y	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

38 Co-sponsor(s) added: Representative(s) Barker, Bradford, Brown, DelGrosso,
39 Fischer, Gerou, Holbert, Kerr J., Liston, Massey, Nikkel, Pabon, Pace, Ramirez,
40 Scott, Wilson.

41
42
43 House in recess. House reconvened.
44

45 46 47 APPOINTMENTS

48
49 The Speaker announced the temporary appointments:

50 51 STATE, VETERANS, & MILITARY AFFAIRS

52 Representative Singer to replace Representative Casso to the Committee
53 on State, Veterans, & Military Affairs (temporary appointment for the
54 Wednesday meeting only, April 18, 2012).
55

1 EDUCATION

2 Representative Court to replace Representative Schafer to the Committee
3 on Education (temporary appointment for the Monday meeting only,
4 April 23, 2012).

5 _____
6
7 House in recess. House reconvened.
8 _____
9

10 REPORT(S) OF COMMITTEE(S) OF REFERENCE**11 APPROPRIATIONS**

12
13 After consideration on the merits, the Committee recommends the
14 following:
15

16
17 **HB12-1038** be amended as follows, and as so amended, be referred to
18 the Committee of the Whole with favorable
19 recommendation:
20

21 Amend printed bill, page 7, after line 5 insert:
22

23 **"SECTION 5. Appropriation.** (1) In addition to any other
24 appropriation, there is hereby appropriated, out of any moneys in the
25 Colorado state titling and registration account in the highway users tax
26 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
27 otherwise appropriated, to the department of revenue, for the fiscal year
28 beginning July 1, 2011, the sum of \$118,000, or so much thereof as may
29 be necessary, to be allocated to the information technology division for
30 the purchase of computer center services.

31 (2) In addition to any other appropriation, there is hereby
32 appropriated to the governor - lieutenant governor - state planning and
33 budgeting, for the fiscal year beginning July 1, 2011, the sum of
34 \$118,000, or so much thereof as may be necessary, for allocation to the
35 office of information technology, for the provision of computer center
36 services for the department of revenue related to the implementation of
37 this act. Said sum is from reappropriated funds received from the
38 department of revenue out of the appropriation made in subsection (1) of
39 this section.

40 **"SECTION 6. Appropriation.** (1) In addition to any other
41 appropriation, there is hereby appropriated, out of any moneys in the
42 Colorado state titling and registration account in the highway users tax
43 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
44 otherwise appropriated, to the department of revenue, for the fiscal year
45 beginning July 1, 2011, the sum of \$118,000, or so much thereof as may
46 be necessary, to be allocated to the information technology division for
47 the purchase of computer center services.

48 (2) In addition to any other appropriation, there is hereby
49 appropriated to the governor - lieutenant governor - state planning and
50 budgeting, for the fiscal year beginning July 1, 2011, the sum of
51 \$118,000, or so much thereof as may be necessary, for allocation to the
52 office of information technology, for the provision of computer center
53 services for the department of revenue related to the implementation of
54 this act. Said sum is from reappropriated funds received from the
55 department of revenue out of the appropriation made in subsection (1) of
56 this section.

1 **SECTION 7. Appropriation.** (1) In addition to any other
2 appropriation, there is hereby appropriated, out of any moneys in the
3 Colorado state titling and registration account in the highway users tax
4 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
5 otherwise appropriated, to the department of revenue, for the fiscal year
6 beginning July 1, 2012, the sum of \$45,147 and 0.3 FTE, or so much
7 thereof as may be necessary, to be allocated for the implementation of this
8 act as follows:

9 (a) \$13,157 and 0.3 FTE to the division of motor vehicles, driver
10 and vehicle services;

11 (b) \$32,000 to the information technology division for the
12 purchase of computer center services.

13 (2) In addition to any other appropriation, there is hereby
14 appropriated to the governor - lieutenant governor - state planning and
15 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$32,000,
16 or so much thereof as may be necessary, for allocation to the office of
17 information technology, for the provision of computer center services for
18 the department of revenue related to the implementation of this act. Said
19 sum is from reappropriated funds received from the department of
20 revenue out of the appropriation made in of subsection (1) of this
21 section."

22 **SECTION 8. Appropriation.** (1) In addition to any other
23 appropriation, there is hereby appropriated, out of any moneys in the
24 Colorado state titling and registration account in the highway users tax
25 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
26 otherwise appropriated, to the department of revenue, for the fiscal year
27 beginning July 1, 2012, the sum of \$32,000, or so much thereof as may
28 be necessary, to be allocated to the information technology division for
29 the purchase of computer center services for the implementation of this
30 act.

31 (2) In addition to any other appropriation, there is hereby
32 appropriated to the governor - lieutenant governor - state planning and
33 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$32,000,
34 or so much thereof as may be necessary, for allocation to the office of
35 information technology, for the provision of computer center services for
36 the department of revenue related to the implementation of this act. Said
37 sum is from reappropriated funds received from the department of
38 revenue out of the appropriation made in of subsection (1) of this
39 section."

40
41 Renumber succeeding sections accordingly.

42
43 Page 1, line 102, strike "TRAILERS." and substitute "TRAILERS, AND, IN
44 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

45

46

47

48

49 **LOCAL GOVERNMENT**

50 After consideration on the merits, the Committee recommends the
51 following:

52

53 **SB12-120** be postponed indefinitely.

54

55

56

APPOINTMENT

The Speaker announced the temporary appointment:

STATE, VETERANS, & MILITARY AFFAIRS

Representative Becker to replace Representative Baumgardner to the Committee on State, Veterans, & Military Affairs (temporary appointment for the meeting only on Thursday, April 19, 2012).

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Brown, the following item(s) on the Calendar was (were) laid over until April 19, retaining place on Calendar:

Consideration of General Orders--**SB12-118, HB12-1345.**

Consideration of Resolution(s)--**SJR12-006, 024, 031.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052, 1019, 1063, 1105, 1146, 1321.**

On motion of Representative Brown, the House adjourned until 9:00 a.m., April 19, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One-hundredth Legislative Day

Thursday, April 19, 2012

1 The Speaker *Pro Tempore* called the House to order at 9:00 a.m.

2

3 Prayer by Rabbi Joseph Black, Temple Emanuel, Denver.

4

5 Pledge of Allegiance led by Jason Spigner, Everest College, Aurora.

6

7 The roll was called with the following result:

8

9 Present--62.

10 Excused--Representative(s) Barker, Baumgardner, Gardner--3.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Hamner, the reading of the journal of
16 April 18, 2012, was declared dispensed with and approved as corrected
17 by the Chief Clerk.

18

19

20 House in recess. House reconvened.

21

22

23

24 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

25

26 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

27 After consideration on the merits, the Committee recommends the
28 following:

29

30 **HB12-1004** be postponed indefinitely.

31

32

33 **HB12-1330** be amended as follows, and as so amended, be referred to
34 the Committee on Appropriations with favorable
35 recommendation:

36

37 Amend printed bill, page 2, line 4, strike "**privileges.**" and substitute
38 "**privileges - repeal.**".

39

40 Page 2, strike lines 5 through 8 and substitute "MAY PETITION THE
41 COMMISSION TO END A SUSPENSION ONCE EVERY FIVE YEARS EITHER:

42 (I) AFTER HALF OF A SUSPENSION OF AT LEAST TEN YEARS BUT
43 LESS THAN A LIFETIME HAS ELAPSED; OR".

1 Page 2, line 13, strike "SIXTY" and substitute "ONE HUNDRED TWENTY"
2 and strike "PETITION." and substitute "PETITION; EXCEPT THAT A PERSON
3 MAY PETITION THE COMMISSION NO MORE THAN THREE TIMES. UPON
4 RECEIVING A FOURTH OR SUBSEQUENT PETITION, THE COMMISSION MAY
5 DENY THE PETITION WITHOUT A HEARING.".

6
7 Page 2, line 14, after "(c)" insert "(I)".

8
9 Page 2, line 15, strike "(I)" and substitute "(A)".

10
11 Page 2, line 16, strike "(II)" and substitute "(B)".

12
13 Page 2, line 19, strike "(III)" and substitute "(C)".

14
15 Page 2, after line 19 insert:

16
17 "(II) IN DETERMINING WHETHER TO END A SUSPENSION UNDER THIS
18 SUBSECTION (9), THE COMMISSION MAY CONSIDER WHETHER THE PERSON
19 HAS BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE TO ANY
20 MISDEMEANOR OR FELONY.".

21
22 Page 3, after line 3 insert:

23
24 "(e) THE COMMISSION SHALL HOLD A HEARING REQUIRED BY THIS
25 SUBSECTION (9) AT ONE OF ITS REGULARLY SCHEDULED MEETINGS BUT
26 NOT MORE THAN QUARTERLY.

27 (f) THIS SUBSECTION (9) IS REPEALED, EFFECTIVE JULY 1, 2017.
28 PRIOR TO THE REPEAL, THE COMMISSION SHALL REVIEW THE PETITION
29 PROGRAM UNDER THIS SUBSECTION (9) TO DETERMINE WHETHER THE
30 NUMBER OF PETITIONS GRANTED JUSTIFIES THE CONTINUANCE OF THE
31 PROGRAM. BASED UPON THIS REVIEW, THE COMMISSION SHALL MAKE
32 RECOMMENDATIONS TO THE GENERAL ASSEMBLY WHETHER TO CONTINUE
33 THIS SUBSECTION (9) BY OCTOBER 1, 2016.".

34

35

36

37

38 **FINANCE**

39 After consideration on the merits, the Committee recommends the
40 following:

41

42 **SB12-149** be amended as follows, and as so amended, be referred to
43 the Committee of the Whole with favorable
44 recommendation:

45

46 Amend reengrossed bill, page 4, line 9, strike "MAY" and substitute
47 "SHALL".

48

49

50

51 **SB12-150** be referred favorably to the Committee on Appropriations.

52

53

54

55

1 **TRANSPORTATION**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB12-044** be amended as follows, and as so amended, be referred to
6 the Committee on Finance with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 7, line 13, strike "PETITION THE COURT" and
10 substitute "MOTION THE COURT IN THE CASE".

11
12 Page 7, line 15, strike "PETITION." and substitute "MOTION".

13
14 Page 7, line 16, strike "PETITION" and substitute "MOTION".

15
16 Page 7, line 24, strike "PETITION THE COURT" and substitute "MOTION THE
17 COURT IN THE CASE".

18
19 Page 8, line 2, strike "PETITION." and substitute "MOTION." and strike
20 "PETITION," and substitute "MOTION,".

21
22 Page 9, after line 2 insert:

23
24 "(5) THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL POST
25 ON ITS WEB SITE NO LATER THAN JULY 1, 2012, A STATEMENT THAT ALL
26 RECORDS FOR CONVICTIONS OF THEFT OF PUBLIC TRANSPORTATION
27 SERVICES BY FARE EVASION FOR ALL PERSONS WHO HAVE COMPLETED
28 THEIR SENTENCES SHALL BE SEALED NO LATER THAN JANUARY 1, 2013.
29 THE OFFICE OF THE STATE COURT ADMINISTRATOR SHALL REMOVE THE
30 POST FROM ITS WEB SITE THIRTY DAYS AFTER THE DATE OF THE INITIAL
31 POSTING."
32
33
34

35 **INTRODUCTION OF BILLS**
36 **First Reading**

37
38 The following bills were read by title and referred to the committees
39 indicated:

40
41 **HB12-1348** by Representative(s) Ferrandino, McNulty; also Senator(s)
42 Morse, Cadman--Concerning the powers of the legislative
43 department with respect to capitol buildings group space,
44 and, in connection therewith, providing for the designation
45 of space for the members of the general assembly,
46 legislative staff, and legislative staff agencies and the
47 furnishing and equipping thereof, and granting the control
48 of legislative spaces to the legislative department.

49 Committee on State, Veterans, & Military Affairs

50
51 **HB12-1349** by Representative(s) Baumgardner, Brown, Coram,
52 Fischer, Hulinghorst, Jones, Joshi, Looper, McKinley,
53 McNulty, Ryden, Scott, Swerdfeger, Vigil, Wilson; also
54 Senator(s) Schwartz--Concerning the species conservation
55 trust fund.

56 Committee on Agriculture, Livestock, & Natural Resources

1 **SB12-026** by Senator(s) Cadman; also Representative(s) Vaad--
2 Concerning a state agency rule that creates a state mandate
3 on a local government.
4 Committee on Local Government
5
6
7

8 INTRODUCTION OF RESOLUTIONS

9
10 The following resolutions were read by title and laid over one day under
11 the rules:
12

13 **HJR12-1019** by Representative(s) Murray; also Senator(s) Scheffel--
14 Concerning urging Congress to propose to the states for
15 ratification an amendment to the United States
16 Constitution regarding parental rights.
17

18 **HJR12-1020** by Representative(s) Kefalas, Court, Duran, Ferrandino,
19 Fields, Fischer, Hamner, Hulinghorst, Jones, Kagan,
20 Kerr A., Labuda, Lee, Levy, McCann, Pabon, Pace,
21 Peniston, Ryden, Schafer S., Solano, Soper, Todd, Tyler,
22 Williams A., Wilson, Young, Casso, Massey, Miklosi,
23 Swerdfeger, Vigil; also Senator(s) Nicholson, Boyd,
24 Shaffer B., Aguilar, Bacon, Carroll, Guzman, Hudak,
25 Jahn, King S., Roberts--Concerning civility and respect in
26 the Colorado general assembly.
27

28 **HJR12-1021** by Representative(s) Hamner and McKinley, Massey; also
29 Senator(s) Scheffel--Concerning the designation of pack
30 burro racing as a summer heritage sport in Colorado.
31

32
33 House in recess. House reconvened.
34
35

36 MESSAGE(S) FROM THE SENATE

37
38
39 The Senate has adopted and transmits herewith: SJR12- 032.
40
41

42 INTRODUCTION AND CONSIDERATION OF RESOLUTION

43
44
45 On motion of Representative Waller, the rules were suspended and the
46 following resolution was given immediate consideration.
47

48 **SJR12-032** by Senator(s) Guzman, Carroll, Foster, Giron, Grantham,
49 Harvey, Hodge, Hudak, Mitchell, Nicholson, Renfroe,
50 Shaffer B.; also Representative(s) Waller, Court, Duran,
51 Ferrandino, Kagan, Levy, McNulty, Nikkel, Pace,
52 Schafer S., Singer, Todd--Concerning the declaration of
53 April 16 through 22, 2012, as "Holocaust Awareness
54 Week".
55

56 (Printed and placed in member's file).

1 On motion of Representative Waller, the resolution was read at length and
2 **adopted by viva voce** vote.
3

4 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
5 Becker, Beezley, Brown, Casso, Conti, Coram, DelGrosso, Fields, Fischer,
6 Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kefalas, Kerr A., Kerr J.,
7 Labuda, Lee, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray,
8 Pabon, Peniston, Priola, Ramirez, Ryden, Scott, Solano, Sonnenberg, Soper,
9 Stephens, Summers, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil,
10 Williams A., Wilson, Young.
11

12
13
14 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
15

16 The Speaker has signed: **HB12-1006, 1017, 1023, 1126, 1209, 1236,**
17 **1290, 1297, 1313; HJR12-1004; SJM12-011, SJR12-028.**
18
19

20
21 **MESSAGE(S) FROM THE SENATE**
22

23 The Senate has passed on Third Reading and returns herewith:
24 HB12-1341, HB12-1342, HB12-1343.
25

26 The Senate has passed on Third Reading and transmits to the Revisor of
27 Statutes:
28

29 HB12-1335 amended as printed in Senate Journal, April 18, 2012,
30 pages 773-777.
31 HB12-1336 amended as printed in Senate Journal, April 18, 2012,
32 page 771.
33 HB12-1337 amended as printed in Senate Journal, April 18, 2012,
34 page 771.
35 HB12-1338 amended as printed in Senate Journal, April 18, 2012,
36 pages 771-772.
37 HB12-1339 amended as printed in Senate Journal, April 18, 2012,
38 page 772.
39 HB12-1340 amended as printed in Senate Journal, April 18, 2012,
40 page 772.
41 HB12-1344 amended as printed in Senate Journal, April 18, 2012,
42 page 778.
43
44

45
46 **MESSAGE(S) FROM THE REVISOR**
47

48 We herewith transmit:
49 Without comment, as amended, HB12-1335, 1336, 1337, 1338, 1339,
50 1340, and 1344.
51

52
53
54 House in recess. House reconvened.
55
56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**FINANCE**

After consideration on the merits, the Committee recommends the following:

HB12-1347 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, after line 1 insert:

"**SECTION 1.** In Colorado Revised Statutes, 12-47-102, **add** (3) as follows:

12-47-102. Legislative declaration. (3) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT THE PURPOSE OF HOUSE BILL 12-1347 IS TO ENCOURAGE THE RESPONSIBLE GROWTH OF COLORADO'S BREW PUBS CONSISTENT WITH THE PRINCIPLES OF THE STATE'S THREE-TIER SYSTEM OF ALCOHOL BEVERAGE REGULATION."

Renumber succeeding sections accordingly.

Page 2, line 13, after "(4)" insert "AND NOT MORE THAN NINE MILLION THREE HUNDRED THOUSAND GALLONS".

Page 2, strike line 16 and substitute "(a) (IV) AND COMPLIES WITH SECTION 12-47-308 WITH RESPECT TO LICENSED RETAILERS IN WHOM THE RETAIL ESTABLISHMENT HAS NO FINANCIAL INTEREST."

SB12-168 be referred favorably to the Committee on Appropriations.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Acree, the following item(s) on the Calendar was (were) laid over until April 20, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1099.**

Consideration of General Orders---**SB12-118, HB12-1345, 1042, 1075, 1084, 1101, 1109, 1119, 1143, 1266, 1306, 1325, 1334, 1214, 1331.**

Consideration of Resolution(s)---**SJR12-006, 024, 031.**

Consideration of Senate Amendment(s)---**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052, 1019, 1063, 1105, 1146, 1321.**

On motion of Representative Acree, the House adjourned until 9:00 a.m., April 20, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-first Legislative Day

Friday, April 20, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Pastor Chris Hill, Potter's House, Denver.

4

5 Pledge of Allegiance led by Ava Rose Larkin, Hulstrom Options, Adams
6 County and Nathaniel Larkin.

7

8 The roll was called with the following result:

9

10 Present--41.

11 Excused--Representative(s) Acree, Becker, Bradford, Coram,
12 DelGrosso, Ferrandino, Fischer, Gardner, Gerou, Hamner,
13 Hulinghorst, A. Kerr, Levy, Looper, Massey, Nikkel, Pabon,
14 Priola, Solano, Sonnenberg, Swerdfeger, Vaad, Wilson--23.

15 Absent--Representative(s) Pace--1.

16 Present after roll call--Representative(s) Acree, Becker,
17 DelGrosso, Ferrandino, Fischer, Gardner, Gerou, Hamner,
18 Hulinghorst, A. Kerr, Levy, Looper, Massey, Nikkel, Pabon,
19 Pace, Priola, Solano, Sonnenberg, Swerdfeger, Vaad, Wilson.

20

21 The Speaker declared a quorum present.

22

23

24 On motion of Representative Summers, the reading of the journal of
25 April 19, 2012, was declared dispensed with and approved as corrected
26 by the Chief Clerk.

27

28 House in recess. House reconvened.

29

30

31 **MESSAGE(S) FROM THE SENATE**

32

33 The Senate has adopted and transmits herewith: SJR12- 033.

34

35

36 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

37

38 On motion of Representative Stephens, the rules were suspended and the
39 following resolution was given immediate consideration.

40

41 **SJR12-033** by Senator(s) Tochtrop; also Representative(s) Ryden--
42 Concerning the "Colorado Day of Remembrance of the
43 Armenian Genocide" on April 24, 2012.

(Printed and placed in member's file).

On motion of Representative Ryden, the resolution was read at length and **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Brown, Casso, Conti, Court, DelGrosso, Fields, Fischer, Gerou, Hamner, Holbert, Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Lee, Looper, Massey, McCann, Miklosi, Murray, Nikkel, Pabon, Peniston, Priola, Ramirez, Schafer S., Scott, Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Williams A., Wilson, Young, Speaker.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB12-1335 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2012, except as otherwise noted.

(Amended as printed in Senate Journal, April 18, pages 773-777.)

Representative Gerou moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed with permission to go beyond the scope of the differences between the House and the Senate. The motion was declared **passed** by the following roll call vote:

	YES	53	NO	9	EXCUSED	3	ABSENT	0
Acree	Y		Fischer	N	Looper	Y	Solano	Y
Balmer	Y		Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	Y		Gerou	Y	McCann	Y	Soper	N
Baumgardner	Y		Hamner	Y	McKinley	N	Stephens	Y
Becker	Y		Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y		Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E		Jones	N	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	E		Kerr A.	Y	Priola	N	Vaad	Y
Court	Y		Kerr J.	Y	Ramirez	Y	Vigil	N
DelGrosso	Y		Labuda	Y	Ryden	Y	Waller	Y
Duran	Y		Lee	Y	Schafer S.	Y	Williams A.	E
Ferrandino	Y		Levy	Y	Scott	Y	Wilson	N
Fields	Y		Liston	Y	Singer	Y	Young	Y
							Speaker	Y

The Speaker appointed Representatives Gerou, Chairman, Becker and Levy as House conferees to the bill.

HB12-1336 by Representative(s) Becker and Levy, Gerou; also Senator(s) Steadman and Lambert, Hodge--Concerning authorization of a prison utilization analysis, and, in

connection therewith, making an appropriation.

(Amended as printed in Senate Journal, April 18, page 771.)

Representative Becker moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed. The motion was declared **passed** by the following roll call vote:

YES	59	NO	3	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	N	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	E	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	E
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

The Speaker appointed Representatives Becker, Chairman, Gerou and Levy as House conferees to the bill.

CONSENT GRANTED TO CONFERENCE COMMITTEE

Representative Becker moved that the First Conference Committee on **HB12-1336** be granted permission to go beyond the scope of the difference between the House and the Senate. The motion was passed by the following roll call vote:

YES	50	NO	12	EXCUSED	3	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	Soper	N
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	E	Jones	N	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	E	Kerr A.	Y	Priola	N	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
Duran	N	Lee	Y	Schafer S.	Y	Williams A.	E
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

1 **HB12-1337** by Representative(s) Gerou and Levy, Becker; also
 2 Senator(s) Steadman and Lambert, Hodge--Concerning the
 3 closure of the south campus of the Centennial correctional
 4 facility for housing purposes.

5
 6 (Amended as printed in Senate Journal, April 18, page 771.)

7
 8 Representative Gerou moved that the House **not concur** in Senate
 9 amendments and that a Conference Committee be appointed with
 10 permission to go beyond the scope of the differences between the House
 11 and the Senate. The motion was declared **passed** by the following roll
 12 call vote:

	YES	53	NO	10	EXCUSED	2	ABSENT	0
15	Acree	Y	Fischer	N	Looper	Y	Solano	Y
16	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
17	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
18	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
19	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
20	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
21	Bradford	E	Jones	N	Nikkel	Y	Swerdfeger	Y
22	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
23	Casso	Y	Kagan	N	Pace	Y	Todd	N
24	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
25	Coram	E	Kerr A.	Y	Priola	N	Vaad	Y
26	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
27	DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
28	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
29	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
30	Fields	Y	Liston	Y	Singer	N	Young	Y
31							Speaker	Y

32 The Speaker appointed Representatives Gerou, Chairman, Becker and
 33 Levy as House conferees to the bill.

34
 35 **HB12-1338** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 36 Hodge, Steadman, Lambert--Concerning the transfer of
 37 general fund surplus moneys to the state education fund at
 38 the end of certain fiscal years.

39
 40 (Amended as printed in Senate Journal, April 18, pages 771-772.)

41
 42 Representative Gerou moved that the House **not concur** in Senate
 43 amendments and that a Conference Committee be appointed with
 44 permission to go beyond the scope of the differences between the House
 45 and the Senate. The motion was declared **passed** by the following roll
 46 call vote:

	YES	55	NO	8	EXCUSED	2	ABSENT	0
49	Acree	Y	Fischer	N	Looper	Y	Solano	N
50	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
51	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
52	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
54	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
55	Bradford	E	Jones	N	Nikkel	Y	Swerdfeger	Y
56	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y

1	Casso	Y	Kagan	N	Pace	Y	Todd	N
2	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
3	Coram	E	Kerr A.	Y	Priola	Y	Vaad	Y
4	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
5	DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
6	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
7	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
8	Fields	Y	Liston	Y	Singer	Y	Young	Y
9							Speaker	Y

10 The Speaker appointed Representatives Gerou, Chairman, Becker and
 11 Levy as House conferees to the bill.

12
 13 **HB12-1339** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 14 Lambert, Hodge, Steadman--Concerning the Colorado
 15 benefits management system improvement and
 16 modernization project, and, in connection therewith,
 17 making an appropriation.

18
 19 (Amended as printed in Senate Journal, April 18, page 772.)

20
 21 Representative Becker moved that the House **not concur** in Senate
 22 amendments and that a Conference Committee be appointed with
 23 permission to go beyond the scope of the differences between the House
 24 and the Senate. The motion was declared **passed** by the following roll
 25 call vote:

26								
27	YES	59	NO	4	EXCUSED	2	ABSENT	0
28	Acree	Y	Fischer	N	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	E	Kerr A.	Y	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
41	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
42	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
43	Fields	Y	Liston	Y	Singer	Y	Young	N
44							Speaker	Y

45 The Speaker appointed Representatives Gerou, Chairman, Becker and
 46 Levy as House conferees to the bill.

47
 48 **HB12-1340** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 49 Lambert, Hodge, Steadman--Concerning a reduction in the
 50 general fund portion of the per diem rates paid to nursing
 51 facilities, and, in connection therewith, reducing an
 52 appropriation.

53
 54 (Amended as printed in Senate Journal, April 18, page 772.)

55

Representative Becker moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed with permission to go beyond the scope of the differences between the House and the Senate. The motion was declared **passed** by the following roll call vote:

YES	59	NO	4	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	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	E	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

The Speaker appointed Representatives Gerou, Chairman, Becker and Levy as House conferees to the bill.

HB12-1344 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning transfers of moneys relating to capital construction.

(Amended as printed in Senate Journal, April 18, page 778.)

Representative Gerou moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed with permission to go beyond the scope of the differences between the House and the Senate. The motion was declared **passed** by the following roll call vote:

YES	51	NO	12	EXCUSED	2	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	E	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y	Kagan	N	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	E	Kerr A.	Y	Priola	N	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 The Speaker appointed Representatives Gerou, Chairman, Becker and
5 Levy as House conferees to the bill.

6
7 **HB12-1019** by Representative(s) Vaad, Barker, Looper, Ramirez,
8 Scott, Tyler; also Senator(s) King S., Spence, Williams S.-
9 -Concerning the abolition of the motor carrier services
10 division of the division of motor vehicles of the
11 department of revenue, and, in connection therewith,
12 transferring the powers, duties, and functions of the motor
13 carrier services division relating to ports of entry to the
14 Colorado state patrol of the department of public safety,
15 transferring the powers, duties, and functions of the motor
16 carrier services division relating to commercial driver's
17 licenses and the international registration plan to the
18 department of revenue, and making and reducing
19 appropriations.

20
21 (Amended as printed in Senate Journal, April 9, page 676.)

22
23 Representative Vaad moved that the House **concur** in Senate
24 amendments. The motion was declared **passed** by the following roll call
25 vote:

26	YES	63	NO	0	EXCUSED	2	ABSENT	0
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	E	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44
45 The question being, "Shall the bill, as amended, pass?"

46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative, and the
48 bill, as amended, was declared **repassed**.

49	YES	63	NO	0	EXCUSED	2	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
53	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y

1	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
2	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
3	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
4	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
5	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	E	Kerr A.	Y	Priola	Y	Vaad	Y
7	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
8	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
9	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
10	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
11	Fields	Y	Liston	Y	Singer	Y	Young	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Massey.

14
15 **HB12-1063** by Representative(s) Ramirez; also Senator(s) Schwartz--
16 Concerning the state veterans nursing home at Homelake,
17 Colorado, and in connection therewith, making an
18 appropriation.
19

20 (Amended as printed in Senate Journal, April 9, page 676.)

21
22 Representative Ramirez moved that the House **concur** in Senate
23 amendments. The motion was declared **passed** by the following roll call
24 vote:
25

26	YES	63	NO	0	EXCUSED	2	ABSENT	0
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	E	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44
45 The question being, "Shall the bill, as amended, pass?".

46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative, and the
48 bill, as amended, was declared **repassed**.
49

50	YES	63	NO	0	EXCUSED	2	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	E	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Court, Fields, Jones, Massey, Murray,
 13 Ryden, Schafer S.

14
 15
 16 House in recess. House reconvened.
 17
 18

19 20 REPORT(S) OF COMMITTEE(S) OF REFERENCE

21 22 APPROPRIATIONS

23 After consideration on the merits, the Committee recommends the
 24 following:

25
 26 **HB12-1069** be amended as follows, and as so amended, be referred to
 27 the Committee of the Whole with favorable
 28 recommendation:
 29

30 Amend the Finance Committee Report, dated February 8, 2012, page 1,
 31 strike lines 2 through 4 and substitute:

32
 33 ""(d) "COLORADO PERSONAL INCOME" MEANS THE TOTAL
 34 PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY
 35 REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED
 36 STATES DEPARTMENT OF COMMERCE.

37 (e) "COMPUTER" MEANS AN ELECTRONIC DEVICE THAT ACCEPTS
 38 INFORMATION IN DIGITAL OR SIMILAR FORM AND MANIPULATES IT FOR A
 39 RESULT BASED ON A SEQUENCE OF INSTRUCTIONS."."

40
 41 Page 1 of the report, after line 5 insert:
 42

43 "Page 3 of the bill, line 20, strike "SUNDAY," and substitute "SUNDAY OF
 44 A YEAR SPECIFIED IN PARAGRAPH (c) OF THIS SUBSECTION (3),"."

45
 46 Page 1 of the report, after line 7 insert:
 47

48 "Page 4 of the bill, after line 1 insert:

49 "(c) (I) THE EXEMPTION SET FORTH IN PARAGRAPH (a) OF THIS
 50 SUBSECTION (3) APPLIES FOR FIVE CONSECUTIVE YEARS BEGINNING WITH
 51 THE FIRST CALENDAR YEAR AFTER ANNUAL COLORADO PERSONAL INCOME
 52 INCREASES BY AT LEAST FIVE PERCENT.

53 (II) THE INCREASE IN COLORADO PERSONAL INCOME FROM
 54 CALENDAR YEAR 2011 TO CALENDAR YEAR 2012 IS THE FIRST PERIOD THAT
 55 MAY TRIGGER THE EXEMPTION PURSUANT TO SUBPARAGRAPH (I) OF THIS
 56 PARAGRAPH (c). FOR PURPOSES OF DETERMINING THE INCREASE IN

1 COLORADO PERSONAL INCOME, THE FOLLOWING ESTIMATES REPORTED BY
2 THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED STATES DEPARTMENT
3 OF COMMERCE ARE USED:

4 (A) FOR THE LATER CALENDAR YEAR, THE FIRST AVAILABLE
5 ESTIMATE REPORTED BY THE BUREAU AFTER THE END OF THE CALENDAR
6 YEAR; AND

7 (B) FOR THE EARLIER CALENDAR YEAR, THE REVISED ESTIMATE
8 THAT IS AVAILABLE AT THE SAME TIME AS THE ESTIMATE SET FORTH IN
9 SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II).

10 (III) NO LATER THAN APRIL 30, 2013, AND APRIL 30 OF EACH YEAR
11 THEREAFTER, THE DEPARTMENT OF REVENUE SHALL PROVIDE NOTICE ON
12 ITS WEB SITE REGARDING WHETHER THE EXEMPTION SET FORTH IN
13 PARAGRAPH (a) OF THIS SUBSECTION (3) APPLIES IN AUGUST OF THE
14 CURRENT YEAR; EXCEPT THAT THE DEPARTMENT IS NOT REQUIRED TO POST
15 THIS NOTICE AFTER THE FIFTH YEAR OF THE EXEMPTION."."

16
17
18
19 **HB12-1154** be postponed indefinitely.

20
21
22 **HB12-1218** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25
26 Amend printed bill, page 4, line 25, strike "2017." and substitute "2015.".

27
28
29
30 **HB12-1223** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33
34 Amend printed bill, page 3, before line 27 insert:

35 **"SECTION 3 Appropriation.** (1) For the implementation of this
36 act, general fund appropriations made in the annual general appropriation
37 act to the department of corrections for the fiscal year beginning July 1,
38 2012, are adjusted as follows:

39 (a) The appropriation for the external capacity subprogram is
40 decreased by \$392,724.

41 (b) The appropriation for the medical services subprogram is
42 decreased by \$29,560.

43 (c) The appropriation for the community services division is
44 decreased by \$36,593.

45 (2) In addition to any other appropriation, there is hereby
46 appropriated, out of any moneys in the general fund not otherwise
47 appropriated, to the department of corrections, for the fiscal year
48 beginning July 1, 2012, the sum of \$458,887, or so much thereof as may
49 be necessary, to be allocated for the implementation of this act as follows:

50 (a) \$100,640 for the information systems subprogram; and

51 (b) \$358,237 for the education subprogram.

52 (3) In addition to any other appropriation, there is hereby
53 appropriated to the governor - lieutenant governor - state planning and
54 budgeting, for the fiscal year beginning July 1, 2012, the sum of
55 \$100,640, or so much thereof as may be necessary, for allocation to the
56 office of information technology, for the provision of computer center

1 services for the department of corrections related to the implementation
2 of this act. Said sum is from reappropriated funds received from the
3 department of corrections out of the appropriation made in paragraph (a)
4 of subsection (2) of this section."

5
6 Renumber succeeding section accordingly.

7
8 Page 1, line 101, strike "INMATES." and substitute "INMATES, AND, IN
9 CONNECTION THEREWITH, MAKING AND REDUCING APPROPRIATIONS."

10
11
12
13 **HB12-1273** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16
17 Amend printed bill, page 2, line 25, strike "JANUARY 1, 2012," and
18 substitute "JANUARY 1, 2014,".

19
20
21
22 **HB12-1278** be re-referred favorably to the Committee on Agriculture,
23 Livestock, & Natural Affairs.

24
25
26 **HB12-1319** be referred to the Committee of the Whole with favorable
27 recommendation.

28
29
30 **HB12-1330** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33
34 Amend printed bill, page 3, after line 3, insert:

35 **"SECTION 2. Appropriation.** (1) In addition to any other
36 appropriation, there is hereby appropriated, out of any moneys in the
37 wildlife cash fund created in section 33-1-112 (1) (a), Colorado Revised
38 Statutes, not otherwise appropriated, to the department of natural
39 resources, for the fiscal year beginning July 1, 2012, the sum of \$23,419,
40 or so much thereof as may be necessary, to be allocated for the
41 implementation of this act as follows:

42 (a) \$3,028 to the executive director's office for legal services; and
43 (b) \$20,391 to the division of parks and wildlife, for allocation to
44 the wildlife director's office.

45 (2) In addition to any other appropriation, there is hereby
46 appropriated to the department of law, for the fiscal year beginning July
47 1, 2012, the sum of \$3,028, or so much thereof as may be necessary, for
48 the provision of legal services to the department of natural resources
49 related to the implementation of this act. Said sum is from reappropriated
50 funds received from the department of natural resources out of the
51 appropriation made in subsection (1) (a) of this section."

52
53 Renumber succeeding section accordingly.

54
55 Page 1, line 102, strike "WILDLIFE." and substitute "WILDLIFE, AND, IN
56 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

1 **SB12-009** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 12, after line 6, insert:

6 **"SECTION 12. Appropriation - adjustments in 2012 long bill.**

7 (1) For the implementation of this act, appropriations made in the
8 annual general appropriation act to the department of natural resources
9 for the fiscal year beginning July 1, 2012, are adjusted as follows:

10 (a) The cash funds appropriation for the division of water
11 resources is reduced by \$716,434. Of this amount, \$597,810 is from the
12 division of water resources ground water management cash fund created
13 in section 37-80-111.5 (1) (d), Colorado Revised Statutes, \$44,400 is
14 from the gravel pit lakes augmentation fund created in section 37-90-137
15 (11) (f), Colorado Revised Statutes, \$1,489 is from the well enforcement
16 cash fund created in section 37-90-111.5 (5) (b), Colorado Revised
17 Statutes, and \$72,735 is from various sources of cash funds.

18 (b) The cash funds appropriation for the division of water
19 resources is increased by \$716,434. Said sum is from the water resources
20 cash fund created in section 37-80-111.7 (1), Colorado Revised Statutes."
21

22 Renumber succeeding sections accordingly.
23

24 Page 1, line 102, strike "**RESOURCES.**" and substitute "**RESOURCES, AND,**
25 **IN CONNECTION THEREWITH, MAKING AND REDUCING**
26 **APPROPRIATIONS.**"
27
28
29

30 **SB12-010** be referred to the Committee of the Whole with favorable
31 recommendation.
32
33

34 **SB12-012** be referred to the Committee of the Whole with favorable
35 recommendation.
36
37

38 **SB12-041** be referred to the Committee of the Whole with favorable
39 recommendation.
40
41

42 **SB12-145** be referred to the Committee of the Whole with favorable
43 recommendation.
44
45
46
47

48 **ECONOMIC & BUSINESS DEVELOPMENT**

49 After consideration on the merits, the Committee recommends the
50 following:
51

52 **SB12-038** be referred favorably to the Committee on Local
53 Government.
54
55

56 **SB12-123** be referred favorably to the Committee on Appropriations.

1 **HEALTH & ENVIRONMENT**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB12-060** be referred favorably to the Committee on Appropriations.

6
7
8 **SB12-078** be amended as follows, and as so amended, be referred to
9 the Committee on Legislative Council with favorable
10 recommendation:

11
12 Amend reengrossed bill, page 2, strike line 8 and substitute:

13
14 "(1) "At-risk adult" means EITHER AN INDIVIDUAL SEVENTY YEARS
15 OF AGE OR OLDER, OR an individual eighteen years of age or".

16
17 Page 3, strike lines 25 through 27 and substitute:

18
19 "(5) "FINANCIAL INSTITUTION" HAS THE SAME MEANING AS SET
20 FORTH IN SECTION 6-21-102 (6), C.R.S."

21
22 Page 4, strike lines 1 through 3.

23
24 Page 5, strike lines 26 and 27 and substitute:

25
26 **"26-3.1-102. Reporting requirements - penalties.** (1) (a) An
27 immediate oral report ~~of abuse should~~ SHALL be made or caused to be
28 made within twenty-four".

29
30 Page 6, strike lines 4 through 11 and substitute "paragraph (b) of this
31 subsection (1) who has observed the mistreatment or self-neglect of an
32 at-risk adult or who has reasonable cause to believe that an at-risk adult
33 has been mistreated or is self-neglected and is at imminent risk of
34 mistreatment or self-neglect.

35 (a.5) A PERSON SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION
36 (1) WHO OBSERVES THE EXPLOITATION OF AN AT-RISK ADULT OR WHO HAS
37 REASONABLE CAUSE TO BELIEVE THAT AN AT-RISK ADULT HAS BEEN
38 EXPLOITED OR IS EXPLOITED AND IS AT IMMINENT RISK OF EXPLOITATION
39 IS URGED TO MAKE AN IMMEDIATE ORAL REPORT TO A COUNTY
40 DEPARTMENT OR TO A LOCAL LAW ENFORCEMENT AGENCY RESPONSIBLE
41 FOR INVESTIGATING VIOLATIONS OF STATE CRIMINAL LAWS PROTECTING
42 AT-RISK ADULTS.

43 (b) The following persons ~~are urged to make or initiate an initial~~
44 ~~oral report within twenty-four hours followed by a written report within~~
45 ~~forty-eight hours~~ ARE SUBJECT TO THE PROVISIONS OF PARAGRAPH (a) OF
46 THIS SUBSECTION (1):".

47
48 Page 6, line 27, after "staff;" add "EXCEPT THAT THE STAFF MAY FULFILL
49 THE REQUIREMENTS OF THIS SECTION BY COMPLYING WITH
50 COMMUNITY-CENTERED BOARD STAFF RULES CONCERNING REPORTING OF
51 ABUSE OF AT-RISK ADULTS IF SUCH RULES HAVE BEEN PROMULGATED BY
52 THE STATE DEPARTMENT;"

53
54 Page 7, line 8, after "persons" insert "REQUIRED OR".

55
56 Page 9, strike lines 19 through 21 and substitute:

1 ~~"(c) Any person who violates any provision of this subsection (7)~~
2 ~~is guilty of a class 2 petty offense and, upon conviction thereof, shall be~~
3 ~~punished by a fine of not more than three hundred dollars.~~

4 (8) A PERSON WHO VIOLATES ANY PROVISION OF SUBSECTION (1)
5 OR SUBSECTION (7) OF THIS SECTION COMMITS A CLASS 3 MISDEMEANOR
6 AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S."

7
8 Page 12, line 22, after "are" insert "REQUIRED OR".

9
10 Page 13, line 4, strike "INVESTIGATION." and substitute "INVESTIGATION
11 AND THE FEDERAL BUREAU OF INVESTIGATION."

12
13 Page 13, line 7, after "COST." add "UPON COMPLETION OF THE CRIMINAL
14 HISTORY RECORDS CHECK, THE COLORADO BUREAU OF INVESTIGATION
15 SHALL FORWARD THE RESULTS TO THE COUNTY DEPARTMENT. THE
16 COUNTY DEPARTMENT MAY REQUIRE A NAME-BASED CRIMINAL HISTORY
17 RECORDS CHECK FOR AN APPLICANT OR AN EMPLOYEE WHO HAS TWICE
18 SUBMITTED TO A FINGERPRINT-BASED CRIMINAL HISTORY RECORDS CHECK
19 AND WHOSE FINGERPRINTS ARE UNCLASSIFIABLE."

20
21 Page 14, strike line 17 and substitute "SEPTEMBER 1, 2013, SUBJECT TO
22 THE AVAILABILITY OF SUFFICIENT FUNDING FOR SUCH IMPLEMENTATION
23 AT THE STATE AND COUNTY LEVELS, AND THE ENACTMENT OF SUCH
24 STATUTORY CHANGES AS MAY BE NECESSARY FOR SUCH
25 IMPLEMENTATION."

26
27
28
29
30 **STATE, VETERANS, & MILITARY AFFAIRS**

31 After consideration on the merits, the Committee recommends the
32 following:

33
34 **HB12-1136** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37
38 Amend printed bill, strike everything below the enacting clause and
39 substitute:

40
41 **"SECTION 1. Legislative declaration.** (1) The general
42 assembly hereby finds and declares that:

43 (a) When the United States congress created the interstate
44 highway system in 1956, community leaders feared that local businesses,
45 jobs, and tax bases would shrink as truck drivers and other motorists
46 bypassed their cities and towns. As a result, congress prohibited
47 automotive service stations or other commercial establishments for
48 serving motor vehicle users from being constructed or located on the
49 rights-of-way of the interstate highway system.

50 (b) This prohibition has been an undeniable success, resulting in
51 industries that provide valuable services such as gas stations, travel
52 plazas, and truck stops, and the idea is good for Colorado state highways
53 and roads as well.

54 (c) If such a policy is not adopted for Colorado state highways and
55 roads, automotive service stations and other commercial establishments
56 within communities will be unable to compete with commercialized rest

1 areas and public-private partnerships located on public land near state
2 highways and roads because their proximity to the state highways and
3 roads would create a de facto monopoly favoring businesses operated on
4 taxpayer land. Such commercialization on public land destroys the
5 long-term property tax base of local governments and puts many retailers
6 out of business. Such commercialization also results in an unfair
7 competitive environment for privately-operated retailers and destroys
8 successful economic business models that have proven beneficial for
9 consumers and retailers.

10 **SECTION 2.** In Colorado Revised Statutes, **add** part 5 to article
11 2 of title 43 as follows:

12 **PART 5**
13 **PROHIBIT USE OF PUBLIC LAND NEAR**
14 **A HIGHWAY FOR RETAIL SALES**

15 **43-2-501. Definitions.** AS USED IN THIS PART 5, UNLESS THE
16 CONTEXT OTHERWISE REQUIRES:

17 (1) "HIGHWAY" MEANS THE STATE HIGHWAY SYSTEM AS
18 DESCRIBED IN SECTION 43-2-101 (1), A PUBLIC HIGHWAY AS DESCRIBED IN
19 SECTION 43-2-201, A FREEWAY DESIGNATED PURSUANT TO SECTION
20 43-3-101, A COUNTY ROAD, OR A MUNICIPAL STREET.

21 (2) "POLITICAL SUBDIVISION" MEANS A GOVERNING SUBDIVISION
22 OF THE STATE, INCLUDING A COUNTY, A MUNICIPALITY, THE REGIONAL
23 TRANSPORTATION DISTRICT, OR ANY OTHER SPECIAL DISTRICT.

24 (3) "PRIVATE ENTITY" MEANS ANY INDIVIDUAL, CORPORATION,
25 BUSINESS TRUST, ESTATE, TRUST, LIMITED LIABILITY COMPANY,
26 PARTNERSHIP, ASSOCIATION, OR OTHER LEGAL ENTITY.

27 (4) "PUBLIC ENTITY" MEANS THE COLORADO DEPARTMENT OF
28 TRANSPORTATION OR ANY POLITICAL SUBDIVISION OF THE STATE; EXCEPT
29 THAT "PUBLIC ENTITY" DOES NOT INCLUDE A STATE INSTITUTION OF
30 HIGHER EDUCATION OR AN AIRPORT AS DEFINED IN SECTION 41-3-103 (2),
31 C.R.S.

32 (5) "PUBLIC LAND" MEANS LAND OWNED OR CONTROLLED BY THE
33 COLORADO DEPARTMENT OF TRANSPORTATION OR A POLITICAL
34 SUBDIVISION.

35 (6) "STATE INSTITUTION OF HIGHER EDUCATION" HAS THE SAME
36 MEANING AS SET FORTH IN SECTION 23-18-102 (10), C.R.S. FOR PURPOSES
37 OF THIS SECTION, "STATE INSTITUTION OF HIGHER EDUCATION" ALSO
38 INCLUDES THE AURARIA HIGHER EDUCATION CENTER ESTABLISHED IN
39 ARTICLE 70 OF TITLE 23, C.R.S.

40 **43-2-502. Prohibit use of public land for retail sales.**

41 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND EXCEPT AS
42 PROVIDED IN SUBSECTION (2) OF THIS SECTION, A PUBLIC ENTITY SHALL
43 NOT OPERATE, OR CONTRACT WITH A PRIVATE ENTITY TO OPERATE, FOR
44 PUBLIC USE ANY TRUCK STOP, FUELING STATION, CONVENIENCE STORE, OR
45 OTHER AUTOMOTIVE SERVICE STATION THAT SERVES MOTOR VEHICLE
46 USERS ON OR NEAR THE RIGHT-OF-WAY OF A HIGHWAY OR ON PUBLIC
47 LAND. NOTHING IN THIS PART 5 PROHIBITS A PUBLIC ENTITY FROM
48 MAINTAINING EXISTING PUBLIC REST AREAS OR CONSTRUCTING NEW
49 PUBLIC REST AREAS LOCATED, AS ALLOWED BY LAW, ON OR NEAR THE
50 RIGHT-OF-WAY OF A HIGHWAY OR ON PUBLIC LAND.

51 (2) (a) THE PROHIBITION SET FORTH IN THIS PART 5 DOES NOT
52 APPLY TO ANY TRUCK STOP, FUELING STATION, CONVENIENCE STORE, OR
53 OTHER AUTOMOTIVE SERVICE STATION THAT SERVES MOTOR VEHICLE
54 USERS IN OPERATION PRIOR TO THE EFFECTIVE DATE OF THIS SUBSECTION
55 (2) THAT IS LOCATED ON OR NEAR THE RIGHT-OF-WAY OF A HIGHWAY OR
56 ON PUBLIC LAND WITHIN FIFTY YARDS OF A HIGHWAY.

(b) THE PROHIBITION SET FORTH IN THIS PART 5 DOES NOT APPLY TO ANY PROGRAMS LICENSED, MANAGED, OR OPERATED PURSUANT TO SECTION 26-8.5-102, C.R.S., OR THE "RANDOLPH-SHEPPARD ACT", 20 U.S.C. SEC. 107.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety."

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed: **HB12-1348, 1349.**

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB12-1006, 1017, 1023, 1126, 1209, 1236, 1290, 1297, 1313** at 3:25 p.m. on April 19, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJR12- 045.

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith:

SJR12- 046 amended as printed in Senate Journal, April 20, 2012.

APPOINTMENT

The Speaker announced the temporary appointment:

LOCAL GOVERNMENT

Representative Pabon to replace Representative Fields to the Committee on Local Government (temporary appointment for the Monday meeting only on April 23, 2012).

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until April 23, retaining place on Calendar:

Consideration of Third Reading--**HB12-1066, 1099.**

Consideration of General Orders--**SB12-118, HB12-1345, 1042, 1075, 1084, 1101, 1109, 1119, 1143, 1266, 1306, 1325, 1334, 1214, 1331, 1038.**

Consideration of Resolution(s)--**SJR12-006, 024, 031, HJR12-1019, 1020, 1021.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052, 1105, 1146, 1321.**

On motion of Representative Murray, the House adjourned until 10:00 a.m., April 23, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-fourth Legislative Day

Monday, April 23, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by Chaplain Lieutenant Colonel Jeff Williams, Civil Air Patrol.

4

5 Pledge of Allegiance led by 2nd Lieutenant Aaron Pettit member of
6 Valkyrie Cadet Squadron, Civil Air Patrol.

7

8 The roll was called with the following result:

9

10 Present--61.

11 Excused--Representative(s) Conti, Fields, Liston, Schafer--4.

12 Present after roll call--Representative(s) Conti, Liston.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Duran, the reading of the journal of
18 April 20, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20

21

22

23

House in recess. House reconvened.

24

25

26

27

MESSAGE(S) FROM THE SENATE

28

29 The Senate has adopted and transmits herewith: SJR12- 042.

30

31

32

33

INTRODUCTION AND CONSIDERATION OF RESOLUTION

34

35 On motion of Representative Waller, the rules were suspended and the
36 following resolution was given immediate consideration.

37

38 **SJR12-042** by Senator(s) Guzman and White; also Representative(s)
39 Murray and Pabon--Concerning the designation of April
40 as "Donate Life Colorado" month.

41

42 (Printed and placed in member's file).

43

1 On motion of Representative Murray, 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, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
6 Court, DelGrosso, Duran, Ferrandino, Fischer, Gardner B., Gerou, Hamner,
7 Holbert, Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
8 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Nikkel, Pace,
9 Peniston, Priola, Ramirez, Ryden, Scott, Singer, Solano, Sonnenberg, Soper,
10 Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil,
11 Waller, Williams A., Wilson, Young, Speaker.

15 CHANGE IN SPONSORSHIP

16
17 The Speaker announced the following change in sponsorship:
18 HB12-1329--Representative Pabon to be added as dual prime sponsor
19 with Representative Scott.

20
21
22
23 On motion of Representative Acree, the House resolved itself into
24 Committee of the Whole for consideration of General Orders, and she
25 was called to the Chair to act as Chairman.

28 GENERAL ORDERS--SECOND READING OF BILLS

29
30 The Committee of the Whole having risen, the Chairman reported the
31 titles of the following bills had been read (reading at length had been
32 dispensed with by unanimous consent), the bills considered and action
33 taken thereon as follows:

34
35 (Amendments to the committee amendment are to the printed committee
36 report which was printed and placed in the members' bill file.)

37
38 On motion of Representative Waller, the following bills on the General
39 Orders Calendar was laid over until April 24, retaining place on Calendar:
40 **SB12-118, HB12-1084, 1119, 1347.**

41
42 **HB12-1345** by Representative(s) Massey; also Senator(s) Bacon--
43 Concerning the financing of public schools, and, in
44 connection therewith, making an appropriation.

45
46 Amendment No. 1, Education Report, dated April 9, 2012, and placed
47 in member's bill file; Report also printed in House Journal, April 10,
48 pages 913-914.

49
50 Amendment No. 2, Appropriations Report, dated April 10, 2012, and
51 placed in member's bill file; Report also printed in House Journal,
52 April 10, pages 918-919.

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **HB12-1042** by Representative(s) Pace--Concerning a state income tax
2 credit related to the portion of Colorado estate taxes paid
3 that are attributable to agricultural land.
4

5 Amendment No. 1, Appropriations Report, dated April 17, 2012, and
6 placed in member's bill file; Report also printed in House Journal,
7 April 17, page 1016.
8

9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.
11

12
13 **HB12-1075** by Representative(s) Beezley and DelGrosso; also
14 Senator(s) Brophy--Concerning a limit on total state
15 general fund appropriations.
16

17 Amendment No. 1, Finance Report, dated February 15, 2012, and placed
18 in member's bill file; Report also printed in House Journal, February 16,
19 page 282.
20

21 As amended, ordered engrossed and placed on the Calendar for Third
22 Reading and Final Passage.
23

24
25 **HB12-1101** by Representative(s) Barker--Concerning the culpable
26 mental state for identity theft.
27

28 Amendment No. 1, Judiciary Report, dated February 2, 2012, and placed
29 in member's bill file; Report also printed in House Journal, February 6,
30 pages 159-160.
31

32 Amendment No. 2, Appropriations Report, dated April 17, 2012, and
33 placed in member's bill file; Report also printed in House Journal,
34 April 17, page 1016.
35

36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.
38

39
40 **HB12-1109** by Representative(s) McKinley--Concerning budget cuts
41 to provide more funding for public schools.
42

43 Laid over until April 24, retaining place on Calendar.
44

45
46 **HB12-1143** by Representative(s) Ferrandino; also Senator(s)
47 Steadman--Concerning an adjustment in the
48 reimbursement rates the state pays county governments for
49 costs associated with elections involving statewide ballot
50 measures.
51

52 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
53 February 8, 2012, and placed in member's bill file; Report also printed in
54 House Journal, February 9, page 221.
55

1 Amendment No. 2, Appropriations Report, dated April 17, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 17, page 1017.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB12-149** by Senator(s) Steadman; also Representative(s) Priola--
9 Concerning the circumstances in which the board of a
10 defined benefit plan or system created by a local
11 government may modify retirement benefit provisions of
12 the plan or system.

13
14 Amendment No. 1, Finance Report, dated April 18, 2012, and placed in
15 member's bill file; Report also printed in House Journal, April 19,
16 page 1044.

17
18 As amended, ordered revised and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 **HB12-1266** by Representative(s) Sonnenberg, Gardner B.; also
22 Senator(s) Morse--Concerning the continuation of the
23 licensing of persons who furnish bail for compensation.

24
25 Amendment No. 1, Judiciary Report, dated February 28, 2012, and
26 placed in member's bill file; Report also printed in House Journal,
27 February 29, pages 460-491.

28
29 Amendment No. 2, Appropriations Report, dated April 17, 2012, and
30 placed in member's bill file; Report also printed in House Journal,
31 April 17, pages 1017-1018.

32
33 Amendment No. 3, by Representative(s) Sonnenberg.

34
35 Amend the House Judiciary Committee Report, dated February 28, 2012,
36 page 24, line 1, strike "CERTIFICATION" and substitute "CERTIFICATE".

37
38 Page 34, line 38, strike "APPEARENCE" and substitute "APPEARANCE".

39
40 Amendment No. 4, by Representative(s) Gardner.

41
42 Amend the House Judiciary Committee Report, dated February 28, 2012,
43 page 5, line 22, strike "(3)" and substitute "(3); and **add** (5)".

44
45 Page 6, after line 11 insert:

46
47 "(5) AN INSURANCE PRODUCER LICENSEE WHO FUNDS OR WRITES
48 BAIL BONDS SHALL, WHEN RENEWING THEIR LICENSE, SUBMIT A SUMMARY
49 REPORT OF THE FOLLOWING DURING THE LAST TWO YEARS TO THE
50 DIVISION:

51 (a) THE NUMBER OF BAIL BONDS PROVIDED TO THE PUBLIC;

52 (b) THE NUMBER OF DEFENDANTS ADJUDICATED WITHOUT FAILURE
53 TO APPEAR OR BAIL FORFEITURE;

54 (c) THE NUMBER OF DEFENDANTS WHO FAILED TO APPEAR OR
55 CAUSED A BAIL FORFEITURE;

56 (d) THE NUMBER OF BAIL BONDS THAT WERE REINSTATED AFTER

1 FORFEITURE;

2 (e) THE NUMBER OF DEFENDANTS WHO WERE INCARCERATED
3 AFTER FAILING TO APPEAR OR FORFEITING BAIL BY ACTION OF THE
4 LICENSEE OR LICENSEE'S AGENT;

5 (f) THE NUMBER OF DEFENDANTS WHO WERE REINSTATED AFTER
6 THE FAILURE TO APPEAR OR BAIL FORFEITURE BY POLICE WITHOUT ACTION
7 BY THE LICENSEE OR LICENSEE'S AGENT;

8 (g) THE NUMBER OF DEFENDANTS WHO WERE JAILED AFTER THE
9 FAILURE TO APPEAR OR BAIL FORFEITURE BY THE COURT;

10 (h) THE NUMBER BAIL FORFEITURE JUDGMENTS THAT WERE PAID
11 TO THE COURT;

12 (i) THE NUMBER OF BAIL FORFEITURE JUDGMENTS THAT HAVE NOT
13 BEEN RESOLVED OR PAID TO THE COURT BECAUSE THE BAIL FORFEITURE
14 WAS NOT DUE DURING THE TWO-YEAR PERIOD;

15 (j) THE NUMBER OF FORFEITURE JUDGMENTS WHERE REMISSION
16 WAS GRANTED AFTER PAYMENT BECAUSE THE DEFENDANT WAS TAKEN
17 INTO CUSTODY;

18 (k) THE NUMBER OF BAIL BONDS PROVIDED TO THE DEFENDANTS
19 CHARGED WITH FELONIES; AND

20 (l) THE NUMBER OF BAIL BONDS PROVIDED TO THE DEFENDANTS
21 CHARGED WITH MISDEMEANORS.".

22

23 Amendment No. 5, by Representative(s) Gardner.

24

25 Amend the House Judiciary Committee Report, dated February 28, 2012,
26 page 19, line 1, strike "~~(6)~~" and substitute "(6)".

27

28 Page 19, line 3, after the period add "EACH CASH-BONDING AGENT OR
29 PROFESSIONAL CASH-BAIL AGENT SHALL, WHEN RENEWING A
30 REGISTRATION, SUBMIT A SUMMARY REPORT OF THE FOLLOWING DURING
31 THE LAST TWO YEARS TO THE DIVISION:

32 (a) THE NUMBER OF BAIL BONDS PROVIDED TO THE PUBLIC;

33 (b) THE NUMBER OF DEFENDANTS ADJUDICATED WITHOUT FAILURE
34 TO APPEAR OR BAIL FORFEITURE;

35 (c) THE NUMBER OF DEFENDANTS WHO FAILED TO APPEAR OR
36 CAUSED A BAIL FORFEITURE;

37 (d) THE NUMBER OF BAIL BONDS THAT WERE REINSTATED AFTER
38 FORFEITURE;

39 (e) THE NUMBER OF DEFENDANTS WHO WERE INCARCERATED
40 AFTER FAILING TO APPEAR OR FORFEITING BAIL BY ACTION OF THE
41 REGISTRANT OR REGISTRANT'S AGENT;

42 (f) THE NUMBER OF DEFENDANTS WHO WERE REINSTATED AFTER
43 THE FAILURE TO APPEAR OR BAIL FORFEITURE BY POLICE WITHOUT ACTION
44 BY THE REGISTRANT OR REGISTRANT'S AGENT;

45 (g) THE NUMBER OF DEFENDANTS WHO WERE JAILED AFTER THE
46 FAILURE TO APPEAR OR BAIL FORFEITURE BY THE COURT;

47 (h) THE NUMBER BAIL FORFEITURE JUDGMENTS THAT WERE PAID
48 TO THE COURT;

49 (i) THE NUMBER OF BAIL FORFEITURE JUDGMENTS THAT HAVE NOT
50 BEEN RESOLVED OR PAID TO THE COURT BECAUSE THE BAIL FORFEITURE
51 WAS NOT DUE DURING THE TWO-YEAR PERIOD;

52 (j) THE NUMBER OF FORFEITURE JUDGMENTS WHERE REMISSION
53 WAS GRANTED AFTER PAYMENT BECAUSE THE DEFENDANT WAS TAKEN
54 INTO CUSTODY;

55 (k) THE NUMBER OF BAIL BONDS PROVIDED TO THE DEFENDANTS
56 CHARGED WITH FELONIES; AND

1 (1) THE NUMBER OF BAIL BONDS PROVIDED TO THE DEFENDANTS
2 CHARGED WITH MISDEMEANORS."

3
4 As amended, ordered engrossed and placed on the Calendar for Third
5 Reading and Final Passage.

6
7 **HB12-1306** by Representative(s) Holbert; also Senator(s) King K.--
8 Concerning the manner of determining pupil enrollment
9 counts in public schools.

10
11 Amendment No. 1, Education Report, dated March 7, 2012, and placed
12 in member's bill file; Report also printed in House Journal, March 8,
13 pages 580-581.

14
15 Amendment No. 2, Appropriations Report, dated April 17, 2012, and
16 placed in member's bill file; Report also printed in House Journal,
17 April 17, page 1018.

18
19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.

21
22 **HB12-1325** by Representative(s) Summers; also Senator(s) Nicholson--
23 Concerning tracking transactions related to
24 methamphetamine precursor drugs.

25
26 Amendment No. 1, Judiciary Report, dated March 27, 2012, and placed
27 in member's bill file; Report also printed in House Journal, March 28,
28 pages 839-840.

29
30 Amendment No. 2, by Representative(s) Summers.

31
32 Amend printed bill, page 2, line 3, strike "(2);" and substitute "(2) and
33 (4);".

34
35 Page 5, after line 11 insert:

36
37 "(4) For purposes of this section:
38 (a) "ELECTRONIC LOGGING SYSTEM" MEANS A COMPUTER-BASED
39 SYSTEM THAT:

40 (I) OPERATES IN REAL-TIME RECEIVING AND TRACKING
41 INFORMATION RELATED TO THE SALES OF METHAMPHETAMINE PRECURSOR
42 DRUGS;

43 (II) CAN CREATE A STOP SALE ALERT IF THE PURCHASE WOULD
44 VIOLATE THE PROVISIONS OF THIS SECTION; AND

45 (III) IS FREE OF CHARGE TO THE STATE, A STORE, AND STATE AND
46 LOCAL LAW ENFORCEMENT AGENCIES.

47 ~~(a)~~ (b) (I) Except as otherwise provided in subparagraph (II) of
48 this paragraph ~~(a)~~ (b), "methamphetamine precursor drug" means
49 ephedrine, pseudoephedrine, or phenylpropanolamine or their salts,
50 isomers, or salts of isomers.

51 (II) "Methamphetamine precursor drug" does not include a
52 substance contained in any package or container that is labeled by the
53 manufacturer as intended for pediatric use.

54 ~~(b)~~ (c) "Person" means an individual who owns, operates, is
55 employed by, or is an agent of a store.

1 (e) (d) "Store" means any establishment primarily engaged in the
2 sale of goods at retail."
3

4 As amended, ordered engrossed and placed on the Calendar for Third
5 Reading and Final Passage.
6

7 **HB12-1331** by Representative(s) Brown, Wilson, Pace, Hamner, Kerr
8 A., Massey, Murray, Ramirez, Schafer S., Summers, Todd;
9 also Senator(s) Schwartz, Bacon, Heath, Johnston,
10 King K., King S.--Concerning changing the name of
11 Western state college of Colorado to Western state
12 Colorado university.
13

14 Amendment No. 1, Education Report, dated April 16, 2012, and placed
15 in member's bill file; Report also printed in House Journal, April 16,
16 page 1019.
17

18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.
20

21 **HB12-1038** by Representative(s) Looper, Barker, Brown, Priola,
22 Ramirez, Scott, Williams A.; also Senator(s) Williams S.--
23 Concerning the creation of a multi-year registration for
24 Class A trailers.
25

26 Amendment No. 1, Transportation Report, dated February 16, 2012, and
27 placed in member's bill file; Report also printed in House Journal,
28 February 17, page 305.
29

30 Amendment No. 2, Appropriations Report, dated April 17, 2012, and
31 placed in member's bill file; Report also printed in House Journal,
32 April 18, pages 1039-1040.
33

34 Amendment No. 3, by Representative(s) Looper.
35

36 Amend the Appropriations Committee Report, dated April 17, 2012, page
37 1, strike lines 2 through 18.
38

39 Renumber succeeding section accordingly.
40

41 Page 2, line 12, strike "section." and substitute "section."."
42

43 Page 2, strike lines 13 through 41.
44

45 Page 3, strike lines 1 through 10.
46

47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.
49

50 **HB12-1310** by Representative(s) Gardner B., Barker; also Senator(s)
51 Carroll, Guzman--Concerning changes to statutory
52 provisions related to criminal proceedings.
53

54 Amendment No. 1, Judiciary Report, dated March 8, 2012, and placed
55 in member's bill file; Report also printed in House Journal, March 9,
56 page 608.

1 Amendment No. 2, Appropriations Report, dated April 10, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 10, page 917.

4
5 Amendment No. 3, by Representative(s) Gardner.

6
7 Amend printed bill, printed bill, page 25, after line 3, insert:

8
9 "SECTION 27. In Colorado Revised Statutes, 17-2-201, **amend**
10 (3) (h.1) (I) as follows:

11 **17-2-201. State board of parole.** (3) The chairperson, in addition
12 to other provisions of law, has the following powers and duties:

13 (h.1) To contract with qualified individuals to serve as release
14 hearing officers:

15 (I) To conduct parole application hearings for inmates convicted
16 of ~~nonviolent~~ CLASS 4, CLASS 5, OR CLASS 6 felonies who have been
17 assessed to be ~~low or very low risk~~ LESS THAN HIGH RISK by the Colorado
18 risk assessment scale developed pursuant to section 17-22.5-404 (2) (a),
19 C.R.S., pursuant to rules adopted by the parole board; and".

20
21 Renumber succeeding section accordingly.

22
23 As amended, ordered engrossed and placed on the Calendar for Third
24 Reading and Final Passage.

25
26
27 Committee in recess. Committee reconvened.

28
29
30 **GENERAL ORDERS--SECOND READING OF BILLS**
31 (Continued)

32
33 **HB12-1334** by Representative(s) Becker, Gerou, Levy; also Senator(s)
34 Hodge, Lambert, Steadman--Concerning the extension of
35 severance tax funding for the promotion of agricultural
36 energy-related projects.

37
38 Laid over until later in the day, retaining place on Calendar.

39
40 **HB12-1214** by Representative(s) Becker, Todd; also Senator(s)
41 Nicholson and Spence--Concerning community college
42 two-year degree programs in certain health care fields
43 without a student transfer agreement.

44
45 Laid over until later in the day, retaining place on Calendar.

46
47
48
49
50 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

51
52 Representative Ferrandino moved to amend the Report of the Committee
53 of the Whole to reverse the action taken by the Committee in not adopting
54 the following Ferrandino amendment, to HB12-1075, to show that said
55 amendment passed, and that **HB12-1075**, as amended, passed.

56

1 Amend printed bill, page 2, line 3, after "portion," insert "(1) (a) (III)
2 (B),".

3
4 Page 2, line 4, strike "(1) (a) (II.7)" and substitute "(1) (a) (II.7), (1) (a)
5 (III) (D), (1) (a) (III) (E), (1) (a) (III) (F), and (1) (a) (III) (G)".

6
7 Page 3, after line 7 insert:

8
9 "(B) Any state general fund appropriation which, as a result of any
10 requirement of a final state or federal court order, is made for any new
11 program or service or for any increase in the level of service for an
12 existing program beyond the existing level of service; ~~or~~

13 (D) ANY STATE GENERAL FUND APPROPRIATION MADE TO PROVIDE
14 FUNDING FOR PUBLIC SCHOOLS FROM KINDERGARTEN THROUGH THE
15 TWELFTH GRADE;

16 (E) ANY STATE GENERAL FUND APPROPRIATION TO THE COLLEGE
17 OPPORTUNITY FUND, CREATED IN SECTION 23-18-202, C.R.S.;

18 (F) ANY STATE GENERAL FUND APPROPRIATION FOR THE
19 CHILDREN'S BASIC HEALTH PLAN ESTABLISHED PURSUANT TO ARTICLE 8 OF
20 TITLE 25.5, C.R.S.; OR

21 (E) ANY STATE GENERAL FUND APPROPRIATION TO PROVIDE
22 SERVICES FOR PEOPLE WITH DISABILITIES.".

23
24 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	32	EXCUSED	3	ABSENT	0
27	Acree	N	Fischer	Y	Looper	N	Solano	Y
28	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
29	Barker	N	Gerou	N	McCann	Y	Soper	Y
30	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
31	Becker	N	Holbert	N	Miklosi	Y	Summers	N
32	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
33	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
34	Brown	E	Joshi	N	Pabon	Y	Szabo	N
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
38	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
39	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
40	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
42	Fields	E	Liston	N	Singer	Y	Young	Y
43							Speaker	N

44
45 Representative Ferrandino moved to amend the Report of the Committee
46 of the Whole to reverse the action taken by the Committee in not adopting
47 the following Ferrandino amendment, to HB12-1075, to show that said
48 amendment passed, and that **HB12-1075**, as amended, passed.

49
50 Strike the Finance Committee Report, dated February 15, 2012 and
51 substitute the following:

52
53 "Amend printed bill, page 4, strike lines 4 through 27.

54
55 Strike page 5.

56

1 Page 6, strike lines 1 through 16.

2
3 Renumber succeeding sections accordingly.

4
5 Page 6, line 23, strike "SECTION 24-75-218 (2)" and substitute
6 "SUBSECTION (2) OF THIS SECTION".

7
8 Page 7, line 2, strike "(2)" and substitute "(3)".

9
10 Page 7, after line 2 insert:

11
12 "(2) ON THE DATE ON WHICH THE STATE CONTROLLER PUBLISHES
13 THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THE STATE FOR THE
14 FISCAL YEAR 2012-13 AND EACH FISCAL YEAR THEREAFTER, THE STATE
15 TREASURER SHALL TRANSFER THE GENERAL FUND SURPLUS THAT IS
16 DESIGNATED IN ACCORDANCE WITH SECTION 24-75-201 (1) FOR SUCH
17 FISCAL YEAR FROM THE GENERAL FUND TO THE STATE RESERVE FUND.".

18
19 Renumber succeeding subsection accordingly.

20
21 Page 7, strike lines 8 through 23.

22
23 Renumber succeeding section accordingly."

24
25 The amendment was declared **lost** by the following roll call vote:

27	YES	30	NO	32	EXCUSED	3	ABSENT	0
28	Acree	N	Fischer	Y	Looper	N	Solano	Y
29	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
30	Barker	N	Gerou	N	McCann	Y	Soper	Y
31	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
32	Becker	N	Holbert	N	Miklosi	Y	Summers	N
33	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
34	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
35	Brown	E	Joshi	N	Pabon	Y	Szabo	N
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
39	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
40	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
41	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
42	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
43	Fields	E	Liston	N	Singer	Y	Young	Y
44							Speaker	N

45
46 Representative Ferrandino moved to amend the Report of the Committee
47 of the Whole to reverse the action taken by the Committee in not adopting
48 the following Ferrandino amendment, to HB12-1345, to show that said
49 amendment passed, and that **HB12-1345**, as amended, passed.

50
51 Amend printed bill, page 10, after line 4, insert:

52 "**SECTION 7.** In Colorado Revised Statutes, 22-41-102, **amend**
53 (3) (a); and **add** (3) (c) as follows:

54 **22-41-102. Fund inviolate.** (3) (a) Except as provided in
55 paragraph (b) of this subsection (3), for the 2010-11 state fiscal year and
56 each state fiscal year thereafter, the first eleven million dollars of any

1 interest or income earned on the investment of the moneys in the public
 2 school fund shall be credited to the state public school fund created in
 3 section 22-54-114 for distribution as provided by law. PRIOR TO THE
 4 2013-14 STATE FISCAL YEAR, any amount of such interest and income
 5 earned on the investment of the moneys in the state public school fund in
 6 excess of eleven million dollars, other than interest and income credited
 7 to the public school capital construction assistance fund, created in
 8 section 22-43.7-104 (1), pursuant to section 22-43.7-104 (2) (b) (I), shall
 9 remain in the fund and shall become part of the principal of the fund.

10 (c) FOR THE 2013-14 STATE FISCAL YEAR AND FOR EACH STATE
 11 FISCAL YEAR THEREAFTER, OF ANY AMOUNT OF INTEREST OR INCOME
 12 EARNED ON THE INVESTMENT OF MONEYS IN THE PUBLIC SCHOOL FUND IN
 13 EXCESS OF ELEVEN MILLION DOLLARS, OTHER THAN INTEREST AND INCOME
 14 CREDITED TO THE PUBLIC SCHOOL CAPITAL CONSTRUCTION ASSISTANCE
 15 FUND, CREATED IN SECTION 22-43.7-104 (1), PURSUANT TO SECTION
 16 22-43.7-104 (2) (b) (I), ELEVEN MILLION ONE HUNDRED THOUSAND
 17 DOLLARS SHALL BE CREDITED TO THE STATE PUBLIC SCHOOL FUND
 18 CREATED IN SECTION 22-54-114 AND APPROPRIATED TO FUND THE
 19 INCREASE IN THE NUMBER OF PUPILS ENROLLED IN THE FULL-DAY
 20 KINDERGARTEN PROGRAM BEGINNING IN THE 2013-14 STATE FISCAL
 21 YEAR;".

22
 23 Renumber succeeding sections accordingly.

24
 25 The amendment was declared **lost** by the following roll call vote:

27	YES	30	NO	31	EXCUSED	4	ABSENT	0
28	Acree	N	Fischer	Y	Looper	N	Solano	Y
29	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
30	Barker	N	Gerou	N	McCann	Y	Soper	Y
31	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
32	Becker	N	Holbert	N	Miklosi	Y	Summers	N
33	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
34	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
35	Brown	E	Joshi	N	Pabon	Y	Szabo	N
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
39	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
40	DelGrosso	E	Labuda	Y	Ryden	Y	Waller	N
41	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
42	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
43	Fields	E	Liston	N	Singer	Y	Young	Y
44							Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

50
 51
 52 Passed Second Reading: **HB12-1345 amended, 1042 amended, 1075**
 53 **amended, 1101 amended, 1143 amended, SB12-149 amended,**
 54 **HB12-1266 amended, 1306 amended, 1325 amended, 1331 amended,**
 55 **1038 amended, 1310 amended.**

56

1 Laid over until date indicated retaining place on Calendar:
 2 **SB12-118, HB12-1084, 1109, 1119, 1347**--April 24, 2012.
 3 **HB12-1334, 1214**--Later in the day.

4
 5 The Chairman moved the adoption of the Committee of the Whole
 6 Report. As shown by the following roll call vote, a majority of those
 7 elected to the House voted in the affirmative, and the Report was
 8 **adopted.**

	YES	61	NO	0	EXCUSED	4	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
15	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
16	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
17	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
18	Brown	E	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	E	Labuda	Y	Ryden	Y	Waller	Y
24	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
25	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
26	Fields	E	Liston	Y	Singer	Y	Young	Y
27							Speaker	Y

28
 29
 30
 31
 32 On motion of Representative Waller, **HB12-1334, 1214, 1069, SB12-012,**
 33 **041, HB12-1319, SB12-009** were made Special Orders on Monday,
 34 April 23, 2011, at 1:17 p.m.

35
 36
 37 The hour of 1:17 p.m., having arrived, on motion of Representative
 38 Summers, the House resolved itself into Committee of the Whole for
 39 consideration of Special Orders and he was called to the Chair to act as
 40 Chairman.

41 42 43 SPECIAL ORDERS--SECOND READING OF BILLS

44
 45 The Committee of the Whole having risen, the Chairman reported the
 46 titles of the following bills had been read (reading at length had been
 47 dispensed with by unanimous consent), the bills considered and action
 48 taken thereon as follows:

49
 50 (Amendments to the committee amendment are to the printed committee
 51 report which was printed and placed in the members' bill file.)

52
 53 **HB12-1334** by Representative(s)Becker, Gerou, Levy; also Senator(s)
 54 Hodge, Lambert, Steadman--Concerning the extension of
 55 severance tax funding for the promotion of agricultural
 56 energy-related projects.

1 Amendment No. 1, Appropriations Report, dated April 17, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 17, pages 1018-1019.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **HB12-1214** by Representative(s) Becker, Todd; also Senator(s)
9 Nicholson and Spence--Concerning community college
10 two-year degree programs in certain health care fields
11 without a student transfer agreement.

12
13 Amendment No. 1, Education Report, dated April 16, 2012, and placed
14 in member's bill file; Report also printed in House Journal, April 16,
15 page 1019.

16
17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.

19
20 **HB12-1069** by Representative(s) Miklosi and Pabon--Concerning tax
21 expenditures.

22
23 Amendment No. 1, Finance Report, dated February 8, 2012, and placed
24 in member's bill file; Report also printed in House Journal, February 9,
25 page 220.

26
27 Amendment No. 2, Appropriations Report, dated April 20, 2012, and
28 placed in member's bill file; Report also printed in House Journal,
29 April 20, pages 1057-1058.

30
31 As amended, ordered engrossed and placed on the Calendar for Third
32 Reading and Final Passage.

33 (For change in action, see Amendments to Report, page 1081.)

34
35 **SB12-012** by Senator(s) King S., Guzman, Tochtrop; also
36 Representative(s) Miklosi, Gardner D.--Concerning the
37 department of revenue's audits of automobile emission
38 inspection facilities.

39
40 Ordered revised and placed on the Calendar for Third Reading and Final
41 Passage.

42
43 **SB12-041** by Senator(s) Spence; also Representative(s) Priola--
44 Concerning the continuous appropriation of the moneys in
45 the commercial vehicle enterprise tax fund to the
46 department of revenue for sales and use tax refunds.

47
48 Ordered revised and placed on the Calendar for Third Reading and Final
49 Passage.

50
51 **HB12-1319** by Representative(s) Gardner B.--Concerning building
52 inspections relating to utilities.

53
54 Amendment No. 1, Local Government Report, dated April 4, 2012, and
55 placed in member's bill file; Report also printed in House Journal, April 5,
56 pages 907-908.

1 Amendment No. 2, by Representative(s) Gardner.

2
3 Amend Local Government Committee Report, dated April 4, 2012, page
4 1, strike lines 1 and 2 and substitute:

5
6 "Amend printed bill, page 2, strike lines 3 through 20 and substitute "(7)
7 as follows:".

8
9 Page 1 of the committee report, strike line 10 and substitute "DISTRICT.
10 THE SCHOOL DISTRICT SHALL NOTIFY THE BOARD ON OR BEFORE OCTOBER
11 1 OF THE PRECEDING YEAR WHETHER THE SCHOOL DISTRICT WILL USE A
12 STATE ELECTRICAL INSPECTOR OR A LOCAL ELECTRICAL CODE AND
13 INSPECTION AUTHORITY TO PERFORM ELECTRICAL INSPECTIONS OF THE
14 SCHOOLS OF THE SCHOOL DISTRICT DURING THE SUBSEQUENT STATE
15 FISCAL YEAR. THE SCHOOL DISTRICT SHALL USE THE DESIGNATED
16 ELECTRICAL INSPECTOR FOR ALL OF THE SCHOOLS OF THE SCHOOL
17 DISTRICT, UNLESS THE SCHOOL DISTRICT HAS DESIGNATED A LOCAL
18 ELECTRICAL CODE AND INSPECTION AUTHORITY TO PERFORM INSPECTIONS
19 AND THE SCHOOL BUILDING BEING INSPECTED IS LOCATED IN A
20 JURISDICTION THAT DOES NOT HAVE A LOCAL ELECTRICAL CODE AND
21 INSPECTION AUTHORITY, IN WHICH CASE A STATE ELECTRICAL INSPECTOR
22 SHALL PERFORM THE INSPECTION. IF A SCHOOL DISTRICT DESIGNATES A
23 LOCAL ELECTRICAL CODE AND INSPECTION AUTHORITY TO PERFORM THE
24 INSPECTIONS OF THE SCHOOLS OF THE SCHOOL DISTRICT, THE SCHOOL
25 DISTRICT SHALL INCLUDE IN ITS NOTIFICATION TO THE BOARD A LISTING OF
26 THE SCHOOLS OF THE SCHOOL DISTRICT THAT ARE LOCATED IN A
27 JURISDICTION THAT DOES NOT HAVE A LOCAL ELECTRICAL CODE AND
28 INSPECTION AUTHORITY.".

29
30 Page 1 of the committee report, strike line 22 and substitute "SCHOOL
31 DISTRICT. THE SCHOOL DISTRICT SHALL NOTIFY THE BOARD ON OR BEFORE
32 OCTOBER 1 OF THE PRECEDING YEAR WHETHER THE SCHOOL DISTRICT WILL
33 USE A STATE PLUMBING INSPECTOR OR A LOCAL PLUMBING CODE AND
34 INSPECTION AUTHORITY TO PERFORM PLUMBING INSPECTIONS OF THE
35 SCHOOLS OF THE SCHOOL DISTRICT DURING THE SUBSEQUENT STATE
36 FISCAL YEAR. THE SCHOOL DISTRICT SHALL USE THE DESIGNATED
37 PLUMBING INSPECTOR FOR ALL OF THE SCHOOLS OF THE SCHOOL DISTRICT,
38 UNLESS THE SCHOOL DISTRICT HAS DESIGNATED A LOCAL PLUMBING CODE
39 AND INSPECTION AUTHORITY TO PERFORM INSPECTIONS AND THE SCHOOL
40 BUILDING BEING INSPECTED IS LOCATED IN A JURISDICTION THAT DOES NOT
41 HAVE A LOCAL PLUMBING CODE AND INSPECTION AUTHORITY, IN WHICH
42 CASE A STATE PLUMBING INSPECTOR SHALL PERFORM THE INSPECTION. IF
43 A SCHOOL DISTRICT DESIGNATES A LOCAL PLUMBING CODE AND
44 INSPECTION AUTHORITY TO PERFORM THE INSPECTIONS OF THE SCHOOLS
45 OF THE SCHOOL DISTRICT, THE SCHOOL DISTRICT SHALL INCLUDE IN ITS
46 NOTIFICATION TO THE BOARD A LISTING OF THE SCHOOLS OF THE SCHOOL
47 DISTRICT THAT ARE LOCATED IN A JURISDICTION THAT DOES NOT HAVE A
48 LOCAL PLUMBING CODE AND INSPECTION AUTHORITY.".

49
50 Page 2 of the committee report, after line 2 insert:

51
52 "Page 4 of the bill, strike lines 9 and 10 and substitute "or gas piping
53 inspections in its respective jurisdiction, IT SHALL COMMENCE OR CEASE
54 THE SAME".

55

1 Amendment No. 3, by Representative(s) Gardner.

2
3 Amend Amendment No.2, by Representative Gardner as printed in House
4 Journal, page 1080, after line 7 insert:

5
6 "Page 1 of the Local Government Committee Report, line 9, strike
7 "INSPECTOR" and substitute "CODE AND INSPECTION AUTHORITY".

8
9 Amend Amendment No. 2 by Representative Gardner as printed in House
10 Journal page 1080, after line 28, insert:

11
12 "Page 1 of the Local Government Committee Report, line 21, strike
13 "INSPECTOR" and substitute "CODE AND INSPECTION AUTHORITY".

14
15 As amended, ordered engrossed and placed on the Calendar for Third
16 Reading and Final Passage.

17
18 **SB12-009** by Senator(s) Hodge, Brophy, Giron, Roberts, Schwartz;
19 also Representative(s) Swerdfeger, Baumgardner,
20 Sonnenberg, Vigil, Wilson--Concerning the consolidation
21 of cash funds administered by the division of water
22 resources.

23
24 Amendment No. 1, Appropriations Report, dated April 20, 2012, and
25 placed in member's bill file; Report also printed in House Journal,
26 April 20, page 1060.

27
28 As amended, ordered revised and placed on the Calendar for Third
29 Reading and Final Passage.

30 31 32 33 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

34
35 Representative Pabon moved to amend the Report of the Committee of
36 the Whole to reverse the action taken by the Committee in not adopting
37 the following Pabon amendment, to HB12-1069, to show that said
38 amendment passed, and that **HB12-1069**, as amended, passed.

39
40 Amend printed bill, page 4, line 8, strike "SEPTEMBER 1, 2016." and
41 substitute "SEPTEMBER 1 OF THE LAST YEAR IN WHICH THE EXEMPTION
42 APPLIES PURSUANT TO PARAGRAPH (c) OF SUBSECTION (3) OF THIS
43 SECTION.".

44
45 The amendment was declared **passed** by the following roll call vote:

47	YES	53	NO	9	EXCUSED	3	ABSENT	0
48	Acree	Y	Fischer	N	Looper	N	Solano	Y
49	Balmer	E	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	N
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
7	Fields	E	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1334 amended, 1214 amended, 1069 amended, SB12-012, 041, HB12-1319 amended, SB12-009 amended.**

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	62	NO	0	EXCUSED	3	ABSENT	0
24	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
25	Balmer	E	Gardner B.	Y	Massey	Y	Sonnenberg	Y
26	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
27	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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.	E	Williams A.	Y
38	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
39	Fields	E	Liston	Y	Singer	Y	Young	Y
40							Speaker	Y

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

HB12-1155 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend printed bill, page 14, strike line 7 and substitute "(5) (c) (I) (B) and
2 (5) (c) (III) as".
3 Page 14, line 12, strike "forty-five FORTY" and substitute "forty-five".
4 Page 14, strike lines 14 through 18.
5 Page 15, line 3, strike "forty-five FORTY" and substitute "forty-five".
6 Page 15, strike lines 4 through 9.
7 Page 15, strike lines 20 through 27.
8 Page 16, strike lines 1 through 8.
9 Page 16, strike lines 9 through 25.
10 Renumber succeeding sections accordingly.

11
12
13
14
15 **STATE, VETERANS, & MILITARY AFFAIRS**

16 After consideration on the merits, the Committee recommends the
17 following:

18
19 **HB12-1348** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:
22

23 Amend printed bill, page 4, line 16, strike "THREE" and substitute "TWO".
24
25

26
27 **MESSAGE(S) FROM THE SENATE**
28

29 The President appoints Senators Hodge Chair, Steadman, and Lambert as
30 conferees on the First Conference Committee on HB12-1335. The Senate
31 has granted permission to the First Conference Committee to go beyond
32 the scope of the differences between the two houses.
33

34 The President appoints Senators Hodge Chair, Steadman, and Lambert as
35 conferees on the First Conference Committee on HB12-1336. The Senate
36 has granted permission to the First Conference Committee to go beyond
37 the scope of the differences between the two houses.
38

39 The President appoints Senators Hodge Chair, Steadman, and Lambert as
40 conferees on the First Conference Committee on HB12-1337. The Senate
41 has granted permission to the First Conference Committee to go beyond
42 the scope of the differences between the two houses.
43

44 The President appoints Senators Hodge Chair, Steadman, and Lambert as
45 conferees on the First Conference Committee on HB12-1338. The Senate
46 has granted permission to the First Conference Committee to go beyond
47 the scope of the differences between the two houses.
48

49 The President appoints Senators Hodge Chair, Steadman, and Lambert as
50 conferees on the First Conference Committee on HB12-1339. The Senate
51 has granted permission to the First Conference Committee to go beyond
52 the scope of the differences between the two houses.
53

54 The President appoints Senators Hodge Chair, Steadman, and Lambert as
55 conferees on the First Conference Committee on HB12-1340. The Senate
56 has granted permission to the First Conference Committee to go beyond

1 the scope of the differences between the two houses.

2

3 The President appoints Senators Hodge Chair, Steadman, and Lambert as
4 conferees on the First Conference Committee on HB12-1344. The Senate
5 has granted permission to the First Conference Committee to go beyond
6 the scope of the differences between the two houses.

7

8

9

10 **MESSAGE(S) FROM THE GOVERNOR**

11

12 I certify I received the following on the 23rd day of April, 2012, at
13 8:45 a.m. The original is on file in the records of the House of
14 Representatives of the General Assembly.

15

16

Marilyn Eddins,
Chief Clerk of the House

17

18 April 20, 2012

19 To the Honorable House of Representatives

20 Sixty-Eighth General Assembly

21 Second Regular Session

22 State Capitol

23 Denver, CO 80203

24

25 Ladies and Gentlemen:

26

27 I have the honor to inform you that I have approved and filed with the
28 Secretary of State the following Acts:

29

30 **HB12-1271** CONCERNING CHARGING OF JUVENILES BY DIRECT FILE
31 OF INFORMATION OR INDICTMENT IN DISTRICT COURT.

32

33 Approved April 20, 2012 at 4:09 pm

34

35 Sincerely,

36 (signed)

37 John W. Hickenlooper

38 Governor

39

40

41

42 I certify I received the following on the 23rd day of April, 2012, at
43 2:20. p.m. The original is on file in the records of the House of
44 Representatives of the General Assembly.

45

46

Marilyn Eddins,
Chief Clerk of the House

47

48 April 23, 2012

49

50 To the Honorable House of Representatives

51 Sixty-Eighth General Assembly

52 Second Regular Session

53 State Capitol

54 Denver, CO 80203

55

56 Ladies and Gentlemen:

1 I have the honor to inform you that I have approved and filed with the
2 Secretary of State the following Acts:

3
4 **HB12-1228** CONCERNING CRIMINAL BACKGROUND CHECKS FOR
5 NEIGHBORHOOD YOUTH ORGANIZATION SEEKING TO
6 OBTAIN A LICENSE.

7
8 Approved April 23, 2012 at 1:19 pm
9

10 **HB12-1318** CONCERNING THE DEVELOPMENT OF GUIDELINES
11 REGARDING THE ELIGIBILITY OF CONTROLLED
12 MAINTENANCE FUNDING FOR STATE FACILITIES.

13
14 Approved April 23, 2012 at 1:15 pm
15

16 Sincerely,
17 (signed)
18 John W. Hickenlooper
19 Governor
20

21
22
23 **LAY OVER OF CALENDAR ITEM(S)**
24

25 On motion of Representative Waller, the following item(s) on the
26 Calendar was (were) laid over until April 24, retaining place on Calendar:
27

28 Consideration of Third Reading--**HB12-1066, 1099.**

29 Consideration of Resolution(s)--**SJR12-006, 024, 031, HJR12-1019,**
30 **1020, 1021.**

31 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,**
32 **1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307,**
33 **1012, 1052, 1105, 1146, 1321.**
34

35
36
37 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
38 April 24, 2012.
39

40 Approved:
41 FRANK McNULTY,
42 Speaker

43 Attest:
44 MARILYN EDDINS,
45 Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-fifth Legislative Day

Tuesday, April 24, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Pastor Dan File, Capitol Commissions, Denver.

4

5 Pledge of Allegiance led by Lyric Swift and Brazil Hoyle from Dora
6 Moore School, Denver.

7

8 The roll was called with the following result:

9

10 Present--62.

11 Excused--Representative(s) Casso, Schafer--2.

12 Absent--Representative(s) Kagan--1.

13 Present after roll call--Representative(s) Casso, Kagan.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Todd, the reading of the journal of
19 April 23, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23

24 On motion of Representative Waller, **HB12-1348, 1084, 1218, 1223,**
25 **1273, 1330, SB12-010, 145, HB12-1136** were made Special Orders on
26 Tuesday, April 24, 2012, at 9:20 a.m.

27

28

29 The hour of 9:20 a.m., having arrived, on motion of Representative Joshi,
30 the House resolved itself into Committee of the Whole for consideration
31 of Special Orders and he was called to the Chair to act as Chairman.

32

33

34

SPECIAL ORDERS--SECOND READING OF BILLS

35

36 The Committee of the Whole having risen, the Chairman reported the
37 titles of the following bills had been read (reading at length had been
38 dispensed with by unanimous consent), the bills considered and action
39 taken thereon as follows:

40

41 (Amendments to the committee amendment are to the printed committee
42 report which was printed and placed in the members' bill file.)

43

- 1 **HB12-1348** by Representative(s) Ferrandino, McNulty; also Senator(s)
2 Morse, Cadman--Concerning the powers of the legislative
3 department with respect to capitol buildings group space,
4 and, in connection therewith, providing for the designation
5 of space for the members of the general assembly,
6 legislative staff, and legislative staff agencies and the
7 furnishing and equipping thereof, and granting the control
8 of legislative spaces to the legislative department.
9
- 10 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
11 April 20, 2012, and placed in member's bill file; Report also printed in
12 House Journal, April 23, page 1083.
13
- 14 Amendment No. 2, by Representative(s) Ferrandino.
15
- 16 Amend printed bill, page 3, line 12, strike "building" and substitute
17 "building, ALL AREAS OF THE SUBBASEMENT OF THE CAPITOL BUILDING,".
18
- 19 Page 3, line 13, strike "CAPITOL," and substitute "CAPITOL BUILDING,".
20
- 21 Page 3, line 20, strike "CAPITOL," and substitute "CAPITOL BUILDING,".
22
- 23 Page 4, line 16, strike "street" and substitute "street, INCLUDING, BUT NOT
24 LIMITED TO, ALL AREAS OF THE SUBBASEMENT OF THE LEGISLATIVE
25 SERVICES BUILDING,".
26
- 27 As amended, ordered engrossed and placed on the Calendar for Third
28 Reading and Final Passage.
29
- 30 **HB12-1084** by Representative(s) Fields and Conti; also Senator(s)
31 Jahn and King S.--Concerning increasing the punishment
32 for leaving the scene of a traffic accident that resulted in
33 serious bodily injury to any person.
34
- 35 Ordered engrossed and placed on the Calendar for Third Reading and
36 Final Passage.
37
- 38 **HB12-1218** by Representative(s) Peniston, Massey, Hamner, Solano;
39 also Senator(s) Hudak, King K., Hodge, Steadman,
40 Williams S.--Concerning extending the early childhood
41 and school readiness legislative commission.
42
- 43 Amendment No. 1, Education Report, dated February 20, 2012, and
44 placed in member's bill file; Report also printed in House Journal,
45 February 21, page 332.
46
- 47 Amendment No. 2, Appropriations Report, dated April 20, 2012, and
48 placed in member's bill file; Report also printed in House Journal,
49 April 20, page 1058.
50
- 51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.
53
- 54 **HB12-1223** by Representative(s) Levy, Becker, Gerou; also Senator(s)
55 Steadman, Hodge, Lambert--Concerning earned time for
56 inmates.

1 Amendment No. 1, Judiciary Report, dated April 3, 2012, and placed in
2 member's bill file; Report also printed in House Journal, April 4,
3 page 887.

4
5 Amendment No. 2, Appropriations Report, dated April 20, 2012, and
6 placed in member's bill file; Report also printed in House Journal,
7 April 20, page 1058-1059.

8
9 As amended, ordered engrossed and placed on the Calendar for Third
10 Reading and Final Passage.

11
12 **HB12-1273** by Representative(s) Pabon, Conti, McCann, Swerdfeger;
13 also Senator(s) Steadman--Concerning the inclusion of
14 approved facility schools affiliated with a hospital to the
15 definition of child care facility for purposes of the child
16 care contribution income tax credit.

17
18 Amendment No. 1, Finance Report, dated February 16, 2012, and placed
19 in member's bill file; Report also printed in House Journal, February 17,
20 page 300.

21
22 Amendment No. 2, Appropriations Report, dated April 20, 2012, and
23 placed in member's bill file; Report also printed in House Journal,
24 April 20, page 1059.

25
26 As amended, ordered engrossed and placed on the Calendar for Third
27 Reading and Final Passage.

28
29 **HB12-1330** by Representative(s) Becker, Priola, Sonnenberg--
30 Concerning the creation of a hearing process to end a
31 suspension of privileges to attempt to take wildlife.

32
33 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
34 dated April 18, 2012, and placed in member's bill file; Report also
35 printed in House Journal, April 19, pages 1043-1044..

36
37 Amendment No. 2, Appropriations Report, dated April 20, 2012, and
38 placed in member's bill file; Report also printed in House Journal,
39 April 20, page 1059.

40
41 As amended, ordered engrossed and placed on the Calendar for Third
42 Reading and Final Passage.

43
44 **SB12-010** by Senator(s) Hodge; also Representative(s) Ferrandino--
45 Concerning the authority of the department of public
46 safety to use gifts, grants, and donations for the purpose of
47 funding the activities of the Colorado bureau of
48 investigation.

49
50 Amendment No. 1, by Representative(s) Levy.

51
52 Amend reengrossed bill, page 2, line 4, strike "**gifts, grants,**" and
53 substitute "**grants**".

54
55 Page 2, line 6, strike "GIFTS, GRANTS," and substitute "GRANTS".
56

1 Page 2, line 8, strike "GIFT, GRANT," and substitute "GRANT".

2
3 Page 2, line 11, strike "GIFTS,".

4
5 Page 2, line 12, strike "GRANTS," and substitute "GRANTS".

6
7 Page 2, line 13, strike "GIFTS, GRANTS," and substitute "GRANTS".

8
9 Page 3, line 3, strike "7," and substitute "8,".

10
11 Page 1, line 102, strike "GIFTS, GRANTS," and substitute "GRANTS".

12
13 As amended, ordered revised and placed on the Calendar for Third
14 Reading and Final Passage.

15
16 **SB12-145** by Senator(s) Steadman, Hodge, Lambert; also
17 Representative(s) Becker, Gerou, Levy--Concerning a cap
18 on the 2011-12 state fiscal year transfers to the state
19 public school fund from public school land moneys.

20
21 Amendment No. 1, Education Report, dated April 16, 2012, and placed
22 in member's bill file; Report also printed in House Journal, April 17,
23 page 1019.

24
25 As amended, ordered revised and placed on the Calendar for Third
26 Reading and Final Passage.

27
28 **HB12-1136** by Representative(s) Ramirez; also Senator(s) Roberts--
29 Concerning a prohibition on the use of public land for
30 retail sales.

31
32 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
33 April 19, 2012, and placed in member's bill file; Report also printed in
34 House Journal, April 20, pages 1062-1064.

35
36 Amendment No. 2, by Representative(s) Ramirez.

37
38 Amend the State, Veterans, & Military Affairs Committee Report, dated
39 April 19, 2012, page 1, strike lines 14 and 15 and substitute "plazas, and
40 truck stops."

41
42 Page 1, line 16, strike "for Colorado state highways and" and substitute
43 "in the state,".

44
45 Page 1, line 17, strike "roads,".

46
47 Page 1, line 19, strike "public land near state" and substitute "taxpayer
48 subsidized land".

49
50 Page 1, strike line 20.

51
52 Page 1, line 21, strike "roads" and substitute "and".

53
54 Page 1, line 22, strike "taxpayer" and substitute "such".

55
56 Page 2, after line 14 insert:

1 "(2) "INTERSTATE SYSTEM" HAS THE SAME MEANING AS SET FORTH
2 IN SECTION 43-2-101 (2), C.R.S.

3
4 (3) "MOTOR FUEL" MEANS ANY SOURCE OF ENERGY USED TO
5 PROPEL A MOTOR VEHICLE ON A HIGHWAY OR INTERSTATE SYSTEM."

6
7 Renumber succeeding subsections accordingly.

8
9 Page 2, strike lines 26 through 28.

10
11 Renumber succeeding subsection accordingly.

12
13 Page 2, strike lines 35 through 42 and substitute:

14
15 "(1) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, AND
16 EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS SUBSECTION (1), A
17 PUBLIC ENTITY SHALL NOT PERMIT AUTOMOTIVE SERVICE STATIONS OR
18 OTHER COMMERCIAL ESTABLISHMENTS FOR SERVING MOTOR VEHICLE
19 USERS TO BE CONSTRUCTED OR LOCATED ON THE RIGHTS-OF-WAY OF THE
20 INTERSTATE SYSTEM.

21 (b) (I) NOTHING IN THIS SUBSECTION (1) PROHIBITS A PUBLIC
22 ENTITY FROM MAINTAINING EXISTING PUBLIC REST AREAS OR
23 CONSTRUCTING NEW PUBLIC REST AREAS LOCATED, AS ALLOWED BY LAW,
24 ON THE RIGHTS-OF-WAY OF THE INTERSTATE SYSTEM.

25 (II) A PUBLIC ENTITY MAY PERMIT THE PLACEMENT OF VENDING
26 MACHINES IN REST AND RECREATION AREAS, AND IN SAFETY REST AREAS,
27 CONSTRUCTED OR LOCATED ON RIGHTS-OF-WAY OF THE INTERSTATE
28 SYSTEM IN THE STATE. SUCH VENDING MACHINES MAY ONLY DISPENSE
29 FOOD, DRINK, AND OTHER ARTICLES AS THE PUBLIC ENTITY DETERMINES
30 ARE APPROPRIATE AND DESIRABLE. THE VENDING MACHINES MAY ONLY
31 BE OPERATED BY THE STATE. PRIORITY SHALL BE GIVEN TO VENDING
32 MACHINES THAT ARE LICENSED, MANAGED, OR OPERATED PURSUANT TO
33 SECTION 26-8.5-102, C.R.S., OR THE "RANDOLPH-SHEPPARD ACT", 20
34 U.S.C. SEC. 107.

35
36 (2) (a) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A
37 PUBLIC ENTITY SHALL NOT OPERATE, OR CONTRACT WITH A PRIVATE
38 ENTITY TO OPERATE, FOR PUBLIC USE ANY TRUCK STOP, FUELING STATION,
39 CONVENIENCE STORE, OR OTHER AUTOMOTIVE SERVICE STATION FOR THE
40 PURPOSE OF RETAILING MOTOR FUEL.

41
42 (b) THE PROHIBITION SET FORTH IN THIS SUBSECTION (2) DOES NOT
43 APPLY TO ANY TRUCK STOP, FUELING STATION, CONVENIENCE STORE, OR
44 OTHER AUTOMOTIVE SERVICE STATION THAT RETAILS MOTOR FUEL PRIOR
45 TO THE EFFECTIVE DATE OF THIS SUBSECTION (2)."

46
47 Page 3, strike lines 1 through 12.

48
49 Amendment No. 3, by Representative(s) Liston.

50
51 Amend Amendment No.2, by Representative Ramirez, as printed in
52 House Journal page 1091, strike lines 37 and 38 and substitute "PUBLIC
53 ENTITY SHALL NOT RETAIL MOTOR FUEL FOR PUBLIC USE, OR CONTRACT
54 WITH A PRIVATE ENTITY TO RETAIL MOTOR FUEL FOR PUBLIC USE, AT ANY
55 TRUCK STOP, FUELING STATION,".

56

1 Page 1091, line 39, strike "STATION FOR THE" and substitute "STATION.".

2
3 Page 1091, strike line 40.

4
5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.

7
8
9
10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11
12 Passed Second Reading: **HB12-1348 amended, 1084, 1218 amended,**
13 **1223 amended, 1273 amended, 1330 amended, SB12-010 amended,**
14 **145 amended, HB12-1136 amended.**

15
16 The Chairman moved the adoption of the Committee of the Whole
17 Report. As shown by the following roll call vote, a majority of those
18 elected to the House voted in the affirmative, and the Report was
19 **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	Y	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.	E	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

38
39
40
41
42
43
44 **THIRD READING OF BILL(S)--FINAL PASSAGE**

45
46 The following bill(s) was(were) considered on Third Reading. The
47 title(s) was(were) publicly read. Reading of the bill at length was
48 dispensed with by unanimous consent.

49
50 **HB12-1066** by Representative(s) Priola; also Senator(s) Tochtrop--
51 Concerning the application of vehicle laws to powersports
52 vehicles, and, in connection therewith, making an
53 appropriation.

54
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote,

less than a majority of those elected to the House voted in the affirmative and the bill was declared **lost**.

YES	26	NO	38	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	N	Looper	N	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	N	McCann	N	Soper	Y
Baumgardner	N	Hamner	N	McKinley	Y	Stephens	N
Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
Beezley	N	Hullinghorst	N	Murray	Y	Swalm	N
Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	N
Casso	Y	Kagan	N	Pace	N	Todd	N
Conti	N	Kefalas	N	Peniston	N	Tyler	N
Coram	N	Kerr A.	N	Priola	Y	Vaad	Y
Court	N	Kerr J.	N	Ramirez	Y	Vigil	N
DelGrosso	N	Labuda	N	Ryden	N	Waller	N
Duran	N	Lee	N	Schafer S.	E	Williams A.	Y
Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
Fields	N	Liston	Y	Singer	N	Young	N
						Speaker	Y

HB12-1099 by Representative(s) McKinley, Sonnenberg; also Senator(s) Tochtrop and Williams--Concerning the establishment of an industrial hemp remediation pilot program to study phytoremediation through the growth of hemp on contaminated soil, and, in connection therewith, making an appropriation.

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	56	NO	8	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	Y	Looper	N	Solano	Y
Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
Barker	N	Gerou	N	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	N
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	N	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	N	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	Y	Schafer S.	E	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, Hullinghorst, Kerr J., Labuda, Soper, Wilson.

1 **HB12-1345** by Representative(s) Massey; also Senator(s) Bacon--
 2 Concerning the financing of public schools, and, in
 3 connection therewith, 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	63	NO	1	EXCUSED	1	ABSENT	0
11	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
12	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
13	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
14	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
15	Becker	Y	Holbert	Y	Miklosi	Y	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.	E	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) Casso, Fields, Gerou, Hamner, Kerr A.,
 29 Kerr J., Labuda, McCann, Singer, Stephens, Summers, Todd, Tyler, Vigil,
 30 Wilson, Young.
 31

32 **HB12-1042** by Representative(s) Pace; also Senator(s) Schwartz--
 33 Concerning a state income tax credit related to the portion
 34 of Colorado estate taxes paid that are attributable to
 35 agricultural land.
 36

37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	55	NO	9	EXCUSED	1	ABSENT	0
43	Acree	Y	Fischer	N	Looper	Y	Solano	N
44	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
45	Barker	Y	Gerou	Y	McCann	N	Soper	Y
46	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
47	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
48	Beezley	Y	Hullinghorst	N	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	N	Tyler	N
53	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
54	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
55	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
56	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y

1	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Brown, Casso, Fields, Pabon, Vigil,
5 Wilson.

6
7 **HB12-1075** by Representative(s) Beezley and DelGrosso; also
8 Senator(s) Brophy--Concerning a limit on total state
9 general fund 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**.

15	YES	34	NO	30	EXCUSED	1	ABSENT	0
17	Acree	Y	Fischer	N	Looper	Y	Solano	N
18	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
19	Barker	Y	Gerou	Y	McCann	N	Soper	N
20	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
22	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
23	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
24	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
25	Casso	N	Kagan	N	Pace	N	Todd	N
26	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
27	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
28	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
29	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
30	Duran	N	Lee	N	Schafer S.	E	Williams A.	N
31	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
32	Fields	N	Liston	Y	Singer	N	Young	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Barker, Brown, Kerr J., Liston,
35 Speaker.

36
37 **HB12-1101** by Representative(s) Barker; also Senator(s) S. King--
38 Concerning the culpable mental state for identity theft.

39
40 The question being "Shall the bill pass?".

41 A roll call vote was taken. As shown by the following recorded vote, a
42 majority of those elected to the House voted in the affirmative and the bill
43 was declared **passed**.

44	YES	45	NO	19	EXCUSED	1	ABSENT	0
46	Acree	Y	Fischer	N	Looper	Y	Solano	N
47	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
48	Barker	Y	Gerou	Y	McCann	N	Soper	Y
49	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
50	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
51	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
52	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
53	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
54	Casso	Y	Kagan	N	Pace	Y	Todd	N
55	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
56	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y

1	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
2	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
3	Duran	N	Lee	Y	Schafer S.	E	Williams A.	N
4	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
5	Fields	Y	Liston	Y	Singer	N	Young	Y
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Bradford, Gardner B., Kerr J.

8
9 **HB12-1143** by Representative(s) Ferrandino; also Senator(s)
10 Steadman--Concerning an adjustment in the
11 reimbursement rates the state pays county governments for
12 costs associated with elections involving statewide ballot
13 measures, and, in connection therewith, making an
14 appropriation.
15

16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
18 majority of those elected to the House voted in the affirmative and the bill
19 was declared **passed**.
20

21	YES	64	NO	0	EXCUSED	1	ABSENT	0
22	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
23	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
26	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
27	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
33	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
37	Fields	Y	Liston	Y	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Court, Fields, Fischer, Murray, Todd.
40

41 **SB12-149** by Senator(s) Steadman; also Representative(s) Priola--
42 Concerning the circumstances in which the board of a
43 defined benefit plan or system created by a local
44 government may modify retirement benefit provisions of
45 the plan or system.
46

47 The question being "Shall the bill pass?".

48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative and the bill
50 was declared **passed**.
51

52	YES	64	NO	0	EXCUSED	1	ABSENT	0
53	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
54	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
55	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
56	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y

1	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
2	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
3	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
4	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
5	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
6	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
7	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
8	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
9	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
10	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
11	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
12	Fields	Y	Liston	Y	Singer	Y	Young	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Brown, Fields, Kerr J., Labuda,
15 Summers.

16
17 **HB12-1266** by Representative(s) Sonnenberg, Gardner B.; also
18 Senator(s) Morse--Concerning the continuation of the
19 licensing of persons who furnish bail for compensation,
20 and, in connection therewith, reducing an appropriation .
21

22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.
26

27	YES	63	NO	1	EXCUSED	1	ABSENT	0
28	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
41	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
42	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
43	Fields	Y	Liston	Y	Singer	Y	Young	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Labuda, Waller.
46

47 **HB12-1306** by Representative(s) Holbert; also Senator(s) King K.--
48 Concerning the manner of determining pupil enrollment
49 counts in public schools, and, in connection therewith,
50 making an appropriation.
51

52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.
56

	YES	43	NO	21	EXCUSED	1	ABSENT	0
1	Acree	Y	Fischer	N	Looper	Y	Solano	N
2	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
3	Barker	Y	Gerou	Y	McCann	Y	Soper	N
4	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
5	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
6	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
7	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
8	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
9	Casso	N	Kagan	N	Pace	Y	Todd	Y
10	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	N
11	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
12	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
13	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
14	Duran	N	Lee	N	Schafer S.	E	Williams A.	N
15	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
16	Fields	N	Liston	Y	Singer	N	Young	Y
17							Speaker	Y

18
19 Co-sponsor(s) added: Representative(s) Barker.

20
21 **HB12-1325** by Representative(s) Summers; also Senator(s) Nicholson-
22 -Concerning tracking transactions related to
23 methamphetamine precursor drugs.
24

25 The question being "Shall the bill pass?".

26 A roll call vote was taken. As shown by the following recorded vote, a
27 majority of those elected to the House voted in the affirmative and the bill
28 was declared **passed**.
29

	YES	50	NO	14	EXCUSED	1	ABSENT	0
30	Acree	Y	Fischer	Y	Looper	N	Solano	Y
31	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
32	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
33	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
34	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
35	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
36	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
37	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
38	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
39	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
40	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
41	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
42	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
43	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
44	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
45	Fields	Y	Liston	N	Singer	Y	Young	Y
46							Speaker	Y

47
48 Co-sponsor(s) added: Representative(s) Fields, Fischer, Kerr A.
49

50 **HB12-1331** by Representative(s) Brown, Wilson, Pace, Hamner, Kerr
51 A., Massey, Murray, Ramirez, Schafer S., Summers, Todd;
52 also Senator(s) Schwartz, Bacon, Heath, Johnston,
53 King K., King S.--Concerning changing the name of
54 Western state college of Colorado to Western state
55 Colorado university.
56

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	60	NO	4	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	Y	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	N
13	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
14	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
15	Casso	N	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.	Y	Ramirez	Y	Vigil	Y
19	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
20	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
21	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
22	Fields	Y	Liston	N	Singer	Y	Young	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Coram, Fischer, Holbert, Labuda,
 25 Pabon, Scott, Vigil.

26
 27 **HB12-1038** by Representative(s) Looper, Barker, Brown, Priola,
 28 Ramirez, Scott, Williams A.; also Senator(s) Williams S.--
 29 Concerning the creation of a multi-year registration for
 30 Class A trailers, and, in connection therewith, making an
 31 appropriation.
 32

33 The question being "Shall the bill pass?".
 34 A roll call vote was taken. As shown by the following recorded vote, a
 35 majority of those elected to the House voted in the affirmative and the bill
 36 was declared **passed**.

	YES	64	NO	0	EXCUSED	1	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Becker	Y	Holbert	Y	Miklosi	Y	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.	E	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, Coram, DelGrosso, Joshi,
 56 Kerr J., Labuda, Liston, Massey, Murray, Singer, Vaad.

1 **HB12-1310** by Representative(s) Gardner B., Barker; also Senator(s)
 2 Carroll, Guzman--Concerning changes to statutory
 3 provisions related to criminal proceedings, and, in
 4 connection therewith, making an appropriation.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	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	Y	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.	E	Williams A.	Y
26	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
27	Fields	Y	Liston	Y	Singer	Y	Young	Y
28							Speaker	Y

29
 30
 31 **HB12-1334** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 32 Hodge, Lambert, Steadman--Concerning the extension of
 33 severance tax funding for the promotion of agricultural
 34 energy-related projects, and, in connection therewith,
 35 making an appropriation.

36
 37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	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	Y	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.	E	Williams A.	Y

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Coram, Fischer, Labuda, Nikkel, Pace,
5 Vigil, Wilson.

6
7 **HB12-1214** by Representative(s) Becker, Todd; also Senator(s)
8 Nicholson and Spence--Concerning community college
9 two-year degree programs in certain health care fields
10 without a student transfer agreement.

11
12 The question being "Shall the bill pass?".

13 A roll call vote was taken. As shown by the following recorded vote, a
14 majority of those elected to the House voted in the affirmative and the bill
15 was declared **passed**.

17	YES	64	NO	0	EXCUSED	1	ABSENT	0
18	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
19	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
20	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
21	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
22	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
23	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
24	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
25	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
26	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
27	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
28	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
29	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
30	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
31	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
32	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
33	Fields	Y	Liston	Y	Singer	Y	Young	Y
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Beezley, Casso, DelGrosso, Fields,
36 Gardner B., Holbert, Kerr A., Labuda, Massey, Nikkel, Scott, Solano,
37 Sonnenberg, Summers, Vigil, Williams A., Young.

38
39 **HB12-1069** by Representative(s) Miklosi and Pabon; also Senator(s)
40 Shaffer and S. King--Concerning tax expenditures.

41
42 The question being "Shall the bill pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the bill
45 was declared **passed**.

47	YES	44	NO	20	EXCUSED	1	ABSENT	0
48	Acree	Y	Fischer	N	Looper	N	Solano	N
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
53	Beezley	N	Hullinghorst	N	Murray	N	Swalm	N
54	Bradford	N	Jones	N	Nikkel	Y	Swerdfeger	N
55	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	N	Kerr J.	N	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
6	Ferrandino	Y	Levy	N	Scott	N	Wilson	N
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Fields, Liston, Pace, Todd, Vigil.

10
11 **SB12-012** by Senator(s) King S., Guzman, Tochtrop; also
12 Representative(s) Miklosi--Concerning the department of
13 revenue's audits of automobile emission inspection
14 facilities.

15
16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
18 majority of those elected to the House voted in the affirmative and the bill
19 was declared **passed**.

20								
21	YES	53	NO	11	EXCUSED	1	ABSENT	0
22	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
23	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
26	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
27	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
28	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
29	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
33	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
37	Fields	Y	Liston	Y	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Kerr A., Labuda, Pace, Wilson, Young.

40
41 **SB12-041** by Senator(s) Spence; also Representative(s) Priola--
42 Concerning the continuous appropriation of the moneys in
43 the commercial vehicle enterprise tax fund to the
44 department of revenue for sales and use tax refunds.

45
46 The question being "Shall the bill pass?".

47 A roll call vote was taken. As shown by the following recorded vote, a
48 majority of those elected to the House voted in the affirmative and the bill
49 was declared **passed**.

50								
51	YES	60	NO	4	EXCUSED	1	ABSENT	0
52	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
53	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
54	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
56	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y

1	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
2	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
3	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
4	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
5	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
7	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
8	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
9	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
10	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
11	Fields	Y	Liston	Y	Singer	Y	Young	Y
12							Speaker	Y

13
14 **SB12-009** by Senator(s) Hodge, Brophy, Giron, Roberts, Schwartz;
15 also Representative(s) Swerdfeger, Baumgardner,
16 Sonnenberg, Vigil, Wilson--Concerning the consolidation
17 of cash funds administered by the division of water
18 resources, and, in connection therewith, making and
19 reducing appropriations.

20
21 The question being "Shall the bill pass?".
22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.

25	YES	63	NO	1	EXCUSED	1	ABSENT	0
26								
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	E	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Brown, Fischer, Labuda, Looper,
45 Massey, Pace, Scott.

46
47
48
49
50 House in recess. House reconvened.
51
52
53
54
55

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

After consideration on the merits, the Committee recommends the following:

HB12-1278 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Legislative declaration. (1) The general assembly hereby declares that:

(a) In 1966, the general assembly commissioned a study of the interaction between the South Platte alluvial aquifer and the surface flows in the South Platte river. The general assembly considered this study in passing the "Water Right Determination and Administration Act of 1969", article 92 of title 37, Colorado Revised Statutes, and augmentation plans authorized by the 1969 act are operating on a large scale in the South Platte river basin. Many scientific and technological advances have occurred since the study was completed in 1968, yet no comprehensive study has been conducted since then regarding the impact of alluvial groundwater usage on the South Platte river or the relative success of augmentation plans authorized by the 1969 act in protecting senior surface water diverters and maximizing the use of both groundwater and surface waters of the state. The general assembly finds that the South Platte alluvial aquifer plays a critical role in the state's economy, that development of this aquifer is and will continue to be an important water supply source, and that it is appropriate at this time to engage in an additional study on these matters.

(b) Groundwater levels in some areas of the South Platte river alluvium have risen since 2005 to unprecedented high levels and have caused damaging conditions, including crop damage, decreased soil productivity, salt accumulation in soils, deterioration of water quality, failures of wastewater systems and infrastructure, damage to residential and commercial property, increased nonbeneficial consumptive use by phreatophytes, water waste, and significant outflow to Nebraska; and

(c) Because of the critical roles that the South Platte river and its alluvial aquifer play in supporting the state's economy, the Colorado water conservation board, beginning in 2012 and in consultation with the state engineer and the Colorado water institute, must conduct comprehensive studies of the available historical hydrologic data through water year 2011 to evaluate the effectiveness of the "Water Right Determination and Administration Act of 1969" in achieving the dual goals of protecting senior water rights and maximizing the beneficial use of both surface waters and groundwaters of the state.

SECTION 2. In Colorado Revised Statutes, 37-60-115, add (7) as follows:

37-60-115. Water studies - rules - repeal. (7) South Platte river alluvial aquifer study - study authorized. (a) THE BOARD SHALL, IN CONSULTATION WITH THE STATE ENGINEER AND THE COLORADO WATER INSTITUTE, ESTABLISHED IN SECTION 23-31-801, C.R.S., AND ALSO REFERRED TO IN THIS SECTION AS THE "INSTITUTE", CONDUCT A COMPREHENSIVE STUDY TO COMPILE AND EVALUATE AVAILABLE HISTORICAL HYDROLOGIC DATA THROUGH WATER YEAR 2011. THE

1 STUDY'S OBJECTIVES ARE:

2 (I) TO EVALUATE WHETHER CURRENT LAWS AND RULES THAT
3 GUIDE WATER ADMINISTRATION IN THE SOUTH PLATTE RIVER BASIN
4 ACHIEVE THE DUAL GOALS OF PROTECTING SENIOR WATER RIGHTS AND
5 MAXIMIZING THE BENEFICIAL USE OF BOTH SURFACE WATER AND
6 GROUNDWATER WITHIN THE BASIN;

7 (II) TO IDENTIFY AND DELINEATE AREAS WITHIN THE BASIN
8 ADVERSELY IMPACTED BY HIGH GROUNDWATER LEVELS AND TO CONDUCT
9 A FEASIBILITY-LEVEL EVALUATION OF THE CAUSES OF HIGH
10 GROUNDWATER LEVELS IN THE AFFECTED AREAS;

11 (III) TO PROVIDE INFORMATION TO USE AS A BASIS FOR
12 IMPLEMENTATION OF MEASURES TO MITIGATE ADVERSE IMPACTS IN AREAS
13 EXPERIENCING HIGH GROUNDWATER LEVELS; AND

14 (IV) TO PROVIDE INFORMATION TO THE GENERAL ASSEMBLY, THE
15 BOARD, AND THE STATE ENGINEER TO FACILITATE THE LONG-TERM
16 SUSTAINABLE USE OF SOUTH PLATTE WATER SUPPLIES.

17 (b) THE BOARD SHALL ENTER INTO A CONTRACT WITH THE
18 INSTITUTE, USING EXISTING PROCUREMENT MECHANISMS AND
19 AGREEMENTS BETWEEN THE BOARD AND THE INSTITUTE, TO CONDUCT,
20 OVERSEE, AND COORDINATE ALL ASPECTS OF THE STUDY. THE BOARD
21 SHALL FUND THE STUDY FROM EXISTING RESEARCH RESOURCES AT LEVELS
22 AGREED TO BETWEEN THE BOARD AND THE INSTITUTE.

23 (c) THE INSTITUTE SHALL CONDUCT THE STUDY INDEPENDENTLY
24 USING RELEVANT, AVAILABLE, CURRENT, AND HISTORICAL HYDROLOGIC
25 DATA AND DOCUMENTS. THE STUDY IS RESTRICTED TO WATER USE IN
26 WATER DISTRICTS 1, 2, AND 64 WITHIN WATER DIVISION 1. IN CONDUCTING
27 THE STUDY, THE INSTITUTE SHALL CONSIDER THE IMPACTS OF ALL WATER
28 RIGHTS AND INTERSTATE OBLIGATIONS IN WATER DIVISION 1 AND SHALL
29 INVESTIGATE, COMPILE, AND EVALUATE HYDROLOGIC VARIABLES AND
30 FACTORS, INCLUDING:

31 (I) THE NUMBER AND LOCATION OF ALLUVIAL WELLS THAT ARE
32 CURRENTLY WITHDRAWING GROUNDWATER;

33 (II) THE NUMBER AND LOCATION OF ALLUVIAL WELLS THAT ARE
34 CURRENTLY CURTAILED FROM PUMPING, EITHER FULLY OR PARTIALLY;

35 (III) THE NUMBER AND LOCATION OF EXISTING ARTIFICIAL
36 RECHARGE FACILITIES AND THE HISTORICAL VOLUME OF WATER
37 RECHARGED;

38 (IV) HISTORICAL VOLUMES OF WATER PUMPED FOR EACH
39 HIGH-CAPACITY IRRIGATION, MUNICIPAL, INDUSTRIAL, OR OTHER WELL
40 NOT EXEMPTED UNDER SECTION 37-92-602;

41 (V) HISTORICAL AMOUNTS OF WATER LEAVING THE STATE IN
42 EXCESS OF THE REQUIREMENTS OF RIVER COMPACTS AND OF THE "PLATTE
43 RIVER COOPERATIVE AGREEMENT" OF 1997;

44 (VI) HISTORICAL WATER DELIVERIES TO SURFACE WATER RIGHTS;

45 (VII) GROUNDWATER LEVEL DATA AVAILABLE FROM EXISTING
46 OBSERVATION WELLS AND THE HISTORICAL FLUCTUATIONS OF
47 GROUNDWATER LEVELS BASED ON THE DATA;

48 (VIII) THE SOUTH PLATTE DECISION SUPPORT SYSTEM'S EXISTING
49 PHREATOPHYTE GROUNDWATER EVAPOTRANSPIRATION MODULE AND,
50 USING AVAILABLE DATA, THE RELATIONSHIP BETWEEN HIGH
51 GROUNDWATER LEVELS AND NONBENEFICIAL CONSUMPTIVE USE BY
52 PHREATOPHYTES FROM 2001 THROUGH 2011;

53 (IX) THE NUMBER AND SIZE OF AUGMENTATION PLANS IN
54 OPERATION IN THE STUDY AREA; AND

55 (X) THE IMPACT OF TRANSBASIN SUPPLIES, REUSE OF FULLY
56 CONSUMABLE SUPPLIES, CONSERVATION PRACTICES, AND THE

1 INSTALLATION OF LINED STORAGE FACILITIES IN THE ALLUVIUM.

2 (d) THE INSTITUTE SHALL EVALUATE AND REPORT ITS FINDINGS
3 AND CONCLUSIONS TO THE BOARD AND THE GENERAL ASSEMBLY
4 REGARDING SPECIFIC ISSUES, INCLUDING:

5 (I) DEPLETIONS CAUSED BY PAST PUMPING OF WELLS HAVE
6 DELAYED IMPACTS ON SURFACE STREAMS AND, IF SO, THE MOST
7 APPROPRIATE METHODS FOR QUANTIFYING THE IMPACTS;

8 (II) AUGMENTATION PLANS ARE PREVENTING INJURY TO OTHER
9 WATER RIGHTS HOLDERS OR POTENTIALLY CAUSING OVER-AUGMENTATION
10 OF WELL DEPLETIONS;

11 (III) WHETHER ADDITIONAL USAGE OF THE ALLUVIAL AQUIFERS
12 COULD BE PERMITTED IN A MANNER CONSISTENT WITH PROTECTING SENIOR
13 SURFACE WATER RIGHTS; AND

14 (IV) WHETHER, AND TO WHAT EXTENT, THE USE OF WATER IN THE
15 BASIN COULD BE IMPROVED OR MAXIMIZED BY AFFORDING THE STATE
16 ENGINEER ADDITIONAL AUTHORITY TO ADMINISTER WATER RIGHTS WHILE
17 ENSURING PROTECTION OF SENIOR SURFACE WATER RIGHTS.

18 (e) THE BOARD SHALL COMMISSION THE STUDY AS SOON AS
19 PRACTICABLE. THE INSTITUTE SHALL PREPARE A FINAL REPORT, INCLUDING
20 ITS CONCLUSIONS, AND PRESENT IT TO THE GENERAL ASSEMBLY NO LATER
21 THAN DECEMBER 31, 2013. THE INSTITUTE SHALL PREPARE A PROGRESS
22 REPORT AND PRESENT IT TO A JOINT MEETING OF THE HOUSE OF
23 REPRESENTATIVES COMMITTEE ON AGRICULTURE, LIVESTOCK, AND
24 NATURAL RESOURCES AND THE SENATE COMMITTEE ON AGRICULTURE,
25 NATURAL RESOURCES, AND ENERGY, OR THEIR SUCCESSOR COMMITTEES,
26 DURING THE FIRST REGULAR SESSION OF THE SIXTY-NINTH GENERAL
27 ASSEMBLY IN 2013. THE INSTITUTE SHALL PRESENT THE FINAL REPORT TO
28 A JOINT MEETING OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON
29 AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES AND THE SENATE
30 COMMITTEE ON AGRICULTURE, NATURAL RESOURCES, AND ENERGY, OR
31 THEIR SUCCESSOR COMMITTEES, DURING THE SECOND REGULAR SESSION
32 OF THE SIXTY-NINTH GENERAL ASSEMBLY IN 2014.

33 **SECTION 3. Appropriation.** In addition to any other
34 appropriation, there is hereby appropriated, out of any moneys in the
35 Colorado water conservation board construction fund created in section
36 37-60-121 (1) (a), Colorado Revised Statutes, not otherwise appropriated,
37 to the department of natural resources, for the fiscal year beginning July
38 1, 2012, the sum of \$2,470,900, or so much thereof as may be necessary,
39 for allocation to the Colorado water conservation board for the H.B.
40 12-1278 South Platte river alluvial aquifer study related to the
41 implementation of this act.

42 **SECTION 4. Safety clause.** The general assembly hereby finds,
43 determines, and declares that this act is necessary for the immediate
44 preservation of the public peace, health, and safety."
45

46 Page 1, strike line 101 and substitute "CONCERNING THE
47 AUTHORIZATION OF A STUDY OF THE SOUTH PLATTE RIVER ALLUVIAL
48 AQUIFER, AND, IN CONNECTION THEREWITH, MAKING AN
49 APPROPRIATION."."
50

51

52

53

54 **HB12-1320** be postponed indefinitely.

55

56

1 **APPROPRIATIONS**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **HB12-1268** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend the Health and Environment Committee report, dated March 15,
10 2012, page 2, strike lines 2 through 7.

11
12 Reletter succeeding paragraphs accordingly.

13
14 Page 8, line 30, after "DIRECT" insert "AND INDIRECT".

15
16 Page 11, after line 16 insert:
17

18 "SECTION 14. No appropriation. The general assembly
19 intends and determines that this act can be implemented through the
20 transfer of resources, as such resources exist in the fiscal year beginning
21 July 1, 2012, and that therefore no additional appropriation of state
22 moneys is necessary to carry out this act."
23

24 Renumber succeeding sections accordingly.
25
26
27

28 **SB12-060** be referred to the Committee of the Whole with favorable
29 recommendation.
30

31
32 **SB12-123** be referred to the Committee of the Whole with favorable
33 recommendation.
34

35
36 **SB12-150** be referred to the Committee of the Whole with favorable
37 recommendation.
38

39
40 **SB12-168** be referred to the Committee of the Whole with favorable
41 recommendation.
42
43
44
45

46 **EDUCATION**

47 After consideration on the merits, the Committee recommends the
48 following:
49

50 **HB12-1333** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:
53

54 Amend printed bill, page 1, line 101, after "CONCERNING" insert
55 "EMPLOYER REVOCATION PERIODS FOR" and strike "PARTICIPATION
56 IN".

1 **SB12-015** be referred favorably to the Committee on Finance.

2
3
4 **SB12-121** be referred to the Committee of the Whole with favorable
5 recommendation.

6
7
8 **SB12-160** be referred to the Committee of the Whole with favorable
9 recommendation.

10

11

12

13

14 **LOCAL GOVERNMENT**

15 After consideration on the merits, the Committee recommends the
16 following:

17

18 **HB12-1329** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend printed bill, page 2, strike lines 2 through 22.

23

24 Strike page 3 and substitute the following:

25

26 "SECTION 1. In Colorado Revised Statutes, 38-37-104, **add** (6),
27 (7), and (8) as follows:

28 **38-37-104. Duties of public trustees - fees, expenses, and**
29 **salaries - reports.** (6) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
30 ARTICLE, THE POWER OF THE BOARD OF COUNTY COMMISSIONERS OF EACH
31 COUNTY TO ADOPT AN ANNUAL BUDGET FOR THE OPERATION OF THE
32 COUNTY GOVERNMENT PURSUANT TO SECTION 30-11-107 (2) (a), C.R.S.,
33 SHALL INCLUDE THE BUDGET OF THE OFFICE OF THE PUBLIC TRUSTEE.
34 EACH PUBLIC TRUSTEE SHALL MAKE APPROPRIATE BUDGET
35 RECOMMENDATIONS FOR THE OPERATION OF THE OFFICE OF THE PUBLIC
36 TRUSTEE EACH YEAR TO THE BOARD OF COUNTY COMMISSIONERS IN THE
37 COUNTY IN WHICH HE OR SHE SERVES AND SHALL BE SUBJECT TO ALL
38 OTHER PROVISIONS OF SECTION 30-11-107 (2) (a), C.R.S.

39 (7) EACH PUBLIC TRUSTEE WHO IS APPOINTED BY THE GOVERNOR
40 SHALL BE SUBJECT TO BIENNIAL AUDIT BY THE STATE AUDITOR. THE
41 STATE AUDITOR'S REPORT REGARDING SUCH PUBLIC TRUSTEE SHALL BE A
42 PUBLIC RECORD FOR PURPOSES OF THE "COLORADO OPEN RECORDS ACT",
43 PART 2 OF ARTICLE 72 OF TITLE 24, C.R.S.

44 (8) EACH PUBLIC TRUSTEE WHO IS APPOINTED BY THE GOVERNOR
45 SHALL BE SUBJECT TO THE STATE "PROCUREMENT CODE", ARTICLES 101
46 TO 112 OF TITLE 24, C.R.S., FOR ANY PURCHASE OF TWENTY THOUSAND
47 DOLLARS OR MORE AND FOR ANY MULTIPLE YEAR PURCHASE AGREEMENT;
48 EXCEPT THAT, IF THE PROCUREMENT RULES ESTABLISHED FOR THE COUNTY
49 IN WHICH THE PUBLIC TRUSTEE SERVES REQUIRE AN OPEN AND
50 COMPETITIVE BIDDING PROCESS, THE PUBLIC TRUSTEE MAY APPLY THE
51 COUNTY PROCUREMENT RULES."

52

53 Page 4, strike lines 1 through 4 and substitute:

54

55 "SECTION 2. Act subject to petition - effective date. This act
56 takes".

1 **SB12-026** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 3, line 6, strike "THE AGENCY'S
6 CONSULTATION" and substitute "ANY CONSULTATIONS THAT THE AGENCY
7 HAD".
8

9 Page 3, line 7, after "WITH" insert "ELECTED OFFICIALS OR OTHER".
10

11 Page 3, line 9, strike "THE CONCERNS OF THE" and substitute "ANY
12 CONCERNS OF THE ELECTED OFFICIALS OR OTHER".
13

14 Page 3, line 12, after "BY" insert "AN ELECTED OFFICIAL OR OTHER
15 REPRESENTATIVE OF".
16
17
18

19 **SB12-038** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:
22

23 Amend reengrossed bill, page 10, strike lines 2 through 7 and substitute:
24

25 **"SECTION 2. Act subject to petition - effective date -**
26 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
27 the expiration of the ninety-day period after final adjournment of the
28 general assembly (August 8, 2012, if adjournment sine die is on May 9,
29 2012); except that, if a referendum petition is filed pursuant to section 1
30 (3) of article V of the state constitution against this act or an item, section,
31 or part of this act within such period, then the act, item, section, or part
32 will not take effect unless approved by the people at the general election
33 to be held in November 2012 and, in such case, will take effect on the
34 date of the official declaration of the vote thereon by the governor.
35

36 (2) The provisions of this act apply to roofing work performed on
37 residential property in this state on or after the applicable effective date
38 of this act."
39
40

41 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

42
43 The Speaker has signed: **HB12-1019, 1063, 1341, 1342, 1343.**
44
45

46 **MESSAGE(S) FROM THE SENATE**

47
48
49 The Senate has postponed indefinitely HB12-1048 and HB12-1103. The
50 bills are returned herewith.
51

52
53 The Senate has adopted and transmits herewith: SJR12- 041
54
55
56

1 The Senate has passed on Third Reading and returns herewith
2 HB12-1153, HB12-1131, HB12-1162, HB12-1258.

3
4 The Senate has passed on Third Reading and transmits to the Revisor of
5 Statutes: SB12-166.

6
7 HB12-1275 amended as printed in Senate Journal, April 23, 2012,
8 page 815.
9 SB12-144 amended as printed in Senate Journal, April 23, 2012,
10 page 816.
11 SB12-005 amended as printed in Senate Journal, April 23, 2012,
12 page 816.
13 SB12-139 amended as printed in Senate Journal, April 23, 2012,
14 page 816.
15 SB12-159 amended as printed in Senate Journal, April 23, 2012,
16 pages 816-817.
17 SB12-164 amended as printed in Senate Journal, April 23, 2012,
18 pages 817-818.
19 SB12-165 amended as printed in Senate Journal, April 23, 2012,
20 page 818.
21 SB12-047 amended as printed in Senate Journal, April 23, 2012,
22 page 816 and amended on Third Reading, April 24, 2012,
23 as printed in the Senate Journal.
24
25

26 27 28 MESSAGE(S) FROM THE REVISOR

29
30 We herewith transmit:
31 Without comment, SB12-166.
32 Without comment, as amended, HB12-1275.
33 Without comment, as amended, SB12-005, 047, 139, 144, 159, 164, and
34 165.
35

36 37 38 INTRODUCTION OF BILLS

39 First Reading

40
41 The following bills were read by title and referred to the committees
42 indicated:

43
44 **HB12-1350** by Representative(s) Waller, Balmer, Barker, Casso,
45 Court, Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi,
46 Kerr A., Liston, Looper, Massey, Pabon, Priola, Ramirez,
47 Soper, Stephens, Summers, Swerdfeger, Vigil; also
48 Senator(s) Hodge, Heath, Guzman, Hudak, King K.,
49 Morse, Nicholson--Concerning in-state tuition
50 classification for dependents of members of the armed
51 forces.

52 Committee on State, Veterans, & Military Affairs

53
54 **HB12-1351** by Representative(s) Becker; also Senator(s) Tochtrop--
55 Concerning inclusion under the renewable energy
56 standard's definition of recycled energy such energy that

combusts gas generated from synthetic gas derived from waste materials through pyrolysis as the fuel source for generation.

Committee on Appropriations

INTRODUCTION OF CONCURRENT RESOLUTIONS

The following resolutions were read by title and referred to the committees indicated:

HCR12-1002 by Representative(s) Court, Casso, Duran, Ferrandino, Fields, Hullinghorst, Labuda, Levy, Pabon, Schafer S., Singer, Solano, Williams A.; also Senator(s) Aguilar--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the property tax exemption for qualifying seniors, and, in connection therewith, allowing an owner of residential real property who does not actually reside in the property to claim an exemption under specified circumstances and providing the exemption only to persons with limited financial means.

Committee on State, Veterans, & Military Affairs

HCR12-1003 by Representative(s) Court and Coram, Sonnenberg, Acree, Bradford, Brown, Casso, Ferrandino, Fields, Fischer, Hamner, Hullinghorst, Kagan, Kerr A., Labuda, Lee, Levy, Liston, Massey, McCann, McKinley, Miklosi, Peniston, Ryden, Schafer S., Singer, Soper, Summers, Swerdfeger, Todd, Tyler, Vigil, Williams A., Wilson; also Senator(s) Spence and Johnston, Aguilar, Bacon, Boyd, Carroll, Foster, Giron, Guzman, Heath, Hudak, Jahn, King S., Morse, Newell, Nicholson, Roberts, Schwartz, Steadman, Tochtrop, Williams S.--Submitting to the registered electors of the state of Colorado an amendment to the Colorado constitution concerning the process for amending the state constitution, and, in connection therewith, increasing the number of votes needed to pass a constitutional amendment from a majority to at least sixty percent of the votes cast; allowing a constitutional amendment passed prior to 2013 to be repealed by a majority of the votes cast; and adding a requirement that a minimum number of petition signatures for a citizen-initiated constitutional amendment be gathered from voters who reside in each Colorado congressional district.

Committee on State, Veterans, & Military Affairs

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

HJR12-1022 by Representative(s) Baumgardner, Looper, Massey, Wilson; also Senator(s) Nicholson, White--Concerning naming a portion of the Fraser River the "Eisenhower Memorial Reach".

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over one day under the rules:

HM12-1003 by Representative(s) Tyler, Kerr A.--Memorializing former Representative Betty J. Miller.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Bradford, the following item(s) on the Calendar was (were) laid over until April 25, retaining place on Calendar:

Consideration of Third Reading--**HB12-1319**.

Consideration of General Orders--**SB12-118, HB12-1109, 1119, 1347**.

Consideration of Resolution(s)--**SJR12-006, 024, 031, HJR12-1019, 1020, 1021**.

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052, 1105, 1146, 1321**.

On motion of Representative Bradford, the House adjourned until 9:00 a.m., April 25, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-sixth Legislative Day

Wednesday, April 25, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Father Bill Carmody, Saint Dominic, Security.

4

5 Pledge of Allegiance led by Dalton Ford from Bill Roberts Elementary,
6 Denver.

7

8 The roll was called with the following result:

9

10 Present--59.

11 Excused--Representative(s) Casso, Murray, Nikkel, Ramirez,
12 Singer, A. Williams--6.

13 Present after roll call--Representative(s) Casso, Murray, Nikkel,
14 Ramirez, Singer, A. Williams .

15

16 The Speaker declared a quorum present.

17

18

19 On motion of Representative Duran, the reading of the journal of
20 April 24, 2012, was declared dispensed with and approved as corrected
21 by the Chief Clerk.

22

23 House in recess. House reconvened.

24

25

26

27 **CONSIDERATION OF RESOLUTION(S)**

28

29 **SJR12-006** by Senator(s) Roberts; also Representative(s) Brown--
30 Concerning a prohibition on mandates to state and local
31 governments without adequate funding.

32

33 (Printed and placed in members' file)

34

35 On motion of Representative Brown, the resolution was **adopted** by **viva**
36 **voce** vote.

37

38 Co-sponsor(s) added: Representative(s) Balmer, Barker, Baumgardner, Becker,
39 Beezley, Bradford, Casso, Conti, Coram, DelGrosso, Gardner B., Hamner,
40 Holbert, Hullinghorst, Jones, Joshi, Kefalas, Kerr A., Kerr J., Lee, Liston,
41 Looper, McKinley, Miklosi, Nikkel, Ramirez, Schafer S., Scott, Solano,
42 Sonnenberg, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Vaad,
43 Vigil, Waller, Young.

1 **SJR12-024** by Senator(s) Bacon, Schwartz, Renfroe; also
 2 Representative(s) Sonnenberg, Brown, Vigil--Concerning
 3 the abatement of environmental contaminants in and
 4 demolition of structures on land located in the city of
 5 Pueblo, adjacent to the Colorado State Fair grounds.

6
 7 (Printed and placed in members' file)

8
 9 On motion of Representative Sonnenberg, the resolution was **adopted** by
 10 **viva voce** vote.

11
 12 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Bradford, Casso,
 13 Duran, Ferrandino, Fields, Fischer, Hullinghorst, Jones, Joshi, Kefalas, Kerr A.,
 14 Labuda, Lee, Levy, Looper, Massey, Miklosi, Nikkel, Pabon, Pace, Peniston,
 15 Ramirez, Ryden, Scott, Singer, Solano, Soper, Swerdfeger, Todd, Young,
 16 Speaker.

17
 18
 19 House in recess. House reconvened.
 20
 21

22 **THIRD READING OF BILL(S)--FINAL PASSAGE**

23
 24 The following bill(s) was(were) considered on Third Reading. The
 25 title(s) was(were) publicly read. Reading of the bill at length was
 26 dispensed with by unanimous consent.

27
 28
 29 **HB12-1348** by Representative(s) Ferrandino, McNulty; also Senator(s)
 30 Morse, Cadman--Concerning the powers of the legislative
 31 department with respect to capitol buildings group space,
 32 and, in connection therewith, providing for the designation
 33 of space for the members of the general assembly,
 34 legislative staff, and legislative staff agencies and the
 35 furnishing and equipping thereof, and granting the control
 36 of legislative spaces to the legislative department.

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	59	NO	3	EXCUSED	3	ABSENT	0
43								
44	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
45	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
46	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
47	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
48	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
49	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
50	Bradford	Y	Jones	E	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	E	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) Kerr A., Kerr J., Todd, Waller, Wilson,
6 Young.

7
8 **HB12-1084** by Representative(s) Fields and Conti; also Senator(s) Jahn
9 and King S.--Concerning increasing the punishment for
10 leaving the scene of a traffic accident that resulted in
11 serious bodily injury to any person.
12

13 The question being "Shall the bill pass?".

14 A roll call vote was taken. As shown by the following recorded vote, a
15 majority of those elected to the House voted in the affirmative and the bill
16 was declared **passed**.
17

18	YES	60	NO	2	EXCUSED	3	ABSENT	0
19	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
20	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
21	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
22	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
23	Becker	Y	Holbert	Y	Miklosi	E	Summers	Y
24	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
25	Bradford	Y	Jones	E	Nikkel	Y	Swerdfeger	Y
26	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
27	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
28	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
29	Coram	E	Kerr A.	Y	Priola	Y	Vaad	Y
30	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
31	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
32	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
33	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
34	Fields	Y	Liston	Y	Singer	Y	Young	Y
35							Speaker	N

36 Co-sponsor(s) added: Representative(s) Fischer, Hamner, Hullinghorst, Kerr A.,
37 Kerr J., Labuda, Levy, McCann, Schafer S., Singer, Todd, Vigil, Williams A.,
38 Young, Speaker.
39

40 41 42 MESSAGE(S) FROM THE SENATE

43
44 The Senate has adopted and transmits herewith: SJR12- 030.
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 **SJR12-030** by Senator(s) Morse, King S.; also Representative(s)
54 Barker--Concerning declaring the week of May 13 - 19,
55 2012, as Police Week, and, in connection therewith,
56 declaring May 15, 2012, as Peace Officers' Memorial Day.

1 (Printed and placed in member's file).

2
3 On motion of Representative Barker, the resolution was read in parts and
4 was **adopted by viva voce** vote.

5
6 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
7 Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
8 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner,
9 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
10 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray,
11 Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott,
12 Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
13 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

14
15 On motion of Representative Barker, SJR12-030 was printed in the House
16 Journal.

17
18 WHEREAS, The Congress and President of the United States have
19 designated May 15th as Peace Officers' Memorial Day and the week in
20 which it falls as Police Week; and

21
22 WHEREAS, The members of the law enforcement agencies within
23 the state of Colorado play an essential role in safeguarding the rights and
24 freedoms of the citizens of the state of Colorado; and

25
26 WHEREAS, It is important that all citizens of Colorado know and
27 understand the problems, duties, and responsibilities of their police
28 officers; and

29
30 WHEREAS, It is important that police officers throughout
31 Colorado recognize their duty to serve the people of this state by
32 safeguarding life and property, protecting citizens against violence,
33 disorder, and deception, and protecting the weak against oppression or
34 intimidation; and

35
36 WHEREAS, The law enforcement agencies within the state of
37 Colorado have grown to be modern and progressive agencies which
38 unceasingly provide a vital public service; and

39
40 WHEREAS, The following 250 peace officers made the ultimate sacrifice
41 while serving the state of Colorado:

42
43 In 1869: Robert A. Clark, Marshal of Blackhawk;

44
45 In 1872: Juan C. Tafoya of the Las Animas County S.O.;

46
47 In 1876: Charles Faber of Bent County S.O.;

48
49 In 1880: John Carville and Lauriston Stewart of the Leadville P.D.; and
50 Michael O'Neal of the Kokomo P.D.;

51
52 In 1881: D.G. "Clate" Ogsbury of the Silverton P.D.;

53
54 In 1882: Edward N. Campbell of Hinsdale County S.O.;

55
56 In 1883: James Bathurst of the Salida P.D.; and Baxter Stingley of the

1 Salida P.D.;

2

3 In 1888: Bill Thompson of the Las Animas County S.O.;

4

5 In 1889: John C. Phillips of the Denver P.D.;

6

7 In 1890: Charles F. Wanless of the Denver P.D.;

8

9 In 1891: Charles A. Hawley of the Denver P.D.;

10

11 In 1894: A.E. Cook, Marshal of Como; and John Myers of Gunnison

12 County S.O.;

13

14 In 1895: Charles Emerson of the Alamosa P.D.; Alpheus J. Moore of the

15 Denver P.D.; William Shea, Marshal of Victor; and John Solomon of the

16 Trinidad P.D.;

17

18 In 1896: Richard B. Williams of Gilpin County S.O.; William Green and

19 William Kelly of the Las Animas County S.O.; and Benjamin Bish of the

20 Colorado Springs P.D.;

21

22 In 1897: Joseph Simons of the Alamosa P.D.;

23

24 In 1898: Ernest Conrad and Sumner Whitney of Summit County S.O.;

25

26 In 1899: Edward Farr of Huerfano County S.O.; Thomas C. Clifford and

27 William E. Griffiths of the Denver P.D.;

28

29 In 1900: Stuart K. Harvey of the Denver P.D.;

30

31 In 1901: E.T. Clark of the Cripple Creek P.D.;

32

33 In 1903: Silas Martz and Elwin Slater of the Pueblo P.D.;

34

35 In 1904: W.E. Hammon of Gunnison County S.O.;

36

37 In 1905: Dr. Frank Dulin and William Bohanna of the Denver P.D.; and

38 Francisco Garcia of the Las Animas County S.O.;

39

40 In 1906: William J. Thompson of La Plata County S.O.; John Spellman

41 of the Denver P.D.; William Shellman of the Pueblo P.D.; Edward Innes

42 of Mesa County S.O.; and J. Horace Frisbie, Marshal of Lamar;

43

44 In 1907: Joseph Allen of the Fort Collins P.D.; and Joseph A. Walker of

45 the United States Secret Service;

46

47 In 1908: James Delmar Ellis of the Brighton P.D.; Antonio T. Shelby of

48 the Las Animas County S.O.; William H. Beck of the Denver P.D.; Albert

49 Smith of the Cripple Creek P.D.; and William P. Stephens of the Denver

50 P.D.;

51

52 In 1909: Alex Brighton of the Trinidad P.D.; Frederick Barner of the

53 Pueblo P.D.; and John Dunleavy of the Pueblo P.D.;

54

55 In 1910: Samuel C. Carpenter of the Denver P.D.; and John M. Rennix,

56 Marshal of New Castle;

- 1 In 1911: Jesse B. Craig, Sr. and Jacob A. Kipper of the Rocky Ford P.D.;
2 and Charles E. Brockman of the Fort Collins P.D.;
3
4 In 1912: William McPherson of the Denver P.D.;
5
6 In 1915: Frank Peak of the Loveland P.D.; and Victor Helburg of the
7 Louisville P.D.;
8
9 In 1916: William H. Cabler of the Denver P.D.; and Charles P. Eyser,
10 Marshal of Fort Morgan;
11
12 In 1918: John Rowan of the Colorado Springs P.D.; Luther McMahon of
13 the Denver P.D.; and William Wesley Green of the Pueblo County S.O.;
14
15 In 1919: Emerson L. McKinnon of the Denver P.D.; George C. Klein of
16 the Denver P.D.; and Jeff Evans of the Pueblo P.D.;
17
18 In 1920: James E. Boggio of the Denver P.D.; L.P. Bass of the Boulder
19 P.D.; William Stretcher of the Boulder County S.O.; Harvey Calvin Neese
20 of the Cripple Creek P.D.; and Addison O. Hinsdale, Jr. of the Pueblo
21 P.D.;
22
23 In 1921: William O. Steam of the Denver P.D.; Clarence E. Zietz and
24 Forrest Ross of the Denver P.D.; John Henry Lindamood of the Fountain
25 P.D.; Arthur J. Pinkerton of the Denver P.D.; and Clyde McDonald of the
26 Monte Vista P.D.;
27
28 In 1922: Blaine J. Wilson of Logan County S.O.; Eddie Bell of the
29 Colorado Rangers; and Richie Rose of the Denver P.D.;
30
31 In 1923: Leonard Higgins of Adams County S.O.; and Elmer E. Cobb of
32 the Boulder P.D.;
33
34 In 1924: Willis A. Davis of Delta County S.O.;
35
36 In 1925: James Shannon of the Denver P.D.; and Clyde L. Taylor of the
37 United States Treasury;
38
39 In 1927: Elmer I. Rich of the Denver P.D.; and Clem Eller of the Oak
40 Creek P.D.;
41
42 In 1928: Charles Pebley of the Delta P.D.; Harry R. Ohle of the Denver
43 P.D.; and Robert K. Evans of the Denver P.D.;
44
45 In 1929: Charles Edward Gibbs of the Routt County S.O.; and Clarence
46 W. Alston of the Denver P.D.;
47
48 In 1930: Coral A. Hickman of Kiowa County S.O.; William B. Justice of
49 Washington County S.O.; and Dale F. Kearney of the United States
50 Department of Justice;
51
52 In 1931: William Keating of the Denver P.D.;
53
54 In 1933: John F. Dea and George P. Schneider of the Denver P.D.;
55

- 1 In 1934: Adolpho Rodrigues of Costilla County S.O.; Thomas J.
2 O'Conner of the Denver P.D.; John J. O'Donnell and Clarence E. Fraker
3 of the Denver P.D.; and Chris J. Fahey of the Leadville P.D.;
- 4
5 In 1935: Alson E. McCasland of the Denver P.D.; W.W. Dunlap of
6 Montezuma County S.O.; and Lee S. Whitman of the Greeley P.D.;
- 7
8 In 1936: Pasquale Marinaro of the Denver P.D.;
- 9
10 In 1937: Forrest E. Sawyer of the Denver P.D.; and Oscar W. Meyer of
11 Eagle County S.O.;
- 12
13 In 1938: Jacob G. Benner of the Denver P.D.; Fidel Aguirre of Huerfano
14 County S.O.; and Fred Renovato of the Denver P.D.;
- 15
16 In 1939: Franklynn Dean of the Mancos P.D.;
- 17
18 In 1940: Morris Dolan of the Cripple Creek P.D.; Clarence B. Fugate of
19 Jefferson County S.O.; and Earl J. Bucher of Weld County S.O.;
- 20
21 In 1941: Arnold B. Gulzow of the Colorado State Patrol;
- 22
23 In 1945: Louis Box of the Rocky Ford P.D.; Benjamin L. Goorman of
24 Arapahoe County S.O.; and Virgil M. Hall of the Denver P.D.;
- 25
26 In 1946: Wallace M. McCarty of the Colorado State Patrol; and Raymond
27 B. Lewis of the Castle Rock P.D.;
- 28
29 In 1947: E. Clarence Martin of the Las Animas P.D.;
- 30
31 In 1949: Alvin Nelson of the Leadville P.D.; and H. M. Bechtelheimer of
32 the Colorado State Patrol;
- 33
34 In 1951: Wesley Rosette of the Colorado State Patrol;
- 35
36 In 1952: John Armour Stitt, Marshal of Paonia; Wesley A. McDonald and
37 James L. Jackson of Washington County S.O.;
- 38
39 In 1953: William A. Claassen of the Denver P.D.; Richard Ware of the
40 Evans P.D.; Guy Everett O'Neal of the Monte Vista P.D.; and Richard
41 Burchfield of the Colorado Springs P.D.;
- 42
43 In 1956: Floyd E. Gresham and Melvin E. Phillips of the Colorado State
44 Patrol;
- 45
46 In 1957: Richard J. Cahalan of the Colorado State Patrol;
- 47
48 In 1958: Donald J. Seick of the Denver P.D.; and Raymond J. McMaster
49 of the Boulder P.D.;
- 50
51 In 1959: Richard C. Edstrom of the Colorado State Patrol;
- 52
53 In 1960: Robert F. Jackson of Adams County S.O.;
- 54
55

- 1 In 1961: Merlin H. Koerner of Lincoln County S.O.; Hiram V. Short of
2 the Colorado State Patrol; John Clark of Eagle County S.O.; and Robert
3 G. Beghtol of the Arvada P.D.;
- 4
- 5 In 1962: Darrell J. Suer of the Denver P.D.; and Carl B. Knobbe of the
6 Denver P.D.;
- 7
- 8 In 1965: Paul L. Major of the Denver P.D.;
- 9
- 10 In 1966: Albert M. Alcorn and Nicholas A. Carhart of the Colorado State
11 Patrol;
- 12
- 13 In 1967: Gerald R. Williams of the Colorado State Patrol; and Vincent
14 Swiskoski of the Walsenburg P.D.;
- 15
- 16 In 1968: Larry B. Enloe of the Colorado State Patrol; James W. Mitchell
17 of Larimer County S.O.; and Paul D. Wilson of the Denver P.D.;
- 18
- 19 In 1971: Merle E. Nading of the Denver P.D.;
- 20
- 21 In 1972: James A. Chew of the Steamboat Springs P.D.;
- 22
- 23 In 1973: Rodolpho F. Sanchez of Costilla County S.O.; Danny R. Barnes
24 of Adams County S.O.; George G. Rosenbaugh of the Colorado State
25 Patrol; Stephen D. Hensley of the Delta P.D.; Gary D. Mills of the
26 Boulder P.D.; Thomas R. Carpenter of the Colorado State Patrol; Larry
27 Eugene Smith of Otero County S.O.; and Thomas M. Hanson of the
28 Pueblo P.D.;
- 29
- 30 In 1974: Richard P. Ross of the Colorado State Patrol; John Derek
31 Osborne of the Denver S.O.; and Gale E. Emerson of the Durango P.D.;
- 32
- 33 In 1975: William E. Smith of the Denver P.D.; Bernard Carter of the
34 Colorado Springs P.D.; Jack R. Coler of the Federal Bureau of
35 Investigation; Dennis Ives of the Colorado Springs P.D.; Donald L.
36 DeBruno of the Denver P.D.; Michael H. James of the Colorado State
37 Patrol; Donald R. Laabs of the Manitou Springs P.D.; and Harry Allen of
38 the Colorado Springs P.D.;
- 39
- 40 In 1976: Michael O. Conley of the Estes Park P.D.; W. Hugh Purdy of the
41 Colorado State Patrol; and Jameson M. Longworth of the Greeley P.D.;
- 42
- 43 In 1977: Dean L. McLaughlin of the Union Pacific Railroad Police; and
44 Larry E. Boles of the Union Pacific Railroad Police;
- 45
- 46 In 1978: Wayne G. Bryant of Douglas County S.O.; and Virgil Mason of
47 San Juan County S.O.;
- 48
- 49 In 1979: Robert C. Watson of Larimer County S.O.; Frances I. Galvin of
50 the Colorado State Patrol; and Walter M. Northey of the Arvada P.D.;
- 51
- 52 In 1980: Perry S. Watkins of the United States Secret Service; Augustus
53 J. Perreira of the Colorado Springs P.D.; Perry Messina of the Federal
54 Heights P.D.; and James K. Farris of the Colorado State Patrol;
- 55

- 1 In 1981: Eugene E. Kiefer of Clear Creek County S.O.; Kathleen Garcia
- 2 of the Denver P.D.; Debra Sue Corr of the Aurora P.D.; Frank McAteer
- 3 of La Plata County S.O.; and Leroy Talbert of the Denver P.D.;
- 4
- 5 In 1982: Richard E. Hart of the Firestone P.D.; Mark L. Dabbling of the
- 6 Colorado Springs P.D.; and Fredrick C. Rehmer of the Fort Morgan P.D.;
- 7
- 8 In 1983: Larry F. McMaster of the Montrose P.D.;
- 9
- 10 In 1984: Edgar B. Rains, Jr. of the Northglenn P.D.; and Clifton
- 11 Browning, Jr. of the Federal Bureau of Investigation;
- 12
- 13 In 1985: Thomas J. Dietzman, Jr. of the Aurora P.D.;
- 14
- 15 In 1986: William J. Truesdale of Jefferson County S.O.; and Patrick J.
- 16 Pollock of the Denver P.D.;
- 17
- 18 In 1987: James E. Wier of the Denver P.D.; Stephen P. Miller of
- 19 Jefferson County S.O.; Daniel R. Stillwell of the Denver S.O.; Edward J.
- 20 Hockom of the Aurora P.D.; and Charles A. Fry of the Colorado State
- 21 Patrol;
- 22
- 23 In 1988: Robert W. Wallis of the Denver P.D.; and Dale R. McLaughlin
- 24 of Adams County S.O.;
- 25
- 26 In 1989: Joseph A. Ynostroza of the Colorado State Patrol;
- 27
- 28 In 1992: Hugh A. Martin of El Paso County S.O.; and Lyle F. Wohlers of
- 29 the Colorado State Patrol;
- 30
- 31 In 1993: Norman Anthony Silva II of the Denver S.O.; and Roland O.
- 32 Lackey of Arapahoe County S.O.;
- 33
- 34 In 1994: Beth Haynes of the Boulder P.D.; and Roger D. Coursey of
- 35 Hinsdale County S.O.;
- 36
- 37 In 1995: Shawn J. Leinen of the Denver P.D.; Timothy M. Mossbrucker
- 38 of Jefferson County S.O.; Ronald R. Beatty of Larimer County S.O.; and
- 39 Brent A. Holloway of Teller County S.O.;
- 40
- 41 In 1996: Trevor R. Staszak of the Buena Vista P.D.;
- 42
- 43 In 1997: Ronald L. DeHerrera of the Denver P.D.; and Bruce L.
- 44 VanderJagt of the Denver P.D.;
- 45
- 46 In 1998: Dale Claxton of the Cortez P.D.;
- 47
- 48 In 1999: Ronald M. King of Douglas County S.O.;
- 49
- 50 In 2000: Dennis M. Licata of the Denver P.D.;
- 51
- 52 In 2001: Jason L. Manspeaker of the Colorado State Patrol; Ryan
- 53 Cunningham of the Vail P.D.; Daniel C. Dalley of the Fruita P.D.; Phillip
- 54 Keith Mason of the Colorado Division of Wildlife; and Jason Scott
- 55 Schwartz of Fremont County S.O.;
- 56

1 In 2002: James Olterman of the Colorado Division of Wildlife;
2
3 In 2004: Travis W. Sass of Larimer County S.O.;
4
5 In 2005: Donald Young II of the Denver P.D.; Jeffrey A. Christensen of
6 the National Park Service; and Greg R. Boss of the United States Postal
7 Service;
8
9 In 2006: Jared Jensen of the Colorado Springs P.D.; Michael D. Thomas
10 of the Aurora P.D.; and Kenneth C. Jordan of the Colorado Springs P.D.;
11
12 In 2007: Douglass D. Byrne of the Aurora P.D.; and Zachariah E.
13 Templeton of the Colorado State Patrol;
14
15 In 2008: Nicholas Heine of the Pueblo P.D.;
16
17 In 2009: David J. Kinterknecht of the Montrose P.D.;
18
19 In 2010: Samuel K. Brownlee of the Weld County S.O.;
20
21 In 2011: Jay Sheridan of the Limon P.D.; and David Roberts of the
22 Denver P.D.; and
23

24 WHEREAS, It is fitting and appropriate for the citizens of
25 Colorado to join together in commemorating peace officers, past and
26 present, who by their faithful and loyal devotion to their responsibilities
27 have rendered a dedicated service to their community and, in doing so,
28 have established for themselves an enviable and enduring reputation for
29 preserving the rights and security of all citizens; now, therefore,
30

31 *Be It Resolved by the Senate of the Sixty-eighth General Assembly*
32 *of the State of Colorado, the House of Representatives concurring*
33 *Herein:*
34

35 (1) That we, the members of the General Assembly, hereby
36 proclaim the week commencing May 13, 2012, as Police Week in
37 Colorado in recognition of peace officers' efforts in safeguarding the
38 citizens of Colorado and call upon all citizens of the state and upon all
39 patriotic, civic, and educational organizations to observe Police Week.
40

41 (2) That we, the members of the General Assembly, hereby
42 proclaim the day of May 15, 2012, as Peace Officers' Memorial Day in
43 recognition of those officers who, through their courageous deeds, have
44 made the supreme sacrifice or who have been disabled in the line of duty,
45 and call upon the citizens of Colorado to recognize and participate in the
46 observance of this worthy occasion.
47

48 *Be It Further Resolved*, That copies of this Joint Resolution be sent
49 to John Hickenlooper, Governor of Colorado; Kelly Young, President of
50 the Colorado chapter of Concerns of Police Survivors, Inc.; Mariah
51 Hughes, Chief Executive Officer of Concerns of Police Survivors, Inc.;
52 Fred Wegener, Chairman of the Colorado Law Enforcement Memorial;
53 Chief Robert C. White of the Denver Police Department; Chief Lynn
54 Yowell of the Limon Police Department; Frank Gale, President of the
55 Fraternal Order of Police, Colorado State Lodge; Officer Mike
56 Morehouse of the Thornton Police Department; James H. Davis,

Executive Director of the Colorado Department of Public Safety; Colonel James M. Wolfenbarger, Chief of the Colorado State Patrol; Karen M. Renshaw, Executive Director of the Colorado Association of Chiefs of Police; Christopher H. Olson, Executive Director of County Sheriffs of Colorado, Inc.; and Ronald C. Sloan, Director of the Colorado Bureau of Investigation.

House in recess. House reconvened.

CONSIDERATION OF RESOLUTION(S)

HJR12-1019 by Representative(s) Murray; also Senator(s) Scheffel-- Concerning urging Congress to propose to the states for ratification an amendment to the United States Constitution regarding parental rights.

(Printed and placed in members' file)

On motion of Representative Murray, the resolution was read at length and **adopted** by the following roll call vote:

YES	34	NO	31	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	N	Soper	N
Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	N	Kagan	N	Pace	N	Todd	N
Conti	Y	Kefalas	N	Peniston	N	Tyler	N
Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
Duran	N	Lee	N	Schafer S.	N	Williams A.	N
Ferrandino	N	Levy	N	Scott	Y	Wilson	N
Fields	N	Liston	Y	Singer	N	Young	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Conti, Coram, DelGrosso, Gerou, Holbert, Joshi, Kerr J., Liston, Looper, Massey, McKinley, Nikkel, Priola, Ramirez, Scott, Sonnenberg, Stephens, Summers, Swalm, Szabo, Vaad, Waller, Speaker.

THIRD READING OF BILL(S)--FINAL PASSAGE (continued)

HB12-1218 by Representative(s) Peniston, Massey, Hamner, Solano; also Senator(s) Hudak, King K., Hodge, Steadman, Williams S.--Concerning extending the early childhood and school readiness legislative commission.

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	38	NO	27	EXCUSED	0	ABSENT	0
7	Acree	Y	Fischer	Y	Looper	N	Solano	Y
8	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
9	Barker	N	Gerou	Y	McCann	Y	Soper	Y
10	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
11	Becker	Y	Holbert	N	Miklosi	Y	Summers	N
12	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
13	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	N
14	Brown	N	Joshi	N	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.	N	Ramirez	Y	Vigil	Y
19	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
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	N	Young	Y
23							Speaker	N

24 Co-sponsor(s) added: Representative(s) Casso, Duran, Ferrandino, Fields,
 25 Fischer, Kerr A., Labuda, Pabon, Pace, Ryden, Schafer S., Todd, Vigil, Young.

26
 27 **HB12-1223** by Representative(s) Levy, Becker, Gerou; also Senator(s)
 28 Steadman, Hodge, Lambert--Concerning earned time for
 29 inmates, and, in connection therewith, making and
 30 reducing appropriations.

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	40	NO	25	EXCUSED	0	ABSENT	0
38	Acree	N	Fischer	Y	Looper	N	Solano	Y
39	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
40	Barker	N	Gerou	Y	McCann	Y	Soper	Y
41	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
42	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
43	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
44	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
45	Brown	N	Joshi	N	Pabon	Y	Szabo	N
46	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
47	Conti	Y	Kefalas	Y	Peniston	N	Tyler	Y
48	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
49	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
50	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
51	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
52	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
53	Fields	N	Liston	N	Singer	Y	Young	Y
54							Speaker	N

55 Co-sponsor(s) added: Representative(s) Kerr A., Labuda, Wilson.

1 **HB12-1273** by Representative(s) Pabon, Conti, McCann, Swerdfeger;
 2 also Senator(s) Steadman--Concerning the inclusion of
 3 approved facility schools affiliated with a hospital to the
 4 definition of child care facility for purposes of the child
 5 care contribution income tax credit.

6
 7 The question being "Shall the bill pass?".

8 A roll call vote was taken. As shown by the following recorded vote, a
 9 majority of those elected to the House voted in the affirmative and the bill
 10 was declared **passed**.

	YES	56	NO	9	EXCUSED	0	ABSENT	0
13	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
14	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
15	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
16	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
17	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
18	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
19	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
20	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
21	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
22	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
23	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
24	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
25	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
28	Fields	Y	Liston	Y	Singer	Y	Young	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Labuda, Vigil,
 31 Young.

32
 33 **HB12-1330** by Representative(s) Becker, Priola, Sonnenberg; also
 34 Senator(s) Hodge--Concerning the creation of a hearing
 35 process to end a suspension of privileges to attempt to take
 36 wildlife, and, in connection therewith, making an
 37 appropriation.

38
 39 The question being "Shall the bill pass?".

40 A roll call vote was taken. As shown by the following recorded vote, a
 41 majority of those elected to the House voted in the affirmative and the bill
 42 was declared **passed**.

	YES	64	NO	1	EXCUSED	0	ABSENT	0
45	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
46	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
47	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
48	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
49	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
50	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
51	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
52	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
53	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
54	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
55	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
56	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y

1	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
2	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
3	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
4	Fields	Y	Liston	Y	Singer	Y	Young	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Brown, Coram, Looper.

7
8 **SB12-010** by Senator(s) Hodge; also Representative(s) Ferrandino--
9 Concerning the authority of the department of public
10 safety to use grants and donations for the purpose of
11 funding the activities of the Colorado bureau of
12 investigation.
13

14 The question being "Shall the bill pass?".

15 A roll call vote was taken. As shown by the following recorded vote, a
16 majority of those elected to the House voted in the affirmative and the bill
17 was declared **passed**.
18

19	YES	36	NO	29	EXCUSED	0	ABSENT	0
20	Acree	N	Fischer	Y	Looper	N	Solano	Y
21	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
22	Barker	N	Gerou	Y	McCann	Y	Soper	Y
23	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
24	Becker	N	Holbert	N	Miklosi	Y	Summers	N
25	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
26	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
27	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
28	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
29	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
30	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
31	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
32	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
33	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
34	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
35	Fields	Y	Liston	N	Singer	Y	Young	Y
36							Speaker	N

37 Co-sponsor(s) added: Representative(s) Fields, Labuda, Schafer S.

38
39 **SB12-145** by Senator(s) Steadman, Hodge, Lambert; also
40 Representative(s) Becker, Gerou, Levy--Concerning a cap
41 on the 2011-12 state fiscal year transfers to the state public
42 school fund from public school land moneys.
43

44 The question being "Shall the bill pass?".

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative and the bill
47 was declared **passed**.
48

49	YES	64	NO	1	EXCUSED	0	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
53	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y

1	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
2	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
3	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
4	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
5	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
6	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
7	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
8	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
9	Fields	Y	Liston	Y	Singer	Y	Young	Y
10							Speaker	Y

11
12 **HB12-1136** by Representative(s) Ramirez; also Senator(s) Roberts--
13 Concerning a prohibition on the use of public land for
14 retail sales.

15
16 The question being "Shall the bill pass?".

17 A roll call vote was taken. As shown by the following recorded vote, a
18 majority of those elected to the House voted in the affirmative and the bill
19 was declared **passed**.

20	YES	37	NO	28	EXCUSED	0	ABSENT	0
21								
22	Acree	Y	Fischer	N	Looper	Y	Solano	N
23	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
24	Barker	Y	Gerou	Y	McCann	N	Soper	Y
25	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
26	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
27	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
28	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
30	Casso	Y	Kagan	N	Pace	N	Todd	N
31	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
32	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
33	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
34	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
35	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
36	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
37	Fields	N	Liston	Y	Singer	Y	Young	N
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Barker, Coram, Liston, Looper.

40
41
42
43
44 On motion of Representative Stephens, **HB12-1333, 1155, 1329,**
45 **SB12-060, 123, 150, 168, 121, 160** were made Special Orders on
46 Wednesday, April 25, 2012, at 10:55 a.m.

47
48
49 The hour of 10:55 a.m., having arrived, on motion of Representative
50 Vaad, the House resolved itself into Committee of the Whole for
51 consideration of Special Orders and he was called to the Chair to act as
52 Chairman.

53
54
55
56

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.)

HB12-1333 by Representative(s) Becker, Beezley, Coram, Kerr J., Priola--Concerning public school employees' participation in labor organizations.

Amendment No. 1, Education Report, dated April 23, 2012, and placed in member's bill file; Report also printed in House Journal, April 24, page 1107.

Amendment No. 2, by Representative(s) Becker.

Amend Education committee report, dated April 23, 2012, strike lines 1 through 3 and substitute:

"Amend printed bill, page 2, strike lines 21 through 23.

Page 2, line 24, strike "(b)" and substitute "(2) (a)".

Reletter succeeding paragraphs accordingly.

Page 3, line 1, strike "ORGANIZATION" and substitute "UNION".

Page 3, line 7, strike "ORGANIZATION'S" and substitute "UNION'S".

Page 3, line 15, strike "ORGANIZATION" and substitute "UNION".

Page 3, line 17, strike "ORGANIZATION" and substitute "UNION".

As amended, ordered engrossed and placed on the Calendar for Third Reading and Final Passage.

HB12-1155 by Representative(s) Massey, Fields, Hamner; also Senator(s) Bacon--Concerning measures to increase the timely completion of postsecondary degrees.

Amendment No. 1, Education Report, dated March 14, 2012, and placed in member's bill file; Report also printed in House Journal, March 15, pages 670-671.

Amendment No. 2, Appropriations Report, dated April 20, 2012, and placed in member's bill file; Report also printed in House Journal, April 23, pages 1082-1083.

Amendment No. 3, by Representative(s) Massey.

Amend printed bill, page 10, line 25, strike "COURSES" and substitute "COURSES".

1 Page 10, strike line 26.

2

3 Page 17, after line 12, insert:

4

5 "SECTION 8. In Colorado Revised Statutes, 23-41-104.6, **amend**
6 (3) introductory portion, (4) (b), and (4) (c) as follows:

7 **23-41-104.6. Performance contract - authorization -**
8 **operations.** (3) Beginning July 1, 2001, for the contract in effect through
9 November 30, ~~2012~~ 2013, and beginning December 1, ~~2012~~ 2013, for the
10 contract in effect through November 30, ~~2022~~ 2023, the board of trustees
11 of the Colorado school of mines shall negotiate a performance contract
12 with the department of higher education, subject to approval by the
13 Colorado commission on higher education, that shall specify the
14 performance goals that the institution shall achieve during the period that
15 it operates under the performance contract. The specified goals shall be
16 measurable and specific to the Colorado school of mines' role and mission
17 and shall include, at a minimum, the goals negotiated for the institution
18 pursuant to sections 23-1-108 (1.5) (f) and 23-5-129 and the following
19 issues:

20 (4) (b) As early as possible during the 2002 regular session and as
21 early as possible during the ~~2012~~ 2013 regular session, the Colorado
22 commission on higher education shall present the finalized performance
23 contract for the applicable contract period at a joint session of the
24 education committees of the senate and the house of representatives, or
25 any successor committees, and the joint budget committee of the general
26 assembly. The members of the education committees and the members of
27 the joint budget committee shall review the financial effect of the
28 provisions of the contract with regard to funding for the Colorado school
29 of mines or funding for the statewide system of higher education and may
30 recommend changes to the terms of the performance contract or
31 renegotiation of the performance contract. If a majority of the members
32 of the education committees and the members of the joint budget
33 committee approve the terms of the performance contract, the chairmen
34 of the education committees, in cooperation with the joint budget
35 committee, shall sponsor a joint resolution to recognize and approve the
36 performance contract. The performance contract shall be deemed
37 approved upon final passage of said joint resolution.

38 (c) The school of mines shall operate pursuant to the performance
39 contract that is approved by joint resolution passed during the 2002
40 regular session beginning on the date the performance contract is
41 approved and continuing through November 30, ~~2012~~ 2013. The school
42 of mines shall operate pursuant to the performance contract that is
43 approved by joint resolution passed during the ~~2012~~ 2013 regular session
44 beginning on December 1, ~~2012~~ 2013, and continuing through November
45 30, ~~2022~~ 2023.

46 **SECTION 9.** In Colorado Revised Statutes, 23-1-125, **amend** (3)
47 as follows:

48 **23-1-125. Commission directive - student bill of rights - degree**
49 **requirements - implementation of core courses - competency test.**

50 (3) **Core courses.** The department, in consultation with each Colorado
51 public institution of higher education, is directed to outline a plan to
52 implement a core course concept that defines the general education course
53 guidelines for all public institutions of higher education. The core of
54 courses shall be designed to ensure that students demonstrate competency
55 in reading, critical thinking, written communication, mathematics, and
56 technology. The core of courses shall consist of at least thirty credit

1 hours, but shall not exceed forty credit hours. Individual institutions of
2 higher education shall conform their own core course requirements with
3 the guidelines developed by the department and shall identify the specific
4 courses that meet the general education course guidelines. Any such
5 guidelines developed by the department shall be submitted to the
6 commission for its approval. IN CREATING AND ADOPTING THE
7 GUIDELINES, THE DEPARTMENT AND THE COMMISSION MAY MAKE
8 ALLOWANCES FOR BACCALAUREATE PROGRAMS THAT HAVE ADDITIONAL
9 DEGREE REQUIREMENTS RECOGNIZED BY THE COMMISSION. If a statewide
10 matrix of core courses is adopted by the commission, the courses
11 identified by the individual institutions as meeting the general education
12 course guidelines shall be included in the matrix. The commission shall
13 adopt such policies to ensure that institutions develop the most effective
14 way to implement the transferability of core course credits."

15
16 Renumber succeeding section accordingly.

17
18 Amendment No. 4, by Representative(s) Massey.

19
20 Amend Amendment No.3, by Representative Massey as printed in House
21 Journal, page 1130, line 7, strike "COMMISSION" and substitute
22 "COMMISSION, IN COLLABORATION WITH THE PUBLIC INSTITUTIONS OF
23 HIGHER EDUCATION,".

24
25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.

27
28 **SB12-060** by Senator(s) Roberts; also Representative(s) Gerou--
29 Concerning improving medicaid fraud prosecution, and, in
30 connection therewith, making and reducing appropriations.

31
32 Ordered revised and placed on the Calendar for Third Reading and Final
33 Passage.

34
35 **SB12-123** by Senator(s) Renfroe, Brophy, Cadman, Grantham,
36 Harvey, King K., King S., Lambert, Lundberg, Mitchell,
37 Neville, Roberts, Scheffel, Steadman, White; also
38 Representative(s) Brown--Concerning the secretary of
39 state's on-line business filing system, and, in connection
40 therewith, authorizing enhancements to the system, the
41 designation of commercial registered agents, and changes
42 to a reporting entity's anniversary month and making an
43 appropriation.

44
45 Ordered revised and placed on the Calendar for Third Reading and Final
46 Passage.

47
48 **SB12-150** by Senator(s) Schwartz, Bacon, Renfroe; also
49 Representative(s) Sonnenberg, Brown, Vigil--Concerning
50 the state treasurer's authority to manage state public
51 financing, and, in connection therewith, reducing an
52 appropriation.

53
54 Ordered revised and placed on the Calendar for Third Reading and Final
55 Passage.

56

1 **SB12-168** by Senator(s) Steadman, Hodge, Lambert; also
2 Representative(s) Gerou, Becker, Levy--Concerning a
3 trigger related to general fund obligations created in
4 Senate Bill 09-228.
5

6 Ordered revised and placed on the Calendar for Third Reading and Final
7 Passage.
8

9 **SB12-121** by Senator(s) King K.; also Representative(s) Massey--
10 Concerning charter schools.
11

12 Ordered revised and placed on the Calendar for Third Reading and Final
13 Passage.
14

15 **SB12-160** by Senator(s) Hudak; also Representative(s) Duran--
16 Concerning parent involvement in public education
17 advisory committees.
18

19 Ordered revised and placed on the Calendar for Third Reading and Final
20 Passage.
21

22 **HB12-1329** by Representative(s) Scott and Pabon, Sonnenberg,
23 Looper, Barker, Nikkel, Liston, Kerr J., Stephens, Vaad--
24 Concerning the county treasurer becoming the public
25 trustee in certain counties where the public trustee is
26 currently appointed by the governor.
27

28 Amendment No. 1, Local Government Report, dated April 23, 2012, and
29 placed in member's bill file; Report also printed in House Journal,
30 April 24, page 1108.
31

32 Amendment No. 2, by Representative(s) Scott.
33

34 Amend the Local Government Committee Report, dated April 23, 2012,
35 page 1, strike lines 16 through 20 and substitute:
36

37 "(7) THE OFFICE OF THE PUBLIC TRUSTEE IS SUBJECT TO ANNUAL
38 AUDIT PURSUANT TO THE "COLORADO LOCAL GOVERNMENT AUDIT LAW",
39 PART 6 OF ARTICLE 1 OF TITLE 29, C.R.S.; EXCEPT THAT THE OFFICE OF THE
40 PUBLIC TRUSTEE OF ANY TRUSTEE WHO IS APPOINTED BY THE GOVERNOR
41 SHALL INSTEAD BE SUBJECT TO AN INDIVIDUAL ANNUAL AUDIT PURSUANT
42 TO SECTION 29-1-603 (1.5), C.R.S."
43

44 Page 2 of the report, line 6, strike "RULES." and substitute:
45

46 "RULES.
47

48 **SECTION 2.** In Colorado Revised Statutes, 29-1-603, **add** (1.5)
49 as follows:
50

51 **29-1-603. Audits required.** (1.5) NOTWITHSTANDING THE
52 PROVISIONS OF THIS PART 6, BEGINNING JANUARY 1, 2013, THE OFFICE OF
53 THE COUNTY PUBLIC TRUSTEE OF ANY TRUSTEE WHO IS APPOINTED BY THE
54 GOVERNOR PURSUANT TO SECTION 38-37-102 (1), C.R.S., SHALL CAUSE TO
55 BE MADE AN ANNUAL AUDIT OF THE FINANCIAL ACTIVITIES OF THE OFFICE
56 OF THE PUBLIC TRUSTEE THAT IS SEPARATE FROM THE AUDIT MADE
PURSUANT TO SUBSECTION (1) OF THIS SECTION, AND SUCH OFFICES OF THE
PUBLIC TRUSTEE NEED NOT BE INCLUDED IN THE COUNTY AUDIT MADE

1 PURSUANT TO SUBSECTION (1) OF THIS SECTION. THE OFFICE OF THE
 2 COUNTY PUBLIC TRUSTEE OF ANY TRUSTEE WHO IS THE COUNTY
 3 TREASURER PURSUANT TO SECTION 38-37-102 (2), C.R.S., SHALL
 4 CONTINUE TO BE INCLUDED IN THE COUNTY AUDIT MADE PURSUANT TO
 5 SUBSECTION (1) OF THIS SECTION."

6
 7 Page 2 of the report, line 8, strike "2." and substitute "3."
 8

9 As amended, ordered engrossed and placed on the Calendar for Third
 10 Reading and Final Passage.
 11

12 13 14 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

15
 16 Representative Solano moved to amend the Report of the Committee of
 17 the Whole to reverse the action taken by the Committee in adopting
 18 HB12-1333, to show that **HB12-1333**, as amended, lost.
 19

20 The amendment was declared **lost** by the following roll call vote:
 21

	YES	32	NO	33	EXCUSED	0	ABSENT	0
23	Acree	N	Fischer	Y	Looper	N	Solano	Y
24	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
25	Barker	N	Gerou	N	McCann	Y	Soper	Y
26	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
27	Becker	N	Holbert	N	Miklosi	Y	Summers	N
28	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
29	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
30	Brown	N	Joshi	N	Pabon	Y	Szabo	N
31	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
32	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
33	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
34	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
35	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
37	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
38	Fields	Y	Liston	N	Singer	Y	Young	Y
39							Speaker	N

40 41 42 43 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

44
 45 Passed Second Reading: **HB12-1333 amended, 1155 amended,**
 46 **SB12-060, 123, 150, 168, 121, 160, HB12-1329 amended.**
 47

48 The Chairman moved the adoption of the Committee of the Whole
 49 Report. As shown by the following roll call vote, a majority of those
 50 elected to the House voted in the affirmative, and the Report was
 51 **adopted.**
 52

	YES	65	NO	0	EXCUSED	0	ABSENT	0
54	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
55	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
56	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

1	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
2	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
3	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
4	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
6	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
8	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
13	Fields	Y	Liston	Y	Singer	Y	Young	Y
14							Speaker	Y

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

After consideration on the merits, the Committee recommends the following:

This CORRECTED COMMITTEE REPORT replaces the house committee report dated April 24, 2012 (as printed in the House Journal pages 1104-1106).

HB12-1278 be amended as follows, and as so amended, be re-referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. Legislative declaration. (1) The general assembly hereby declares that:

(a) In 1966, the general assembly commissioned a study of the interaction between the South Platte alluvial aquifer and the surface flows in the South Platte river. The general assembly considered this study in passing the "Water Right Determination and Administration Act of 1969", article 92 of title 37, Colorado Revised Statutes, and augmentation plans authorized by the 1969 act are operating on a large scale in the South Platte river basin. Many scientific and technological advances have occurred since the study was completed in 1968, yet no comprehensive study has been conducted since then regarding the impact of alluvial groundwater usage on the South Platte river or the relative success of augmentation plans authorized by the 1969 act in protecting senior surface water diverters and maximizing the use of both groundwater and surface waters of the state. The general assembly finds that the South Platte alluvial aquifer plays a critical role in the state's economy, that development of this aquifer is and will continue to be an important water supply source, and that it is appropriate at this time to engage in an additional study on these matters.

(b) Groundwater levels in some areas of the South Platte river alluvium have risen since 2005 to unprecedented high levels and have

1 caused damaging conditions, including crop damage, decreased soil
2 productivity, salt accumulation in soils, deterioration of water quality,
3 failures of wastewater systems and infrastructure, damage to residential
4 and commercial property, increased nonbeneficial consumptive use by
5 phreatophytes, water waste, and significant outflow to Nebraska; and
6 (c) Because of the critical roles that the South Platte river and its
7 alluvial aquifer play in supporting the state's economy, the Colorado
8 water conservation board, beginning in 2012 and in consultation with the
9 state engineer and the Colorado water institute, must conduct
10 comprehensive studies of the available historical hydrologic data through
11 water year 2011 to evaluate the effectiveness of the "Water Right
12 Determination and Administration Act of 1969" in achieving the dual
13 goals of protecting senior water rights and maximizing the beneficial use
14 of both surface waters and groundwaters of the state.

15 **SECTION 2.** In Colorado Revised Statutes, 37-60-115, **add** (7)
16 as follows:

17 **37-60-115. Water studies - rules - repeal. (7) South Platte**
18 **river alluvial aquifer study - study authorized.** (a) THE BOARD SHALL,
19 IN CONSULTATION WITH THE STATE ENGINEER AND THE COLORADO WATER
20 INSTITUTE, ESTABLISHED IN SECTION 23-31-801, C.R.S., AND ALSO
21 REFERRED TO IN THIS SECTION AS THE "INSTITUTE", CONDUCT A
22 COMPREHENSIVE STUDY TO COMPILE AND EVALUATE AVAILABLE
23 HISTORICAL HYDROLOGIC DATA THROUGH WATER YEAR 2011. THE
24 STUDY'S OBJECTIVES ARE:

25 (I) TO EVALUATE WHETHER CURRENT LAWS AND RULES THAT
26 GUIDE WATER ADMINISTRATION IN THE SOUTH PLATTE RIVER BASIN
27 ACHIEVE THE DUAL GOALS OF PROTECTING SENIOR WATER RIGHTS AND
28 MAXIMIZING THE BENEFICIAL USE OF BOTH SURFACE WATER AND
29 GROUNDWATER WITHIN THE BASIN;

30 (II) TO IDENTIFY AND DELINEATE AREAS WITHIN THE BASIN
31 ADVERSELY IMPACTED BY HIGH GROUNDWATER LEVELS AND TO CONDUCT
32 A FEASIBILITY-LEVEL EVALUATION OF THE CAUSES OF HIGH
33 GROUNDWATER LEVELS IN THE AFFECTED AREAS;

34 (III) TO PROVIDE INFORMATION TO USE AS A BASIS FOR
35 IMPLEMENTATION OF MEASURES TO MITIGATE ADVERSE IMPACTS IN AREAS
36 EXPERIENCING HIGH GROUNDWATER LEVELS; AND

37 (IV) TO PROVIDE INFORMATION TO THE GENERAL ASSEMBLY, THE
38 BOARD, AND THE STATE ENGINEER TO FACILITATE THE LONG-TERM
39 SUSTAINABLE USE OF SOUTH PLATTE WATER SUPPLIES.

40 (b) THE BOARD SHALL ENTER INTO A CONTRACT WITH THE
41 INSTITUTE, USING EXISTING PROCUREMENT MECHANISMS AND
42 AGREEMENTS BETWEEN THE BOARD AND THE INSTITUTE, TO CONDUCT,
43 OVERSEE, AND COORDINATE ALL ASPECTS OF THE STUDY. THE BOARD
44 SHALL FUND THE STUDY FROM EXISTING RESEARCH RESOURCES AT LEVELS
45 AGREED TO BETWEEN THE BOARD AND THE INSTITUTE.

46 (c) THE INSTITUTE SHALL CONDUCT THE STUDY INDEPENDENTLY
47 USING RELEVANT, AVAILABLE, CURRENT, AND HISTORICAL HYDROLOGIC
48 DATA AND DOCUMENTS. THE STUDY IS RESTRICTED TO WATER USE IN
49 WATER DISTRICTS 1, 2, AND 64 WITHIN WATER DIVISION 1. IN CONDUCTING
50 THE STUDY, THE INSTITUTE SHALL CONSIDER THE IMPACTS OF ALL WATER
51 RIGHTS AND INTERSTATE OBLIGATIONS IN WATER DIVISION 1 AND SHALL
52 INVESTIGATE, COMPILE, AND EVALUATE HYDROLOGIC VARIABLES AND
53 FACTORS, INCLUDING:

54 (I) THE NUMBER AND LOCATION OF ALLUVIAL WELLS THAT ARE
55 CURRENTLY WITHDRAWING GROUNDWATER;

56 (II) THE NUMBER AND LOCATION OF ALLUVIAL WELLS THAT ARE

- 1 CURRENTLY CURTAILED FROM PUMPING, EITHER FULLY OR PARTIALLY;
2 (III) THE NUMBER AND LOCATION OF EXISTING ARTIFICIAL
3 RECHARGE FACILITIES AND THE HISTORICAL VOLUME OF WATER
4 RECHARGED;
5 (IV) HISTORICAL VOLUMES OF WATER PUMPED FOR EACH
6 HIGH-CAPACITY IRRIGATION, MUNICIPAL, INDUSTRIAL, OR OTHER WELL
7 NOT EXEMPTED UNDER SECTION 37-92-602;
8 (V) HISTORICAL AMOUNTS OF WATER LEAVING THE STATE IN
9 EXCESS OF THE REQUIREMENTS OF RIVER COMPACTS AND OF THE "PLATTE
10 RIVER COOPERATIVE AGREEMENT" OF 1997;
11 (VI) HISTORICAL WATER DELIVERIES TO SURFACE WATER RIGHTS;
12 (VII) GROUNDWATER LEVEL DATA AVAILABLE FROM EXISTING
13 OBSERVATION WELLS AND THE HISTORICAL FLUCTUATIONS OF
14 GROUNDWATER LEVELS BASED ON THE DATA;
15 (VIII) THE SOUTH PLATTE DECISION SUPPORT SYSTEM'S EXISTING
16 PHREATOPHYTE GROUNDWATER EVAPOTRANSPIRATION MODULE AND,
17 USING AVAILABLE DATA, THE RELATIONSHIP BETWEEN HIGH
18 GROUNDWATER LEVELS AND NONBENEFICIAL CONSUMPTIVE USE BY
19 PHREATOPHYTES FROM 2001 THROUGH 2011;
20 (IX) THE NUMBER AND SIZE OF AUGMENTATION PLANS IN
21 OPERATION IN THE STUDY AREA; AND
22 (X) THE IMPACT OF TRANSBASIN SUPPLIES, REUSE OF FULLY
23 CONSUMABLE SUPPLIES, CONSERVATION PRACTICES, AND THE
24 INSTALLATION OF LINED STORAGE FACILITIES IN THE ALLUVIUM.
25 (d) THE INSTITUTE SHALL EVALUATE AND REPORT ITS FINDINGS
26 AND CONCLUSIONS TO THE BOARD AND THE GENERAL ASSEMBLY
27 REGARDING SPECIFIC ISSUES, INCLUDING:
28 (I) TO WHAT EXTENT DEPLETIONS CAUSED BY PAST PUMPING OF
29 WELLS HAVE DELAYED IMPACTS ON SURFACE STREAMS AND, IF SO, THE
30 MOST APPROPRIATE METHODS FOR QUANTIFYING THE IMPACTS;
31 (II) TO WHAT EXTENT AUGMENTATION PLANS ARE PREVENTING
32 INJURY TO OTHER WATER RIGHTS HOLDERS OR POTENTIALLY CAUSING
33 OVER-AUGMENTATION OF WELL DEPLETIONS;
34 (III) WHETHER ADDITIONAL USAGE OF THE ALLUVIAL AQUIFERS
35 COULD BE PERMITTED IN A MANNER CONSISTENT WITH PROTECTING SENIOR
36 SURFACE WATER RIGHTS; AND
37 (IV) WHETHER, AND TO WHAT EXTENT, THE USE OF WATER IN THE
38 BASIN COULD BE IMPROVED OR MAXIMIZED BY AFFORDING THE STATE
39 ENGINEER ADDITIONAL AUTHORITY TO ADMINISTER WATER RIGHTS WHILE
40 ENSURING PROTECTION OF SENIOR SURFACE WATER RIGHTS.
41 (e) THE BOARD SHALL COMMISSION THE STUDY AS SOON AS
42 PRACTICABLE. THE INSTITUTE SHALL PREPARE A FINAL REPORT, INCLUDING
43 ITS CONCLUSIONS, AND PRESENT IT TO THE GENERAL ASSEMBLY NO LATER
44 THAN DECEMBER 31, 2013. THE INSTITUTE SHALL PREPARE A PROGRESS
45 REPORT AND PRESENT IT TO A JOINT MEETING OF THE HOUSE OF
46 REPRESENTATIVES COMMITTEE ON AGRICULTURE, LIVESTOCK, AND
47 NATURAL RESOURCES AND THE SENATE COMMITTEE ON AGRICULTURE,
48 NATURAL RESOURCES, AND ENERGY, OR THEIR SUCCESSOR COMMITTEES,
49 DURING THE FIRST REGULAR SESSION OF THE SIXTY-NINTH GENERAL
50 ASSEMBLY IN 2013. THE INSTITUTE SHALL PRESENT THE FINAL REPORT TO
51 A JOINT MEETING OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON
52 AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES AND THE SENATE
53 COMMITTEE ON AGRICULTURE, NATURAL RESOURCES, AND ENERGY, OR
54 THEIR SUCCESSOR COMMITTEES, DURING THE SECOND REGULAR SESSION
55 OF THE SIXTY-NINTH GENERAL ASSEMBLY IN 2014.
- 56 **SECTION 3. Appropriation.** In addition to any other

1 appropriation, there is hereby appropriated, out of any moneys in the
2 Colorado water conservation board construction fund created in section
3 37-60-121 (1) (a), Colorado Revised Statutes, not otherwise appropriated,
4 to the department of natural resources, for the fiscal year beginning July
5 1, 2012, the sum of \$2,470,900, or so much thereof as may be necessary,
6 for allocation to the Colorado water conservation board for the H.B.
7 12-1278 South Platte river alluvial aquifer study related to the
8 implementation of this act.

9 **SECTION 4. Safety clause.** The general assembly hereby finds,
10 determines, and declares that this act is necessary for the immediate
11 preservation of the public peace, health, and safety."

12
13 Page 1, strike line 101 and substitute "CONCERNING THE
14 AUTHORIZATION OF A STUDY OF THE SOUTH PLATTE RIVER ALLUVIAL
15 AQUIFER, AND, IN CONNECTION THEREWITH, MAKING AN
16 APPROPRIATION."."

17

18

19

20

21 **HEALTH & ENVIRONMENT**

22 After consideration on the merits, the Committee recommends the
23 following:

24

25 **SB12-161** be referred to the Committee of the Whole with favorable
26 recommendation.

27

28

29

30

31 **JUDICIARY**

32 After consideration on the merits, the Committee recommends the
33 following:

34

35 **HB12-1316** be postponed indefinitely.

36

37

38 **HB12-1346** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41

42 Amend printed bill, page 10, line 27, strike "REGISTER AS REQUIRED BY
43 THAT ARTICLE," and substitute "COMPLY WITH THE PROVISIONS OF
44 SECTION 16-22-109 (3.5) (c) (I) OR 16-22-109 (3.5) (c) (II), C.R.S.,".

45

46 Page 12, after line 6 insert:

47

48 "(4) FAILURE TO VERIFY LOCATION AS A SEX OFFENDER IS NOT A
49 SEXUAL OFFENSE SUBJECT TO THE PROVISIONS OF SECTIONS 16-11.7-104
50 AND 16-11.7-105, C.R.S., AND, NOTWITHSTANDING ANY OTHER PROVISION
51 OF LAW TO THE CONTRARY, OFFENDERS CONVICTED OF A VIOLATION OF
52 THIS SECTION ARE NOT ELIGIBLE FOR PROBATION PURSUANT TO PART 2 OF
53 ARTICLE 1.3 OF THIS TITLE.

54 **SECTION 7.** In Colorado Revised Statutes, 16-11-102, **amend**
55 (1) (b) as follows:

56 **16-11-102. Presentence or probation investigation.**

1 (1) (b) Each presentence report prepared regarding a sex offender, as
2 defined in section 16-11.7-102 (2), with respect to any offense committed
3 on or after January 1, 1996, shall contain the results of an evaluation and
4 identification conducted pursuant to article 11.7 of this title; EXCEPT
5 THAT, IF THE OFFENSE IS A MISDEMEANOR PURSUANT TO THE PROVISIONS
6 OF SECTION 18-3-412.6, C.R.S., AN EVALUATION AND IDENTIFICATION
7 CONDUCTED PURSUANT TO ARTICLE 11.7 OF THIS TITLE SHALL NOT BE
8 ORDERED BY THE COURT. In addition, the presentence report shall include,
9 when appropriate as provided in section 18-3-414.5, C.R.S., the results of
10 the risk assessment screening instrument developed pursuant to section
11 16-11.7-103 (4) (d). Notwithstanding the provisions of subsection (4) of
12 this section, a presentence report shall be prepared for each person
13 convicted as a sex offender, and the court may not dispense with the
14 presentence evaluation, risk assessment, and report unless such a report
15 has been completed within the last six months and there has been no
16 material change that would affect the report in the past six months."

17
18 Renumber succeeding sections accordingly.
19
20
21
22

23 **LEGISLATIVE COUNCIL**

24 After consideration on the merits, the Committee recommends the
25 following:

26
27 **SB12-078** be referred favorably to the Committee on Appropriations.
28
29
30

31 **PRINTING REPORT**

32
33 The Chief Clerk reports the following bills have been correctly printed:
34 **HB12-1350, 1351; HCR12-1002, 1003.**
35
36

37 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

38
39
40 The Speaker has signed: **SB12-013, 110, 124, 134, 156, 158.**
41
42
43

44 **DELIVERY OF BILLS TO GOVERNOR**

45
46 The Chief Clerk of the House of Representatives reports the following
47 bills have been delivered to the Office of the Governor: **HB12-1019,**
48 **1063, 1341, 1342, 1343** at 4:09 p.m. on April 24, 2012.
49
50

51
52 House in recess. House reconvened.
53
54
55
56

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **TRANSPORTATION**

4 After consideration on the merits, the Committee recommends the
5 following:

6
7 **HB12-1327** be amended as follows, and as so amended, be referred to
8 the Committee on Finance with favorable
9 recommendation:

10
11 Amend printed bill, strike everything below the enacting clause and
12 substitute:

13
14 **"SECTION 1.** In Colorado Revised Statutes, 40-10.1-111, **amend**
15 (1) (c) as follows:

16 **40-10.1-111. Filing, issuance, and annual fees - repeal.** (1) A
17 motor carrier shall pay the commission the following fees in amounts
18 prescribed in this section or, if not so prescribed, as set administratively
19 by the commission with approval of the executive director of the
20 department of regulatory agencies:

21 (c) (I) The filing fee for a permit to operate under part 4 of this
22 article is one hundred fifty dollars.

23 (II) (A) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS
24 PARAGRAPH (c), A TOWING CARRIER THAT FILED PROOF OF A SURETY BOND
25 AS REQUIRED BY SECTION 40-10.1-401 (3) BEFORE THE EFFECTIVE DATE OF
26 THIS PARAGRAPH (c), AS AMENDED, IS EXEMPT FROM THE FILING FEE UNTIL
27 THE BOND EXPIRES.

28 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1,
29 2014.

30 **SECTION 2.** In Colorado Revised Statutes, **amend** 40-10.1-401
31 as follows:

32 **40-10.1-401. Permit requirements.** (1) (a) A person shall not
33 operate or offer to operate as a towing carrier in intrastate commerce
34 without first having obtained a permit therefor from the commission in
35 accordance with this article.

36 (b) A person may apply for a permit under this part 4 to the
37 commission in such form and with such information as the commission
38 may require. PERMITS ARE VALID FOR ONE YEAR AFTER THE DATE OF
39 ISSUANCE.

40 (2) The commission may deny an application under this part 4 of
41 a person who has, within the immediately preceding five years, been
42 convicted of, or pled guilty or nolo contendere to, a felony. THE
43 COMMISSION MAY ALSO DENY AN APPLICATION UNDER THIS PART 4 OR
44 REFUSE TO RENEW THE PERMIT OF A TOWING CARRIER BASED UPON A
45 DETERMINATION THAT THE TOWING CARRIER OR ANY OF ITS OWNERS,
46 PRINCIPALS, OFFICERS, MEMBERS, PARTNERS, OR DIRECTORS HAS NOT
47 SATISFIED A CIVIL PENALTY ARISING OUT OF ANY ADMINISTRATIVE OR
48 ENFORCEMENT ACTION BROUGHT BY THE COMMISSION.

49 (3) (a) Except as otherwise provided in subsection (2) of this
50 section and section 40-10.1-112 (4), the commission shall issue a permit
51 to a towing carrier upon completion of the application, the filing of proof
52 of workers' compensation insurance coverage in accordance with the
53 "Workers' Compensation Act of Colorado", articles 40 to 47 of title 8,
54 C.R.S., ~~the filing of proof of a surety bond in the amount of at least fifty~~
55 ~~thousand dollars,~~ and with the financial responsibility requirements of this
56 article, and may attach to ~~such~~ THE permit and to the exercise of the rights

1 granted by the permit such restrictions, terms, and conditions, including
2 altering the rates and charges of ~~such~~ THE applicant, as are reasonably
3 deemed necessary for the protection of the property of the public. ~~The~~
4 ~~surety bond must be made payable to the commission and is for the~~
5 ~~purpose of paying any civil penalty assessments against the carrier that~~
6 ~~the carrier fails to pay when due.~~

7 (b) ~~A towing carrier that held a current and valid permit on~~
8 ~~August 10, 2011, must file proof of workers' compensation insurance~~
9 ~~coverage and of the surety bond as required by paragraph (a) of this~~
10 ~~subsection (3) on or before December 31, 2011.~~ IF A TOWING CARRIER

11 VIOLATES THIS ARTICLE, ANY OTHER APPLICABLE PROVISION OF LAW, OR
12 ANY RULE OR ORDER OF THE COMMISSION ISSUED UNDER THIS ARTICLE
13 AND AS A RESULT IS ORDERED BY A COURT OR BY THE COMMISSION TO PAY
14 A FINE OR CIVIL PENALTY THAT THE TOWING CARRIER SUBSEQUENTLY
15 FAILS TO PAY IN FULL WITHIN THE TIME PRESCRIBED FOR PAYMENT, THEN:

16 (I) THE COMMISSION MAY IMMEDIATELY REVOKE THE TOWING
17 CARRIER'S OPERATING AUTHORITY; AND

18 (II) THE TOWING CARRIER, ITS OWNERS, PRINCIPALS, OFFICERS,
19 MEMBERS, PARTNERS, AND DIRECTORS, AND ANY OTHER ENTITY OWNED
20 OR OPERATED BY ONE OR MORE OF THOSE OWNERS, PRINCIPALS, OFFICERS,
21 MEMBERS, PARTNERS, OR DIRECTORS, MAY BE DISQUALIFIED FROM
22 OBTAINING OR RENEWING ANY OPERATING AUTHORITY UNDER THIS
23 ARTICLE FOR A PERIOD OF FIVE YEARS AFTER THE DATE ON WHICH THE FINE
24 OR CIVIL PENALTY WAS DUE. THE PERIOD OF DISQUALIFICATION PURSUANT
25 TO THIS SUBPARAGRAPH (II) IS IN ADDITION TO, AND NOT IN LIEU OF, AND
26 DOES NOT AFFECT, ANY OTHER PENALTY OR PERIOD OF DISQUALIFICATION,
27 INCLUDING THE PERIOD OF DISQUALIFICATION SPECIFIED IN SECTION
28 40-10.1-112 (4).

29 (c) A TOWING CARRIER'S FACILITIES AND VEHICLES ARE SUBJECT
30 TO INSPECTION BY THE COMMISSION AND BY AUTHORIZED PERSONNEL OF
31 THE COLORADO STATE PATROL, WHICH SHALL PROMPTLY REPORT TO THE
32 COMMISSION CONCERNING ANY VIOLATIONS REVEALED BY AN INSPECTION.

33 **SECTION 3.** In Colorado Revised Statutes, **add** 40-10.1-402 as
34 follows:

35 **40-10.1-402. Verification of authority - notice of requirement**
36 **for designated license plates - rules - repeal.** (1) (a) THE COMMISSION
37 SHALL EITHER:

38 (I) CREATE A DOCUMENT THAT A PERSON AUTHORIZED TO
39 OPERATE AS A TOWING CARRIER UNDER THIS ARTICLE MAY USE TO VERIFY
40 TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED
41 AGENT THAT THE PERSON IS SO AUTHORIZED; OR

42 (II) CREATE A SYSTEM TO ELECTRONICALLY VERIFY TO THE
43 DEPARTMENT OF REVENUE OR THE DEPARTMENT'S AUTHORIZED AGENT
44 THAT THE PERSON IS AUTHORIZED TO PROVIDE TOWING SERVICES UNDER
45 THIS PART 4.

46 (b) UPON REQUEST, THE COMMISSION SHALL PROVIDE THE
47 DOCUMENT TO THE PERSON WITH SUCH AUTHORITY OR THE ELECTRONIC
48 VERIFICATION TO THE DEPARTMENT OF REVENUE OR THE DEPARTMENT'S
49 AUTHORIZED AGENT.

50 (2) THE COMMISSION MAY PROMULGATE RULES TO IMPLEMENT
51 THIS SECTION AND TO ENFORCE SECTION 42-3-235.5, C.R.S.

52 (3) (a) BY JANUARY 1, 2013, THE COMMISSION SHALL NOTIFY EACH
53 PERSON AUTHORIZED TO PROVIDE TOWING SERVICES UNDER THIS ARTICLE
54 OF THE REQUIREMENTS OF SECTION 42-3-235.5, C.R.S.

55 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2013.

56 **SECTION 4.** In Colorado Revised Statutes, **add** 42-3-235.5 as

1 follows:

2 **42-3-235.5. Tow truck license plates - conditions for use -**
3 **transitional provisions - repeal.** (1) THE TOW TRUCK LICENSE PLATE IS
4 HEREBY ESTABLISHED. THE PLATE CONSISTS OF BLACK LETTERS ON A
5 YELLOW BACKGROUND AND FEATURES THE WORDS "COLORADO" ACROSS
6 THE TOP AND "TOW TRUCK" ACROSS THE BOTTOM OF THE PLATE.

7 (2) A PERSON WHO IS AUTHORIZED TO OPERATE AS A TOWING
8 CARRIER UNDER ARTICLE 10.1 OF TITLE 40, C.R.S., SHALL REGISTER A
9 MOTOR VEHICLE USED FOR TOWING PURPOSES UNDER THIS ARTICLE AND
10 DISPLAY EITHER TOW TRUCK LICENSE PLATES OR APPORTIONED PLATES ON
11 THE VEHICLE. UPON REGISTRATION, THE DEPARTMENT SHALL ISSUE TOW
12 TRUCK LICENSE PLATES FOR THE VEHICLE IN ACCORDANCE WITH THIS
13 SECTION. THE DEPARTMENT SHALL NOT ISSUE TOW TRUCK LICENSE PLATES
14 UNLESS THE PERSON EITHER SUBMITS A VERIFICATION DOCUMENT OR THE
15 PUBLIC UTILITIES COMMISSION ELECTRONICALLY VERIFIES THE
16 AUTHORIZATION AS PROVIDED IN SECTION 40-10.1-402, C.R.S.

17 (3) (a) A PERSON PROVIDING TOWING CARRIER SERVICES USING A
18 MOTOR VEHICLE THAT WAS REGISTERED ON JANUARY 1, 2013, IS NOT
19 REQUIRED TO OBTAIN TOW TRUCK LICENSE PLATES UNTIL THE VEHICLE IS
20 SCHEDULED FOR RENEWAL OF THE CURRENT REGISTRATION. UPON
21 RENEWING A REGISTRATION FOR A TOW TRUCK REGISTERED UNDER THIS
22 ARTICLE, THE DEPARTMENT SHALL ISSUE TOW TRUCK LICENSE PLATES FOR
23 THE VEHICLE IN ACCORDANCE WITH THIS SECTION.

24 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JANUARY 1,
25 2014.

26 (4) A PERSON SHALL NOT OPERATE A MOTOR VEHICLE WITH TOW
27 TRUCK LICENSE PLATES OR TEMPORARY TOW TRUCK LICENSE PLATES
28 UNLESS THE MOTOR VEHICLE TO WHICH THE PLATES ARE ATTACHED IS
29 REQUIRED BY SUBSECTION (2) OF THIS SECTION TO BEAR TOW TRUCK
30 LICENSE PLATES.

31 (5) IF THE PERSON WHO OWNS THE MOTOR VEHICLE WITH TOW
32 TRUCK LICENSE PLATES IS NOT THE PERSON UNDER WHOSE AUTHORITY THE
33 MOTOR VEHICLE OPERATES UNDER ARTICLE 10.1 OF TITLE 40, C.R.S., THE
34 PERSON WITH THE AUTHORITY MAY REQUEST THAT THE DEPARTMENT
35 REQUIRE THE PLATES TO BE REPLACED. WITHIN THIRTY DAYS AFTER
36 RECEIVING THE REQUEST, THE DEPARTMENT SHALL REQUIRE THE OWNER
37 OF THE MOTOR VEHICLE TO RETURN THE TOW TRUCK LICENSE PLATES AND
38 BE ISSUED NEW LICENSE PLATES. THE OWNER OF THE MOTOR VEHICLE
39 SHALL SURRENDER THE TOW TRUCK LICENSE PLATES TO THE DEPARTMENT
40 WITHIN TEN DAYS AFTER RECEIVING NOTICE FROM THE DEPARTMENT
41 UNLESS THE OWNER OF THE MOTOR VEHICLE OBTAINS AUTHORITY TO
42 OPERATE A TOW TRUCK UNDER PART 4 OF ARTICLE 10.1 OF TITLE 40,
43 C.R.S., EITHER DIRECTLY OR AS AN AGENT, AND EITHER THE PERSON
44 SUBMITS A VERIFICATION DOCUMENT OR THE PUBLIC UTILITIES
45 COMMISSION ELECTRONICALLY VERIFIES THE AUTHORIZATION AS
46 PROVIDED IN SECTION 40-10.1-402, C.R.S.

47 (6) A PERSON WHO VIOLATES THIS SECTION COMMITS A CLASS B
48 TRAFFIC INFRACTION, PUNISHABLE BY A FINE OF SEVENTY-FIVE DOLLARS.

49 (7) THIS SECTION IS EFFECTIVE JANUARY 1, 2013.

50 **SECTION 5. Effective date - applicability.** This act takes effect
51 upon passage and applies to towing carriers that applied for permits on,
52 before, or after said date.

53 **SECTION 6. Safety clause.** The general assembly hereby finds,
54 determines, and declares that this act is necessary for the immediate
55 preservation of the public peace, health, and safety."
56

1 Page 1, line 103, strike "**CARRIERS AND**" and substitute "**CARRIERS,**".
2
3 Page 1, line 107, strike "**PROVISIONS.**" and substitute "**PROVISIONS, AND**
4 **CREATING A DESIGNATED TOW TRUCK LICENSE PLATE.**".
5
6
7
8

9 **LAY OVER OF CALENDAR ITEM(S)**

10
11 On motion of Representative B. Gardner, the following item(s) on the
12 Calendar was (were) laid over until April 26, retaining place on Calendar:
13

14 Consideration of Third Reading--**HB12-1319**.
15 Consideration of General Orders--**SB12-118, HB12-1109, 1119, 1347**.
16 Consideration of Resolution(s)--**SJR12-031, HJR12-1020, 1021, 1022**.
17 Consideration of Memorial(s)--**HM12-1003**.
18 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,**
19 **1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307,**
20 **1012, 1052, 1105, 1146, 1321, 1275**.
21
22
23

24 On motion of Representative B. Gardner, the House adjourned until
25 9:00 a.m., April 26, 2012.
26

27 Approved:
28 FRANK McNULTY,
29 Speaker

30 Attest:
31 MARILYN EDDINS,
32 Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-seventh Legislative Day

Thursday, April 26, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Representative J. Paul Brown.

4

5 Pledge of Allegiance led by Sumanth Talanki and Dennis Pradhan from
6 Falcon creek Middle School, Aurora.

7

8 The roll was called with the following result:

9

10 Present--59.

11 Excused--Representative(s) Beezley, Bradford, A. Kerr, Levy,
12 Pabon, Singer--6.

13 Present after roll call--Representative(s) Pabon, Singer.

14

15 The Speaker declared a quorum present.

16

17

18 On motion of Representative Duran, the reading of the journal of
19 April 25, 2012, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21

22

23 **THIRD READING OF BILL(S)--FINAL PASSAGE**

24

25 The following bill(s) was(were) considered on Third Reading. The
26 title(s) was(were) publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.

28

29 **HB12-1155** by Representative(s) Massey, Fields, Hamner; also
30 Senator(s) Bacon--Concerning measures to increase the
31 timely completion of postsecondary degrees.

32

33 As shown by the following roll call vote, a majority of all members
34 elected to the House voted in the affirmative, and Representative Massey
35 was given permission to offer a Third Reading amendment:

36

	YES	61	NO	0	EXCUSED	4	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
43	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

Third Reading amendment No. 1, by Representative Massey.

Amend engrossed bill, page 16, strike lines 8 through 10 and substitute "**operations.** (3) ~~Beginning July 1, 2001, for the contract in effect through November 30, 2012, and beginning December 1, 2012-2013, for the contract in effect through November 30, 2022,~~ The board of trustees".

Page 17, line 14, strike "November 30, ~~2012~~ 2013." and substitute "~~November 30, 2012~~ THE DATE ON WHICH THE GOVERNOR SIGNS THE JOINT RESOLUTION PASSED DURING THE 2013 REGULAR LEGISLATIVE SESSION THAT APPROVES THE NEXT PERFORMANCE CONTRACT.".

Page 17, line 17, strike "December 1, ~~2012~~ 2013, and continuing through November" and substitute "~~December 1, 2012,~~ THE DAY AFTER THE DATE ON WHICH THE GOVERNOR SIGNS THE JOINT RESOLUTION and continuing through ~~November 30, 2022~~ THE DATE ON WHICH THE GOVERNOR SIGNS THE JOINT RESOLUTION PASSED DURING THE 2023 REGULAR LEGISLATIVE SESSION THAT APPROVES THE NEXT PERFORMANCE CONTRACT.".

Page 17, strike line 18.

The amendment was declared **passed** by the following roll call vote:

YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	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.	E	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	E	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						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 **passed**.

YES	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	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.	E	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	E	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Casso, Conti, Court, Fischer, Jones, Kefalas, Kerr J., Labuda, Nikkel, Pabon, Schafer S., Summers, Todd, Williams A., Young.

SB12-060 by Senator(s) Roberts; also Representative(s) Gerou--
Concerning improving medicaid fraud prosecution, and, in
connection therewith, making and reducing appropriations.

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	61	NO	0	EXCUSED	4	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	E	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.	E	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	E	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Barker, Brown, Fields, Hamner, Kefalas, Kerr J., Labuda, Massey, Peniston, Schafer S., Sonnenberg, Stephens, Todd, Williams A., Young.

1 **SB12-123** by Senator(s) Renfroe, Brophy, Cadman, Grantham,
 2 Harvey, King K., King S., Lambert, Lundberg, Mitchell,
 3 Neville, Roberts, Scheffel, Steadman, White; also
 4 Representative(s) Brown--Concerning the secretary of
 5 state's on-line business filing system, and, in connection
 6 therewith, authorizing enhancements to the system, the
 7 designation of commercial registered agents, and changes
 8 to a reporting entity's anniversary month and making an
 9 appropriation.

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**.

	YES	61	NO	0	EXCUSED	4	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
22	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
23	Bradford	E	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.	E	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	E	Scott	Y	Wilson	Y
32	Fields	Y	Liston	Y	Singer	Y	Young	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Acree, Barker, Coram, Fields,
 35 Gardner B., Kerr J., Labuda, Pabon, Priola, Todd.

36
 37 **SB12-150** by Senator(s) Schwartz, Bacon, Renfroe; also
 38 Representative(s) Sonnenberg, Brown, Vigil--Concerning
 39 the state treasurer's authority to manage state public
 40 financing, and, in connection therewith, reducing an
 41 appropriation.

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**.

	YES	61	NO	0	EXCUSED	4	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
54	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
55	Bradford	E	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.	E	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	E	Scott	Y	Wilson	Y
8	Fields	Y	Liston	Y	Singer	Y	Young	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Barker, Pabon, Pace, Scott.

11
12 **SB12-168** by Senator(s) Steadman, Hodge, Lambert; also
13 Representative(s) Gerou, Becker, Levy--Concerning a
14 trigger related to general fund obligations created in
15 Senate Bill 09-228.

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								
22	YES	57	NO	4	EXCUSED	4	ABSENT	0
23	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
24	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
25	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
26	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
27	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
28	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
29	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
30	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
31	Casso	N	Kagan	Y	Pace	Y	Todd	Y
32	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	N
33	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
34	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
35	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
37	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
38	Fields	Y	Liston	Y	Singer	Y	Young	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Coram, Ramirez.

41
42 **SB12-121** by Senator(s) King K.; also Representative(s) Massey--
43 Concerning charter schools.

44
45 The question being "Shall the bill pass?".

46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative and the bill
48 was declared **passed**.

49								
50	YES	61	NO	0	EXCUSED	4	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Acree, Barker, Casso, Fields,
13 Gardner B., Gerou, Holbert, Labuda, Nikkel, Summers, Todd, Waller, Young.

14
15 **HB12-1329** by Representative(s) Scott and Pabon, Sonnenberg,
16 Looper, Barker, Nikkel, Liston, Kerr J., Stephens, Vaad;
17 also Senator(s) Nicholson--Concerning the county
18 treasurer becoming the public trustee in certain counties
19 where the public trustee is currently appointed by the
20 governor.

21
22 The question being "Shall the bill pass?".

23 A roll call vote was taken. As shown by the following recorded vote, a
24 majority of those elected to the House voted in the affirmative and the bill
25 was declared **passed**.

27	YES	54	NO	7	EXCUSED	4	ABSENT	0
28	Acree	N	Fischer	N	Looper	Y	Solano	N
29	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	E	Hullinghorst	N	Murray	Y	Swalm	Y
34	Bradford	E	Jones	N	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	N	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
41	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
42	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
43	Fields	Y	Liston	Y	Singer	Y	Young	Y
44							Speaker	Y

45 Co-sponsor(s) added: Representative(s) Fields, Gardner B., Labuda, Miklosi,
46 Murray, Pace, Waller, Williams A.

51 MESSAGE(S) FROM THE SENATE

52
53 The Senate has adopted and transmits herewith: SJR12- 023.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Stephens, the rules were suspended and the following resolution was given immediate consideration.

SJR12-023 by Senator(s) Hudak, Bacon, Heath, Johnston, King K., Spence, Williams S.; also Representative(s) Todd, Hamner, Kerr A., Peniston, Schafer S., Solano--
Concerning the recognition of public school teachers in Colorado.

(Printed and placed in member's file).

On motion of Representative Todd, the resolution was read at length and **adopted by viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer, Barker, Baumgardner, Becker, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr J., Labuda, Lee, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace, Priola, Ramirez, Ryden, Scott, Singer, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

The Senate has adopted the First Report of the First Conference Committee on HB12-1335, as printed in Senate Journal, April 26, 2012, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on HB12-1336, as printed in Senate Journal, April 25, 2012, page 851, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on HB12-1337, as printed in Senate Journal, April 25, 2012, page 851, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on HB12-1338, as printed in Senate Journal, April 25, 2012, page 852, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on HB12-1339, as printed in Senate Journal, April 26, 2012, and repassed the bill as amended. The bill is returned herewith.

The Senate has adopted the First Report of the First Conference Committee on HB12-1340, as printed in Senate Journal, April 26, 2012, and repassed the bill as amended. The bill is returned herewith.

1
2 The Senate has adopted the First Report of the First Conference
3 Committee on HB12-1344, as printed in Senate Journal, April 26, 2012,
4 and repassed the bill as amended. The bill is returned herewith.
5

6
7
8 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
9 **on HB12-1335**

10
11 This Report Amends the Rerevised Bill.

12
13 To the President of the Senate and the
14 Speaker of the House of Representatives:
15

16 Your first conference committee appointed on HB12-1335,
17 concerning the provision for payment of the expenses of the executive,
18 legislative, and judicial departments of the state of Colorado, and of its
19 agencies and institutions, for and during the fiscal year beginning July 1,
20 2012, except as otherwise noted, has met and reports that it has agreed
21 upon the following:
22

23 1. That the House accede to the Senate amendments made to the
24 bill, as said amendments appear in the rerevised bill, with the following
25 changes:
26

27 Amend rerevised bill, page 20, line 8, in the ITEM & SUBTOTAL
28 column strike "42,363,061" and substitute "42,287,905" and in the
29 GENERAL FUND column strike "41,092,220" and substitute
30 "41,017,064".
31

32 Page 20, line 9, in the ITEM & SUBTOTAL column strike "537,151" and
33 substitute "535,860" and in the GENERAL FUND column strike
34 "521,650" and substitute "520,359".
35

36 Page 20, line 11, in the ITEM & SUBTOTAL column strike "9,768,352"
37 and substitute "9,745,013" and in the GENERAL FUND column strike
38 "9,469,770" and substitute "9,446,431".
39

40 Page 20, line 14, in the ITEM & SUBTOTAL column strike "8,340,754"
41 and substitute "8,320,697" and in the GENERAL FUND column strike
42 "8,084,160" and substitute "8,064,103".
43

44 Adjust affected totals accordingly.
45

46 Page 23, line 13, in the ITEM & SUBTOTAL column strike "62,027,488"
47 and substitute "64,027,488" and in the GENERAL FUND column strike
48 "59,668,781" and substitute "61,668,781".
49

50 Adjust affected totals accordingly.
51

52 Page 26, line 3, in the ITEM & SUBTOTAL column strike "17,974,485"
53 and substitute "17,930,205".
54

55 Page 26, line 4, in the ITEM & SUBTOTAL column strike "(300.4 FTE)"
56 and substitute "(299.5 FTE)".

- 1 Page 26, line 5, in the ITEM & SUBTOTAL column strike "5,334,085"
2 and substitute "5,261,740".
3
- 4 Page 26, line 7, in the ITEM & SUBTOTAL column strike "24,776,390"
5 and substitute "24,659,765" and in the GENERAL FUND column strike
6 "24,776,390" and substitute "24,659,765".
7
- 8 Page 26, line 10, in the ITEM & SUBTOTAL column strike
9 "160,469,421^a" and substitute "159,930,305^a" and in the GENERAL
10 FUND column strike "160,466,474" and substitute "159,927,358".
11
- 12 Page 26, line 11, in the GENERAL FUND column strike "(3,052.1 FTE)"
13 and substitute "(3,031.9 FTE)".
14
- 15 Page 26, line 12, in the ITEM & SUBTOTAL column strike "1,829,858"
16 and substitute "1,807,249" and in the GENERAL FUND column strike
17 "1,829,858" and substitute "1,807,249".
18
- 19 Adjust affected totals accordingly.
20
- 21 Page 27, line 8, in the ITEM & SUBTOTAL column strike "15,590,439"
22 and substitute "15,347,897" and in the GENERAL FUND column strike
23 "15,510,439" and substitute "15,267,897".
24
- 25 Adjust affected totals accordingly.
26
- 27 Page 28, line 2, in the ITEM & SUBTOTAL column strike "2,590,939"
28 and substitute "2,581,364" and in the GENERAL FUND column strike
29 "2,590,939" and substitute "2,581,364".
30
- 31 Adjust affected totals accordingly.
32
- 33 Page 29, line 2, in the ITEM & SUBTOTAL column strike "2,118,511"
34 and substitute "2,099,960".
35
- 36 Page 29, line 3, in the ITEM & SUBTOTAL column strike "4,356,704"
37 and substitute "4,338,153" and in the GENERAL FUND column strike
38 "4,356,704" and substitute "4,338,153".
39
- 40 Page 29, line 8, in the ITEM & SUBTOTAL column strike "3,347,725"
41 and substitute "3,312,490".
42
- 43 Page 29, line 10, in the ITEM & SUBTOTAL column strike "13,978,130"
44 and substitute "13,942,895" and in the GENERAL FUND column strike
45 "13,978,130" and substitute "13,942,895".
46
- 47 Page 30, line 6, in the ITEM & SUBTOTAL column strike "15,280,425"
48 and substitute "15,158,111".
49
- 50 Page 30, line 7, in the ITEM & SUBTOTAL column strike "(214.9 FTE)"
51 and substitute "(212.2 FTE)".
52
- 53 Page 30, line 8, in the ITEM & SUBTOTAL column strike "159,680" and
54 substitute "159,018".
55
- 56 Page 30, line 9, in the ITEM & SUBTOTAL column strike "15,440,105"

1 and substitute "15,317,129" and in the GENERAL FUND column strike
2 "15,440,105" and substitute "15,317,129".

3
4 Page 30, line 14, in the ITEM & SUBTOTAL column strike "260,123"
5 and substitute "259,477" and in the GENERAL FUND column strike
6 "260,123" and substitute "259,477".

7
8 Adjust affected totals accordingly.

9
10 Page 31, line 6, in the ITEM & SUBTOTAL column strike "1,498,362"
11 and substitute "1,470,396" and in the GENERAL FUND column strike
12 "1,498,362" and substitute "1,470,396".

13
14 Adjust affected totals accordingly.

15
16 Page 35, line 4, in the ITEM & SUBTOTAL column strike "277,405" and
17 substitute "276,430".

18
19 Page 35, line 5, in the ITEM & SUBTOTAL column strike "2,133,087"
20 and substitute "2,132,112" and in the GENERAL FUND column strike
21 "2,133,087" and substitute "2,132,112".

22
23 Adjust affected totals accordingly.

24
25 Page 37, line 1, in the ITEM & SUBTOTAL column strike "88,052" and
26 substitute "85,764".

27
28 Page 37, line 2, in the ITEM & SUBTOTAL column strike "5,374,219"
29 and substitute "5,371,931" and in the GENERAL FUND column strike
30 "5,374,219" and substitute "5,371,931".

31
32 Page 37, line 5, in the ITEM & SUBTOTAL column strike "11,542,516"
33 and substitute "11,434,266" and in the GENERAL FUND column strike
34 "10,628,255" and substitute "10,520,005".

35
36 Page 37, line 6, in the GENERAL FUND column strike "(174.2 FTE)"
37 and substitute "(172.4 FTE)".

38
39 Page 37, line 7, in the ITEM & SUBTOTAL column strike "2,450,962"
40 and substitute "2,444,298" and in the CASH FUNDS column strike
41 "1,839,947^a" and substitute "1,833,283^a".

42
43 Adjust affected totals accordingly.

44
45 Page 37, line 14, strike "\$1,328,479" and substitute "\$1,321,815".

46
47 Page 38, line 8, in the ITEM & SUBTOTAL column strike "71,200" and
48 substitute "69,276" and in the CASH FUNDS column strike "71,200^a"
49 and substitute "69,276^a".

50
51 Adjust affected totals accordingly.

52
53 Page 269, line 4, in the ITEM & SUBTOTAL column strike "2,000,000"
54 and substitute "1,000,000" and in the GENERAL FUND column strike
55 "2,000,000" and substitute "1,000,000".

56

1 Adjust affected totals accordingly.
2
3 Page 272, line 4, after the period add "Up to two percent of this
4 appropriation may be used for related administrative expenses incurred
5 by the department."
6
7 Page 85, line 4, in the ITEM & SUBTOTAL column strike "6,792,280"
8 and substitute "7,792,280" and in the GENERAL FUND column strike
9 "6,713,764" and substitute "7,713,764".
10
11 Adjust affected totals accordingly.
12
13 Page 262, line 10, strike "Recovery^{40a}" and substitute "Recovery".
14
15 Page 264, strike lines 2 through 6.
16
17 Page 274, line 13, in the ITEM & SUBTOTAL column strike "3,106,375"
18 and substitute "3,103,483" and in the CASH FUNDS column strike
19 "2,723,059^b" and substitute "2,720,167^b".
20
21 Adjust affected totals accordingly.
22
23 Page 275, line 13, strike "\$26,449,078" and substitute "\$26,446,186".
24
25 Page 281, line 7, in the ITEM & SUBTOTAL column strike "6,793,342"
26 and substitute "6,468,382" and in the CASH FUNDS column strike
27 "6,793,342^a" and substitute "6,468,382^a".
28
29 Page 281, line 8, in the CASH FUNDS column strike "(78.0 FTE)" and
30 substitute "(74.0 FTE)".
31
32 Adjust affected totals accordingly.
33
34 Page 282, line 8, strike "\$3,581,310" and substitute "\$3,256,350".
35
36 2. That, under the authority granted the committee to consider
37 matters not at issue between the two houses, the following amendments
38 be recommended:
39
40 Page 54, line 8, strike "Program" and substitute "Program⁵", in the ITEM
41 & SUBTOTAL column strike "21,735,589" and substitute "28,093,332",
42 and in the CASH FUNDS column strike "15,885,363^d" and substitute
43 "22,243,106^m".
44
45 Page 54, strike lines 10 through 13.
46
47 Adjust affected totals accordingly.
48
49 Page 59, strike lines 4 and 5 and substitute
50
51 ^m Of this amount, \$15,885,363 shall be from the State Education Fund
52 created in Section 17 (4) (a) of Article IX of the State Constitution and
53 \$6,357,743 shall be from the State Public School Fund created in Section
54 22-54-114 (1), C.R.S. Pursuant to Section 17 (3) of Article IX of the
55 State Constitution, appropriations from the State Education Fund are not
56 subject to the limitation on fiscal year spending set forth in Section 20 of

- 1 Article X of the State Constitution. The amount appropriated from the
2 State Public School Fund shall be from General Fund moneys transferred
3 into the State Public School Fund pursuant to Section 24-75-201.1 (1) (d)
4 (XI.5) (B), C.R.S.".
- 5
6 Page 60, line 2, in the GENERAL FUND column strike "2,476,867,253"
7 and substitute "2,482,867,253" and in the CASH FUNDS column strike
8 "520,387,293^d" and substitute "514,387,293^d".
- 9
10 Adjust affected totals accordingly.
- 11
12 Page 61, line 1, strike "\$195,922,411" and substitute "\$189,922,411".
- 13
14 Page 74, line 13, strike "use this appropriation" and substitute "use
15 \$6,357,743 of the cash funds appropriation to this line item".
- 16
17 Page 84, line 2, in the ITEM & SUBTOTAL column strike "1,595,168"
18 and substitute "1,295,168" and in the GENERAL FUND column strike
19 "384,522" and substitute "84,522".
- 20
21 Page 85, line 4, in the ITEM & SUBTOTAL column strike "6,792,280"
22 and substitute "1,092,280" and in the GENERAL FUND column strike
23 "6,713,764" and substitute "1,013,764".
- 24
25 Adjust affected totals accordingly.
- 26
27 Page 213, line 9, strike "Services" and substitute "Services^{33a}", in the
28 ITEM & SUBTOTAL column strike "19,355,336" and substitute
29 "19,722,533", and in the GENERAL FUND column strike "300,000" and
30 substitute "667,197".
- 31
32 Adjust affected totals accordingly.
- 33
34 Page 222, after line 15 insert:
- 35
36 "33a Judicial Department, Probation and Related
37 Services, Offender Treatment and Services -- It is
38 the intent of the General Assembly that \$367,197
39 of the amount appropriated for Offender Treatment
40 and Services be used to provide treatment and
41 services for offenders participating in veterans
42 trauma courts.".
- 43
44 Page 418, line 14, strike "**Services**^{49a}" and substitute "**Services**".
- 45
46 Page 431, strike lines 3 and 4.
- 47
48 Page 432, line 2, strike "**STATE**^{50a}" and substitute "**STATE**".
- 49
50 Page 437, strike lines 1 through 4.
- 51
52 Page 455, before line 1 insert:
- 53
54 TOTAL
- 55 CAPITAL
- 56 CONSTRUCTION
FUND

1	\$	\$
2		
3	"PART 0.5	
4	DEPARTMENT OF AGRICULTURE	
5		
6	(1) CONTROLLED MAINTENANCE	
7	Repair/Replace Secondary	
8	Electrical Infrastructure,	
9	Colorado State Fair	709,680
10		709,680
11	TOTALS PART 0.5	
12	(AGRICULTURE)	<u>\$709,680</u>
13		<u>\$709,680"</u> .
14	Page 459, after line 8 insert:	
15		
16	ITEM &	CAPITAL
17	SUBTOTAL	CONSTRUCTION
18		FUND
19	\$	\$
20		
21	"Install Fire Sprinkler	
22	System, Microbiology	
23	Building	681,880
24		681,880"
25	Adjust affected totals accordingly.	
26		
27	Page 460, after line 15 insert:	
28		
29	ITEM &	CAPITAL
30	SUBTOTAL	CONSTRUCTION
31		FUND
32	\$	\$
33		
34	"Replace Air Handling	
35	Units, Building 500	
36		<u>454,250</u>
37		454,250"
38	Page 461, before line 1, in the ITEM & SUBTOTAL column insert	
39	"880,725"	
40	Page 461, line 7, in the TOTAL column strike "15,073,276" and	
41	substitute "15,527,526"	
42		
43	Page 462, after line 3 insert:	
44		
45	TOTAL	CAPITAL
46		CONSTRUCTION
47		FUND
48	\$	\$
49		
50	"(8.5) UNIVERSITY OF NORTHERN COLORADO	
51	(A) Controlled Maintenance	
52	Replace and/or Install	
53	Chillers, Kepner	
54	Building, Guggenheim	
55	Building, Carter Hall,	
56	and Crabbe Hall	973,000
		973,000"

1 Page 462, after line 8 insert:

2		
3	TOTAL	CAPITAL
4		CONSTRUCTION
5		FUND
6	\$	\$
7		
8	"(9.5) COLORADO COMMUNITY COLLEGE SYSTEM AT	
9	LOWRY	
10	(A) Controlled Maintenance	
11	Upgrade HVAC,	
12	Building 758	1,015,919".
13		

14 Page 463, after line 14 insert:

15		
16	TOTAL	CAPITAL
17		CONSTRUCTION
18		FUND
19	\$	\$
20		
21	"(13.5) OTERO JUNIOR COLLEGE	
22	(A) Controlled Maintenance	
23	Replace HVAC,	
24	McBride Hall	440,370".
25		

26 Page 464, after line 4 insert:

27		
28	TOTAL	CAPITAL
29		CONSTRUCTION
30		FUND
31	\$	\$
32		
33	"(14.5) NORTHEASTERN JUNIOR COLLEGE	
34	(A) Controlled Maintenance	
35	Upgrade HVAC,	
36	Phillips-Whyman	
37	Building	598,000".
38		

39 Page 466, line 4, in the TOTAL column strike "33,674,966" and
 40 substitute "37,838,385" and in the CAPITAL CONSTRUCTION FUND
 41 column strike "16,789,062" and substitute "20,952,481".

42 Page 472, after line 2 insert:

43		
44		
45	ITEM &	CAPITAL
46	SUBTOTAL	CONSTRUCTION
47		FUND
48	\$	\$
49		
50	"Upgrade HVAC and	
51	Direct Digital Control	
52	System and Replace	
53	VAV Boxes, Grand	
54	Junction State Office	
55	Building	510,268".
56		

1 Adjust affected totals accordingly.

2

3 Page 477, line 10, in the CAPITAL CONSTRUCTION FUND column
4 strike "5,509,498" and in the CASH FUNDS column strike "13,075,877"^a
5 and substitute "18,585,375"^a

6

7 Adjust affected totals accordingly.

8

9 Page 478, line 3, in the TOTAL column strike "164,942,846" and
10 substitute "170,326,213", in the CAPITAL CONSTRUCTION FUND
11 column strike "62,234,309" and substitute "62,108,178", and in the
12 CASH FUNDS column strike "82,168,311"^a and substitute "87,677,809"^a.

13

14 Page 11, line 2, in the CASH FUNDS column strike "144,532"^c and
15 substitute "229,532"^c and in the FEDERAL FUNDS column strike
16 "100,000(I)" and substitute "15,000(I)".

17

18 Page 12, line 2, in the ITEM & SUBTOTAL column strike "144,650" and
19 substitute "169,713" and in the CASH FUNDS column strike "26,655"^c
20 and substitute "51,718"^c.

21

22 Adjust affected totals accordingly.

23

24 Page 47, line 15, in the CASH FUNDS column strike "14,711,917"^a and
25 substitute "14,711,917(I)"^a.

26

27 Page 48, line 2, strike "Operation" and substitute "Operation and are
28 shown for informational purposes because they are continuously
29 appropriated to the division by Section 17-24-126 (1), C.R.S."

30

31 Page 48, line 5, in the CASH FUNDS column strike "\$40,843,802" and
32 substitute "\$40,843,802"^a and in the FEDERAL FUNDS column strike
33 "\$1,014,328"^a and substitute "\$1,014,328"^b.

34

35 Page 48, strike line 7 and substitute:

36

37 ^a Of this amount, \$14,711,917 contains an (I) notation.

38 ^b This amount contains an (I) notation."

39

40 Page 61, line 11, strike "**(B) Programs**" and substitute "**(B) Categorical**
41 **Programs**".

42

43 Page 97, line 4, in the GENERAL FUND column strike "13,151,155" and
44 substitute "13,163,355", in the REAPPROPRIATED FUNDS column
45 strike "471,729"^b and substitute "447,329"^b, and in the FEDERAL
46 FUNDS column strike "20,578,263(I)" and substitute "20,590,463(I)".

47

48 Adjust affected totals accordingly.

49

50 Page 97, line 6, strike "\$2,461,409" and substitute "\$2,535,659".

51

52 Page 97, line 8, strike "\$78,083" and substitute "\$3,833".

53

54 Page 97, strike lines 13 and 14 and substitute:

55

56 ^b Of this amount, \$443,283 shall be a transfer from the Department of

1 Human Services and \$4,046 shall be from Old Age Pension Health and
2 Medical Care Fund moneys originally appropriated to the Old Age
3 Pension State Medical Program in the Other Medical Services division."
4

5 Page 100, strike line 9 and substitute:

6
7 "b Of this amount, \$97,981 shall be from Old Age Pension Health and
8 Medical Care Fund moneys originally appropriated to the Old Age
9 Pension State Medical Program in the Other Medical Services division."
10

11 Page 100, line 14, in the CASH FUNDS column strike "6,213^a" and
12 substitute "4,620^d" and in the REAPPROPRIATED FUNDS column
13 insert "1,593^a".
14

15 Adjust affected totals accordingly.
16

17 Page 101, strike line 11 and substitute:

18
19 "a This amount shall be from Old Age Pension Health and Medical Care
20 Fund moneys originally appropriated to the Old Age Pension State
21 Medical Program in the Other Medical Services division."
22

23 Page 107, line 7, in the ITEM & SUBTOTAL column strike "12,398,407"
24 and substitute "12,400,000" and in the CASH FUNDS column strike
25 "9,998,407(I)^a" and substitute "10,000,000(I)^a".
26

27 Adjust affected totals accordingly.
28

29 Page 110, strike lines 7 and 8 and substitute:

30
31 "b These amounts shall be from the Old Age Pension Health and Medical
32 Care Fund moneys originally appropriated to the Old Age Pension State
33 Medical Program."
34

35 Page 115, line 3, strike "\$9,998,407" and substitute "\$10,000,000".
36

37 Page 115, line 4, strike "\$226,383,475" and substitute "\$226,395,675".
38

39 Page 109, line 6, in the ITEM & SUBTOTAL column strike "15,173,944"
40 and substitute "15,173,536", in the GENERAL FUND column strike
41 "7,586,972(M)" and substitute "7,586,768(M)", and in the FEDERAL
42 FUNDS column strike "7,586,972" and substitute "7,586,768".
43

44 Adjust affected totals accordingly.
45

46 Page 149, line 6, in the ITEM & SUBTOTAL column strike "597,480"
47 and substitute "611,520" and in the REAPPROPRIATED FUNDS
48 column strike "597,480ⁱ" and substitute "611,520ⁱ".
49

50 Adjust affected totals accordingly.
51

52 Page 153, line 5, strike "\$894,807" and substitute "\$811,278".
53

54 Page 153, line 7, strike "\$489,987" and substitute "\$573,516".
55

56 Page 112, line 13, in the ITEM & SUBTOTAL column strike "1,187,843"

1 and substitute "1,187,825" and in the GENERAL FUND column strike
2 "593,931(M)" and substitute "593,913(M)".

3
4 Adjust affected totals accordingly.

5
6 Page 245, strike line 15 and substitute:

	ITEM & SUBTOTAL	CASH FUNDS
	\$	\$
"Lowry Range Litigation Expenses	<u>638,870</u>	638,870 ^d ".

11
12
13
14
15 Page 253, line 12, in the GENERAL FUND column insert "310,091" and
16 in the REAPPROPRIATED FUNDS column strike "555,038^c" and
17 substitute "244,947^c".

18
19 Adjust affected totals accordingly.

20
21 Page 254, strike line 5 and substitute:

22
23 ^c This amount shall be from statewide indirect cost recoveries."

24
25 Page 262, line 7, in the GENERAL FUND column strike "569,903" and
26 substitute "213,396" and in the REAPPROPRIATED FUNDS column
27 strike "65,841^a" and substitute "422,348^a".

28
29 Adjust affected totals accordingly.

30
31 Page 263, line 1, strike "These amounts" and substitute "Of these
32 amounts, \$356,507 shall be from departmental indirect cost recoveries
33 and \$75,228".

34
35 Page 271, line 12, strike "entire".

36
37 Page 297, line 2, strike "the (I) notation applies to \$24,876,190" and
38 substitute "\$24,876,190 contains an (I) notation,".

39
40 Page 297, line 3, strike ^b The (I) notation applies to this amount." and
41 substitute ^b This amount contains an (I) notation."

42
43 Page 338, line 3, strike "\$148,441" and substitute "\$58,441" and after
44 "C.R.S.," insert "an estimated \$50,000 shall be from the Solid Waste
45 Management Fund created in Section 30-20-118 (1), C.R.S.,".

46
47 Page 338, line 5, strike "\$30,912" and substitute "\$70,912".

48
49 Page 338, strike lines 10 through 13 and insert:

50
51 ^d Of this amount, an estimated \$352,886 shall be from the Solid Waste
52 Management Fund created in Section 30-20-118 (1), C.R.S., an estimated
53 \$349,991 shall be from the Hazardous Waste Service Fund created in
54 Section 25-15-304, C.R.S., an estimated \$289,105 shall be from the
55 Radiation Control Fund created in Section 25-11-104 (6) (c), C.R.S., an
56 estimated \$189,397 shall be from the Hazardous Substance Response Fund

1 created in Section 25-16-104.3 (1) (a), C.R.S., an estimated \$64,338 shall
2 be from the Solid and Hazardous Waste Commission Fund created in
3 Section 25-15-315, C.R.S., and an estimated \$115,058 shall be from
4 various sources of cash funds."

5
6 Page 409, strike lines 1 through 11 and substitute:

7
8 "c Of these amounts, \$2,192,518 shall be from the Highway Users Tax
9 Fund, created in Section 43-4-201 (1) (a), C.R.S., and appropriated
10 pursuant to Section 43-4-201 (3) (a) (III) (C), C.R.S., \$970 shall be from
11 the Highway Users Tax Fund created in Section 43-4-201 (1) (a), C.R.S.,
12 appropriated pursuant to Section 43-4-201 (3) (a) (V), C.R.S., and exempt
13 from the statutory limit in Section 43-4-201 (3) (a) (III) (C), C.R.S.,
14 \$132,180 shall be from the Colorado State Titling and Registration
15 Account, a subaccount of the Highway Users Tax Fund, created in
16 Section 42-1-211 (2), C.R.S., \$104,765 shall be from the Lottery Fund
17 created in Section 24-35-210 (1), C.R.S., \$61,697 shall be from the Auto
18 Dealers License Fund created in Section 12-6-123 (1), C.R.S., \$61,571
19 shall be from Driver's License Administrative Revocation Account, a
20 subaccount of the Highway Users Tax Fund, created in Section 42-2-132
21 (4) (b) (I) (A), C.R.S., \$61,060 shall be from the Limited Gaming Fund
22 created in Section 12-47.1-701 (1), C.R.S., \$40,794 shall be from the
23 Medical Marijuana License Cash Fund created in Section 12-43.3-501
24 (1), C.R.S., \$40,590 shall be from the Department of Revenue subaccount
25 of the AIR Account of the Highway Users Tax Fund created in Section
26 42-3-304 (18) (c), C.R.S., \$39,856 shall be from the Liquor Enforcement
27 Division and State Licensing Authority Cash Fund created in Section 24-
28 35-401, C.R.S., \$21,843 shall be from the Racing Cash Fund created in
29 Section 12-60-205 (1), C.R.S., \$11,938 shall be from the First Time
30 Drunk Driving Offender Account of the Highway Users Tax Fund created
31 in Section 42-2-132 (4) (b) (II) (A), C.R.S., \$2,388 shall be from the
32 Motorist Insurance Identification Account, a subaccount of the Highway
33 Users Tax Fund, created in Section 42-3-304 (18) (d) (I), C.R.S., and
34 \$12,665,519 shall be from various sources of cash funds."

35
36 Page 446, strike lines 11 and 12 and substitute:

37
38 "a Pursuant to Section 3.5 (3) of Article X of the State Constitution, this
39 amount is not subject to the limitation on General Fund appropriations set
40 forth in Section 24-75-201.1, C.R.S., because enactment of this
41 constitutional provision by the people of Colorado constitutes voter
42 approval of a weakening of such limitation. This amount reflects the
43 estimate of the moneys that shall be paid to fully reimburse counties
44 pursuant to Section 39-3-207 (4) (a), C.R.S., for lost property tax
45 revenues as a result of property owners claiming the exemption."

46
47 Page 447, strike lines 1 through 4 and substitute:

48
49 "b This amount shall be from the General Fund Exempt Account created
50 in Section 24-77-103.6 (2), C.R.S. This amount reflects the required
51 transfer to the Fire and Police Pension Association for old hire pension
52 plans pursuant to Section 31-30.5-307 (3), C.R.S., and is included in the
53 Long Bill for informational purposes for the purpose of complying with
54 the limitation on state fiscal year spending imposed by Section 20 of
55 Article X of the State Constitution and Section 24-77-103, C.R.S. This
56 amount shall not be deemed to be an appropriation subject to the

- 1 limitations of Section 24-75-201.1, C.R.S."
- 2
- 3 Page 449, line 2, in the GENERAL FUND column strike
- 4 "\$6,573,787,177^a" and substitute "\$6,582,787,177^a" and in the
- 5 GENERAL FUND EXEMPT column strike "\$905,683,201^b" and
- 6 substitute "\$896,683,201^b".
- 7
- 8 Page 449, line 5, strike "\$904,800,001" and substitute "\$895,800,001".
- 9
- 10 Page 449, line 8, strike "these amounts," and substitute "this amount,".
- 11
- 12 Page 449, line 10, strike "\$3,280,752" and substitute "\$19,114,458".
- 13
- 14 Page 449, line 11, strike "\$2,300,397,394" and substitute
- 15 "\$2,285,388,076".
- 16
- 17 Adjust affected totals and letter notes accordingly.
- 18
- 19 Page 547, after line 10 insert:

			APPROPRIATION FROM			
	ITEM & SUBTOTAL	TOTAL	CAPITOL CONSTRUCTION FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$
1	"SECTION 17. Appropriation for funding capital construction for the fiscal year beginning July 1, 2011. Amend					
2	of House Bill 12-1200, as follows:					
3						
4	Section 3. Capital Construction Appropriation.					
5						
6	PART III					
7	DEPARTMENT OF HIGHER EDUCATION					
8	(0.5) COLORADO STATE UNIVERSITY AT FORT COLLINS					
9	(A) Capital Construction					
10	Critical Care Unit, Pharmacy, and Student Lab					
11	Renovation (Veterinary Teaching Hospital)					
12		1,525,000		1,525,000 ^a		
13	^a Of this amount, \$655,750 shall be from a \$1,001 annual fee charged to non-resident students of the veterinary program, and \$869,250 shall be from matching university					
14	funds earned through tuition and client-based service revenues. THIS AMOUNT FALLS BELOW THE THRESHOLD IN SECTION 24-75-303, C.R.S., AND IS SHOWN HERE FOR					
15	INFORMATIONAL PURPOSES ONLY. THEREFORE, IT SHALL NOT BE ACCOUNTED FOR IN THE STATE'S CAPITAL CONSTRUCTION FUND AND THE LIMITATIONS ON ENCUMBRANCE					
16	TIMELINESS AND USE OF INTERNAL WORKFORCE DO NOT APPLY."					
17	Page 504, after line 10 insert:					
18						
19	^b This amount shall be transferred from the Department of Public Health and Environment for the Breast and Cervical Cancer Prevention and Treatment Program					
20	pursuant to Section 24-22-117 (2) (d) (II) (D), C.R.S."					
21						
22						

1 Adjust affected totals accordingly.
2
3 Renumber succeeding sections accordingly.
4
5 Respectfully submitted,

6	House Committee:	Senate Committee:
7	(signed)	(signed)
8	Cheri Gerou	Mary Hodge
9	Jon Becker	Pat Steadman
10	Claire Levy	Kent D. Lambert
11		
12		
13		
14		

15
16 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
17 **on HB12-1336**

18
19 This Report Adopts the Rerevised Bill.

20
21 To the President of the Senate and the
22 Speaker of the House of Representatives:

23
24 Your first conference committee appointed on HB12-1336,
25 concerning authorization of a prison utilization analysis, and, in
26 connection therewith, making an appropriation, has met and reports that
27 it has agreed upon the following:

28
29 That the House accede to the Senate amendments made to the bill
30 and that the rerevised bill be adopted without change.

31
32 Respectfully submitted,
33 House Committee: Senate Committee:
34 (signed) (signed)
35 Cheri Gerou Mary Hodge
36 Jon Becker Pat Steadman
37 Claire Levy Kent D. Lambert
38

39
40
41 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
42 **on HB12-1337**

43
44
45 This Report Adopts the Rerevised Bill.

46
47 To the President of the Senate and the
48 Speaker of the House of Representatives:

49
50 Your first conference committee appointed on HB12-1337,
51 concerning the closure of the south campus of the Centennial correctional
52 facility for housing purposes, has met and reports that it has agreed upon
53 the following:
54
55

1 That the House accede to the Senate amendments made to the bill
2 and that the rerevised bill be adopted without change.

3
4 Respectfully submitted,

5 House Committee:

6 (signed)

7 Cheri Gerou

8 Jon Becker

9 Claire Levy

Senate Committee:

(signed)

Mary Hodge

Pat Steadman

Kent D. Lambert

10
11
12
13 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
14 **on HB12-1338**

15
16 This Report Adopts the Rerevised Bill.

17
18 To the President of the Senate and the Speaker of the House of
19 Representatives:

20
21 Your first conference committee appointed on HB12-1338,
22 concerning the transfer of general fund surplus moneys to the state
23 education fund at the end of certain fiscal years, has met and reports that
24 it has agreed upon the following:

25
26 That the House accede to the Senate amendments made to the bill
27 and that the rerevised bill be adopted without change.

28
29 Respectfully submitted,

30 House Committee:

31 (signed)

32 Cheri Gerou

33 Jon Becker

34 Claire Levy

Senate Committee:

(signed)

Mary Hodge

Pat Steadman

Kent D. Lambert

35
36
37
38 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
39 **on HB12-1339**

40
41 This Report Amends the Rerevised Bill.

42
43 To the President of the Senate and the
44 Speaker of the House of Representatives:

45 Your first conference committee appointed on HB12-1339,
46 concerning the Colorado benefits management system improvement and
47 modernization project, and, in connection therewith, making an
48 appropriation, has met and reports that it has agreed upon the following:

49
50 1. That the House accede to the Senate amendment made to the
51 bill, as the amendment appears in the rerevised bill.

52
53 2. That, under the authority granted the committee to consider
54 matters not at issue between the two houses, the following amendments
55 be recommended:
56

1 Amend rerevised bill, page 7, line 16, strike "\$8,630,836," and substitute
2 "\$7,630,836,".

3
4 Page 7, line 21, strike "\$4,307,395" and substitute "\$3,307,395".

5
6 Respectfully submitted,
7 House Committee: Senate Committee:
8 (signed) (signed)
9 Cheri Gerou Mary Hodge
10 Jon Becker Pat Steadman
11 Claire Levy Kent D. Lambert
12
13
14

15
16
17 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
18 **on HB12-1340**

19
20 This Report Adopts the Reengrossed Bill.

21
22 To the President of the Senate and the
23 Speaker of the House of Representatives:

24
25 Your first conference committee appointed on HB12-1340,
26 concerning a reduction in the general fund portion of the per diem rates
27 paid to nursing facilities, and, in connection therewith, reducing an
28 appropriation, has met and reports that it has agreed upon the following:
29

30 That the Senate recede from its amendment made to the bill and
31 that the reengrossed bill be adopted without change.

32
33 Respectfully submitted,
34 House Committee: Senate Committee:
35 (signed) (signed)
36 Cheri Gerou Mary Hodge
37 Claire Levy Pat Steadman
38 Kent D. Lambert
39
40
41

42
43
44 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
45 **on HB12-1344**

46
47 This Report Adopts the Rerevised Bill.

48
49 To the President of the Senate and the
50 Speaker of the House of Representatives:

51
52 Your first conference committee appointed on HB12-1344,
53 concerning transfers of moneys relating to capital construction, has met
54 and reports that it has agreed upon the following:
55
56

That the House accede to the Senate amendments made to the bill and that the rerevised bill be adopted without change.

Respectfully submitted,

House Committee:

(signed)

Cheri Gerou

Jon Becker

Claire Levy

Senate Committee:

(signed)

Mary Hodge

Pat Steadman

Kent D. Lambert

CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

On motion of Representative Stephens, the rules were suspended for immediate consideration of Consideration of the following Conference Committee Reports.

HB12-1335 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the provision for payment of the expenses of the executive, legislative, and judicial departments of the state of Colorado, and of its agencies and institutions, for and during the fiscal year beginning July 1, 2012, except as otherwise noted.

(Conference Committee Report printed in House Journal, April 26, pages 1150-1163.)

On motion of Representative Gerou, the Conference Committee Report was **adopted** by the following roll call vote:

	YES	59	NO	0	EXCUSED	5	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y	
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y	
Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y	
Bradford	E	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.	E	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	E	Scott	Y	Wilson	Y	
Fields	Y	Liston	Y	Singer	Y	Young	Y	
						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**.

	YES	56	NO	3	EXCUSED	5	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	Soper	Y	

1	Baumgardner	N	Hamner	Y	McKinley	-	Stephens	Y
2	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
3	Beezley	E	Hullingerhorst	Y	Murray	Y	Swalm	Y
4	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
6	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
8	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
13	Fields	Y	Liston	Y	Singer	Y	Young	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Kagan.

16
17 **HB12-1336** by Representative(s) Becker and Levy, Gerou; also
18 Senator(s) Steadman and Lambert, Hodge--Concerning
19 authorization of a prison utilization analysis, and, in
20 connection therewith, making an appropriation.

21
22 (Conference Committee Report printed in House Journal, April 26,
23 page 1163.)

24
25 On motion of Representative Becker, the Conference Committee Report
26 was **adopted** by the following roll call vote:

28	YES	59	NO	0	EXCUSED	5	ABSENT	1
29	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
30	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
31	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
32	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
33	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
34	Beezley	E	Hullingerhorst	Y	Murray	Y	Swalm	Y
35	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
36	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
37	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
38	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
39	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
40	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
41	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
42	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
43	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
44	Fields	Y	Liston	Y	Singer	Y	Young	Y
45							Speaker	Y

46
47 The question being "Shall the bill, as amended, pass?".

48 A roll call vote was taken. As shown by the following recorded vote, a
49 majority of those elected to the House voted in the affirmative and the
50 bill, as amended, was declared **repassed**.

52	YES	59	NO	0	EXCUSED	5	ABSENT	1
53	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
54	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
55	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
56	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y

1	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
2	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
3	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
4	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
5	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
6	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
7	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
8	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
9	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
10	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
11	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
12	Fields	Y	Liston	Y	Singer	Y	Young	Y
13							Speaker	Y

14 Co-sponsor(s) added: Representative(s) Conti, Coram, Jones, Kerr J., Vigil.

15
16 **HB12-1337** by Representative(s) Gerou and Levy, Becker; also
17 Senator(s) Steadman and Lambert, Hodge--Concerning the
18 closure of the south campus of the Centennial correctional
19 facility for housing purposes.

20
21 (Conference Committee Report printed in House Journal, April 26,
22 pages 1163-1164.)

23
24 On motion of Representative Gerou, the Conference Committee Report
25 was **adopted** by the following roll call vote:

27	YES	57	NO	2	EXCUSED	5	ABSENT	1
28	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	E	Jones	Y	Nikkel	Y	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	Y	Kerr A.	E	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
41	Duran	Y	Lee	N	Schafer S.	Y	Williams A.	Y
42	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
43	Fields	Y	Liston	Y	Singer	Y	Young	Y
44							Speaker	Y

45
46 The question being "Shall the bill, as amended, pass?".

47 A roll call vote was taken. As shown by the following recorded vote, a
48 majority of those elected to the House voted in the affirmative and the
49 bill, as amended, was declared **repassed**.

51	YES	59	NO	0	EXCUSED	5	ABSENT	1
52	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
53	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
54	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
56	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y

1	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
2	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
3	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
4	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
5	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
7	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
8	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
9	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
10	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
11	Fields	Y	Liston	Y	Singer	Y	Young	Y
12							Speaker	Y

Co-sponsor(s) added: Representative(s) Kerr J., Lee, Ryden.

HB12-1338 by Representative(s) Gerou, Becker, Levy; also Senator(s) Hodge, Steadman, Lambert--Concerning the transfer of general fund surplus moneys to the state education fund at the end of certain fiscal years.

(Conference Committee Report printed in House Journal, April 26, page 1164.)

On motion of Representative Becker, the Conference Committee Report was **adopted** by the following roll call vote:

	YES	52	NO	7	EXCUSED	5	ABSENT	1
27	Acree	Y	Fischer	Y	Looper	Y	Solano	N
28	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	E	Jones	N	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	N	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	N	Levy	E	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	N	Young	Y
43							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**.

	YES	59	NO	0	EXCUSED	5	ABSENT	1
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Looper.

13
14 **HB12-1339** by Representative(s) Becker, Gerou, Levy; also Senator(s)
15 Lambert, Hodge, Steadman--Concerning the Colorado
16 benefits management system improvement and
17 modernization project, and, in connection therewith,
18 making an appropriation.

19
20 (Conference Committee Report printed in House Journal, April 26,
21 pages 1164-1165.)

22
23 On motion of Representative Becker, the Conference Committee Report
24 was **adopted** by the following roll call vote:

26	YES	57	NO	2	EXCUSED	5	ABSENT	1
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	E	Scott	Y	Wilson	N
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44
45 The question being "Shall the bill, as amended, pass?".

46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative and the
48 bill, as amended, was declared **repassed**.

50	YES	57	NO	2	EXCUSED	5	ABSENT	1
51	Acree	Y	Fischer	Y	Looper	N	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	N	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Fields.

13
14 **HB12-1340** by Representative(s) Becker, Gerou, Levy; also Senator(s)
15 Lambert, Hodge, Steadman--Concerning a reduction in the
16 general fund portion of the per diem rates paid to nursing
17 facilities, and, in connection therewith, reducing an
18 appropriation.

19
20 (Conference Committee Report printed in House Journal, April 26,
21 page 1165.)

22
23 On motion of Representative Becker, the Conference Committee Report
24 was **adopted** by the following roll call vote:

26	YES	59	NO	0	EXCUSED	5	ABSENT	1
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44
45 The question being "Shall the bill, as amended, pass?".

46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative and the
48 bill, as amended, was declared **repassed**.

50	YES	59	NO	0	EXCUSED	5	ABSENT	1
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

12
13 **HB12-1344** by Representative(s) Gerou, Becker, Levy; also Senator(s)
14 Hodge, Steadman, Lambert--Concerning transfers of
15 moneys relating to capital construction.

16
17 (Conference Committee Report printed in House Journal, April 26,
18 pages 1165-1166.)

19
20 On motion of Representative Gerou, the Conference Committee Report
21 was **adopted** by the following roll call vote:

23	YES	58	NO	1	EXCUSED	5	ABSENT	1
24	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
25	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
26	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
27	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
29	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
30	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
31	Brown	N	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.	E	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	E	Scott	Y	Wilson	Y
39	Fields	Y	Liston	Y	Singer	Y	Young	Y
40							Speaker	Y

41
42 The question being "Shall the bill, as amended, pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the
45 bill, as amended, was declared **repassed**.

47	YES	59	NO	0	EXCUSED	5	ABSENT	1
48	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
52	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	E	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	E	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	E	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	E	Scott	Y	Wilson	Y
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Kerr J.

12 REPORT(S) OF COMMITTEE(S) OF REFERENCE

15 FINANCE

16 After consideration on the merits, the Committee recommends the
17 following:

19 **HB12-1327** be referred favorably to the Committee on Appropriations.

22 **SB12-015** be postponed indefinitely.

25 **SB12-044** be referred favorably to the Committee on Appropriations.

28 House in recess. House reconvened.

32 REPORT(S) OF COMMITTEE(S) OF REFERENCE

34 STATE, VETERANS, & MILITARY AFFAIRS

35 After consideration on the merits, the Committee recommends the
36 following:

38 **HB12-1350** be referred to the Committee of the Whole with favorable
39 recommendation.

42 **SB12-001** be postponed indefinitely.

45 **SB12-130** be postponed indefinitely.

49 INTRODUCTION OF RESOLUTION

51 The following resolution was read by title and laid over one day under the
52 rules:

54 **SJR12-035** by Senator(s) Giron and Aguilar, Bacon, Carroll, Foster,
55 Guzman, Hodge, Hudak, Jahn, Johnston, Morse,
56 Nicholson, Schwartz, Steadman, Tochtrop, Williams S.;

1 also Representative(s) Bradford and Peniston, Acree,
2 Fields, Hamner, Jones, Kerr A., Labuda, Levy, Massey,
3 Nikkel, Ryden, Schafer S., Summers, Todd, Williams A.,
4 Wilson, Young--Concerning the designation of April 17,
5 2012, as "Equal Pay Day" in Colorado, and, in connection
6 therewith, acknowledging the persisting problem of wage
7 disparity among various groups.

10 **APPOINTMENTS**

11 The Speaker announced the following temporary appointments:
12

13 **APPROPRIATIONS**

14 Representative Singer to replace Representative Levy to the
15 Committee on Appropriations (temporary appointment for the
16 Friday meeting only on April 27, 2012).
17

18 Representative Jones to replace Representative Pabon to the
19 Committee on Appropriations (temporary appointment for the
20 Friday meeting only on April 27, 2012).
21

22 The Speaker announced the following appointment:
23

24 **STATE, VETERANS, & MILITARY AFFAIRS**

25 Representative Becker to replace Representative Liston to the
26 Committee on State, Veterans, & Military Affairs for the
27 remainder of the session.
28

29 House in recess. House reconvened.
30

31 **MESSAGE(S) FROM THE GOVERNOR**

32 I certify I received the following on the 26th day of April, 2012, at
33 2:35 p.m. The original is on file in the records of the House of
34 Representatives of the General Assembly.
35

36 Marilyn Eddins,
37 Chief Clerk of the House
38

39 April 26, 2012
40

41 To the Honorable House of Representatives
42 Sixty-Eighth General Assembly
43 Second Regular Session
44 State Capitol
45 Denver, CO 80203
46

47 Ladies and Gentlemen:
48

49 I have the honor to inform you that I have approved and filed with the
50 Secretary of State the following Acts:
51

- 1 **HB12-1236** CONCERNING THE REGULATION OF CHARITABLE
2 SOLICITATIONS, AND , IN CONNECTION THEREWITH,
3 MAKING AN APPROPRIATION.
4
5 Approved April 26, 2012 at 12:57 pm
6
- 7 **HB12-1017** CONCERNING THE EXTENSION OF THE LOCAL ACCESS TO
8 HEALTH CARE PILOT PROGRAMS OPERATED UNDER THE
9 AUTHORITY OF THE BOARD OF COUNTY COMMISSIONERS
10 OF PUEBLO COUNTY.
11
12 Approved April 26, 2012 at 1:12 pm
13
14
- 15 **HB12-1023** CONCERNING THE CREATION OF A FALLEN HEROES
16 LICENSE PLACE, AND IN CONNECTION THEREWITH,
17 MAKING AN APPROPRIATION.
18
19 Approved April 26, 2012 at 1:01 pm
20
- 21 **HB12-1019** CONCERNING THE ABOLITION OF THE MOTOR CARRIER
22 SERVICES DIVISION OF THE DIVISION OF MOTOR
23 VEHICLES OF THE DEPARTMENT OF REVENUE, AND, IN
24 CONNECTION THEREWITH, TRANSFERRING THE POWERS,
25 DUTIES, AND FUNCTIONS OF THE MOTOR CARRIER
26 SERVICES DIVISION RELATING TO PORTS OF ENTRY TO
27 THE COLORADO STATE PATROL OF THE DEPARTMENT OF
28 PUBLIC SAFETY, TRANSFERRING THE POWERS, DUTIES,
29 AND FUNCTIONS OF THE MOTOR CARRIER SERVICES
30 DIVISION RELATING TO COMMERCIAL DRIVER'S
31 LICENSES AND THE INTERNATIONAL REGISTRATION
32 PLAN TO THE DEPARTMENT OF REVENUE, AND MAKING
33 REDUCING APPROPRIATIONS.
34
35 Approved April 26, 2012 at 1:09 pm
36
37
- 38 **HB12-1126** CONCERNING ON-SITE WASTEWATER TREATMENT
39 SYSTEMS, AND, IN CONNECTION THEREWITH MAKING AN
40 APPROPRIATION.
41
42 Approved April 26, 2012 at 1:16 pm
43
- 44 **HB12-1313** CONCERNING PROCEDURES RELATED TO THE STATEWIDE
45 INITIATIVE TITLE BOARD.
46
47 Approved April 26, 2012 at 1:30 pm
48
- 49 **HB12-1209** CONCERNING THE "UNIFORM ELECTRONIC LEGAL
50 MATERIAL ACT", AND, IN CONNECTION THEREWITH,
51 MAKING AN APPROPRIATION.
52
53 Approved April 26, 2012 at 1:19 pm
54
- 55 **HB12-1297** CONCERNING THE COMMITTEE ON ANTICOMPETITIVE
56 CONDUCT, AND, IN CONNECTION THEREWITH,

CONTINUING THE COMMITTEE'S STATUTORY
AUTHORIZATION UNTIL SEPTEMBER 1, 2013.

Approved April 26, 2012 at 1:23 pm

HB12-1290 CONCERNING THE VOLUNTARY CONTRIBUTION
DESIGNATION BENEFITING THE COLORADO FOR HEALTH
LANDSCAPES FUND THAT APPEARS ON THE STATE
INDIVIDUAL INCOME TAX RETURN FORMS.

Approved April 26, 2012 at 1:26 pm

HB12-1006 CONCERNING THE VOLUNTARY CONTRIBUTION
DESIGNATION BENEFITING THE AMERICAN RED CROSS
COLORADO DISASTER RESPONSE, READINESS, AND
PREPAREDNESS FUND THAT APPEARS ON THE STATE
INDIVIDUAL INCOME TAX RETURN FORMS.

Approved April 26, 2012 at 1:33 pm

Sincerely,
(signed)
John W. Hickenlooper
Governor

INTRODUCTION OF BILL First Reading

The following bill was read by title and referred to the committee
indicated:

HB12-1352 by Representative(s) Gardner B. and Gerou; also
Senator(s) Cadman--Concerning the creation of a state
commission to address matters arising out of the lower
north fork wildfire.
Committee on Judiciary

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Schafer, the following item(s) on the
Calendar was (were) laid over until April 27, retaining place on Calendar:

Consideration of Third Reading--**HB12-1319, 1333, SB12-160.**
Consideration of General Orders--**SB12-118, HB12-1109, 1119, 1347,
1268, SB12-038.**
Consideration of Resolution(s)--**SJR12-031, HJR12-1020, 1021, 1022.**
Consideration of Memorial(s)--**HM12-1003.**
Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,
1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307,
1012, 1052, 1105, 1146, 1321, 1275.**

1 On motion of Representative Waller, the House adjourned until 9:00 a.m.,
2 April 27, 2012.

3

4

Approved:
FRANK McNULTY,
Speaker

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-eighth Legislative Day

Friday, April 27, 2012

1 The Speaker *Pro Tempore* called the House to order at 9:00 a.m.
2
3 Prayer by Pastor Del Phillips, The House of Worship Center, Denver.
4
5 Pledge of Allegiance led by Sloan Blake from High Plains Elementary,
6 Greenwood Village, and Griffen Blake.
7
8 The roll was called with the following result:
9
10 Present--40.
11 Excused--Representative(s) Becker, Beezley, Bradford, Casso,
12 Coram, DelGrosso, Ferrandino, Gardner B., Gerou,
13 Hullinghorst, Jones, Joshi, Kerr A., Levy, Looper, Massey,
14 McKinley, Pabon, Pace, Schafer, Scott, Solano, Singer,
15 Sonnenberg, Vaad--25.
16 Present after roll call--Representative(s) Becker, Coram,
17 DelGrosso, Ferrandino, Gardner B., Gerou, Hullinghorst, Jones,
18 Kerr A., Looper, Schafer, Solano, Singer, Sonnenberg, Vaad.
19
20 The Speaker declared a quorum present.
21
22
23 On motion of Representative Duran, the reading of the journal of
24 April 26, 2012, was declared dispensed with and approved as corrected
25 by the Chief Clerk.
26
27

CONSIDERATION OF RESOLUTION(S)

28
29
30 **SJR12-031** by Senator(s) Aguilar; also Representative(s) Kefalas--
31 Concerning Hepatitis C Awareness Day.
32
33 (Printed and placed in members' file)
34
35 On motion of Representative Kefalas, the resolution was read at length
36 and **adopted** by **viva voce** vote.
37
38 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
39 Barker, Baumgardner, Brown, Conti, Court, Duran, Fields, Fischer, Hamner,
40 Holbert, Kagan, Kerr J., Labuda, Lee, Liston, McCann, Miklosi, Murray,
41 Nikkel, Peniston, Priola, Ramirez, Ryden, Soper, Stephens, Summers, Swalm,
42 Swerdfeger, Szabo, Todd, Tyler, Vigil, Waller, Williams A., Wilson, Young,
43 Speaker.

1 **SJR12-035** by Senator(s) Giron and Aguilar, Bacon, Carroll, Foster,
2 Guzman, Hodge, Hudak, Jahn, Johnston, Morse,
3 Nicholson, Schwartz, Steadman, Tochtrop, Williams S.;
4 also Representative(s) Bradford and Peniston, Acree,
5 Fields, Hamner, Jones, Kerr A., Labuda, Levy, Massey,
6 Nikkel, Ryden, Schafer S., Summers, Todd, Williams A.,
7 Wilson, Young--Concerning the designation of April 17,
8 2012, as "Equal Pay Day" in Colorado, and, in connection
9 therewith, acknowledging the persisting problem of wage
10 disparity among various groups.

11
12 (Printed and placed in members' file)

13
14 On motion of Representative Peniston, the resolution was read at length
15 and **adopted** by **viva voce** vote.

16
17 Current Roll Call added as co-sponsor(s): Representative(s) Balmer, Barker,
18 Baumgardner, Brown, Conti, Court, Duran, Fischer, Holbert, Kagan, Kefalas,
19 Kerr J., Lee, Liston, McCann, Miklosi, Murray, Priola, Ramirez, Soper,
20 Stephens, Swalm, Swerdfeger, Szabo, Tyler, Vigil, Waller, Speaker.

21
22 **HJR12-1022** by Representative(s) Baumgardner, Looper, Massey,
23 Wilson; also Senator(s) Nicholson, White--Concerning
24 naming a portion of the Fraser River the "Eisenhower
25 Memorial Reach".

26
27 (Printed and placed in members' file)

28
29 On motion of Representative Baumgardner, the resolution was read at
30 length and **adopted** by **viva voce** vote.

31
32 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
33 Barker, Brown, Conti, Coram, Court, Duran, Fields, Fischer, Hamner, Holbert,
34 Kagan, Kefalas, Kerr J., Labuda, Lee, Liston, McCann, Miklosi, Murray,
35 Nikkel, Peniston, Priola, Ramirez, Ryden, Schafer S., Soper, Stephens,
36 Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vigil, Waller, Williams A.,
37 Young, Speaker.

INTRODUCTION OF BILL

First Reading

41
42
43
44 The following bill was read by title and referred to the committee
45 indicated:

46
47 **HB12-1353** by Representative(s) Becker, Gerou, Levy; also Senator(s)
48 Steadman, Hodge, Lambert--Concerning the mitigation of
49 the effect of automatic proportional reductions to the tier
50 2 transfers out of the operational account of the severance
51 tax trust fund when revenue shortfalls occur.

52 Committee on Appropriations

53
54
55 House in recess. House reconvened.
56

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

HB12-1278 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Agriculture, Livestock, and Natural Resources Committee Report, dated April 25, 2012, page 4, strike lines 2 and 3 and substitute: "REGARDING SPECIFIC ISSUES INCLUDING TO WHAT EXTENT DEPLETIONS CAUSED BY PAST PUMPING OF".

Page 4, strike line 6 and substitute:

"(e) IN ADDITION, AND WITHOUT EXPENDING ADDITIONAL FUNDS, THE INSTITUTE SHALL EVALUATE AND REPORT ITS FINDINGS AND CONCLUSIONS TO THE BOARD AND THE GENERAL ASSEMBLY REGARDING: (I) TO WHAT EXTENT AUGMENTATION PLANS ARE PREVENTING".

Re-number succeeding paragraphs accordingly.

Page 4, line 16, strike "(e)" and substitute "(f)".

Page 4, strike lines 31 through 39 and substitute:

"SECTION 3. Appropriation. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado water conservation board construction fund created in section 37-60-121 (1) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, for the fiscal year beginning July 1, 2012, the sum of \$910,900, or so much thereof as may be necessary, for allocation to the Colorado water conservation board for the H.B. 12-1278 South Platte Alluvial Aquifer Study related to the implementation of this act."

HB12-1327 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the House Transportation Committee Report, dated April 25, 2012, page 5, after line 3 insert:

"SECTION 5. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for the fiscal year beginning July 1, 2012, the sum of \$11,840, or so much thereof as may be necessary, to be allocated for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and

1 registration account in the highway users tax fund created in section 42-1-
2 211 (2), Colorado Revised Statutes, not otherwise appropriated, to the
3 department of revenue, for the fiscal year beginning July 1, 2012, the sum
4 of \$12,210, or so much thereof as may be necessary, for the purchase of
5 computer center services.

6 (3) In addition to any other appropriation, there is hereby
7 appropriated to the governor - lieutenant governor - state planning and
8 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$12,210,
9 or so much thereof as may be necessary, for allocation to the office of
10 information technology, for the provision of computer center services for
11 the department of revenue related to the implementation of this act. Said
12 sum is from reappropriated funds received from the department of revenue
13 out of the appropriation made in subsection (2) of this section."
14

15 Renumber succeeding sections accordingly.

16
17 Page 5 of the committee report, line 11, strike ""PROVISIONS, AND" and
18 substitute ""PROVISIONS,".
19

20 Page 5 of the committee report, line 12, strike "PLATE." and substitute
21 "PLATE, AND, IN CONNECTION THEREWITH, MAKING AN
22 APPROPRIATION.".
23

24
25
26 **HB12-1351** be referred to the Committee of the Whole with favorable
27 recommendation.
28

29
30 **HB12-1353** be referred to the Committee of the Whole with favorable
31 recommendation.
32

33
34 **SB12-026** be referred to the Committee of the Whole with favorable
35 recommendation.
36

37
38 **SB12-078** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:
41

42 Amend the House Health and Environment committee report, dated April
43 19, 2012, page 1, strike lines 1 through 3.
44

45 Page 1 of the committee report, line 4, strike "Page 3," and substitute
46 "Amend reengrossed bill, page 3,".
47

48 Page 1 of the committee report, strike lines 8 through 17.
49

50 Page 2 of the committee report, strike lines 1 through 25 and substitute:
51 "Page 8, line 15, strike "OR FAILS TO MAKE A REPORT".
52

53 Page 8, strike lines 18 and 19 and substitute "so long as such action was
54 taken in good faith and not in reckless".
55

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB12-1352.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB12-1131, 1153, 1162, 1258, 1335, 1336, 1337, 1338, 1339, 1340, 1344.**

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB12-1335** at 10:04 a.m. on April 27, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith
HB12-1348.

The Senate has postponed indefinitely **HB12-1014**. The bill is returned herewith.

The Senate has passed on Third Reading and returns herewith
HB12-1140.

The Senate has passed on Third Reading and transmits to the Revisor of Statutes:

SB12-101 amended as printed in Senate Journal, April 24, 2012, page 839.

SB12-027 amended as printed in Senate Journal, April 24, 2012, page 839.

SB12-028 amended as printed in Senate Journal, April 24, 2012, pages 839-840.

SB12-002 amended on Third Reading, April 26, 2012, as printed in the Senate Journal.

HB12-1304 amended as printed in Senate Journal, April 23, 2012, page 818, and amended in General Orders as printed in Senate Journal, April 24, 2012, page 838.

HB12-1081 amended as printed in Senate Journal, April 24, 2012, page 838.

HB12-1059 amended as printed in Senate Journal, April 24, 2012, pages 838-839.

HB12-1324 amended as printed in Senate Journal, April 24, 2012, page 841.

1 The Senate has passed on Third Reading and transmits to the Revisor of
2 Statutes:
3
4 SB12-175 amended as printed in Senate Journal, April 26, 2012,
5 pages 888-889, and amended on Third Reading,
6 April 27, 2012, as printed in the Senate Journal.
7 SB12-104 amended as printed in Senate Journal, April 26, 2012,
8 pages 889-890.
9 SB12-090 amended as printed in Senate Journal, April 26, 2012, page
10 890.
11 SB12-046 amended as printed in Senate Journal, April 26, 2012,
12 pages 890-891.
13
14

15 MESSAGE(S) FROM THE REVISOR

16 We herewith transmit:
17
18 Without comment, as amended, HB12-1059, 1081, 1304, and 1324.
19 Without comment, as amended, SB12-002, 027, 028, and 101.
20
21

22 We herewith transmit:
23
24 With comment, as amended, SB12-175.
25 Without comment, as amended, SB12-104, 090, and 046.
26
27

28 INTRODUCTION OF BILLS

29 First Reading

30 The following bills were read by title and referred to the committees
31 indicated:
32

33 **HB12-1354** by Representative(s) McKinley and Sonnenberg--
34 Concerning the requirement that a dog breeder provide
35 dogs with access to solid flooring in the cages where they
36 are kept in the dog breeder's pet animal facility.
37 Committee on Agriculture, Livestock, & Natural Resources
38

39 **HB12-1355** by Representative(s) Gerou, Becker, Levy; also Senator(s)
40 Hodge, Steadman, Lambert--Concerning the transfer of the
41 geological survey to the Colorado school of mines.
42 Committee on Appropriations
43

44 **HB12-1356** by Representative(s) Sonnenberg; also Senator(s) Brophy--
45 Concerning a prohibition on a local government that
46 impacts oil and gas extraction from receiving any moneys
47 from the local government severance tax fund.
48 Committee on Agriculture, Livestock, & Natural Resources
49

50 **SB12-005** by Senator(s) Newell; also Representative(s) Massey--
51 Concerning the creation of the Colorado business retention
52 and expansion program.
53 Committee on Appropriations
54
55
56

- 1 **SB12-047** by Senator(s) King K. and Bacon; also Representative(s)
2 Massey and Holbert--Concerning the use of assessment
3 results for students enrolled in grades nine through twelve
4 to assist students in graduating from high school without
5 needing subsequent remedial educational services, and, in
6 connection therewith, making an appropriation.
7 Committee on Education
8
- 9 **SB12-139** by Senator(s) Boyd; also Representative(s) Fields and
10 Summers--Concerning the "Colorado Job Support Act",
11 and, in connection therewith, requiring a post-enactment
12 review of the implementation of this act.
13 Committee on State, Veterans, & Military Affairs
14
- 15 **SB12-144** by Senator(s) Heath and Scheffel; also Representative(s)
16 Summers and Ryden, Kerr A.--Concerning efforts by the
17 Colorado office of economic development to grow the
18 state's key industries.
19 Committee on Appropriations
20
- 21 **SB12-159** by Senator(s) Hudak, Aguilar, Nicholson, Shaffer B.,
22 Williams S.; also Representative(s) Kerr J., Massey,
23 Schafer S., Peniston, Summers--Concerning the evaluation
24 of home- and community-based services for children with
25 autism under the medicaid waiver program, and, in
26 connection therewith, making an appropriation.
27 Committee on Health and Environment
28
- 29 **SB12-164** by Senator(s) Heath and King K.; also Representative(s)
30 Massey and Todd--Concerning the operation of private
31 postsecondary institutions in Colorado, and, in connection
32 therewith, making an appropriation.
33 Committee on Education
34
- 35 **SB12-165** by Senator(s) Schwartz, Giron; also Representative(s)
36 Baumgardner--Concerning the funding of Colorado water
37 conservation board projects, and making appropriations in
38 connection therewith.
39 Committee on Agriculture, Livestock, & Natural Resources
40
- 41 **SB12-166** by Senator(s) Giron and Roberts; also Representative(s)
42 Priola and Williams A.--Concerning the coordination of
43 various economic development reports, and, in connection
44 therewith, requiring the Colorado office of economic
45 development to report annually to the general assembly
46 regarding the programs it administers.
47 Committee on Finance
48
49
50
51
52
53
54
55
-

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

SJR12-041 by Senator(s) Morse; also Representative(s) Stephens--
Concerning the convening date for the 2013 First Regular
Session of the Sixty-ninth General Assembly.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until April 30, retaining place on Calendar:

Consideration of Third Reading--**HB12-1319, 1333, SB12-160.**
Consideration of General Orders--**SB12-118, HB12-1109, 1119, 1347, 1268, SB12-038, 161, HB12-1346.**
Consideration of Resolution(s)--**HJR12-1020, 1021.**
Consideration of Memorial(s)--**HM12-1003.**
Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008, 1034, 1114, 1151, 1070, 1270, 1224, 1262, 1239, 1244, 1276, 1307, 1012, 1052, 1105, 1146, 1321, 1275.**

On motion of Representative Becker, the House adjourned until 10:00 a.m., April 30, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-eleventh Legislative Day Monday, April 30, 2012

1 The Speaker called the House to order at 10:00 a.m.

2
3 Prayer by Pastor Ted Rich, Tri City Baptist Church, Westminster.

4
5 Pledge of Allegiance led by Landon Hales, Alexa Stafford,
6 Gurkiran Kaur from Betty Adams Elementary, Westminster.

7
8 The roll was called with the following result:

9
10 Present--64.

11 Excused--Representative(s) Pace--1.

12 Present after roll call--Representative(s) Pace.

13
14 The Speaker declared a quorum present.

15
16
17 On motion of Representative Waller, the reading of the journal of
18 April 27, 2012, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

20
21
22 **CONSIDERATION OF MEMORIAL**

23
24 **HM12-1003** by Representative(s) Tyler, Kerr A.--Memorializing
25 former Representative Betty J. Miller.

26
27 (Printed and placed in members' file)

28
29 Pursuant to House Rule 26(f) the House stood in recess to allow the
30 following former member to speak on behalf of the honorable Betty J.
31 Miller: Former Representative Ramey Johnson

32
33
34 House reconvened.

35
36
37 On motion of Representative Tyler, the memorial was **adopted** by the
38 following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
41 Acree	Y		Fischer	Y	Looper	Y	Solano	Y
42 Balmer	Y		Gardner B.	Y	Massey	Y	Sonnenberg	Y
43 Barker	Y		Gerou	Y	McCann	Y	Soper	Y

1	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
2	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
3	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
4	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
6	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
8	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
13	Fields	Y	Liston	Y	Singer	Y	Young	Y
14							Speaker	Y

15 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
 16 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
 17 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
 18 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr J., Labuda,
 19 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray,
 20 Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott,
 21 Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
 22 Szabo, Todd, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

23
 24
 25
 26 On motion of Representative Ramirez, the House resolved itself into
 27 Committee of the Whole for consideration of General Orders, and he was
 28 called to the Chair to act as Chairman.

29 30 31 32 **GENERAL ORDERS--SECOND READING OF BILLS**

33
 34 The Committee of the Whole having risen, the Chairman reported the
 35 titles of the following bills had been read (reading at length had been
 36 dispensed with by unanimous consent), the bills considered and action
 37 taken thereon as follows:

38
 39 (Amendments to the committee amendment are to the printed committee
 40 report which was printed and placed in the members' bill file.)

41
 42 On motion of Representative Stephens, the following bills on the General
 43 Orders Calendar were laid over until May 1, retaining place on Calendar:
 44 **SB12-118, HB12-1109, 1119, 1347.**

45
 46 **HB12-1268** by Representative(s) Acree, Beezley, Joshi, Kerr J.,
 47 McCann, Ramirez; also Senator(s) Hudak--Concerning a
 48 transfer of functions pertaining to health facility
 49 compliance with certain building safety standards from the
 50 department of public health and environment to the
 51 division of fire safety in the office of preparedness,
 52 security, and fire safety within the department of public
 53 safety, and, in connection therewith, renaming the public
 54 school construction and inspection section in the division
 55 of fire safety.
 56

1 Amendment No. 1, Health & Environment Report, dated March 15, 2012,
2 and placed in member's bill file; Report also printed in House Journal,
3 March 16, pages 691-700.

4
5 Amendment No. 2, Appropriations Report, dated April 24, 2012, and
6 placed in member's bill file; Report also printed in House Journal,
7 April 24, page 1107.

8
9 Amendment No. 3, by Representative(s) Acree

10 .
11 Amend the Health and Environment Committee Report, dated
12 March 15, 2012, page 1, line 10, after "RENOVATION," insert "AND
13 ONGOING COMPLIANCE WITH ARTICLE 33.5 OF TITLE 24, C.R.S.,".

14
15 Page 2, after line 24 insert:

16
17 "(f) NOTHING IN THIS SUBSECTION (5) DIVESTS THE DEPARTMENT
18 OF THE AUTHORITY TO PERFORM HEALTH SURVEY WORK OR PREVENTS THE
19 DEPARTMENT FROM ACCESSING RELATED FUNDS.".

20
21 Page 3, line 13, strike "IT RECEIVES THE" and substitute "THAT THE
22 DEPARTMENT RECEIVES FROM THE APPLICANT ALL OF THE NECESSARY
23 INFORMATION AND DOCUMENTATION REQUIRED FOR LICENSURE,
24 INCLUDING A".

25
26 Page 3, line 28, strike "**section.**" and substitute "**section - legislative**
27 **declaration.**".

28
29 Page 4, after line 32 insert:

30
31 "(f) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND
32 DECLARES THAT, IN DISCHARGING ITS DUTIES UNDER THIS ARTICLE, AS
33 THEY PERTAIN TO HEALTH FACILITY BUILDINGS AND STRUCTURES, THE
34 HEALTH FACILITY CONSTRUCTION AND INSPECTION SECTION IS
35 ENCOURAGED TO COOPERATE WITH LOCAL AUTHORITIES, ESPECIALLY IN
36 REGARD TO PLAN REVIEWS AND WHETHER SUCH PLANS COMPORT WITH
37 LOCAL REQUIREMENTS.".

38
39 Page 5, line 40, strike "CONDUCT, WHEN" and substitute "WHEN".

40
41 Page 5, line 41, after "DEPARTMENT," insert "CONDUCT".

42
43 Page 6, line 1, strike "STRUCTURES AND" and substitute "STRUCTURES,".

44
45 Page 6, line 2, strike "24-33.5-1213;" and substitute "24-33.5-1213, AND
46 ISSUE CERTIFICATES OF OCCUPANCY FOR SUCH BUILDINGS AND
47 STRUCTURES;".

48
49 Page 7, line 11, after "REMODELING" insert "AND ONGOING COMPLIANCE
50 WITH THIS ARTICLE".

51
52 Page 9, line 5, strike "DIRECTOR." and substitute "DIRECTOR AND ONE EX
53 OFFICIO NONVOTING MEMBER APPOINTED IN ACCORDANCE WITH
54 SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (II) OF THIS PARAGRAPH (a).".

55
56 Page 9, line 8, strike "CONSTRUCTION" and substitute "CONSTRUCTION,

1 INCLUDING ONE MEMBER WITH EXPERIENCE AND KNOWLEDGE OF THE LIFE
2 SAFETY CODE,".

3
4 Page 9, line 16, strike "AND".

5
6 Page 9, line 22, strike "ARCHITECTS." and substitute "ARCHITECTS; AND".

7
8 Page 9, after line 22 insert:

9 "(C) ONE EX OFFICIO NONVOTING MEMBER, APPOINTED BY THE
10 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC HEALTH AND
11 ENVIRONMENT, WHO IS EMPLOYED BY THAT DEPARTMENT AS A HEALTH
12 SURVEYOR.".

13
14 Page 9, line 34, after "TERM." insert "EACH TERM FOR THE MEMBER
15 APPOINTED PURSUANT TO SUB-SUBPARAGRAPH (C) OF SUBPARAGRAPH (II)
16 OF THIS PARAGRAPH (a) IS TWO YEARS.".

17
18 As amended, ordered engrossed and placed on the Calendar for Third
19 Reading and Final Passage.

20
21 **SB12-161** by Senator(s) Nicholson, King S.; also Representative(s)
22 Bradford--Concerning measures to reduce health care
23 costs in correctional facilities.

24
25 Ordered revised and placed on the Calendar for Third Reading and Final
26 Passage.

27
28 **HB12-1350** by Representative(s) Waller, Balmer, Barker, Casso,
29 Court, Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi,
30 Kerr A., Liston, Looper, Massey, Pabon, Priola, Ramirez,
31 Soper, Stephens, Summers, Swerdfeger, Vigil; also
32 Senator(s) Hodge, Heath, Guzman, Hudak, King K.,
33 Morse, Nicholson--Concerning in-state tuition
34 classification for dependents of members of the armed
35 forces.

36
37 Ordered engrossed and placed on the Calendar for Third Reading and
38 Final Passage.

39
40 **HB12-1346** by Representative(s) Gardner B.; also Senator(s) S. King--
41 Concerning sex offender registration.

42
43 Amendment No. 1, Judiciary Report, dated April 24, 2012, and placed in
44 member's bill file; Report also printed in House Journal, April 25,
45 pages 1136-1137.

46
47 As amended, ordered engrossed and placed on the Calendar for Third
48 Reading and Final Passage.

49
50 **SB12-038** by Senator(s) Tochtrop; also Representative(s) Priola--
51 Concerning measures to protect consumers who engage a
52 roofing contractor to perform roofing services on
53 residential property.

54
55 Ordered revised and placed on the Calendar for Third Reading and Final
56 Passage.

AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT

Representative Pabon moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in not adopting the following DelGrosso amendment, to SB12-038, to show that said amendment passed, and that **SB12-038**, as amended, passed.

Amend reengrossed bill, page 9, line 23, strike "DISCUSSING," and substitute "DISCUSSING OR NEGOTIATING,".

Page 9, line 24, after "OWNER," insert "AND WITH THE PROPERTY OWNER'S CONSENT,".

The amendment was declared **lost** by the following roll call vote:

YES	30	NO	35	EXCUSED	0	ABSENT	0
Acree	N	Fischer	Y	Looper	Y	Solano	Y
Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	Y
Barker	N	Gerou	Y	McCann	N	Soper	N
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	N	Swalm	N
Bradford	N	Jones	N	Nikkel	N	Swerdfeger	N
Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
Casso	N	Kagan	Y	Pace	N	Todd	Y
Conti	Y	Kefalas	Y	Peniston	N	Tyler	N
Coram	N	Kerr A.	Y	Priola	N	Vaad	N
Court	N	Kerr J.	N	Ramirez	Y	Vigil	N
DelGrosso	Y	Labuda	N	Ryden	N	Waller	N
Duran	Y	Lee	Y	Schafer S.	N	Williams A.	N
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	N	Singer	N	Young	Y
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB12-1268 amended, SB12-161, HB12-1350, 1346 amended, SB12-038.**

Laid over until date indicated retaining place on Calendar: **SB12-118, HB12-1109, 1119, 1347--May 1, 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	1	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y

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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**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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) Barker, Beezley, Conti, Fields, Gerou, Hullinghorst, Jones, Kerr A., Lee, Liston, Massey, McCann, Scott, Solano, Summers, Wilson.

HB12-1151 by Representative(s) McCann, Fields, Lee, Miklosi, Peniston, Schafer S., Vigil, Williams A.; also Senator(s) King S.--Concerning the trafficking of human beings.

Amended as printed in Senate Journal, March 13, page 475.)

Representative McCann moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	65	NO	0	EXCUSED	0	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	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

24 Co-sponsor(s) added: Representative(s) Barker, Hamner, Jones, Kerr A.,
 25 Kerr J., Massey, Ryden, Singer, Wilson, Young.

26
 27
 28 **HB12-1070** by Representative(s) Peniston; also Senator(s) Hodge--
 29 Concerning the modification of statutory provisions
 30 governing the ethical conduct of persons involved in
 31 government for the purpose of harmonizing such
 32 provisions with section 3 (5) of article XXIX of the state
 33 constitution.

34
 35 (Amended as printed in Senate Journal, March 15, page 497.)

36
 37 Representative Peniston moved that the House **concur** in Senate
 38 amendments. The motion was declared **passed** by the following roll call
 39 vote:

	YES	63	NO	2	EXCUSED	0	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	N	Hamner	Y	McKinley	Y	Stephens	Y
46	Becker	Y	Holbert	Y	Miklosi	Y	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.	N	Ramirez	Y	Vigil	Y
54	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
55	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
56	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y

Fields	Y	Liston	Y	Singer	Y	Young	Y
						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**.

	YES	62	NO	3	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N	
Barker	Y	Gerou	Y	McCann	Y	Soper	Y	
Baumgardner	N	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.	N	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) Vigil.

HB12-1224 by Representative(s) Becker, Gerou, Levy; also Senator(s) Lambert, Hodge, Steadman--Concerning the creation of a consolidated communications system authority.

(Amended as printed in Senate Journal, March 23, page 564.)

Representative Becker moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	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	

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	65	NO	0	EXCUSED	0	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	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

24
 25 **HB12-1262** by Representative(s) Gardner B.; also Senator(s) Roberts--
 26 Concerning enactment of amendments to the secured
 27 transactions provisions of the "Uniform Commercial
 28 Code".
 29

30 (Amended as printed in Senate Journal, March 26.)
 31

32 Representative Gardner moved that the House **concur** in Senate
 33 amendments. The motion was declared **passed** by the following roll call
 34 vote:
 35

	YES	65	NO	0	EXCUSED	0	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
38	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
42	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
43	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
44	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
45	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
46	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
47	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
48	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
49	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
50	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
51	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
52	Fields	Y	Liston	Y	Singer	Y	Young	Y
53							Speaker	Y

54
 55 The question being, "Shall the bill, as amended, pass?".
 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, as amended, was declared **repassed**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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) Barker, Baumgardner, Bradford, Waller.

HB12-1239 by Representative(s) Vaad; also Senator(s) Carroll--
Concerning required county approval for the expansion of
special district domestic water or sanitary service into a
county that has not previously approved the special
district's service plan.

(Amended as printed in Senate Journal, March 26, page 578.)

Representative Vaad moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	65	NO	0	EXCUSED	0	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	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

24 Co-sponsor(s) added: Representative(s) Fields.

25
 26 **HB12-1244** by Representative(s) Scott; also Senator(s) Foster--
 27 Concerning an inventory of local governmental entities
 28 maintained by the department of local affairs, and, in
 29 connection therewith, requiring the inclusion of certain
 30 information in the inventory.

31
 32 (Amended as printed in Senate Journal, March 26, page 576.)

33
 34 Representative Scott moved that the House **concur** in Senate
 35 amendments. The motion was declared **passed** by the following roll call
 36 vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
39	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
40	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
41	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
42	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
43	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
44	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
45	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
46	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
47	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
48	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
49	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
50	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
51	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
52	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
53	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
54	Fields	Y	Liston	Y	Singer	Y	Young	Y
55							Speaker	Y

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66

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	65	NO	0	EXCUSED	0	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	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

24 Co-sponsor(s) added: Representative(s) Tyler.

25
26
27
28 **MEMORANDUM**
29 **REPORT FROM THE HOUSE AND SENATE**
30 **COMMITTEES ON DELAYED BILLS**
31

32 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
 33 Delayed Bills, acting jointly, extend the following deadline for House Bill
 34 12-1345, Concerning the Financing of Public Schools:

35
36 The Friday, April 20 deadline (the 101st legislative day) for final passage,
 37 including any conference committee report, for any bill prescribing all or
 38 a substantial portion of the total funding for public schools pursuant to the
 39 "Public School Finance Act of 1994", article 54 of title 22, Colorado
 40 Revised Statutes, is extended until Wednesday, May 9, 2012 (the 120th
 41 legislative day).

42
43 This memorandum shall be printed in the journal of each house as is
 44 required by said Joint Rule 23 (c).

45 (signed)
 46 Representative McNulty
 47 Speaker of the House of Representatives

(signed)
 Senator Shaffer
 President of the Senate

49
 50 Representative Stephens
 51 House Majority Leader

Senator Morse
 Senate Majority Leader

52
 53 Representative Ferrandino
 54 House Minority Leader

Senator Cadman
 Senate Minority Leader

**FIRST REPORT OF FIRST CONFERENCE COMMITTEE
on HB12-1002**

This Report Amends the Rerevised Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB12-1002,
concerning the rules of state agencies applicable to applications for
permits, has met and reports that it has agreed upon the following:

That the House accede to the Senate amendments made to the bill
as the amendments appear in the rerevised bill, with the following
changes:

Amend rerevised bill, page 3, line 23, strike "STATE OR".

Page 3, after line 24, insert:

"(III) NEW RULES OR NEW REQUIREMENTS ARE NECESSARY TO
ENSURE THAT THE AGENCY AND THE PERMIT WILL NOT BE IN CONFLICT
WITH STATE STATUTES; OR".

Renumber succeeding subparagraph accordingly.

Respectfully submitted,

House Committee:

(signed)

Jerry Sonnenberg

Mark Waller

Angela Williams

Senate Committee:

(signed)

Cheri Jahn

Morgan Carroll

Kevin Grantham

PRINTING REPORT

The Chief Clerk reports the following bills been correctly printed:
HB12-1353, 1354, 1355, 1356.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB12-1348.**

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following
bills have been delivered to the Office of the Governor: **HB12-1131,**
1153, 1162, 1258, 1336, 1337, 1338, 1339, 1340, 1344, 1348 at 3:21 p.m.
on April 27, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has postponed indefinitely HB12-1205. The bill is returned herewith.

Upon announcement of President Shaffer, Senator Grantham will be added as joint prime sponsor on HB12-1330.

The Senate has adopted and transmits herewith: SJR12- 025, amended as printed in Senate Journal, April 30, 2012.

The Senate has adopted and transmits herewith: SJR12-044.

The Senate has adopted and returns herewith: HJR12-1017.

The Senate has adopted the First Report of the First Conference Committee on HB12-1002, as printed in Senate Journal, April 26, 2012, pages 863-864, and repassed the bill as amended. The bill is returned herewith.

The Senate voted to concur in House amendments to SB12-128, SB12-149, SB12-009, SB12-010, SB12-145 and repassed the bills as amended.

The Senate has adopted and transmits herewith:

SJM12- 003 amended as printed in Senate Journal, date April 24, 2012, pages 824-825.

The Senate has passed on Third Reading and returns herewith HB12-1213, HB12-1282, HB12-1292.

The Senate has passed on Third Reading and transmits to the Revisor of Statutes:

SB12-108 amended as printed in Senate Journal, April 26, 2012, page 890.

HB12-1124 amended as printed in Senate Journal, March 12, 2012, pages 465-466.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1124.

Without comment, as amended, SB12-108.

House in recess. House reconvened.

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB12-1357 by Representative(s) Brown, Sonnenberg, Vigil; also Senator(s) Renfroe, Bacon, Schwartz--Concerning the use of unspent moneys after completion of capital construction projects at state-supported institutions of higher education authorized by a 2008 federal mineral lease revenues lease-purchase agreement.

Committee on Finance

HB12-1358 by Representative(s) Massey and McCann--Concerning funding issues related to medical marijuana.

Committee on Appropriations

HB12-1359 by Representative(s) Vaad; also Senator(s) Jahn--Concerning the prohibition of internet lottery.

Committee on Finance

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES

After consideration on the merits, the Committee recommends the following:

HB12-1349 be referred favorably to the Committee on Appropriations.

HB12-1354 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 7, strike "VENTILATED,".

JUDICIARY

After consideration on the merits, the Committee recommends the following:

HB12-1352 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 11, line 1, strike "RECORD." and substitute "RECORD; EXCEPT THAT AN EVIDENTIARY HEARING SHALL BE HELD IF THE CLAIMANT EXPLICITLY REQUESTS THE SAME.".

LAY OVER OF CALENDAR ITEM(S)

1
2
3 On motion of Representative Ferrandino, the following item(s) on the
4 Calendar was (were) laid over until May 1, retaining place on Calendar:
5
6 Consideration of Third Reading--**HB12-1319, 1333, SB12-160.**
7 Consideration of Resolution(s)--**HJR12-1020, 1021, SJR12-041.**
8 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1008,**
9 **1034, 1270, 1307, 1012, 1052, 1105, 1146, 1321, 1275, 1059, 1081,**
10 **1304, 1324.**

11

12

13

14 On motion of Representative Nikkel, the House adjourned until 9:00 a.m.,
15 May 1, 2012.

16

17

18

19

20 Attest:

21 MARILYN EDDINS,

22 Chief Clerk

Approved:
FRANK McNULTY,
Speaker

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-twelfth Legislative Day

Tuesday, May 1, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Dr. Richard Evans, Washington Park United Methodist Church,
4 Denver.

5

6 Pledge of Allegiance led by Elias Miller, Trail Blazer Elementary,
7 Highlands Ranch.

8

9 The roll was called with the following result:

10

11 Present--48.

12 Excused--Representative(s) Baumgardner, Becker, DelGrosso,
13 Ferrandino, Gardner B., Gerou, Hulinghorst, Kerr A., Levy,
14 Looper, Nikkel, Pabon, Singer, Solano, Sonnenberg, Vaad--16.

15 Absent--Representative(s) Priola--1.

16 Present after roll call--Representative(s) Baumgardner, Becker,
17 DelGrosso, Ferrandino, Gardner B., Gerou, Hulinghorst,
18 Kerr A., Levy, Looper, Nikkel, Pabon, Priola, Singer, Solano,
19 Sonnenberg, Vaad.

20

21 The Speaker declared a quorum present.

22

23

24 On motion of Representative Coram, the reading of the journal of
25 April 30, 2012, was declared dispensed with and approved as corrected
26 by the Chief Clerk.

27

28

29

30

MESSAGE(S) FROM THE SENATE

31

32 The Senate has adopted and transmits herewith: SJR12- 036.

33

34

INTRODUCTION AND CONSIDERATION OF RESOLUTION

36

37 On motion of Representative Murray, the rules were suspended and the
38 following resolution was given immediate consideration.

39

40 **SJR12-036** by Senator(s) Scheffel, Harvey; also Representative(s)
41 Holbert--Concerning achievements by Rocky Vista
42 University, including the graduation of its inaugural class
43 of doctors.

1 (Printed and placed in member's file).

2
3 On motion of Representative Holbert, the resolution was **adopted** by
4 **viva voce** vote.

5
6 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
7 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
8 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,
9 Hamner, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
10 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray,
11 Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott,
12 Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
13 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

14
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19 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

20
21 **APPROPRIATIONS**

22 After consideration on the merits, the Committee recommends the
23 following:

24
25 **HB12-1349** be referred to the Committee of the Whole with favorable
26 recommendation.

27
28
29 **HB12-1352** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:

32
33 Amend the printed bill, page 13, after line 23 insert:

34
35 "SECTION 2. **Appropriation.** In addition to any other
36 appropriation, there is hereby appropriated, out of any moneys in the
37 general fund not otherwise appropriated, to the Legislative Department,
38 for the fiscal year beginning July 1, 2012, the sum of \$25,832 and 0.4
39 FTE, or so much thereof as may be necessary, for the implementation of
40 this act."

41
42 Renumber succeeding section accordingly.

43
44 Page 1 of the printed bill, line 102, strike "WILDFIRE." and substitute
45 "WILDFIRE, AND, IN CONNECTION THEREWITH, MAKING AN
46 APPROPRIATION."

47
48
49
50 **SB12-044** be referred to the Committee of the Whole with favorable
51 recommendation.

1 **EDUCATION**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB12--047** be referred favorably to the Committee on Appropriations.

6
7
8 **SB12-051** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend reengrossed bill, page 2, line 13, strike "SHALL".

13
14 Page 2, strike line 14.

15
16 Page 2, line 15, strike "TO THIS SECTION," and substitute "MAY REVIEW
17 AND REVISE THE POLICIES AND PROCEDURES ADOPTED BY THE BOARD
18 PURSUANT TO SECTION 22-32-109 (1) (b) AND MAY CHOOSE TO REQUIRE
19 COMPETITIVE BIDDING ON CONTRACTS FOR PROFESSIONAL SERVICES,".

20
21 Page 2, line 16, strike "(2), AT A MINIMUM," and substitute "(2)".

22
23 Page 3, strike lines 11 through 14 and substitute "SECTION; AND".

24
25 Page 3, strike lines 16 through 27 and substitute "THE BOARD OF
26 EDUCATION.".

27
28 Page 4, strike lines 1 through 13.

29
30 Page 6, strike lines 13 through 27.

31
32 Page 7, strike lines 1 through 16.

33
34 Renumber succeeding section accordingly.

35
36 Page 7, line 20, strike "7" and substitute "8".

37
38
39
40 **SB12-068** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43
44 Amend reengrossed bill, page 4, line 12, strike "OR".

45
46 Page 4, line 15, strike "PARENTS." and substitute "PARENTS; OR".

47
48 Page 4, after line 15 insert:

49 "(c) ANY FOOD OR BEVERAGE THAT IS DONATED TO THE SCHOOL
50 TO BE GIVEN TO A STUDENT FOR CONSUMPTION OFF OF SCHOOL PREMISES
51 AND NOT DURING THE SCHOOL DAY.".

52
53
54
55 **SB12-164** be referred favorably to the Committee on Finance.

56

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.

HB12-1319 by Representative(s) Gardner B.; also Senator(s) K. King
--Concerning building inspections relating to utilities.

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	35	NO	30	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	N	Soper	N
Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	N	Kagan	N	Pace	N	Todd	N
Conti	Y	Kefalas	N	Peniston	N	Tyler	N
Coram	Y	Kerr A.	N	Priola	Y	Vaad	N
Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
Duran	N	Lee	N	Schafer S.	Y	Williams A.	N
Ferrandino	N	Levy	N	Scott	Y	Wilson	N
Fields	N	Liston	Y	Singer	N	Young	N
						Speaker	Y

Co-sponsor(s) added: Representative(s) Barker, Beezley, Bradford, Massey, Murray, Priola, Scott, Stephens, Swalm, Waller.

HB12-1333 by Representative(s) Becker, Beezley, Coram, Kerr J., Priola; also Senator(s) Grantham--Concerning public school employees' participation in labor organizations.

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	33	NO	32	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	N	Soper	N
Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	N	Kagan	N	Pace	N	Todd	N
Conti	Y	Kefalas	N	Peniston	N	Tyler	N
Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y

1	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
2	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
3	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
4	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
5	Fields	N	Liston	Y	Singer	N	Young	N
6							Speaker	Y

7 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Bradford,
8 Brown, Gerou, Holbert, Liston, Looper, Murray, Scott, Sonnenberg, Swalm.

9
10 **HB12-1268** by Representative(s) Acree, Beezley, Joshi, Kerr J.,
11 McCann, Ramirez; also Senator(s) Hudak--Concerning a
12 transfer of functions pertaining to health facility
13 compliance with certain building safety standards from the
14 department of public health and environment to the
15 division of fire safety in the office of preparedness,
16 security, and fire safety within the department of public
17 safety, and, in connection therewith, creating the health
18 facility construction and inspection section in the division
19 of fire safety.

20
21 The question being "Shall the bill pass?".

22 A roll call vote was taken. As shown by the following recorded vote, a
23 majority of those elected to the House voted in the affirmative and the bill
24 was declared **passed**.

25	YES	53	NO	12	EXCUSED	0	ABSENT	0
26	Acree	Y	Fischer	N	Looper	Y	Solano	Y
27	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
28	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
29	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
30	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
31	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
32	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
33	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
34	Casso	N	Kagan	Y	Pace	Y	Todd	Y
35	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
36	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
37	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
38	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
39	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
40	Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
41	Fields	N	Liston	Y	Singer	Y	Young	Y
42							Speaker	Y

43
44 Co-sponsor(s) added: Representative(s) Gerou, Liston, Summers, Todd.

45
46
47 **SB12-161** by Senator(s) Nicholson, King S.; also Representative(s)
48 Bradford--Concerning measures to reduce health care
49 costs in correctional facilities.

50
51 The question being "Shall the bill pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Acree, Balmer, Barker, Baumgardner,
 20 Becker, Beezley, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran,
 21 Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert, Hullinghorst,
 22 Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
 23 Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace,
 24 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
 25 Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd,
 26 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

27
 28 **HB12-1350** by Representative(s) Waller, Balmer, Barker, Casso,
 29 Court, Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi,
 30 Kerr A., Liston, Looper, Massey, Pabon, Priola, Ramirez,
 31 Soper, Stephens, Summers, Swerdfeger, Vigil; also
 32 Senator(s) Hodge, Heath, Guzman, Hudak, King K.,
 33 Morse, Nicholson--Concerning in-state tuition
 34 classification for dependents of members of the armed
 35 forces.

36
 37 The question being "Shall the bill pass?".

38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
42								
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	Y	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

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Beezley, Brown, Conti, Coram,
5 DelGrosso, Ferrandino, Fields, Fischer, Kagan, Kefalas, Kerr J., Labuda, Lee,
6 McCann, Miklosi, Murray, Nikkel, Pace, Peniston, Ryden, Schafer S., Scott,
7 Singer, Solano, Sonnenberg, Szabo, Todd, Tyler, Williams A., Wilson, Young,
8 Speaker.

9
10 **HB12-1346** by Representative(s) Gardner B.; also Senator(s) S. King--
11 Concerning sex offender registration.

12
13 The question being "Shall the bill pass?".

14 A roll call vote was taken. As shown by the following recorded vote, a
15 majority of those elected to the House voted in the affirmative and the bill
16 was declared **passed**.

17	YES	65	NO	0	EXCUSED	0	ABSENT	0
19	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
20	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
21	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
22	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
23	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
24	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
25	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
26	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
27	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
28	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
29	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
30	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
31	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
32	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
33	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
34	Fields	Y	Liston	Y	Singer	Y	Young	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Barker, Brown, Court, Fischer, Gerou,
37 Hamner, Hullinghorst, Jones, Kefalas, Priola, Ryden, Schafer S., Todd.

38
39 **SB12-038** by Senator(s) Tochtrop; also Representative(s) Priola--
40 Concerning measures to protect consumers who engage a
41 roofing contractor to perform roofing services on
42 residential property.

43
44 The question being "Shall the bill pass?".

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative and the bill
47 was declared **passed**.

49	YES	45	NO	20	EXCUSED	0	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	N	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
52	Barker	N	Gerou	N	McCann	Y	Soper	Y
53	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
54	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
55	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y

1	Brown	N	Joshi	N	Pabon	N	Szabo	N
2	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
3	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
4	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
5	Court	N	Kerr J.	Y	Ramirez	N	Vigil	Y
6	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
7	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
8	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
9	Fields	Y	Liston	Y	Singer	Y	Young	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Labuda, Todd, Williams A.

12
13
14
15
16 On motion of Representative Waller, **HB12-1352, 1327, 1351, 1353,**
17 **SB12-026, 078** were made Special Orders on Tuesday, May 1, 2012, at
18 10:08 a.m.

19
20
21 The hour of 10:08 a.m., having arrived, on motion of Representative
22 Conti, the House resolved itself into Committee of the Whole for
23 consideration of Special Orders and she was called to the Chair to act as
24 Chairman.

25 26 27 **SPECIAL ORDERS--SECOND READING OF BILLS**

28
29 The Committee of the Whole having risen, the Chairman reported the
30 titles of the following bills had been read (reading at length had been
31 dispensed with by unanimous consent), the bills considered and action
32 taken thereon as follows:

33
34 (Amendments to the committee amendment are to the printed committee
35 report which was printed and placed in the members' bill file.)

36
37 **HB12-1327** by Representative(s) Coram; also Senator(s) Roberts and
38 King S.--Concerning financial responsibility requirements
39 for motor carriers, and, in connection therewith, repealing
40 the surety bond requirement for towing carriers and
41 imposing a period of disqualification from the right to
42 operate as a towing carrier as an additional penalty for
43 failure to respond as required after violating applicable
44 provisions.

45
46 Amendment No. 1, Transportation Report, dated April 25, 2012, and
47 placed in member's bill file; Report also printed in House Journal,
48 April 25, pages 1138-1141.

49
50 Amendment No. 2, Appropriations Report, dated April 27, 2012, and
51 placed in member's bill file; Report also printed in House Journal,
52 April 27, pages 1181-1182.

53
54 As amended, ordered engrossed and placed on the Calendar for Third
55 Reading and Final Passage.

1 **HB12-1351** by Representative(s) Becker; also Senator(s) Tochtrop--
2 Concerning inclusion under the renewable energy
3 standard's definition of recycled energy such energy that
4 combusts gas generated from synthetic gas derived from
5 waste materials through pyrolysis as the fuel source for
6 generation.
7

8 Ordered engrossed and placed on the Calendar for Third Reading and
9 Final Passage.
10

11 **HB12-1352** by Representative(s) Gardner B. and Gerou; also
12 Senator(s) Cadman--Concerning the creation of a state
13 commission to address matters arising out of the lower
14 north fork wildfire.
15

16 Amendment No. 1, Judiciary Report, dated April 30, 2012, and placed in
17 member's bill file; Report also printed in House Journal, April 30,
18 page 1203.
19

20 Amendment No. 2, Appropriations Report, dated May 1, 2012, and placed
21 in member's bill file; Report also printed in House Journal, May 1,
22 page 1206 .
23

24 Amendment No. 3, by Representative(s) Gardner B.
25

26 Amend printed bill, page 10, line 9, after "ACTION" insert "AGAINST THE
27 STATE, INCLUDING, WITHOUT LIMITATION, AN ACTION AGAINST THE STATE
28 ARISING UNDER 42 U.S.C. SEC. 1983,".
29

30 Page 13, line 10, strike "STATE" and substitute "STATE, INCLUDING,
31 WITHOUT LIMITATION, AN ACTION AGAINST THE STATE ARISING UNDER 42
32 U.S.C. SEC. 1983,".
33

34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.
36

37
38
39 Committee in recess. Committee reconvened.
40

41
42 **SPECIAL ORDERS--SECOND READING OF BILLS**
43 (continued)
44

45 **HB12-1353** by Representative(s) Becker, Gerou, Levy; also Senator(s)
46 Steadman, Hodge, Lambert--Concerning the mitigation of
47 the effect of automatic proportional reductions to the tier
48 2 transfers out of the operational account of the severance
49 tax trust fund when revenue shortfalls occur.
50

51 Ordered engrossed and placed on the Calendar for Third Reading and
52 Final Passage.
53

54 **SB12-026** by Senator(s) Cadman; also Representative(s) Vaad--
55 Concerning a state agency rule that creates a state mandate
56 on a local government.

1 Amendment No. 1, Local Government Report, dated April 23, 2012, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 24, page 1109.

4
5 As amended, ordered revised and placed on the Calendar for Third
6 Reading and Final Passage.

7
8 **SB12-078** by Senator(s) Hudak, Aguilar, Jahn, Newell, Roberts,
9 Tochtrop, White, Williams S.; also Representative(s)
10 Schafer S., Fischer, Kerr A., Kerr J., Ramirez--Concerning
11 protections for at-risk adults.
12

13 Amendment No. 1, Health & Environment Report, dated April 19, 2012,
14 and placed in member's bill file; Report also printed in House Journal,
15 April 20, pages 1061-1062.
16

17 Amendment No. 2, Appropriations Report, dated April 27, 2012, and
18 placed in member's bill file; Report also printed in House Journal,
19 April 27, page 1182.
20

21 Amendment No. 3, by Representative(s) Schafer.

22
23 Amend the House Health and Environment Committee Report, dated
24 April 19, 2012, page 1, after line 7, insert:

25
26 "Page 4, line 27, strike "withholding" and substitute "withholding,".
27

28 Page 5, strike lines 1 through 3 and substitute:

29 ~~"of artificial nourishment in accordance with the "Colorado Medical~~
30 ~~Treatment Decision Act", article 18 of title 15, C.R.S., shall not be~~
31 ~~considered as abuse~~ WITHDRAWING, OR REFUSING OF ANY TREATMENT,
32 INCLUDING BUT NOT LIMITED TO RESUSCITATION, CARDIAC PACING,
33 MECHANICAL VENTILATION, DIALYSIS, ARTIFICIAL NUTRITION AND
34 HYDRATION, ANY MEDICATION OR MEDICAL PROCEDURE OR DEVICE, IN
35 ACCORDANCE WITH ANY VALID MEDICAL DIRECTIVE OR ORDER, OR AS
36 DESCRIBED IN A PALLIATIVE PLAN OF CARE, SHALL NOT BE DEEMED
37 CARETAKER NEGLECT. AS USED IN THIS PARAGRAPH (b), "MEDICAL
38 DIRECTIVE OR ORDER" INCLUDES, BUT IS NOT LIMITED TO, A MEDICAL
39 DURABLE POWER OF ATTORNEY, A DECLARATION AS TO MEDICAL
40 TREATMENT EXECUTED PURSUANT TO SECTION 15-18-104, C.R.S., A
41 MEDICAL ORDERS FOR SCOPE OF TREATMENT FORM EXECUTED PURSUANT
42 TO ARTICLE 18.7 OF TITLE 15, C.R.S., AND A CPR DIRECTIVE EXECUTED
43 PURSUANT TO ARTICLE 18.6 OF TITLE 15, C.R.S.".
44

45 Page 5, line 25, after "self-neglect.", add "REFUSAL OF MEDICAL
46 TREATMENT, MEDICATIONS, DEVICES, OR PROCEDURES BY AN ADULT OR ON
47 BEHALF OF AN ADULT BY A DULY AUTHORIZED SURROGATE MEDICAL
48 DECISION MAKER OR IN ACCORDANCE WITH A VALID MEDICAL DIRECTIVE
49 OR ORDER, OR AS DESCRIBED IN A PALLIATIVE PLAN OF CARE, SHALL NOT
50 BE DEEMED SELF-NEGLECT. REFUSAL OF FOOD AND WATER IN THE
51 CONTEXT OF A LIFE-LIMITING ILLNESS SHALL NOT, BY ITSELF, BE EVIDENCE
52 OF SELF-NEGLECT. AS USED IN THIS SUBSECTION (10), "MEDICAL
53 DIRECTIVE OR ORDER" INCLUDES, BUT IS NOT LIMITED TO, A MEDICAL
54 DURABLE POWER OF ATTORNEY, A DECLARATION AS TO MEDICAL
55 TREATMENT EXECUTED PURSUANT TO SECTION 15-18-104, C.R.S., A
56 MEDICAL ORDERS FOR SCOPE OF TREATMENT FORM EXECUTED PURSUANT

1 TO ARTICLE 18.7 OF TITLE 15, C.R.S., AND A CPR DIRECTIVE EXECUTED
2 PURSUANT TO ARTICLE 18.6 OF TITLE 15, C.R.S."."

3
4 Amendment No. 4, by Representative(s) Schafer.

5
6 Amend reengrossed bill, page 16, strike lines 15 through 17 and
7 substitute:

8 "(II) A REPRESENTATIVE OF A STATEWIDE ORGANIZATION OF
9 DISTRICT ATTORNEYS;"

10
11 As amended, ordered revised and placed on the Calendar for Third
12 Reading and Final Passage.

13

14

15

16

17 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

18

19 Representative Duran moved to amend the Report of the Committee of
20 the Whole to reverse the action taken by the Committee in not adopting
21 the following Duran amendment, to HB12-1352, to show that said
22 amendment passed, and that **HB12-1352**, as amended, passed.

23

24 Amend printed bill. page 5, after line 20, insert:

25

26 "(3) THE COMMISSION SHALL EVALUATE THE MERITS OF RAISING
27 EXISTING CAPS ON DAMAGES SPECIFIED IN THE ACT AND MAKING SUCH
28 WAIVER RETROACTIVE WITH RESPECT TO CONTROLLED WILDFIRE BURNS
29 CONDUCTED BY THE STATE. NOTWITHSTANDING ANY OTHER PROVISION OF
30 THIS PART 17, ANY MECHANISM CREATED BY THE STATE PURSUANT TO
31 THIS PART 17 SHALL ENSURE THAT EVERY PERSON ENJOYS ALL RIGHTS TO
32 HAVE THE PERSON'S CLAIM ADJUDICATED IN A COURT OF LAW."

33

34 Page 11, strike lines 26 and 27.

35

36 Page 12, strike lines 1 through 16.

37

38 Renumber succeeding subsection accordingly.

39

40 The amendment was declared **lost** by the following roll call vote:

41

42	YES	31	NO	33	EXCUSED	0	ABSENT	1
43	Acree	N	Fischer	Y	Looper	N	Solano	Y
44	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
45	Barker	N	Gerou	N	McCann	Y	Soper	Y
46	Baumgardner	N	Hamner	Y	McKinley	-	Stephens	N
47	Becker	N	Holbert	N	Miklosi	Y	Summers	N
48	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
49	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
50	Brown	N	Joshi	N	Pabon	Y	Szabo	N
51	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
52	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
53	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
54	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
55	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
56	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y

1	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
2	Fields	Y	Liston	N	Singer	Y	Young	Y
3							Speaker	N

4
5 Representative Kagan moved to amend the Report of the Committee of
6 the Whole to reverse the action taken by the Committee in not adopting
7 the following Kagan amendment, to HB12-1352, to show that said
8 amendment passed, and that **HB12-1352**, as amended, passed.

9
10 Amend printed bill, page 6, strike lines 7 through 27 and substitute
11 "THREE MEMBERS, EACH OF WHOM IS A CURRENT OR RETIRED JUDGE IN THE
12 STATE. ONE OF THE COMMISSION MEMBERS SHALL BE APPOINTED BY THE
13 SPEAKER OF THE HOUSE OF REPRESENTATIVES, ONE MEMBER SHALL BE
14 APPOINTED BY THE PRESIDENT OF THE SENATE, AND THE FINAL MEMBER
15 SHALL BE APPOINTED BY THE CHIEF JUSTICE. THE COMMISSION MEMBERS
16 SHALL SELECT A CHAIR FROM AMONG THE MEMBERSHIP. THE COMMISSION
17 MAY PROMULGATE AND AMEND RULES".

18
19 Page 7, strike lines 12 through 16 and substitute "THEIR OFFICIAL
20 DUTIES."

21
22 Renumber succeeding subsections accordingly.

23
24 The amendment was declared **lost** by the following roll call vote:

26	YES	31	NO	33	EXCUSED	0	ABSENT	1
27	Acree	N	Fischer	Y	Looper	N	Solano	Y
28	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
29	Barker	N	Gerou	N	McCann	Y	Soper	Y
30	Baumgardner	N	Hamner	Y	McKinley	-	Stephens	N
31	Becker	N	Holbert	N	Miklosi	Y	Summers	N
32	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
33	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	N
34	Brown	N	Joshi	N	Pabon	Y	Szabo	N
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
38	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
39	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
42	Fields	Y	Liston	N	Singer	Y	Young	Y
43							Speaker	N

44 45 46 47 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

48
49 Passed Second Reading: **HB12-1327 amended, 1351, 1352 amended,**
50 **1353, SB12-026 amended, 078 amended.**

51
52 The Chairman moved the adoption of the Committee of the Whole
53 Report. As shown by the following roll call vote, a majority of those
54 elected to the House voted in the affirmative, and the Report was
55 **adopted.**

	YES	64	NO	0	EXCUSED	0	ABSENT	1
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB12-1008 by Representative(s) Acree; also Senator(s) Jahn--
Concerning additional methods for providing input to
executive branch agencies about proposed rules, and, in
connection therewith, directing agencies to establish
representative groups to evaluate and comment on
proposed rules, requiring agencies to notify the general
assembly of any rule-making that results in increases in
fees or fines, and requiring agencies to submit
departmental regulatory agendas to the general assembly.

(Amended as printed in Senate Journal, March 9, page 436.)

Representative Acree moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	64	NO	0	EXCUSED	0	ABSENT	1
39	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
40	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
41	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
42	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
43	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
44	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
45	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
46	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
47	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
48	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
49	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
50	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
51	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
52	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
53	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
54	Fields	Y	Liston	Y	Singer	Y	Young	Y
55							Speaker	Y
56								

5

24

25

32

34

38

YES	52	NO	12	EXCUSED	0	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	-	Stephens	N
Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	N	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	N	Vigil	Y
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
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

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	47	NO	17	EXCUSED	0	ABSENT	1
7	Acree	N	Fischer	Y	Looper	Y	Solano	Y
8	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
9	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
10	Baumgardner	N	Hamner	Y	McKinley	-	Stephens	N
11	Becker	N	Holbert	N	Miklosi	Y	Summers	N
12	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
13	Bradford	Y	Jones	Y	Nikkel	Y	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	Y	Vaad	Y
18	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
19	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
20	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
21	Ferrandino	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) Hullinghorst, Pace, Priola, Swerdfeger.

25
 26 **HB12-1012** by Representative(s) Williams A.; also Senator(s) Guzman
 27 and White--Concerning authorization for reimbursement
 28 for up to fifty thousand dollars of actual, reasonable, and
 29 necessary business reestablishment expenses to be paid by
 30 a state agency in connection with the reestablishment of an
 31 operation displaced by a department of transportation
 32 project or a project with department of transportation
 33 oversight.

34
 35 (Amended as printed in Senate Journal, March 28, pages 599-600.)

36
 37 Representative A. Williams moved that the House **concur** in Senate
 38 amendments. The motion was declared **passed** by the following roll call
 39 vote:

	YES	64	NO	0	EXCUSED	0	ABSENT	1
42	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
44	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	Y	Hamner	Y	McKinley	-	Stephens	Y
46	Becker	Y	Holbert	Y	Miklosi	Y	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	Y	Wilson	Y

Fields	Y	Liston	Y	Singer	Y	Young 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**.

YES	64	NO	0	EXCUSED	0	ABSENT	1
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	-	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 Speaker	Y

Co-sponsor(s) added: Representative(s) Fischer, Peniston.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

After consideration on the merits, the Committee recommends the following:

HB12-1355 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 7, strike "**understanding - conforming of statutes.**" and substitute "**understanding - report.**".

Page 4, strike lines 12 through 15.

Renumber succeeding subsection accordingly.

Page 4, after line 24 insert:

"(7) (a) ON OR BEFORE JANUARY 31, 2013, AND IN ACCORDANCE WITH THE PROVISIONS OF SECTION 24-1-136 (9), C.R.S., THE COLORADO SCHOOL OF MINES SHALL REPORT TO THE JOINT BUDGET COMMITTEE, THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR ITS SUCCESSOR COMMITTEE, AND THE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE OF THE SENATE, OR ITS SUCCESSOR COMMITTEE, CONCERNING THE TRANSFER OF

1 THE GEOLOGICAL SURVEY AND THE OFFICE OF THE STATE GEOLOGIST TO
2 THE COLORADO SCHOOL OF MINES.

3 (b) AT A MINIMUM, THE REPORT SHALL INCLUDE INFORMATION
4 CONCERNING:

5 (I) WHETHER THE PRESIDENT OF THE COLORADO SCHOOL OF MINES
6 AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL
7 RESOURCES ENTERED INTO A MEMORANDUM OF UNDERSTANDING
8 AFFIRMING THE TRANSFER OF THE COLORADO GEOLOGICAL SURVEY AND
9 THE OFFICE OF THE STATE GEOLOGIST TO THE COLORADO SCHOOL OF
10 MINES; AND

11 (II) THE CONTENTS OF THE MEMORANDUM OF UNDERSTANDING,
12 INCLUDING A DESCRIPTION OF THE CONTENTS OF THE MEMORANDUM OF
13 UNDERSTANDING RELATING TO THE PROVISIONS REQUIRED PURSUANT TO
14 PARAGRAPHS (a) TO (e) OF SUBSECTION (2) OF THIS SECTION.

15
16 Page 12, after line 7 insert:

17
18 **"23-41-210. Annual report to general assembly - repeal.**

19 (1) (a) ON OR BEFORE DECEMBER 1, 2013, AND EACH DECEMBER 1
20 THEREAFTER, AND IN ACCORDANCE WITH THE PROVISIONS OF SECTION
21 24-1-136 (9), C.R.S., THE COLORADO SCHOOL OF MINES SHALL SUBMIT A
22 WRITTEN REPORT TO THE JOINT BUDGET COMMITTEE, THE AGRICULTURE,
23 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE OF THE HOUSE OF
24 REPRESENTATIVES, OR ITS SUCCESSOR COMMITTEE, AND THE
25 AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE OF THE
26 SENATE, OR ITS SUCCESSOR COMMITTEE, CONCERNING THE
27 IMPLEMENTATION OF THIS PART 2.

28 (b) AT A MINIMUM, THE ANNUAL REPORT SHALL INCLUDE
29 INFORMATION CONCERNING:

30 (I) THE PRIORITY OF FUNCTIONS AND OBJECTIVES FOR THE
31 COLORADO GEOLOGICAL SURVEY, AS DETERMINED BY THE COLORADO
32 SCHOOL OF MINES, INCLUDING THE PRIORITY OF THOSE OBJECTIVES
33 DESCRIBED IN SECTION 23-41-205 (1) (a) TO (1) (m);

34 (II) THE IMPLEMENTATION OF THE OBJECTIVES OF THE AVALANCHE
35 INFORMATION CENTER;

36 (III) THE SEVERANCE TAX MONEYS RECEIVED BY THE COLORADO
37 GEOLOGICAL SURVEY AND OTHER STATE FUNDING, AND THE SUFFICIENCY
38 OF THOSE MONEYS FOR THE IMPLEMENTATION OF THE FUNCTIONS AND
39 OBJECTIVES OF THE COLORADO GEOLOGICAL SURVEY;

40 (IV) ADDITIONAL FUNDING OR OTHER RESOURCES FROM ANY
41 OTHER SOURCE THAT ARE AVAILABLE TO CARRY OUT THE FUNCTIONS AND
42 OBJECTIVES OF THE COLORADO GEOLOGICAL SURVEY;

43 (V) THE NUMBER OF FULL-TIME-EQUIVALENT EMPLOYEES
44 DEDICATED TO THE IMPLEMENTATION OF THIS PART 2;

45 (VI) COLLABORATION WITH STATE AGENCIES, INDUSTRY,
46 ACADEMIC INSTITUTIONS, OR OTHER ENTITIES CONCERNING THE
47 IMPLEMENTATION OF THIS PART 2; AND

48 (VII) THE OBJECTIVES FOR THE COLORADO GEOLOGICAL SURVEY,
49 THE OFFICE OF THE STATE GEOLOGIST, AND THE AVALANCHE INFORMATION
50 CENTER FOR THE NEXT YEAR.

51 (c) THIS SECTION IS REPEALED, EFFECTIVE DECEMBER 31, 2017."

52
53
54
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56

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB12-1357, 1358, 1359.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB12-1080.**

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith
HB12-1293, HB12-1108, HB12-1241.

The Senate has passed on Third Reading and transmits to the Revisor of
Statutes: SB12-176, SCR12-001, SB12-170.

SB12-177 amended as printed in Senate Journal, April 30, 2012,
page 934.
HCR12-1001 amended on Third Reading, May 1, 2012, as printed in the
Senate Journal.
HB12-1041 amended as printed in Senate Journal, April 27, 2012,
page 924.
HB12-1068 amended as printed in Senate Journal, April 30, 2012,
page 935.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB12-170 and 176.
Without comment, as amended, HB12-1041 and 1068 and HCR 12-1001.
Without comment, as amended, SB12-177 and SCR 12-001.

**INTRODUCTION OF BILL
First Reading**

The following bill was read by title and referred to the committee
indicated:

SB12-175 by Senator(s) Carroll and Roberts; also Representative(s)
Gardner B. and Duran--Concerning statutorily established
time intervals.
Committee on Judiciary

House in recess. House reconvened.

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB12-1360 by Representative(s) Gerou and Levy, Becker; also Senator(s) Steadman and Lambert, Hodge--Concerning the transfer of up to four million dollars from the general fund to the Colorado economic development fund based upon the amount by which the June 2012 estimate of general fund revenue for the 2011-12 fiscal year exceeds the March 2012 estimate of general fund revenue for the 2011-12 fiscal year.

Committee on Appropriations

SB12-002 by Senator(s) Steadman, Guzman; also Representative(s) Ferrandino, Casso, Hulinghorst, Kagan, Kerr A., Levy, Miklosi, Schafer S., Singer, Young--Concerning authorization of civil unions, and, in connection therewith, making an appropriation.

Committee on Judiciary

SB12-027 by Senator(s) Scheffel; also Representative(s) Ramirez--Concerning notice to certain members of the general assembly of rules promulgated pursuant to the "State Administrative Procedure Act" as a result of an enacted legislative measure.

Committee on Economic and Business Development

SB12-028 by Senator(s) Grantham; also Representative(s) Barker--Concerning aggravated juvenile offenders adjudicated for murder.

Committee on Judiciary

SB12-046 by Senator(s) Newell and Hudak; also Representative(s) Nikkel and Levy, Szabo--Concerning disciplinary measures in public schools, and in connection therewith, requiring a post-enactment review of the implementation of this act.

Committee on Education

SB12-090 by Senator(s) Foster, Aguilar, Bacon, Boyd, Carroll, Giron, Guzman, Heath, Hudak, Johnston, Morse, Newell, Nicholson, Schwartz, Williams S.; also Representative(s) Court--Concerning restoring coverage for circumcision of males under medicaid, and, in connection therewith, making an appropriation.

Committee on Health and Environment

SB12-101 by Senator(s) Nicholson; also Representative(s) Bradford--Concerning the authority of a local improvement district, and, in connection therewith, making an appropriation.

Committee on Local Government

- 1 **SB12-104** by Senator(s) Steadman, Aguilar, Guzman, Morse, Newell,
2 Renfro, Roberts; also Representative(s) DelGrosso, Kerr
3 A., Lee, Pabon, Vigil--Concerning consolidation of drug
4 treatment funding into the correctional treatment fund,
5 and, in connection therewith, making and reducing
6 appropriations.
7 Committee on Judiciary
8
9 **SB12-108** by Senator(s) Nicholson; also Representative(s) Summers
10 and Kerr A.--Concerning providing oral health services to
11 pregnant women who are enrolled in medicaid, and, in
12 connection therewith, making an appropriation.
13 Committee on Health and Environment
14
15 **SB12-170** by Senator(s) Aguilar; also Representative(s) Gerou--
16 Concerning authorization for personalized license plates
17 of one position to fund a program that helps persons with
18 disabilities obtain benefits.
19 Committee on Transportation
20
21 **SB12-176** by Senator(s) Brophy, Guzman, Morse, Roberts, Schwartz;
22 also Representative(s) Labuda, Gardner B., Levy, Murray,
23 Waller--Concerning nonsubstantive revisions of statutes in
24 the Colorado Revised Statutes, as amended, and, in
25 connection therewith, amending or repealing obsolete,
26 inconsistent, and conflicting provisions of law and
27 clarifying the language to reflect the legislative intent of
28 the laws.
29 Committee on Judiciary
30
31 **SB12-177** by Senator(s) Jahn, Cadman; also Representative(s) Liston
32 and Pabon, Duran, Gardner B., McNulty, Priola, Soper,
33 Swalm, Swerdfeger, Szabo, Tyler, Williams A.--
34 Concerning administration of the unemployment insurance
35 program in order to stabilize unemployment insurance
36 rates, and, in connection therewith, facilitating the
37 issuance of unemployment revenue bonds and accelerating
38 the creation of the division of unemployment insurance in
39 the department of labor and employment.
40 Committee on Economic and Business Development
41
42
43

INTRODUCTION OF CONCURRENT RESOLUTION

44
45
46 The following resolution was read by title and referred to the committee
47 indicated:

- 48
49 **SCR12-001** by Senator(s) Steadman; also Representative(s)
50 Ferrandino--Submitting to the registered electors of the
51 state of Colorado an amendment to the Colorado
52 constitution repealing provisions deemed obsolete on
53 account of a determination of the unconstitutionality of
54 said provisions by a court of competent jurisdiction.
55 Committee on Judiciary
56

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

HJR12-1023 by Representative(s) McNulty and Stephens, Waller, Nikkel, Murray, Priola, Becker, Bradford, DelGrosso, Gardner B., Gerou, Kerr J., Liston, Massey, Sonnenberg, Summers, Vaad--Concerning authorizing and directing the committee on legal services to retain legal counsel to represent the General Assembly as amicus curiae in the case of Lobato v. State of Colorado for the purpose of preserving and protecting the General Assembly's plenary power under the doctrine of separation of powers.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until May 2, retaining place on Calendar:

Consideration of Third Reading--**SB12-160.**

Consideration of General Orders--**SB12-118, HB12-1109, 1119, 1347, 1278.**

Consideration of Conference Committee Report(s)--**HB12-1002.**

Consideration of Resolution(s)--**HJR12-1020, 1021, SJR12-041.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1270, 1307, 1052, 1105, 1146, 1321, 1275, 1059, 1081, 1304, 1324, 1124.**

On motion of Representative Stephens, the House adjourned until 9:00 a.m., May 2, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-thirteenth Legislative Day Wednesday, May 2, 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 Jorge Chavez, Zachary Aragon, Berania
7 Urias, Zulema Rodriguez, Alberto Sandoval, Parents and Youth
8 United, Escuela Tlatelolco School, Denver.

9

10 The roll was called with the following result:

11

12 Present--62.

13 Excused--Representative(s) Barker, Baumgardner, Sonnenberg--3.

14 Present after roll call--Representative(s) Baumgardner,
15 Sonnenberg.

16

17 The Speaker declared a quorum present.

18

19

20 On motion of Representative Coram, the reading of the journal of
21 May 1, 2012, was declared dispensed with and approved as corrected by
22 the Chief Clerk.

23

24

25 House in recess. House reconvened.

26

27

28

29 **MESSAGE(S) FROM THE SENATE**

30

31 The Senate has adopted and transmits herewith: SJR12- 040, SJR12-048.

32

33

34 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

35

36 On motion of Representative Stephens, the rules were suspended and the
37 following resolution was given immediate consideration.

38

39 **SJR12-040** by Senator(s) Lambert and Shaffer B., Harvey, Mitchell,
40 Renfroe, Scheffel, Williams S., Morse, Boyd, Aguilar,
41 Schwartz, Giron, Jahn, Steadman, Guzman, Hodge,
42 Tochtrop, Bacon, Brophy, Cadman, Grantham, Heath,
43 Johnston, King K., King S., Lundberg, Neville, Roberts,

Spence, White; also Representative(s) Soper and Waller--
Concerning service to veterans by the Colorado Bar
Association and the Veteran Trauma Court.

(Printed and placed in member's file).

On motion of Representative Waller, the resolution was read at length
and **adopted** by **viva voce** vote.

Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso,
Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert,
Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon,
Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil,
Williams A., Wilson, Young, Speaker.

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and transmits herewith: SJM12-004.

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Stephens, the rules were suspended and the
following resolution was given immediate consideration.

SJM12-004 by Senator(s) Mitchell; also Representative(s) Priola--
Memorializing former Senator Ted L. Strickland.

(Printed and placed in member's file).

Representative Priola moved that the Memorial be read at length and be
adopted.

Pursuant to House Rule 26(f) the House stood in recess to allow the
following former members to speak on behalf of the honorable Ted L.
Strickland: Former Senators Richard Mutzebaugh and Bill Schroeder.

House reconvened.

The memorial was **adopted** by the following roll call vote:

	YES	55	NO	0	EXCUSED	10	ABSENT	0
Acree	Y		Fischer	Y	Looper	Y	Solano	Y
Balmer	E		Gardner B.	E	Massey	Y	Sonnenberg	E
Barker	E		Gerou	Y	McCann	Y	Soper	Y

1	Baumgardner	E	Hamner	Y	McKinley	E	Stephens	Y
2	Becker	E	Holbert	Y	Miklosi	Y	Summers	Y
3	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
4	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
6	Casso	Y	Kagan	Y	Pace	E	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
8	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	E
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	Y	Scott	E	Wilson	Y
13	Fields	Y	Liston	Y	Singer	Y	Young	Y
14							Speaker	Y

15 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Beezley,
 16 Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino,
 17 Fields, Fischer, Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan,
 18 Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey, McCann,
 19 Miklosi, Murray, Nikkel, Pabon, Peniston, Ramirez, Ryden, Schafer S., Singer,
 20 Solano, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler,
 21 Vaad, Vigil, Williams A., Wilson, Young, Speaker.

27 INTRODUCTION AND CONSIDERATION OF RESOLUTION

29 On motion of Representative Stephens, the rules were suspended and the
 30 following resolution was given immediate consideration.

32 **SJR12-048** by Senator(s) White and Tochtrop; also Representative(s)
 33 Bradford--Concerning the designation of May 13 through
 34 19, 2012, as "National Nursing Home Week".

36 (Printed and placed in member's file).

38 On motion of Representative Bradford, the resolution was read at length
 39 and **adopted** by **viva voce** vote.

41 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Balmer,
 42 Baumgardner, Becker, Beezley, Brown, Casso, Conti, Coram, Court,
 43 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner,
 44 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
 45 Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi, Murray,
 46 Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott,
 47 Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
 48 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

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.

HB12-1327 by Representative(s) Coram; also Senator(s) Roberts and King S.--Concerning financial responsibility requirements for motor carriers, and, in connection therewith, repealing the surety bond requirement for towing carriers, imposing a period of disqualification from the right to operate as a towing carrier as an additional penalty for failure to respond as required after violating applicable provisions, creating a designated tow truck license plate, and, in connection therewith, making an appropriation.

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	63	NO	1	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	E	Gerou	Y	McCann	Y	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	N	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) Bradford, Brown, Conti, Gerou, Kerr J., Labuda, Looper, Ramirez, Schafer S., Scott, Vigil.

HB12-1352 by Representative(s) Gardner B. and Gerou; also Senator(s) Cadman--Concerning the creation of a state commission to address matters arising out of the lower north fork wildfire, and, in connection therewith, making an appropriation.

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	44	NO	20	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	N
Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	E	Gerou	Y	McCann	N	Soper	N
2	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
5	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
6	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
7	Casso	N	Kagan	Y	Pace	Y	Todd	Y
8	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
9	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
10	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
11	DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
12	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	N
13	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
14	Fields	N	Liston	Y	Singer	N	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Baumgardner, Beezley, Bradford,
 17 Holbert, Joshi, Kerr J., Liston, Looper, Miklosi, Murray, Nikkel, Pace, Priola,
 18 Ramirez, Scott, Stephens, Summers, Szabo, Speaker.

19
 20 **HB12-1353** by Representative(s) Becker, Gerou, Levy; also Senator(s)
 21 Steadman, Hodge, Lambert--Concerning the mitigation of
 22 the effect of automatic proportional reductions to the tier
 23 2 transfers out of the operational account of the severance
 24 tax trust fund when revenue shortfalls occur.

25
 26 The question being "Shall the bill pass?".

27 A roll call vote was taken. As shown by the following recorded vote, a
 28 majority of those elected to the House voted in the affirmative and the bill
 29 was declared **passed**.

31	YES	64	NO	0	EXCUSED	1	ABSENT	0
32	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
33	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
34	Barker	E	Gerou	Y	McCann	Y	Soper	Y
35	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
36	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
37	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
38	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
39	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
40	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
41	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
42	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
43	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
44	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
45	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
46	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
47	Fields	Y	Liston	Y	Singer	Y	Young	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Kerr J.

50
 51 **HB12-1351** by Representative(s) Becker; also Senator(s) Tochtrop--
 52 Concerning inclusion under the renewable energy
 53 standard's definition of recycled energy such energy that
 54 combusts gas generated from synthetic gas derived from
 55 waste materials through pyrolysis as the fuel source for
 56 generation.

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	35	NO	29	EXCUSED	1	ABSENT	0
7	Acree	Y	Fischer	N	Looper	Y	Solano	N
8	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
9	Barker	E	Gerou	Y	McCann	N	Soper	Y
10	Baumgardner	Y	Hamner	N	McKinley	Y	Stephens	Y
11	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
12	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
13	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
14	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
15	Casso	N	Kagan	N	Pace	N	Todd	N
16	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
17	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
18	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
19	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
20	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
21	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
22	Fields	N	Liston	Y	Singer	N	Young	N
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Baumgardner, Beezley, Brown, Gerou,
 25 Holbert, Kerr J., Liston, Looper, McKinley, Murray, Nikkel, Scott, Summers,
 26 Vaad.

31 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

33 **HB12-1307** by Representative(s) Kerr J. and Summers; also Senator(s)
 34 Roberts--Concerning the authority of a nonlawyer trustee
 35 of a certain size trust to represent the trust before the board
 36 of assessment appeals.

38 (Amended as printed in Senate Journal, March 26, page 579.)

40 Representative Kerr J. moved that the House **concur** in Senate
 41 amendments. The motion was declared **passed** by the following roll call
 42 vote:

	YES	64	NO	0	EXCUSED	1	ABSENT	0
45	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
46	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
47	Barker	E	Gerou	Y	McCann	Y	Soper	Y
48	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
49	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
50	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
51	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
52	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
53	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
54	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
55	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
56	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y

1	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
2	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
3	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
4	Fields	Y	Liston	Y	Singer	Y	Young	Y
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".
8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

12	YES	64	NO	0	EXCUSED	1	ABSENT	0
13	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
14	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
15	Barker	E	Gerou	Y	McCann	Y	Soper	Y
16	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
17	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
18	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
19	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
20	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
21	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
22	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
23	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
24	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
25	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
28	Fields	Y	Liston	Y	Singer	Y	Young	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Gerou, Murray.

31
32 **HB12-1052** by Representative(s) Summers; also Senator(s) Boyd and
33 Roberts--Concerning the collection of health care work
34 force data from health care professionals, and, in
35 connection therewith, making an appropriation.

36
37 (Amended as printed in Senate Journal, March 28, page 602.)

38
39 Representative Summers moved that the House **concur** in Senate
40 amendments. The motion was declared **passed** by the following roll call
41 vote:

43	YES	55	NO	9	EXCUSED	1	ABSENT	0
44	Acree	N	Fischer	Y	Looper	N	Solano	Y
45	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
46	Barker	E	Gerou	Y	McCann	Y	Soper	Y
47	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
49	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
50	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
51	Brown	Y	Joshi	N	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	N	Labuda	Y	Ryden	Y	Waller	N

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

7 The question being, "Shall the bill, as amended, pass?".

8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

12	YES	42	NO	22	EXCUSED	1	ABSENT	0
13	Acree	N	Fischer	Y	Looper	N	Solano	Y
14	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
15	Barker	E	Gerou	Y	McCann	Y	Soper	Y
16	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
17	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
18	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
19	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
20	Brown	N	Joshi	N	Pabon	Y	Szabo	N
21	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
22	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
23	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
24	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
25	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
28	Fields	Y	Liston	N	Singer	Y	Young	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Kagan.

33 **HB12-1105** by Representative(s) Becker; also Senator(s) Tochtrop--
34 Concerning wind energy property rights.

36 (Amended as printed in Senate Journal, April 9, page 677.)

38 Representative Becker moved that the House **concur** in Senate
39 amendments. The motion was declared **passed** by the following roll call
40 vote:

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	E	Gerou	Y	McCann	Y	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

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	Y	Young	Y
3							Speaker	Y

4 The question being, "Shall the bill, as amended, pass?".

5 A roll call vote was taken. As shown by the following recorded vote, a
6 majority of those elected to the House voted in the affirmative, and the
7 bill, as amended, was declared **repassed**.
8

9								
10	YES	64	NO	0	EXCUSED	1	ABSENT	0
11	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
12	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
13	Barker	E	Gerou	Y	McCann	Y	Soper	Y
14	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
15	Becker	Y	Holbert	Y	Miklosi	Y	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) Hamner, Looper, Sonnenberg,
29 Summers.

30
31 **HB12-1146** by Representative(s) Nikkel, Todd, Massey, Beezley,
32 Murray, Solano, Summers; also Senator(s) Giron--
33 Concerning programs to allow students to enroll in
34 postsecondary institutions to complete high school
35 graduation requirements.
36

37 (Amended as printed in Senate Journal, April 9, page 678.)
38

39 Representative Nikkel moved that the House **concur** in Senate
40 amendments. The motion was declared **passed** by the following roll call
41 vote:
42

43	YES	63	NO	1	EXCUSED	1	ABSENT	0
44	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
45	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
46	Barker	E	Gerou	Y	McCann	Y	Soper	Y
47	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	Y	Miklosi	Y	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
6 The question being, "Shall the bill, as amended, pass?".

7 A roll call vote was taken. As shown by the following recorded vote, a
8 majority of those elected to the House voted in the affirmative, and the
9 bill, as amended, was declared **repassed**.

11	YES	62	NO	2	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	E	Gerou	Y	McCann	Y	Soper	Y
15	Baumgardner	N	Hamner	Y	McKinley	N	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

29 Co-sponsor(s) added: Representative(s) Court, Holbert, Kefalas, Priola, Singer,
30 Williams A.

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 (Amended as printed in Senate Journal, April 12, page 725.)

38
39 Representative Ferrandino moved that the House **concur** in Senate
40 amendments. The motion was declared **passed** by the following roll call
41 vote:

43	YES	64	NO	0	EXCUSED	1	ABSENT	0
44	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
45	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
46	Barker	E	Gerou	Y	McCann	Y	Soper	Y
47	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	Y	Miklosi	Y	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
6 The question being, "Shall the bill, as amended, pass?".

7 A roll call vote was taken. As shown by the following recorded vote, a
8 majority of those elected to the House voted in the affirmative, and the
9 bill, as amended, was declared **repassed**.

10

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	E	Gerou	Y	McCann	Y	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

29 Co-sponsor(s) added: Representative(s) Jones, Kagan, Lee, Nikkel, Scott, Tyler.

30

31 **HCR12-1001** by Representative(s) Ferrandino and Vaad; also Senator(s)
32 Johnston and King K.--Submitting to the registered
33 electors of the state of Colorado an amendment to the
34 Colorado constitution concerning the state personnel
35 system, and, in connection therewith, expanding the
36 veterans' preference; increasing the number of candidates
37 eligible to be appointed to a position; adjusting the
38 duration of allowable temporary employment; allowing the
39 flexibility to remove a limited number of positions from
40 the system; modifying the residency requirement;
41 adjusting the terms of service for members of the state
42 personnel board; and requiring merit-based appointments
43 to be made through a comparative analysis process.

44

45 (Amended as printed in Senate Journal, May 1.)

46

47 Representative Ferrandino moved that the House **concur** in Senate
48 amendments. The motion was declared **passed** by the following roll call
49 vote:

50

51	YES	64	NO	0	EXCUSED	1	ABSENT	0
52	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
53	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
54	Barker	E	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
56	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y

1	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
2	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
3	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
4	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
5	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
7	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
8	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
9	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
10	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
11	Fields	Y	Liston	Y	Singer	Y	Young	Y
12							Speaker	Y

13
14 The question being, "Shall the concurrent resolution, as amended, pass?".
15 A roll call vote was taken. As shown by the following recorded vote, a
16 constitutional two-thirds majority of those elected to the House voted in
17 the affirmative, and the concurrent resolution, as amended, was declared
18 **repassed**.

19	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	E	Gerou	Y	McCann	Y	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

38 Co-sponsor(s) added: Representative(s) Looper.

39
40
41 On motion of Representative Stephens, **HB12-1119, 1349, 1355** were
42 made Special Orders on Wednesday, May 2, 2012, at 11:05 a.m.

43
44
45 The hour of 11:05 a.m., having arrived, on motion of Representative
46 Scott, the House resolved itself into Committee of the Whole for
47 consideration of Special Orders and he was called to the Chair to act as
48 Chairman.

51 SPECIAL ORDERS--SECOND READING OF BILLS

52
53 The Committee of the Whole having risen, the Chairman reported the
54 titles of the following bills had been read (reading at length had been
55 dispensed with by unanimous consent), the bills considered and action
56 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.)

HB12-1119 by Representative(s) Coram; also Senator(s) Giron and King S.--Concerning limitations on the imposition of fines by state agencies for minor violations, and, in connection therewith, defining a minor violation as an inspection-related or paperwork violation of state law or state agency rule that does not harm or threaten public health or safety and requiring a state agency to provide a violator with notice and an opportunity to cure a minor violation before imposing a fine.

Amendment No. 1, by Representative(s) Coram.

Strike the Appropriations Committee Report, dated April 17, 2012, and substitute:

"Strike the Finance Committee Report, dated March 28, 2012, and substitute:

"Strike the Economic and Business Development Committee Report, dated March 8, 2012, and substitute:

"Amend printed bill, strike everything below the enacting clause and substitute:

"SECTION 1. In Colorado Revised Statutes, 25-8-608, **amend** (1) introductory portion; and **add** (3) as follows:

25-8-608. Civil penalties - rules - fund created - temporary moratorium on penalties for minor violations - definitions - repeal.

(1) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3) OF THIS SECTION, any person who violates any provision of this article or of any permit issued under this article, or any control regulation promulgated pursuant to this article, or any final cease-and-desist order or clean-up order shall be subject to a civil penalty of not more than ten thousand dollars per day for each day during which such violation occurs. In determining the amount of a penalty under this part 6, the following factors shall be considered:

(3) (a) AS USED IN THIS SUBSECTION (3):

(I) "INSPECTION-RELATED VIOLATION" MEANS A CIVIL VIOLATION OF A PROVISION OF THIS ARTICLE OR OF A PERMIT ISSUED UNDER THIS ARTICLE THAT GOVERNS STORM WATER DISCHARGES OCCURRING IN CONNECTION WITH CONSTRUCTION ACTIVITIES AND THAT THE DIVISION OR ITS AGENT DISCOVERS THROUGH AN INSPECTION OF THE FACILITIES OR OF WORK PERFORMED BY THE VIOLATOR.

(II) "MINOR VIOLATION" MEANS A VIOLATION THAT DOES NOT HARM OR THREATEN PUBLIC SAFETY AND THAT IS EITHER AN INSPECTION-RELATED VIOLATION OR A PAPERWORK VIOLATION.

(III) "PAPERWORK VIOLATION" MEANS A CIVIL VIOLATION OF A PROVISION OF THIS ARTICLE OR OF A PERMIT ISSUED UNDER THIS ARTICLE THAT GOVERNS STORM WATER DISCHARGES OCCURRING IN CONNECTION WITH CONSTRUCTION ACTIVITIES AND THAT:

(A) INVOLVES THE FAILURE OF THE VIOLATOR TO MEET A FILING DEADLINE OR OTHER DEADLINE; OR

(B) IS A NONSUBSTANTIVE TECHNICAL ERROR OR, AS DETERMINED

1 BY THE DIVISION OR BY THE COMMISSION, A SUBSTANTIVE ERROR
2 REASONABLY MADE BY THE VIOLATOR IN GOOD FAITH, ON A REQUIRED
3 FORM OR FILING.

4 (IV) "VIOLATOR" MEANS ANY INDIVIDUAL OR ENTITY, INCLUDING
5 BUT NOT LIMITED TO AN "MS4 PERMITTEE", AS DEFINED IN SECTION
6 25-8-801 (7), WHO COMMITS A MINOR VIOLATION.

7 (b) THE DIVISION SHALL NOT COMMENCE ANY ENFORCEMENT
8 ACTION AGAINST A VIOLATOR FOR A MINOR VIOLATION COMMITTED ON OR
9 AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (b) UNLESS THE DIVISION
10 NOTIFIES THE VIOLATOR OF THE VIOLATION AND THE VIOLATOR FAILS TO
11 CURE THE VIOLATION WITHIN A REASONABLE TIME AS DETERMINED BY THE
12 DIVISION.

13 (c) COMMENCING AS SOON AS FEASIBLE AFTER THE EFFECTIVE
14 DATE OF THIS PARAGRAPH (c), THE DIVISION SHALL COLLABORATE WITH
15 THE CONSTRUCTION INDUSTRY AND OTHER INTERESTED PERSONS TO
16 DEVELOP MORE RESPONSIVE AND STREAMLINED PROCESSES FOR
17 PREVENTING VIOLATIONS OF PROVISIONS OF THIS ARTICLE AND OF PERMITS
18 ISSUED UNDER THIS ARTICLE THAT GOVERN STORM WATER DISCHARGES
19 OCCURRING IN CONNECTION WITH CONSTRUCTION ACTIVITIES AND FOR
20 ENFORCING SUCH PROVISIONS WHEN VIOLATIONS OCCUR. NO LATER THAN
21 DECEMBER 1, 2012, THE DIVISION SHALL SUBMIT TO THE GENERAL
22 ASSEMBLY A WRITTEN REPORT THAT INCLUDES THE RESULTS OF THE
23 COLLABORATION, THE ACTIONS IT PLANS TO TAKE TO DEVELOP MORE
24 STREAMLINED AND RESPONSIVE PROCESSES, AND ANY LEGISLATIVE
25 RECOMMENDATIONS THAT IT MAY HAVE.

26 (d) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2013.

27 **SECTION 2. No appropriation.** The general assembly has
28 determined that this act can be implemented within existing
29 appropriations, and therefore no separate appropriation of state moneys
30 is necessary to carry out the purposes of this act.

31 **SECTION 3. Safety clause.** The general assembly hereby finds,
32 determines, and declares that this act is necessary for the immediate
33 preservation of the public peace, health, and safety."

34

35 Page 1 of the bill, strike lines 101 to 109 and substitute:

36

37 "CONCERNING VIOLATIONS OF STATE REQUIREMENTS ENFORCED BY
38 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THAT
39 PERTAIN TO CONSTRUCTION-RELATED DISCHARGES OF STORM
40 WATER." ". " ". "

41

42 Amendment No. 2, by Representative(s) Coram.

43

44 Amend Amendment No. 1 by Representative Coram printed in House
45 Journal, page 1239, line 48, after "PUBLIC" insert "HEALTH OR".

46

47 Page 1239, line 56, strike "DIVISION OR BY THE COMMISSION," and
48 substitute "DIVISION,".

49

50 Page 1240, strike lines 4 through 6.

51

52 Amendment No. 3, by Representative(s) Ferrandino.

53

54 Amend Amendment No 1, by Representative Coram printed in House
55 Journal page 1239, line 48, after "SAFETY" insert "OR THE ENVIRONMENT".

56

1 Page 1240, line 12, after "DIVISION." add "IN THE CASE OF A VIOLATOR
 2 FAILING TO CURE THE VIOLATION WITHIN A REASONABLE TIME AS
 3 DETERMINED BY THE DIVISION, THE DIVISION MAY ASSESS A FINANCIAL
 4 PENALTY OF UP TO TWO TIMES THE AMOUNT AUTHORIZED IN SUBSECTION
 5 (1) OF THIS SECTION.".

6
 7 Page 1240, line 18, strike "THAT GOVERN STORM WATER DISCHARGES".

8
 9 Page 1240, strike line 19 and substitute "AND FOR".

10
 11 As amended, ordered engrossed and placed on the Calendar for Third
 12 Reading and Final Passage.

13
 14 **HB12-1349** by Representative(s) Baumgardner, Brown, Coram,
 15 Fischer, Hullinghorst, Jones, Joshi, Looper, McKinley,
 16 McNulty, Ryden, Scott, Swerdfeger, Vigil, Wilson; also
 17 Senator(s) Schwartz--Concerning the species conservation
 18 trust fund.

19
 20 Ordered engrossed and placed on the Calendar for Third Reading and
 21 Final Passage.

22
 23 **HB12-1355** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 24 Hodge, Steadman, Lambert--Concerning the transfer of the
 25 geological survey to the Colorado school of mines.

26
 27
 28 House in recess. House reconvened.

29
 30
 31 **SPECIAL ORDERS--SECOND READING OF BILLS**
 32 (continued)

33
 34 **HB12-1355** by Representative(s) Gerou, Becker, Levy; also Senator(s)
 35 Hodge, Steadman, Lambert--Concerning the transfer of the
 36 geological survey to the Colorado school of mines.

37
 38 Laid over until May 3, retaining place on Calendar.

39
 40
 41
 42 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

43
 44 Passed Second Reading: **HB12-1119 amended, 1349.**

45
 46 Laid over until date indicated retaining place on Calendar: **HB12-1355--**
 47 May 3, 2012.

48
 49 The Chairman moved the adoption of the Committee of the Whole
 50 Report. As shown by the following roll call vote, a majority of those
 51 elected to the House voted in the affirmative, and the Report was
 52 **adopted.**

53

	YES	64	NO	0	EXCUSED	1	ABSENT	0
54								
55	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
56	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	E	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	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	Y	Singer	Y	Young	Y
15							Speaker	Y

19 CONSENT GRANTED TO CONFERENCE COMMITTEE

21 Representative Summers moved that the First Conference Committee on
 22 **SB12-020** be granted permission to go beyond the scope of the difference
 23 between the House and the Senate. The motion was passed by the
 24 following roll call vote:

26	YES	59	NO	5	EXCUSED	1	ABSENT	0
27	Acree	Y	Fischer	N	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	E	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	N	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	N	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

48 REPORT(S) OF COMMITTEE(S) OF REFERENCE

50 HEALTH & ENVIRONMENT

51 After consideration on the merits, the Committee recommends the
 52 following:

54 **SB12-159** be amended as follows, and as so amended, be referred to
 55 the Committee of the Whole with favorable
 56 recommendation:

1 Amend reengrossed bill, page 3, line 25, after "(9)" insert "and (10)".

2
3 Page 5, after line 20 insert:

4
5 "(10) SO LONG AS CHILDREN WHO ARE DETERMINED ELIGIBLE FOR
6 THE AUTISM WAIVER PROGRAM ARE ON A WAIT LIST TO RECEIVE SERVICES,
7 THE STATE DEPARTMENT'S PRIORITY SHALL BE TO MOVE OFF OF THE WAIT
8 LIST AND INTO THE AUTISM WAIVER PROGRAM THOSE CHILDREN WHO ARE
9 DETERMINED TO HAVE AN IMMINENT NEED FOR SERVICES AS DETERMINED
10 THROUGH AN OBJECTIVE ASSESSMENT PROCESS. THE STATE DEPARTMENT'S
11 OBJECTIVE ASSESSMENT PROCESS FOR DETERMINING IMMINENT NEED FOR
12 SERVICES UNDER THE AUTISM WAIVER PROGRAM SHALL INCORPORATE
13 NORM-REFERENCED AUTISM ASSESSMENT FINDINGS AND PRIORITIZE
14 CHILDREN BASED ON THE SEVERITY OF THE CHILD'S ASSESSED CONDITION.
15 THIS SUBSECTION (10) SHALL APPLY ONLY UPON THE APPROVAL BY THE
16 CENTERS FOR MEDICARE AND MEDICAID SERVICES THAT IT IS CONSISTENT
17 WITH FEDERAL LAW."

18
19 Page 6, line 11, strike "State department review of autism" and
20 substitute "Autism".

21
22 Page 6, strike lines 12 through 27 and substitute "**program**
23 **evaluation.** (1) AS PROVIDED IN SUBSECTION (2) OF THIS SECTION, THE
24 STATE".

25
26 Renumber succeeding subsection accordingly.

27
28
29
30
31 **JUDICIARY**

32 After consideration on the merits, the Committee recommends the
33 following:

34
35 **SB12-175** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38
39 Amend reengrossed bill, page 89, line 25, strike "FORTY-NINE" and
40 substitute "SIXTY-THREE".

41
42 Page 94, line 13, strike "FORTY-NINE" and substitute "SIXTY-THREE".

43
44 Page 98, strike lines 12 through 27.

45
46 Page 99, strike lines 1 through 14.

47
48 Renumber succeeding sections accordingly.

49
50 _____

51
52 **PRINTING REPORT**

53
54 The Chief Clerk reports the following bill has been correctly printed:
55 **HB12-1360.**

56
57 _____

DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB12-1080** at 10:34 a.m. on May 2, 2012.

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**FINANCE**

After consideration on the merits, the Committee recommends the following:

HB12-1357 be referred to the Committee of the Whole with favorable recommendation.

HB12-1359 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, strike lines 6 through 9 and substitute:

"(4.5) "INTERNET LOTTERY" MEANS ANY LOTTERY AUTHORIZED AND DESCRIBED IN THE FEDERAL MEMORANDUM OPINION FOR THE ASSISTANT ATTORNEY GENERAL, CRIMINAL DIVISION, DATED SEPTEMBER 20, 2011, IN THE *OPINIONS OF THE OFFICE OF LEGAL COUNSEL IN VOLUME 35*."

SB12-164 be referred favorably to the Committee on Appropriations.

SB12-166 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend reengrossed bill, page 4, after line 26 insert:

"SECTION 6. In Colorado Revised Statutes, 24-47-101, **amend** (2) (g) as follows:

24-47-101. Colorado international trade office - created - staff. (2) The Colorado international trade office shall:

(g) Inform the general assembly about ongoing trade negotiations, trade development, and the possible impacts on Colorado's economy and laws. The director OR THE DIRECTOR'S DESIGNEE shall ~~make a presentation to the legislative council during the interim and~~ SUBMIT A REPORT ON SUCH MATTERS by ~~March~~ NOVEMBER 1 of each year to the finance committees, or their successor committees, of the senate and house of representatives ~~The legislative council shall notify all members of the general assembly of such presentations~~ and shall make available to all

1 members of the general assembly a copy of all materials provided to ~~the~~
2 ~~legislative council~~ THOSE COMMITTEES by the state trade representative.".

3
4 Renumber succeeding section accordingly.

5
6
7
8 **MESSAGE(S) FROM THE SENATE**
9

10 Upon announcement of President Shaffer, Senator Heath will replace
11 Senator Grantham as prime sponsor on HB12-1267.

12
13
14 The Senate has postponed indefinitely HB12-1075. The bills are returned
15 herewith.

16
17
18 The Senate has granted permission to the First Conference Committee to
19 go beyond the scope of the differences between the two houses, on
20 SB12-020.

21
22 The President appoints Senators Morse Chair, Johnston, and S. King as
23 conferees on the First Conference Committee on HB12-1168.

24
25
26 The Senate has passed on Third Reading and returns herewith
27 HB12-1331, HB12-1302.

28
29 The Senate has passed on Third Reading and transmits to the Revisor of
30 Statutes: SB12-086.

31
32 SB12-132 amended as printed in Senate Journal, May 1, 2012, pages
33 956-957.

34 SB12-172 amended as printed in Senate Journal, May 1, 2012, pages
35 957-958.

36 SB12-163 amended as printed in Senate Journal, May 1, 2012,
37 page 958.

38 SB12-162 amended as printed in Senate Journal, May 1, 2012,
39 page 958.

40 SB12-117 amended as printed in Senate Journal, May 1, 2012,
41 page 959.

42 HB12-1274 amended as printed in Senate Journal, May 1, 2012,
43 page 955.

44 HB12-1294 amended as printed in Senate Journal, May 1, 2012,
45 page 958.

46 HB12-1226 amended as printed in Senate Journal, May 1, 2012,
47 page 959.

48 HB12-1303 amended as printed in Senate Journal, May 1, 2012,
49 page 959.

50
51
52
53
54

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB12-086 .

Without comment, as amended, HB12-1274, 1294, 1226, and 1303 .

Without comment, as amended, SB12-132, 172, 163, and 162.

With comment, as amended, SB12-117.

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

SB12-086 by Senator(s) Cadman, Shaffer B.; also Representative(s) Szabo--Concerning a study of the cost of regulatory compliance for businesses in Colorado.

Committee on Economic and Business Development

SB12-117 by Senator(s) King S.; also Representative(s) Waller--Concerning the penalties for persons who drive while under the influence of alcohol or drugs, and, in connection therewith, making an appropriation.

Committee on Judiciary

SB12-132 by Senator(s) Grantham, Cadman, Scheffel, Brophy, Harvey, King S., Lambert, Lundberg, Neville, Renfro, Roberts, Spence; also Representative(s) Becker--Concerning timely issuance of environmental control permits, and, in connection therewith, making an appropriation.

Committee on Agriculture, Livestock, & Natural Resources

SB12-162 by Senator(s) Tochtrop; also Representative(s) Peniston--Concerning remediation performed on property contaminated by an illegal drug laboratory, and, in connection therewith, making an appropriation.

Committee on Judiciary

SB12-163 by Senator(s) Mitchell and Steadman, Aguilar, Grantham, Guzman, Jahn, Neville, Spence; also Representative(s) Beezley and Levy, Barker, DelGrosso, Ferrandino, Massey, McCann, Nikkel, Singer, Vigil--Concerning changes to improve outcomes for persons convicted of possession of certain controlled substances crimes.

Committee on Judiciary

SB12-172 by Senator(s) Johnston and Spence, Bacon, Heath, Hudak; also Representative(s) Massey and Hamner--Concerning student assessments adopted by the state board.

Committee on Education

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar was (were) laid over until May 3, retaining place on Calendar:

Consideration of Third Reading--**SB12-160, 026, 078.**
Consideration of General Orders--**SB12-118, HB12-1109, 1347, 1278, 1354.**
Consideration of Conference Committee Report(s)--**HB12-1002.**
Consideration of Resolution(s)--**HJR12-1020, 1021, SJR12-041, HJR12-1023.**
Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1270, 1275, 1059, 1081, 1304, 1324, 1124, 1041, 1068.**

On motion of Representative Stephens, the House adjourned until 9:00 a.m., May 3, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-fourteenth Legislative Day Thursday, May 3, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Deacon Taylor Elder, Immaculate Heart of Mary, Northglenn.

4

5 Pledge of Allegiance led by Cayden Risley from Silver Creek Elementary,
6 Thornton.

7

8 The roll was called with the following result:

9

10 Present--47.

11 Excused--Representative(s) Barker, Becker, DelGrosso, Ferrandino,
12 Gardner B., Gerou, Hulinghorst, Kerr A., Levy, Looper,
13 Massey, McCann, Nikkel Pabon, Solano, Sonnenberg, Todd,
14 Vaad--18.

15 Present after roll call--Representative(s) Becker, DelGrosso,
16 Ferrandino, Gardner B., Gerou, Hulinghorst, Kerr A., Levy,
17 Looper, Massey, McCann, Nikkel Pabon, Solano, Sonnenberg,
18 Todd, Vaad.

19

20 The Speaker declared a quorum present.

21

22

23 On motion of Representative Coram, the reading of the journal of
24 May 2, 2012, was declared dispensed with and approved as corrected by
25 the Chief Clerk.

26

27

28

29

30

31

MESSAGE(S) FROM THE SENATE

32

33 The Senate has adopted and transmits herewith: SJR12- 039.

34

35

INTRODUCTION AND CONSIDERATION OF RESOLUTION

36

37
38 On motion of Representative Stephens, the rules were suspended and the
39 following resolution was given immediate consideration.

40

41 **SJR12-039** by Senator(s) Scheffel; also Representative(s) Massey--
42 Concerning the designation of September 27, 2012, as
43 "First Responder Appreciation Day".

1 (Printed and placed in member's file).

2
3 On motion of Representative Massey, the resolution was read at length
4 and **adopted** by **viva voce** vote.

5
6 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
7 Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
8 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Hamner,
9 Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda,
10 Lee, Levy, Liston, Looper, McCann, McKinley, Miklosi, Murray, Nikkel,
11 Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer,
12 Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo,
13 Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

14
15
16 House in recess. House reconvened.

17 18 19 **THIRD READING OF BILL(S)--FINAL PASSAGE**

20
21 The following bill(s) was(were) considered on Third Reading. The
22 title(s) was(were) publicly read. Reading of the bill at length was
23 dispensed with by unanimous consent.

24
25 **HB12-1119** by Representative(s) Coram; also Senator(s) Giron and
26 King S.--Concerning violations of state requirements
27 enforced by the department of public health and
28 environment that pertain to construction-related discharges
29 of storm water.

30
31 The question being "Shall the bill pass?".
32 A roll call vote was taken. As shown by the following recorded vote, a
33 majority of those elected to the House voted in the affirmative and the bill
34 was declared **passed**.

35	YES	62	NO	1	EXCUSED	2	ABSENT	0
36	Acree	Y	Fischer	N	Looper	Y	Solano	Y
37	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
38	Barker	E	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	Y	Hamner	E	McKinley	Y	Stephens	Y
40	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
41	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
42	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
43	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
47	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
48	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
49	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
51	Fields	Y	Liston	Y	Singer	Y	Young	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Becker, Beezley, Bradford, Brown,
54 DelGrosso, Ferrandino, Gerou, Holbert, Kerr J., Labuda, Lee, Liston, Looper,
55 Massey, Priola, Ramirez, Scott, Sonnenberg, Stephens, Swalm, Swerdfeger,
56 Speaker.

APPOINTMENT

The Speaker announced the following appointment:

JUDICIARY

Representative Baumgardner to replace Representative Barker until further notice on the Judiciary Committee.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**APPROPRIATIONS**

After consideration on the merits, the Committee recommends the following:

HB12-1358 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 8, after "marijuana" insert "businesses".

Page 2, line 9, strike "license" and substitute "begin licensing".

Page 3, line 26, strike "THE EFFECTIVE DATE OF THIS" and substitute "JULY 1, 2012,".

Page 3, line 27, strike "PARAGRAPH (d),".

Page 4, strike lines 7 through 14.

Page 4, line 19, strike "THE COLORADO BUREAU OF INVESTIGATION AND".

Page 5, line 16, strike "the local licensing authority has" and substitute "the local licensing authority has".

Page 5, strike lines 17 and 18 and substitute "approved the application for a local license and issued a local license as provided for in sections 12-43.3-301 to 12-43.3-303 IT HAS COMPLETED EACH CRIMINAL HISTORY BACKGROUND CHECK ASSOCIATED WITH THE APPLICATION. IF THE STATE LICENSING AUTHORITY ISSUES THE APPLICANT A STATE LICENSE AND THE LOCAL LICENSING AUTHORITY SUBSEQUENTLY DENIES THE APPLICANT A LICENSE, THE STATE LICENSING AUTHORITY SHALL IMMEDIATELY RESCIND THE APPLICANT'S STATE LICENSE. THE STATE".

Page 5, after line 23, insert:

"SECTION 5. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the medical marijuana program cash fund created in section 25-1.5-106 (16) (a), Colorado Revised Statutes, not otherwise appropriated, to the department of public health and environment, for the center for health and environmental information, for the fiscal year beginning July 1, 2011, the sum of \$93,600, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby

1 appropriated to the department of public safety, for the Colorado crime
2 information center, for the fiscal year beginning July 1, 2011, the sum of
3 \$93,600, or so much thereof as may be necessary. Said sum is from
4 reappropriated funds received from the department of public health and
5 environment out of the appropriation made in subsection (1) of this
6 section.

7 **SECTION 6. Appropriation.** In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 general fund not otherwise appropriated, to the department of public
10 health and environment, for the fiscal year beginning July 1, 2012, the
11 sum of \$2,000,000, or so much thereof as may be necessary, for allocation
12 to the Tony Grampas youth services program related to the
13 implementation of this act."

14

15 Renumber succeeding section accordingly.

16

17 Page 1, line 101, strike "MARIJUANA." and substitute "MARIJUANA, AND,
18 IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."

19

20

21

22 **HB12-1360** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25

26 Amend printed bill, page 2, after line 14 insert:

27

28 **"SECTION 2. Appropriation.** In addition to any other
29 appropriation, there is hereby appropriated, out of any moneys in the
30 Colorado economic development fund created in section 24-46-105 (1),
31 Colorado Revised Statutes, not otherwise appropriated, to the governor -
32 lieutenant governor - state planning and budgeting, for the fiscal year
33 beginning July 1, 2012, the sum of \$4,000,000, or so much thereof as may
34 be necessary, for allocation to economic development programs,
35 economic development commission - general economic incentives and
36 marketing, for the provision of incentives to businesses related to the
37 implementation of this act."

38

39 Renumber succeeding section accordingly.

40

41 Page 1, line 106, strike "YEAR." and substitute "YEAR, AND, IN
42 CONNECTION THEREWITH, MAKING AN APPROPRIATION."

43

44

45

46

47 **EDUCATION**

48 After consideration on the merits, the Committee recommends the
49 following:

50

51 **SB12-046** be referred to the Committee of the Whole with favorable
52 recommendation.

53

54

55

56

1 **LOCAL GOVERNMENT**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB12-101** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:
8

9 Amend reengrossed bill, page 2, line 11, strike "district, but no" and
10 substitute "district; ~~but~~ EXCEPT THAT, IN A DISTRICT IN WHICH A SALES TAX
11 IS LEVIED, A NONCONTIGUOUS PART OR SECTION MAY ONLY BE INCLUDED
12 IF THE OWNERS OF ANY PROPERTY WITHIN SUCH PART OR SECTION
13 PETITIONED TO BE INCLUDED IN THE DISTRICT. No".
14
15
16
17

18 **STATE, VETERANS, & MILITARY AFFAIRS**

19 After consideration on the merits, the Committee recommends the
20 following:

21
22 **HCR12-1002** be postponed indefinitely.
23

24
25 **SB12-139** be postponed indefinitely.
26

27
28 **SB12-154** be postponed indefinitely.
29
30
31
32

33 **TRANSPORTATION**

34 After consideration on the merits, the Committee recommends the
35 following:

36
37 **SB12-170** be referred to the Committee of the Whole with favorable
38 recommendation.
39
40
41

42 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
43 **on SB12-020**

44 This Report Amends the Rerevised Bill.
45

46 To the President of the Senate and the
47 Speaker of the House of Representatives:
48

49 Your first conference committee appointed on SB12-020,
50 concerning immunity from certain criminal offenses when a person
51 reports in good faith an emergency drug or alcohol overdose event, has
52 met and reports that it has agreed upon the following:
53

54 1. That the Senate accede to the House amendments made to the
55 bill, as the amendments appear in the rerevised bill, with the following
56 changes:

1 Amend rerevised bill, page 4, strike lines 6 and 7 and substitute
2 "DESCRIBED IN SECTION 18-18-403.5 (2) (a) (I), (2) (b) (I), OR (2) (c);".
3

4 2. That, under the authority granted to the committee to consider
5 matters not at issue between the two houses, the following amendments
6 be recommended:
7

8 Amend rerevised bill, page 3, line 12, strike "ARREST AND".
9

10 Page 5, strike lines 4 through 10 and substitute:

11 "(4) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO
12 PROHIBIT THE PROSECUTION OF A PERSON FOR AN OFFENSE OTHER THAN AN
13 OFFENSE LISTED IN SUBSECTION (3) OF THIS SECTION OR TO LIMIT THE
14 ABILITY OF A DISTRICT ATTORNEY OR A LAW ENFORCEMENT OFFICER TO
15 OBTAIN OR USE EVIDENCE OBTAINED FROM A REPORT, RECORDING, OR ANY
16 OTHER STATEMENT PROVIDED PURSUANT TO SUBSECTION (1) OF THIS
17 SECTION TO INVESTIGATE AND PROSECUTE AN OFFENSE OTHER THAN AN
18 OFFENSE LISTED IN SUBSECTION (3) OF THIS SECTION."
19

20 Respectfully submitted,

21 Senate Committee:

22 (signed)

23 Irene Aguilar

24 Ellen Roberts

25 Morgan Carroll

House Committee:

(signed)

Kenneth Summers

Mark Waller

Pete Lee

26 27 28 29 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

30
31 The Speaker has signed: **HB12-1012, 1070, 1114, 1140, 1151, 1224,**
32 **1239, 1244, 1262, 1276.**
33
34

35 36 **MESSAGE(S) FROM THE SENATE**

37
38 The Senate has adopted and transmits herewith: SJR12- 043.
39
40

41 House in recess. House reconvened.
42
43
44

45 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

46 **ECONOMIC & BUSINESS DEVELOPMENT**

47
48 After consideration on the merits, the Committee recommends the
49 following:
50

51 **SB12-086** be referred favorably to the Committee on Legislative
52 Council.
53
54
55

1 **HEALTH & ENVIRONMENT**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB12-090** be referred favorably to the Committee on Appropriations.

6
7
8 **SB12-108** be amended as follows, and as so amended, be referred to
9 the Committee on Appropriations with favorable
10 recommendation:

11
12 Amend reengrossed bill, page 4, strike lines 3 through 16 and substitute:

13
14 "(2) (a) ON OR BEFORE JANUARY 1, 2014, THE STATE DEPARTMENT
15 SHALL DESIGN AND IMPLEMENT A LIMITED ORAL HEALTH BENEFIT FOR
16 PREGNANT AND EARLY POSTPARTUM WOMEN USING A COLLABORATIVE
17 STAKEHOLDER PROCESS TO CONSIDER THE COMPONENTS OF THE BENEFIT,
18 INCLUDING, BUT NOT LIMITED TO, THE COST, BEST PRACTICES, THE EFFECT
19 ON HEALTH OUTCOMES, CLIENT EXPERIENCE, SERVICE DELIVERY MODELS,
20 AND MAXIMUM EFFICIENCIES IN THE ADMINISTRATION OF THE BENEFIT."

21
22
23
24
25 **JUDICIARY**

26 After consideration on the merits, the Committee recommends the
27 following:

28
29 **SB12-028** be referred favorably to the Committee on Appropriations.

30
31
32 **SB12-104** be referred favorably to the Committee on Finance.

33
34
35 **SB12-116** be amended as follows, and as so amended, be referred to
36 the Committee on Appropriations with favorable
37 recommendation:

38
39 Amend reengrossed bill, page 2, after line 1, insert:

40 **"SECTION 1. Legislative declaration - post-enactment review**
41 **of this act.** (1) The general assembly hereby determines and declares
42 that:

43 (a) In accordance with section 2-2-1201, Colorado Revised
44 Statutes (C.R.S.), the legislative service agencies of the general assembly
45 shall conduct a post-enactment review of Senate Bill 12-116, enacted in
46 2012, and report their conclusions to the judiciary committees of the
47 house of representatives and senate, or any successor committees, and to
48 the persons described in section 2-2-1201 (3), C.R.S.;

49 (b) Notwithstanding the provisions of section 2-2-1201 (3),
50 C.R.S., the legislative service agencies of the general assembly shall
51 complete the post-enactment review of Senate Bill 12-116, enacted in
52 2012, no later than one hundred eighty days after the one-year anniversary
53 of the enactment of Senate Bill 12-116, enacted in 2012;

54 (c) Notwithstanding the provisions of section 2-2-1201 (2) (a),
55 C.R.S., the review shall not make the determinations described in said
56 section 2-2-1201 (2) (a), C.R.S., but shall include the following

1 information:

2 (I) A comparison of the criminal sanctions for possession of the
3 controlled substances defined as "cathinones" at section 18-18-102 (3.5),
4 C.R.S., enacted in section 2 of this act, to the criminal sanctions for
5 possession of controlled substances, as such criminal sanctions appear in
6 title 18, C.R.S., following the 2013 regular session of the sixty-ninth
7 general assembly;

8 (II) Information indicating whether law enforcement agencies
9 within the state have made efforts since the effective date of Senate Bill
10 12-116, enacted in 2012, pursuant to the provisions of the "Colorado
11 Consumer Protection Act", article 1 of title 6, C.R.S., to bring actions
12 against manufacturers, distributors, or retailers of products containing
13 cathinones, including information regarding the type of enforcement
14 actions that have been employed, the law enforcement agency or agencies
15 involved in each such enforcement action, and the outcome of each such
16 enforcement action, to the extent that such information is available; and

17 (III) Information indicating whether any criminal cases have been
18 filed pursuant to the provisions of section 18-18-406.7 or 18-18-406.8,
19 C.R.S., enacted in section 4 of this act, including the number of such
20 cases, the jurisdiction in which each such case was filed, the nature of the
21 charges filed in each such case, and the disposition of each such case, to
22 the extent that such information is available."

23

24 Renumber succeeding sections accordingly.

25

26 Page 2, line 15, strike "(α-PPP);" and substitute "(ALPHA-PPP);".

27

28 Page 2, line 17, strike "(α-PBP);" and substitute "(ALPHA-PBP);".

29

30 Page 2, line 18, strike "(α-PVP, PVP);" and substitute "(ALPHA-PVP,
31 PVP);".

32

33 Page 3, line 27, strike "A CATHINONE," and substitute "ANY
34 CATHINONES,".

35

36 Page 6, after line 13, insert:

37 "SECTION 7. In Colorado Revised Statutes, 2-2-1201, add (8)
38 as follows:

39 **2-2-1201. Accountability clauses - post-enactment review of**
40 **implementation of bills by legislative service agencies - definitions -**
41 **repeal.** (8) (a) NOTWITHSTANDING ANY OTHER PROVISION OF THIS
42 SECTION, IN CONDUCTING THE POST-ENACTMENT REVIEW OF SENATE BILL
43 12-116, ENACTED IN 2012, THE LEGISLATIVE SERVICE AGENCIES SHALL
44 NOT BE SUBJECT TO:

45 (I) THE REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION; OR

46 (II) THE REQUIREMENT IN SUBSECTION (3) OF THIS SECTION THAT
47 THE LEGISLATIVE SERVICE AGENCIES COMPLETE THE POST-ENACTMENT
48 REVIEW NO LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE
49 TWO-YEAR OR FIVE-YEAR ANNIVERSARY, AS APPLICABLE, OF THE
50 ENACTMENT OF SENATE BILL 12-116.

51 (b) IN CONDUCTING THE POST-ENACTMENT REVIEW OF SENATE
52 BILL 12-116, THE LEGISLATIVE SERVICE AGENCIES SHALL SUBMIT TO THE
53 MEMBERS OF THE JUDICIARY COMMITTEES OF THE HOUSE OF
54 REPRESENTATIVES AND SENATE, OR ANY SUCCESSOR COMMITTEES, AND TO
55 THE PERSONS DESCRIBED IN SUBSECTION (3) OF THIS SECTION, THE
56 FOLLOWING INFORMATION:

1 (I) A COMPARISON OF THE CRIMINAL SANCTIONS FOR POSSESSION
2 OF THE CONTROLLED SUBSTANCES DEFINED AS "CATHINONES" AT SECTION
3 18-18-102 (3.5), C.R.S., ENACTED IN SENATE BILL 12-116, ENACTED IN
4 2012, AS "CATHINONES", TO THE CRIMINAL SANCTIONS FOR POSSESSION OF
5 CONTROLLED SUBSTANCES, AS SUCH CRIMINAL SANCTIONS APPEAR WITHIN
6 TITLE 18, C.R.S., FOLLOWING THE 2013 REGULAR SESSION OF THE
7 SIXTY-NINTH GENERAL ASSEMBLY;

8 (II) INFORMATION INDICATING WHETHER LAW ENFORCEMENT
9 AGENCIES WITHIN THE STATE HAVE MADE EFFORTS SINCE THE EFFECTIVE
10 DATE OF THIS SUBSECTION (8) PURSUANT TO THE PROVISIONS OF THE
11 "COLORADO CONSUMER PROTECTION ACT", ARTICLE 1 OF TITLE 6, C.R.S.,
12 TO BRING ACTIONS AGAINST MANUFACTURERS, DISTRIBUTORS, OR
13 RETAILERS OF PRODUCTS CONTAINING CATHINONES, INCLUDING
14 INFORMATION REGARDING THE TYPE OF ENFORCEMENT ACTIONS THAT
15 HAVE BEEN EMPLOYED, THE LAW ENFORCEMENT AGENCY OR AGENCIES
16 INVOLVED IN EACH SUCH ENFORCEMENT ACTION, AND THE OUTCOME OF
17 EACH SUCH ENFORCEMENT ACTION, TO THE EXTENT THAT SUCH
18 INFORMATION IS AVAILABLE; AND

19 (III) INFORMATION INDICATING WHETHER ANY CRIMINAL CASES
20 HAVE BEEN FILED PURSUANT TO THE PROVISIONS OF SECTION 18-18-406.7
21 OR 18-18-406.8, C.R.S., ENACTED IN SENATE BILL 12-116, ENACTED IN
22 2012, INCLUDING THE NUMBER OF SUCH CASES, THE JURISDICTION IN
23 WHICH EACH SUCH CASE WAS FILED, THE NATURE OF THE CHARGES FILED
24 IN EACH SUCH CASE, AND THE DISPOSITION OF EACH SUCH CASE, TO THE
25 EXTENT THAT SUCH INFORMATION IS AVAILABLE.

26 (c) THE LEGISLATIVE SERVICE AGENCIES SHALL COMPLETE THE
27 POST-ENACTMENT REVIEW OF SENATE BILL 12-116, ENACTED IN 2012,
28 PURSUANT TO THIS SUBSECTION (8) NO LATER THAN ONE HUNDREDEIGHTY
29 DAYS AFTER THE ONE-YEAR ANNIVERSARY OF THE ENACTMENT OF THE
30 BILL.

31 (d) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE SEPTEMBER 1,
32 2013."

33

34 Renumber succeeding sections accordingly.

35

36 Page 6, after line 22, insert:

37 **"SECTION 9. Accountability.** One year after this act becomes
38 law and in accordance with section 2-2-1201, Colorado Revised Statutes,
39 the legislative service agencies of the Colorado General Assembly shall
40 conduct a post-enactment review of the implementation of this act
41 utilizing the information contained in the legislative declaration set forth
42 in section 1 of this act, and report their conclusions to the judiciary
43 committees of the House of Representatives and Senate, or any successor
44 committees."

45

46 Renumber succeeding section accordingly.

47

48 Page 1, line 103, strike "CATHINONE." and substitute "CATHINONE, AND,
49 IN CONNECTION THEREWITH, REQUIRING A POST-ENACTMENT REVIEW
50 OF THE IMPLEMENTATION OF THIS ACT.

51

52

53

54

55

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **SB12-012, 041, 060, 121, 123, 150, 168; SJM12-002; SJR12-006, 024, 029, 030, 032, 033, 042.**

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB12-1012, 1070, 1114, 1140, 1151, 1224, 1239, 1244, 1262, 1276** at 10:56 a.m. on May 3, 2012.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and transmits to the Revisor of Statutes: SB12-173.

HB12-1036 amended as printed in Senate Journal, May 2, 2012, page 1041.

HB12-1043 amended as printed in Senate Journal, May 2, 2012, page 1041.

HB12-1086 amended as printed in Senate Journal, May 2, 2012, page 1041.

The Senate has passed on Third Reading and transmits to the Revisor of Statutes:

SB12-129 amended as printed in Senate Journal, March 9, 2012, page 435.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, SB12-173.

Without comment, as amended, HB12-1036, 1043, and 1086.

We herewith transmit:

Without comment, as amended, SB12-129.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 3rd day of May, 2012, at 4:35 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

1 May 3, 2012

2

3 To the Honorable House of Representatives

4 Sixty-Eighth General Assembly

5 Second Regular Session

6 State Capitol

7 Denver, CO 80203

8

9 Ladies and Gentlemen:

10

11 I have the honor to inform you that I have approved and filed with the
12 Secretary of State the following Acts:

13

14 **HB12-1339** CONCERNING THE COLORADO BENEFITS MANAGEMENT
15 SYSTEM IMPROVEMENT AND MODERNIZATION PROJECT,
16 AND, IN CONNECTION THEREWITH, MAKING AN
17 APPROPRIATION.

18

19 Approved May 3, 2012 at 12:41 pm

20

21 **HB12-1337** CONCERNING THE CLOSURE OF THE SOUTH CAMPUS OF
22 THE CENTENNIAL CORRECTION FACILITY FOR HOUSING
23 PURPOSES.

24

25 Approved May 3, 2012 at 12:45p m

26

27 **HB12-1131** CONCERNING THE CREATION OF A CHILD LOSS
28 AWARENESS LICENSE PLATE, AND, IN CONNECTION
29 THEREWITH, MAKING AN APPROPRIATION.

30

31 Approved May 3, 2012 at 12:54 pm

32

33 **HB12-1258** CONCERNING REGULATION OF PUBLIC UTILITIES IN
34 TERMS OF ALTERNATIVE FUEL VEHICLES.

35

36 Approved May 3, 2012 at 12:59 pm

37

38 **HB12-1063** CONCERNING THE STATE VETERANS NURSING HOME AT
39 HOMELAKE, COLORADO, AND IN CONNECTION
40 THEREWITH, MAKING AN APPROPRIATION.

41

42 Approved May 3, 2012 at 1:06 pm

43

44 **HB12-1162** CONCERNING THE CREATION OF AN OPERATION DESERT
45 STORM LICENSE PLATE, AND, IN CONNECTION
46 THEREWITH, MAKING AN APPROPRIATION.

47

48 Approved May 3, 2012 at 1:08 pm

49

50 **HB12-1153** CONCERNING THE CREATION OF A SPECIAL LICENSE
51 PLATE COMMEMORATING RECIPIENTS OF THE
52 DISTINGUISHED FLYING CROSS, AND, IN CONNECTION
53 THEREWITH, MAKING AN APPROPRIATION.

54

55 Approved May 3, 2012 at 12:49 pm

56

1 **HB12-1336** CONCERNING AUTHORIZATION OF A PRISON UTILIZATION
2 ANALYSIS, AND, IN CONNECTION THEREWITH, MAKING
3 AN APPROPRIATION.
4

5 Approved May 3, 2012 at 1:17 pm
6

7 **HB12-1338** CONCERNING THE TRANSFER OF GENERAL FUND
8 SURPLUS MONEYS TO THE STATE EDUCATION FUND AT
9 THE END OF CERTAIN FISCAL YEARS.
10

11 Approved May 3, 2012 at 1:18 pm
12

13 **HB12-1340** CONCERNING A REDUCTION IN THE GENERAL FUND
14 PORTION OF THE PER DIEM RATES PAID TO NURSING
15 FACILITIES AND, IN CONNECTION THEREWITH, REDUCING
16 AN APPROPRIATION.
17

18 Approved May 3, 2012 at 1:18 pm
19

20 **HB12-1341** CONCERNING THE REPEAL OF THE STATEWIDE
21 STRATEGIC USE FUND.
22

23 Approved May 3, 2012 at 1:19 pm
24

25 **HB12-1342** CONCERNING A WORK THERAPY PROGRAM IN THE
26 DEPARTMENT OF HUMAN SERVICES, AND, IN
27 CONNECTION THEREWITH, MAKING AN APPROPRIATION.
28

29 Approved May 3, 2012 at 1:19 pm
30

31 **HB12-1343** CONCERNING THE TRANSFER OF MONEYS FROM THE
32 STATE RAIL BANK FUND TO THE GENERAL FUND.
33

34 Approved May 3, 2012 at 1:20 pm
35

36 **HB12-1344** CONCERNING TRANSFERS OF MONEYS RELATING TO
37 CAPITAL CONSTRUCTION.
38

39 Approved May 3, 2012 at 1:21 pm
40

41 **HB12-1012** INCREASE AGENCY DISPLACEMENT EXPENSES PAYMENT
42 CAP.
43

44 Approved May 3, 2012 at 1:22 pm
45

46 Sincerely,
47 (signed)
48 John W. Hickenlooper
49 Governor
50

51 _____
52
53
54
55

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

HB12-1361 by Representative(s) Gardner B. and Gerou; also Senator(s) Cadman and Nicholson--Concerning claims against the state arising under the "Colorado Governmental Immunity Act".

Committee on Appropriations

SB12-129 by Senator(s) Schwartz, Aguilar, Bacon, Heath, Hodge, Hudak, Johnston, King S., Newell, Roberts, Steadman, Tochtrop, White, Williams S.; also Representative(s) Coram--Concerning access to affordable broadband internet connectivity in noncompetitive rural areas.

Committee on Agriculture, Livestock, & Natural Resources

SB12-173 by Senator(s) Jahn, Boyd, Harvey, Lundberg, Neville, Newell, Roberts, White, Williams S.; also Representative(s) Summers and DelGrosso--Concerning repeal of the requirement that mental health professionals make certain disclosures verbally.

Committee on Health and Environment

INTRODUCTION OF RESOLUTIONS

The following resolutions were read by title and laid over one day under the rules:

SJR12-025 by Senator(s) Grantham; also Representative(s) McKinley--Concerning recognition of the Amtrak Southwest Chief.

SJR12-043 by Senator(s) White, Foster, Guzman, Hudak, Jahn, King S., Lundberg, Newell, Nicholson, Roberts, Scheffel, Shaffer B., Spence, Tochtrop, Williams S.; also Representative(s) Murray--Concerning ovarian cancer in Colorado.

SJR12-044 by Senator(s) Grantham; also Representative(s) Becker--Concerning the 25th anniversary of the Arkansas Valley Correctional Facility.

INTRODUCTION OF MEMORIAL

The following memorial was read by title and laid over one day under the rules:

SJM12-003 by Senator(s) Lundberg, Harvey, Grantham, Mitchell, Renfroe, King S., Cadman, King K., Newell, Roberts, Spence, Giron, Brophy, Jahn, Lambert, Neville, Scheffel,

1 White; also Representative(s) DelGrosso, Liston--
2 Memorializing Congress to modify certain reporting
3 procedures for small nonprofit organizations to require the
4 Internal Revenue Service to adequately notify such
5 organizations of the procedures and to allow such
6 organizations to remedy reporting deficiencies.
7
8
9

10 **LAY OVER OF CALENDAR ITEM(S)**

11
12 On motion of Representative Stephens, the following item(s) on the
13 Calendar was (were) laid over until May 4, retaining place on Calendar:
14

15 Consideration of Special Orders--**HB12-1355.**
16 Consideration of Third Reading--**SB12-160, 026, 078, HB12-1349.**
17 Consideration of General Orders--**SB12-118, HB12-1109, 1347, 1278,**
18 **1354, SB12-044, 051, 068.**
19 Consideration of Conference Committee Report(s)--**HB12-1002.**
20 Consideration of Resolution(s)--**HJR12-1020, 1021, SJR12-041,**
21 **HJR12-1023.**
22 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1270,**
23 **1275, 1059, 1081, 1304, 1324, 1124, 1041, 1068, 1226, 1274, 1294,**
24 **1303.**
25
26
27

28 On motion of Representative Gerou, the House adjourned until 9:00 a.m.,
29 May 4, 2012.
30

31 Approved:
32 FRANK McNULTY,
33 Speaker

34 Attest:
35 MARILYN EDDINS,
36 Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-fifteenth Legislative Day

Friday, May 4, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Rabbi Hillel Goldberg, Executive Director, Rocky Mountain
4 Jewish News, Denver.

5

6 Pledge of Allegiance led by Shae and Avri Swerdfeger, Desert Sage
7 Elementary, Pueblo West.

8

9 The roll was called with the following result:

10

11 Present--46.

12 Excused--Representative(s) Barker, Becker, Bradford, Court,
13 DelGrosso, Ferrandino, Gardner B., Gerou, Hullinghorst,
14 Kerr A., Levy, Looper, Pabon, Ryden, Solano, Sonnenberg,
15 Summers, Swalm, Vaad--19.

16 Present after roll call--Representative(s) Becker, Bradford, Court,
17 DelGrosso, Ferrandino, Gardner B., Gerou, Hullinghorst,
18 Kerr A., Levy, Looper, Pabon, Ryden, Solano, Sonnenberg,
19 Summers, Swalm, Vaad.

20

21 The Speaker declared a quorum present.

22

23

24 On motion of Representative Coram, the reading of the journal of
25 May 3, 2012, was declared dispensed with and approved as corrected by
26 the Chief Clerk.

27

28

29

House in recess. House reconvened.

30

31

32

33

CONSIDERATION OF RESOLUTION(S)

34

35 **HJR12-1021** by Representative(s) Hamner and McKinley, Massey; also
36 Senator(s) Scheffel--Concerning the designation of pack
37 burro racing as a summer heritage sport in Colorado.

38

39 (Printed and placed in members' file)

40

41 Representative Hamner moved that the resolution be adopted and
42 requested that it be read at length.

43

1 Amendment No. 1, moved by Representative Hamner.

2
3 Amend printed resolution, page 2, line 21, strike "10-time" and substitute
4 "13-time".

5
6 Page 2, line 22, before "Karen Thorpe" insert "2-time winner".

7
8 The amendment was declared **passed** by **viva voce** vote.

9
10 On motion of Representative McKinley, the resolution as amended was
11 **adopted** by **viva voce** vote.

12
13 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
14 Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court,
15 DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou, Holbert,
16 Hulinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy,
17 Liston, Looper, McCann, Miklosi, Murray, Nikkel, Pabon, Pace, Peniston,
18 Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano, Sonnenberg, Soper,
19 Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil,
20 Waller, Williams A., Wilson, Young, Speaker.

21
22
23 House in recess. House reconvened.
24

25 26 27 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

28 **APPROPRIATIONS**

29 After consideration on the merits, the Committee recommends the
30 following:

31
32
33 **HB12-1252** be amended as follows, and as so amended, be referred to
34 the Committee of the Whole with favorable
35 recommendation:

36 Amend printed bill, page 5, before line 24 insert:

37
38 **"SECTION 3. Appropriation.** (1) In addition to any other
39 appropriation, there is hereby appropriated, out of any moneys in the
40 general fund not otherwise appropriated, to the department of higher
41 education, for the fiscal year beginning July 1, 2012, the sum of
42 \$1,000,000, or so much thereof as may be necessary, to be allocated for
43 the implementation of this act as follows:

44 (a) \$250,000 for the board of governors of the Colorado state
45 university system;

46 (b) \$250,000 for the board of regents of the university of
47 Colorado;

48 (c) \$250,000 for the board of trustees of the Colorado school of
49 mines; and

50 (d) \$250,000 for the board of trustees of the university of northern
51 Colorado.

52 (2) In addition to any other appropriation, there is hereby
53 appropriated, out of any moneys in the general fund not otherwise
54 appropriated, to the department of the governor - lieutenant governor -
55 state planning and budgeting, for the fiscal year beginning July 1, 2012,
56 the sum of \$43,781 and 0.5 FTE, or so much thereof as may be necessary,

1 for allocation to the office of information technology for on-line posting
2 costs related to the implementation of this act."

3
4 Renumber succeeding section accordingly.

5
6 Page 1, line 103, strike "INFORMATION." and substitute "INFORMATION,
7 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

8
9
10
11 **HB12-1361** be referred to the Committee of the Whole with favorable
12 recommendation.

13
14
15 **SB12-028** be amended as follows, and as so amended, be referred to
16 the Committee of the Whole with favorable
17 recommendation:

18
19 Amend reengrossed bill, page bill, page 4, after line 19 insert:

20
21 "SECTION 2. Appropriation. (1) In addition to any other
22 appropriation, there is hereby appropriated, out of any moneys in the
23 general fund not otherwise appropriated, to the department of corrections,
24 for the fiscal year beginning July 1, 2012, the sum of \$11,840, or so much
25 thereof as may be necessary, to be allocated for the implementation of this
26 act for the purchase of computer center services.

27 (2) In addition to any other appropriation, there is hereby
28 appropriated to the governor - lieutenant governor - state planning and
29 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$11,840,
30 or so much thereof as may be necessary, for allocation to the office of
31 information technology, for the provision of computer center services for
32 the department of corrections related to the implementation of this act.
33 Said sum is from reappropriated funds received from the department of
34 corrections out of the appropriation made in subsection (1) of this
35 section."

36
37 Renumber succeeding section accordingly.

38
39 Page 1, line 102, strike "MURDER." and substitute "MURDER, AND, IN
40 CONNECTION THEREWITH, MAKING AN APPROPRIATION."."

41
42
43
44 **SB12-090** be postponed indefinitely.

45
46
47 **SB12-101** be referred to the Committee of the Whole with favorable
48 recommendation.

49
50
51 **SB12-108** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:

54
55 Amend reengrossed bill, page 7, line 14, strike "\$278,581" and substitute
56 "\$251,803".

1 Page 7, line 20, strike "\$278,581" and substitute "\$251,803".

2
3 Page 7, after line 24 insert:

4
5 "(3) In addition to any other appropriation, there is hereby
6 appropriated out of any moneys in the general fund not otherwise
7 appropriated, to the department of health care policy and financing, for
8 the fiscal year beginning July 1, 2012, the sum of \$126,000 or so much
9 thereof as may be necessary, for allocation to information technology
10 contracts for the implementation of this act. Said sum is subject to the
11 "(M)" notation as defined in the general appropriation act. In addition to
12 said appropriation, the general assembly anticipates that, for the fiscal
13 year beginning July 1, 2012, the department of health care policy and
14 financing will receive the sum of \$126,000 in federal funds for the
15 implementation of this act. Although the federal funds are not
16 appropriated in this act, they are noted for the purpose of indicating the
17 assumptions used relative to these funds in developing the state
18 appropriation amounts."

19
20
21
22 **SB12-116** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:

25
26 Amend the House Judiciary Committee Report dated May 3, 2012, page
27 4, strike lines 2 and 3 and substitute:

28
29 "Page 6, strike lines 14 through 22 and substitute:

30
31 "SECTION 8. In Colorado Revised Statutes, add 17-18-108 as
32 follows:

33 **17-18-108. Appropriation to comply with section 2-2-703 - SB**
34 **12-116 - repeal.** (1) PURSUANT TO SECTION 2-2-703, C.R.S., THE
35 FOLLOWING STATUTORY APPROPRIATIONS, OR SO MUCH THEREOF AS MAY
36 BE NECESSARY, ARE MADE IN ORDER TO IMPLEMENT SENATE BILL 12-116,
37 ENACTED IN 2012:

38 (a) FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, IN ADDITION
39 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
40 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
41 OTHERWISE APPROPRIATED, THE SUM OF TWENTY THOUSAND SEVEN
42 HUNDRED SIX DOLLARS (\$20,706).

43 (b) FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, IN ADDITION
44 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
45 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
46 OTHERWISE APPROPRIATED, THE SUM OF TWENTY THOUSAND SEVEN
47 HUNDRED SIX DOLLARS (\$20,706).

48 (c) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015, IN ADDITION
49 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
50 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
51 OTHERWISE APPROPRIATED, THE SUM OF TWENTY THOUSAND SEVEN
52 HUNDRED SIX DOLLARS (\$20,706).

53 (d) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, IN ADDITION
54 TO ANY OTHER APPROPRIATION, THERE IS HEREBY APPROPRIATED TO THE
55 DEPARTMENT, OUT OF ANY MONEYS IN THE GENERAL FUND NOT
56 OTHERWISE APPROPRIATED, THE SUM OF TWENTY THOUSAND SEVEN

1 HUNDRED SIX DOLLARS (\$20,706).

2 (2) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

3 **SECTION 9. Accountability.** One year after this act becomes".

4

5 Page 4 of the committee report, strike lines 12 through 14 and substitute:

6

7 "Page 1, line 103, strike "CATHINONE." and substitute "CATHINONE,

8 **REQUIRING A POST-ENACTMENT REVIEW OF THE IMPLEMENTATION OF**

9 **THIS ACT, AND MAKING AN APPROPRIATION."**.

10

11

12

13 **SB12-144** be postponed indefinitely.

14

15

16 **SB12-164** be referred to the Committee of the Whole with favorable
17 recommendation.

18

19

20

21

22 **ECONOMIC & BUSINESS DEVELOPMENT**

23 After consideration on the merits, the Committee recommends the
24 following:

25

26 **SB12-027** be referred to the Committee of the Whole with favorable
27 recommendation.

28

29

30 **SB12-177** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33

34 Amend reengrossed bill, page 3, strike lines 16 through 21 and substitute
35 "insurance and unemployment compensation. THE UNEMPLOYMENT
36 COMPENSATION FUND, CREATED IN SECTION 8-77-101, CONSTITUTES PART
37 OF THE ENTERPRISE ESTABLISHED PURSUANT TO THIS SUBSECTION (2)".

38

39 Page 4, strike lines 2 through 16 and substitute "SAME PURPOSES AND ON
40 THE SAME TERMS AND LEVY AND APPLY THE PROCEEDS OF BOND
41 ASSESSMENTS FOR THE SAME PURPOSES AND IN THE SAME MANNER AS THE
42 COLORADO HOUSING AND FINANCE AUTHORITY MAY ISSUE BONDS AND
43 LEVY AND APPLY THE PROCEEDS OF BOND ASSESSMENTS UNDER SECTION
44 29-4-710.7, C.R.S., SUBSTITUTING REFERENCES TO THE DIVISION FOR
45 REFERENCES TO THE AUTHORITY UNDER THAT SECTION. BOND
46 ASSESSMENTS LEVIED BY THE DIVISION MAY BE USED TO PAY REVENUE
47 BONDS ISSUED BY THE DIVISION UNDER THIS PARAGRAPH (d) OR REVENUE
48 BONDS ISSUED BY THE COLORADO HOUSING AND FINANCE AUTHORITY
49 UNDER SECTION 29-4-710.7, C.R.S.

50 (II) ANY BONDS ISSUED PURSUANT TO THIS PARAGRAPH (d) MUST".

51

52 Page 4, strike lines 18 and 19 and substitute "MAY BE IN THE FORM, MAY
53 BE SOLD AND MAY HAVE THE SAME TERMS AS PROVIDED IN SECTION
54 43-4-807 (1) (b) AND (1) (c), C.R.S., MAY CONTAIN THE PROVISIONS
55 PERMITTED BY SECTION 43-4-807 (1) (d), C.R.S., SHALL BE LEGAL
56 INVESTMENTS FOR THE ENTITIES DESCRIBED IN, SUBJECT TO THE TERMS

1 SET FORTH IN, SECTION 43-4-807 (3), C.R.S., AND SHALL BE EXEMPT FROM
2 TAXATION AND ASSESSMENTS IN THE STATE AS PROVIDED IN SECTION
3 43-4-807 (4), C.R.S. THE DIVISION MAY INVEST OR DEPOSIT ANY
4 PROCEEDS AND INTEREST FROM THE SALE OF SUCH BONDS AS PROVIDED IN
5 SECTION 43-4-807 (2), C.R.S. THE DIVISION SHALL HAVE THE POWER TO
6 ENTER INTO ALL OTHER CONTRACTS OR AGREEMENTS, WHICH CONTRACTS
7 AND AGREEMENTS ARE NOT SUBJECT TO THE "PROCUREMENT CODE",
8 ARTICLES 101 TO 112 OF TITLE 24, C.R.S., THAT ARE NECESSARY OR
9 INCIDENTAL TO THE EXERCISE OF ITS POWERS AND DUTIES UNDER THIS
10 PARAGRAPH (d), INCLUDING THE POWER TO ENGAGE THE SERVICES OF
11 CONSULTANTS, FINANCIAL ADVISORS, UNDERWRITERS, BOND INSURERS,
12 LETTER OF CREDIT BANKS, RATING AGENCIES, AGENTS AND OTHER
13 PERSONS WHOSE SERVICES MAY BE REQUIRED OR DEEMED ADVANTAGEOUS
14 BY THE DIVISION, AND THE POWER TO ENTER INTO INTEREST RATE
15 EXCHANGE AGREEMENTS FOR BONDS THAT HAVE BEEN ISSUED IN
16 ACCORDANCE WITH THIS PARAGRAPH (d). THE AMOUNT OF OUTSTANDING
17 LIABILITY FOR BONDS ISSUED PURSUANT TO THIS PARAGRAPH (d) OR
18 SECTION 29-4-710.7, C.R.S., IS NOT TAKEN INTO ACCOUNT FOR PURPOSES
19 OF RATE SETTING UNDER ARTICLE 76 OF THIS TITLE."

20
21 Page 6, line 13, strike "C.R.S." and substitute "C.R.S., AND MAY APPLY
22 AMOUNTS NECESSARY AND APPROPRIATE FROM THE UNEMPLOYMENT
23 COMPENSATION FUND TO THE REPAYMENT OF PRINCIPAL OF BONDS ISSUED
24 UNDER SECTION 8-71-103 (2) (d).".

25
26 Page 6, line 21, strike "C.R.S." and substitute "C.R.S., OR BY THE
27 DIVISION UNDER SECTION 8-71-103.".

28
29 Page 6, line 23, strike "transferred" and substitute "~~transferred~~ PAID".

30
31 Page 6, line 25, strike "C.R.S." and substitute "C.R.S., OR BY THE
32 DIVISION WITH RESPECT TO BONDS ISSUED UNDER SECTION 8-71-103.".

33
34 Page 7, line 13, after "C.R.S.," insert "OR SECTION 8-71-103 (2) (d)".

35
36 Page 8, line 8, strike "(b)" and substitute "(b) OR FROM REVENUES
37 GENERATED THROUGH THE LEVY BY THE DIVISION OF UNEMPLOYMENT
38 INSURANCE OF A BOND ASSESSMENT UNDER SECTION 8-71-103 (2) (d),
39 C.R.S.,".

40
41 Page 8, line 10, after "AUTHORITY" insert "OR MONEYS APPLIED BY THE
42 DIVISION".

43
44 Page 8, line 16, strike "on behalf of the authority" and substitute "~~on~~
45 ~~behalf of the authority~~".

46
47 Page 9, line 2, strike "TRANSFER" and substitute "PAY".

48
49 Page 9, line 4, strike "SECTION." and substitute "SECTION OR SECTION
50 8-71-103 (2) (d), C.R.S.".

51
52 Page 9, line 18, strike "transfer" and substitute "~~transfer~~ PAYMENT".

53
54 Page 9, line 19, strike "authority." and substitute "~~authority~~ ISSUER OF THE
55 BONDS.".

56

1 Page 9, line 20, strike "authority" and substitute "~~authority~~ ISSUER OF THE
2 BONDS".

3
4 Page 9, line 22, strike "authority shall transfer" and substitute "~~authority~~
5 ISSUER OF THE BONDS shall ~~transfer~~ PAY".

6
7 Page 10, line 13, strike "TRANSFER" and substitute "PAYMENT".
8
9
10
11

12 **JUDICIARY**

13 After consideration on the merits, the Committee recommends the
14 following:

15
16 **SB12-002** be referred favorably to the Committee on Finance.
17

18
19 **SB12-117** be referred favorably to the Committee on Appropriations.
20

21
22 **SB12-176** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:
25

26 Amend reengrossed bill, page 20, strike lines 1 through 4 and substitute:
27

28 "(III) PERFORMANCE, LOCATION, CONSTRUCTION, ALTERATION,
29 INSTALLATION, AND USE OF ON-SITE WASTEWATER TREATMENT SYSTEMS
30 PURSUANT TO ARTICLE 10 OF TITLE 25, C.R.S., WHICH ARE LOCATED
31 WITHIN A PROPERTY LINE."
32

33 Page 55, line 22, strike "primary" and substitute "~~primary~~".
34

35 Page 63, strike lines 1 through 10 and substitute:
36

37 **"SECTION 92. Act subject to petition - effective date.**

38 (1) Except as otherwise provided in subsection (2) of this section, this act
39 takes effect at 12:01 a.m. on the day following the expiration of the
40 ninety-day period after final adjournment of the general assembly (August
41 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
42 referendum petition is filed pursuant to section 1 (3) of article V of the
43 state constitution against this act or an item, section, or part of this act
44 within such period, then the act, item, section, or part will not take effect
45 unless approved by the people at the general election to be held in
46 November 2012 and, in such case, will take effect on the date of the
47 official declaration of the vote thereon by the governor.

48 (2)(a) Section 12-58-102 (5) introductory portion, as repealed and
49 reenacted in section 25 of this act, supersedes the amendment to this
50 provision in section 2 of House Bill 12-1126, and the superseded
51 provision takes effect either on the applicable effective date of this act or
52 House Bill 12-1126, whichever is later.
53

54 (b) Section 31 of this act shall not take effect if Senate Bill 12-104
55 is enacted and becomes law.

56 (c) Section 53 of this act shall not take effect if Senate Bill 12-158

1 is enacted and becomes law.

2 (d) Section 81 of this act shall not take effect if Senate Bill 12-157
3 is enacted and becomes law.".

4

5

6

7 **SCR12-001** be referred to the Committee of the Whole with favorable
8 recommendation.

9

10

11

12

13 **LEGISLATIVE COUNCIL**

14 After consideration on the merits, the Committee recommends the
15 following:

16

17 **SB12-086** be referred favorably to the Committee on Appropriations.

18

19

20

21

22 **STATE, VETERANS, & MILITARY AFFAIRS**

23 After consideration on the merits, the Committee recommends the
24 following:

25

26 **HCR12-1003** be postponed indefinitely.

27

28

29

30 On motion of Representative Stephens, **HB12-1355, 1357, 1358, 1361**
31 were added to the Special Orders Calendar on Friday, May 4, 2012.

32

33

34 On motion of Representative Waller, the House resolved itself into
35 Committee of the Whole for consideration of Special Orders and he was
36 called to the Chair to act as Chairman.

37

38

39 **SPECIAL ORDERS--SECOND READING OF BILLS**

40

41 The Committee of the Whole having risen, the Chairman reported the
42 titles of the following bills had been read (reading at length had been
43 dispensed with by unanimous consent), the bills considered and action
44 taken thereon as follows:

45

46 (Amendments to the committee amendment are to the printed committee
47 report which was printed and placed in the members' bill file.)

48

49 **HB12-1355** by Representative(s) Gerou, Becker, Levy; also Senator(s)
50 Hodge, Steadman, Lambert--Concerning the transfer of the
51 geological survey to the Colorado school of mines.

52

53 Amendment No. 1, Appropriations Report, dated May 1, 2012, and
54 placed in member's bill file; Report also printed in House Journal, May 1,
55 page 1220-1221.

56

1 Amendment No. 2, by Representative(s) Levy.

2
3 Amend Appropriations Committee Report, dated May 1, 2012, page 1,
4 strike line 1 and substitute:

5
6 "Amend printed bill, page 2, line 7, strike "1," and substitute "31,".
7 Page 2 of the bill, line 7, strike "**understanding - conforming**".

8
9 Page 1 of the committee report, after line 2 insert:

10
11 "Page 3 of the bill, line 19, strike "1," and substitute "31,".
12 Page 3 of the bill, line 27, strike "1," and substitute "31,".
13 Page 4 of the bill, line 5, strike "1," and substitute "31,".

14
15 Page 1 of the committee report, line 6, strike "January 31, 2013," and
16 substitute "December 1, 2012,".

17
18 Page 2 of the committee report, after line 6 insert:

19
20 "Page 11 of the bill, line 25, strike "1," and substitute "31,".
21 Page 11 of the bill, line 27, strike "1," and substitute "31,".
22 Page 12 of the bill, line 7, strike "1," and substitute "31,".

23
24 Page 3 of the committee report, after line 2 insert:

25
26 "Page 12 of the bill, line 17, strike "1," and substitute "31,".
27 Page 12 of the bill, line 20, strike "1," and substitute "31,".
28 Page 12 of the bill, line 22, strike "1," and substitute "31,".
29 Page 13 of the bill, line 4, strike "1," and substitute "31,".
30 Page 13 of the bill, line 16, strike "1," and substitute "31,".
31 Page 13 of the bill, line 26, strike "1," and substitute "31,".
32 Page 14 of the bill, line 23, strike "1," and substitute "31,".

33
34 As amended, ordered engrossed and placed on the Calendar for Third
35 Reading and Final Passage.

36
37 **HB12-1357** by Representative(s) Brown, Sonnenberg, Vigil; also
38 Senator(s) Renfroe, Bacon, Schwartz--Concerning the use
39 of unspent moneys after completion of capital construction
40 projects at state-supported institutions of higher education
41 authorized by a 2008 federal mineral lease revenues lease-
42 purchase agreement.

43
44 Ordered engrossed and placed on the Calendar for Third Reading and
45 Final Passage.

46
47 **HB12-1358** by Representative(s) Massey and McCann; also Senator(s)
48 Aguilar--Concerning funding issues related to medical
49 marijuana.

50
51 Amendment No. 1, Appropriations Report, dated May 3, 2012, and
52 placed in member's bill file; Report also printed in House Journal, May 3,
53 pages 1251-1252.

54
55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

1 **HB12-1361** by Representative(s) Gardner B. and Gerou; also
 2 Senator(s) Cadman and Nicholson--Concerning claims
 3 against the state arising under the "Colorado
 4 Governmental Immunity Act".

5
 6 Amendment No. 1, by Representative(s) Levy and Gardner B.

7
 8 Amend printed bill, page 3, line 22, strike "OR A PRESCRIBED FIRE".
 9 Page 3, line 23, strike "STARTED OR MAINTAINED BY THE STATE".

10
 11 Page 4, line 2, strike "FACILITY OR IN STARTING OR MAINTAINING SUCH
 12 FIRE." and substitute "FACILITY.".

13
 14 Page 4, line 20, strike "COURTS," and substitute "JUDICIAL DEPARTMENT,".
 15 Page 5, line 8, strike "DANGEROUS".

16
 17 Page 5, line 9, strike "CONDITION CAUSED BY A".

18
 19 Page 5, after line 20, insert:

20
 21 "(4) NO RULE OF LAW IMPOSING ABSOLUTE OR STRICT LIABILITY
 22 SHALL BE APPLIED IN ANY ACTION AGAINST THE STATE FOR AN INJURY
 23 RESULTING FROM A PRESCRIBED FIRE STARTED OR MAINTAINED BY THE
 24 STATE OR ANY OF ITS EMPLOYEES. NO LIABILITY SHALL BE IMPOSED IN ANY
 25 SUCH ACTION UNLESS NEGLIGENCE IS PROVEN.".

26
 27 Page 6, line 17, strike "ANY SUCH" and substitute "AN".

28
 29 Page 6, line 25, strike "SUBROGATION" and insert "SUBROGATION,
 30 ASSIGNMENT, OR ANY OTHER RIGHT".

31
 32 Page 6, line 26, after "CLAIMANT" insert "OR THE STATE".

33
 34 As amended, ordered engrossed and placed on the Calendar for Third
 35 Reading and Final Passage.

36
 37
 38

39 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

40
 41 Passed Second Reading: **HB12-1355 amended, 1357, 1358 amended,**
 42 **1361 amended.**

43
 44 The Chairman moved the adoption of the Committee of the Whole
 45 Report. As shown by the following roll call vote, a majority of those
 46 elected to the House voted in the affirmative, and the Report was
 47 **adopted.**

48

49	YES	64	NO	0	EXCUSED	1	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	E	Gerou	Y	McCann	Y	Soper	Y
53	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y

1	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
2	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
3	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
4	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
5	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
6	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
7	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
8	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
9	Fields	Y	Liston	Y	Singer	Y	Young	Y
10							Speaker	Y

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed:
HB12-1361.

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR12-1022.

The Senate has postponed indefinitely HB12-1161, HB12-1136,
 HB12-1333 and HJR12-1019. The bills are returned herewith.

The Senate has passed on Third Reading and returns herewith
 HB12-1272.

The Senate has passed on Third Reading and transmits to the Revisor of
 Statutes:

HB12-1238 amended as printed in Senate Journal, May 3, 2012,
 pages 1054-1056.

HB12-1237 amended as printed in Senate Journal, May 3, 2012,
 page 1056.

The Senate has postponed indefinitely HB12-1319. The bill is returned
 herewith.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1237 and 1238.

INTRODUCTION OF RESOLUTION

The following resolution was read by title and laid over one day under the rules:

HJR12-1024 by Representative(s) McNulty, Ferrandino; also Senator(s) Shaffer B., Cadman--Concerning divestment from Iran for its continued pursuit of nuclear weapons.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until May 7, retaining place on Calendar:

Consideration of Third Reading--**SB12-160, 026, 078, HB12-1349.**

Consideration of General Orders--**SB12-118, HB12-1109, 1347, 1278, 1354, SB12-044, 051, 068, HB12-1359, SB112-166, 159, 175.**

Consideration of Conference Committee Report(s)--**HB12-1002, SB12-020.**

Consideration of Resolution(s)--**HJR12-1020, SJR12-041, HJR12-1023, SJR12-025, 043, 044.**

Consideration of Memorial(s)--**SJM12-003.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1270, 1275, 1059, 1081, 1304, 1324, 1124, 1041, 1068, 1226, 1274, 1294, 1303, 1036, 1043, 1086.**

On motion of Representative Waller, the House adjourned until 10:00 a.m., May 7, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-eighteenth Legislative Day Monday, May 7, 2012

1 The Speaker called the House to order at 10:00 a.m.

2

3 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.

4

5 Pledge of Allegiance led by Andrew Craig, Burak Karaoglu, Shehab
6 Solimon from Lotus School for Excellence, Aurora, Colorado.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) McCann--1.

12 Present after roll call--Representative(s) McCann.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Jones, the reading of the journal of
18 May 4, 2012, was declared dispensed with and approved as corrected by
19 the Chief Clerk.

20

21

22 House in recess. House reconvened.

23

24

25

26 **THIRD READING OF BILL(S)--FINAL PASSAGE**

27

28 The following bill(s) was(were) considered on Third Reading. The
29 title(s) was(were) publicly read. Reading of the bill at length was
30 dispensed with by unanimous consent.

31

32 **HB12-1349** by Representative(s) Baumgardner, Brown, Coram,
33 Fischer, Hulinghorst, Jones, Joshi, Looper, McKinley,
34 McNulty, Ryden, Scott, Swerdfeger, Vigil, Wilson; also
35 Senator(s) Schwartz--Concerning the species conservation
36 trust fund.

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	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	E	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Barker, Becker, Gerou, Hamner,
20 Kerr J., Labuda, Pabon, Pace, Schafer S., Sonnenberg, Tyler, Young.

21
22 **HB12-1355** by Representative(s) Gerou, Becker, Levy; also Senator(s)
23 Hodge, Steadman, Lambert--Concerning the transfer of the
24 geological survey to the Colorado school of mines.

25
26 The question being "Shall the bill pass?".
27 A roll call vote was taken. As shown by the following recorded vote, a
28 majority of those elected to the House voted in the affirmative and the bill
29 was declared **passed**.

	YES	42	NO	22	EXCUSED	1	ABSENT	0
31								
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	E	Soper	N
35	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
36	Becker	Y	Holbert	Y	Miklosi	Y	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	Y	Szabo	Y
40	Casso	N	Kagan	N	Pace	N	Todd	Y
41	Conti	Y	Kefalas	N	Peniston	N	Tyler	Y
42	Coram	Y	Kerr A.	Y	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	Y	Schafer S.	Y	Williams A.	N
46	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
47	Fields	N	Liston	Y	Singer	N	Young	N
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Coram, Kerr J., Summers.

50
51 **HB12-1357** by Representative(s) Brown, Sonnenberg, Vigil; also
52 Senator(s) Renfroe, Bacon, Schwartz--Concerning the use
53 of unspent moneys after completion of capital construction
54 projects at state-supported institutions of higher education
55 authorized by a 2008 federal mineral lease revenues lease-
56 purchase agreement.

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	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

24 Co-sponsor(s) added: Representative(s) Barker, Baumgardner, Bradford,
 25 Coram, Fischer, Gerou, Holbert, Kerr J., Labuda, Pace, Priola, Wilson.

26
 27 **HB12-1358** by Representative(s) Massey and McCann; also Senator(s)
 28 Aguilar--Concerning funding issues related to medical
 29 marijuana, and, in connection therewith, making an
 30 appropriation.

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	43	NO	21	EXCUSED	1	ABSENT	0
38	Acree	N	Fischer	Y	Looper	N	Solano	Y
39	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
40	Barker	N	Gerou	Y	McCann	E	Soper	Y
41	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
42	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
43	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
44	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
45	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
46	Casso	N	Kagan	Y	Pace	Y	Todd	Y
47	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
48	Coram	N	Kerr A.	Y	Priola	Y	Vaad	N
49	Court	Y	Kerr J.	N	Ramirez	N	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	N	Wilson	Y
53	Fields	Y	Liston	N	Singer	Y	Young	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Fields, Hamner,
 56 Labuda, Williams A., Wilson, Young.

1 **HB12-1361** by Representative(s) Gardner B. and Gerou; also
 2 Senator(s) Cadman and Nicholson--Concerning claims
 3 against the state arising under the "Colorado
 4 Governmental Immunity Act".

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

10

	YES	59	NO	5	EXCUSED	1	ABSENT	0
12	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
13	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
14	Barker	Y	Gerou	Y	McCann	E	Soper	N
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	N
24	DelGrosso	Y	Labuda	N	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	N	Liston	Y	Singer	Y	Young	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Barker, Casso, Ferrandino, Fischer,
 30 Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J., Looper, Pabon, Pace,
 31 Peniston, Priola, Scott, Solano, Summers, Todd, Williams A., Young.

32

33

34

35 On motion of Representative Liston, the House resolved itself into
 36 Committee of the Whole for consideration of General Orders, and he was
 37 called to the Chair to act as Chairman.

38

39

40 **GENERAL ORDERS--SECOND READING OF BILLS**

41

42 The Committee of the Whole having risen, the Chairman reported the
 43 titles of the following bills had been read (reading at length had been
 44 dispensed with by unanimous consent), the bills considered and action
 45 taken thereon as follows:

46

47 (Amendments to the committee amendment are to the printed committee
 48 report which was printed and placed in the members' bill file.)

49

50 **SB12-118** by Senator(s) White, Jahn; also Representative(s) Acree--
 51 Concerning the repeal of the requirement for a hotel and
 52 restaurant alcohol license that twenty-five percent of sales
 53 must be from meals.

54

55 Ordered revised and placed on the Calendar for Third Reading and Final
 56 Passage.

1 **HB12-1278** by Representative(s) Fischer; also Senator(s) Renfroe--
 2 Concerning groundwater in the South Platte river basin.
 3

4 Laid over until later in the day.
 5

6 A motion by Representative Waller that the Committee rise, report
 7 progress and beg leave to sit again at 1:30 p.m., was adopted by
 8 unanimous consent. (General Orders continued on page 1280.)
 9

10 House reconvened.
 11
 12

13 The Committee of the Whole reported it had risen, reported progress and
 14 would sit again at 1:30 p.m.
 15

18 CONSENT GRANTED TO CONFERENCE COMMITTEE

19
 20 Representative Young moved that the First Conference Committee on
 21 **HB12-1168** be granted permission to go beyond the scope of the
 22 difference between the House and the Senate. The motion was passed by
 23 the following roll call vote:
 24

25	YES	64	NO	0	EXCUSED	0	ABSENT	1
26	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
27	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
28	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
29	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
30	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
31	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
32	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
33	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
34	Casso	Y	Kagan	Y	Pace	-	Todd	Y
35	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
36	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
37	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
38	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
39	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
40	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
41	Fields	Y	Liston	Y	Singer	Y	Young	Y
42							Speaker	Y

45 APPOINTMENT

46
 47 The Speaker announced the temporary appointment:
 48

49 JUDICIARY

50 Representative Levy to replace Representative Ryden to the Committee
 51 on Judiciary (temporary appointment for the Monday meeting only on
 52 May 7, 2012).
 53

54 House in recess. House reconvened.
 55
 56

1 On motion of Representative Liston, the House resolved itself into
2 Committee of the Whole for continuation of consideration of General
3 Orders, and he returned to the Chair to act as Chairman.

4
5
6 **GENERAL ORDERS--SECOND READING OF BILLS**

7 (Continued from page 1279)
8

9 **HB12-1278** by Representative(s) Fischer; also Senator(s) Renfroe--
10 Concerning groundwater in the South Platte river basin.
11

12 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
13 dated April 25, 2012, and placed in member's bill file; Report also
14 printed in House Journal, April 25, pages 1133-1136.
15

16 Amendment No. 2, Appropriations Report, dated April 27, 2012, and
17 placed in member's bill file; Report also printed in House Journal,
18 April 27, page 1181.
19

20 Amendment No. 3, by Representative(s) Levy.
21

22 Amend the corrected Agriculture, Livestock, and Natural Resources
23 Committee Report, dated April 25, 2012, page 3, line 8, strike "IS
24 RESTRICTED TO" and substitute "MUST EXAMINE".
25

26 Page 3, line 10, strike "OF" and substitute "TO".
27

28 Amendment No. 4, by Representative(s) Sonnenberg.

29 Amend Agriculture, Livestock, and Natural Resources committee report,
30 dated April 23, 2012, page 1, strike lines 22 and 23.
31

32 Page 2, strike lines 1 through 5.
33

34 Renumber succeeding subsection accordingly.
35

36 Amendment No. 5, by Representative(s) Looper.
37

38 Amend Agriculture, Livestock, and Natural Resources committee report,
39 dated April 25, 2012, page 2, line 15, strike "state." and substitute "state;
40 and

41 (d) The general assembly hereby further declares that the rising
42 waters in the South Platte river alluvium constitute a state of emergency."
43

44 Page 4, strike 31 through 39 and substitute:

45 **"SECTION 4. Appropriation.** In addition to any other
46 appropriation, there is hereby appropriated, out of any moneys in the
47 disaster emergency fund, established in section 24-32-2016 (2) (a) (I),
48 Colorado Revised Statutes, not otherwise appropriated, to the department
49 of natural resources, for the fiscal year beginning July 1, 2012, the sum
50 of \$910,900, or so much thereof as may be necessary, for allocation to the
51 Colorado water conservation board for the implementation of this act."
52

53 Renumber succeeding section accordingly.
54

55 As amended, ordered engrossed and placed on the Calendar for Third
56 Reading and Final Passage.

- 1 **HB12-1360** by Representative(s) Gerou and Levy, Becker; also
2 Senator(s) Steadman and Lambert, Hodge--Concerning the
3 transfer of up to four million dollars from the general fund
4 to the Colorado economic development fund based upon
5 the amount by which the June 2012 estimate of general
6 fund revenue for the 2011-12 fiscal year exceeds the
7 March 2012 estimate of general fund revenue for the
8 2011-12 fiscal year.
9
- 10 Amendment No. 1, Appropriations Report, dated May 3, 2012, and
11 placed in member's bill file; Report also printed in House Journal, May 3,
12 page 1252.
13
- 14 As amended, ordered engrossed and placed on the Calendar for Third
15 Reading and Final Passage.
16
- 17 **HB12-1359** by Representative(s) Vaad; also Senator(s) Jahn--
18 Concerning the prohibition of internet lottery.
19
- 20 Amendment No. 1, Finance Report, dated May 2, 2012, and placed in
21 member's bill file; Report also printed in House Journal, May 2,
22 page 1244.
23
- 24 As amended, ordered engrossed and placed on the Calendar for Third
25 Reading and Final Passage.
26
- 27 **SB12-044** by Senator(s) Guzman; also Representative(s) Pabon--
28 Concerning failure to present valid evidence of mass
29 transit fare payment, and, in connection therewith, making
30 an appropriation.
31
- 32 Amendment No. 1, Transportation Report, dated April 18, 2012, and
33 placed in member's bill file; Report also printed in House Journal,
34 April 19, page 1045.
35
- 36 As amended, ordered revised and placed on the Calendar for Third
37 Reading and Final Passage.
38
- 39 **SB12-166** by Senator(s) Giron and Roberts; also Representative(s)
40 Priola and Williams A.--Concerning the coordination of
41 various economic development reports, and, in connection
42 therewith, requiring the Colorado office of economic
43 development to report annually to the general assembly
44 regarding the programs it administers.
45
- 46 Amendment No. 1, Finance Report, dated May 2, 2012, and placed in
47 member's bill file; Report also printed in House Journal, May 2,
48 pages 1244-1245.
49
- 50 As amended, ordered revised and placed on the Calendar for Third
51 Reading and Final Passage.
52
- 53 **SB12-175** by Senator(s) Carroll and Roberts; also Representative(s)
54 Gardner B. and Duran--Concerning statutorily established
55 time intervals.
56

1 Amendment No. 1, Judiciary Report, dated May 1, 2012, and placed in
 2 member's bill file; Report also printed in House Journal, May 2,
 3 page 1273.

4
 5 Amendment No. 2, by Representative(s) Gardner B.

6
 7 Amend reengrossed bill, page 143, after line 15, insert:

8
 9 "SECTION 173. In Colorado Revised Statutes, 1-40-107, **amend**
 10 (2) as follows:

11 **1-40-107. Rehearing - appeal - fees - signing.** (2) If any person
 12 presenting an initiative petition for which a motion for a rehearing is
 13 filed, any registered elector who filed a motion for a rehearing pursuant
 14 to subsection (1) of this section, or any other registered elector who
 15 appeared before the title board in support of or in opposition to a motion
 16 for rehearing is not satisfied with the ruling of the title board upon the
 17 motion, then the secretary of state shall furnish such person, upon request,
 18 a certified copy of the petition with the titles and submission clause of the
 19 proposed law or constitutional amendment, together with a certified copy
 20 of the motion for rehearing and of the ruling thereon. If filed with the
 21 clerk of the supreme court within ~~five~~ SEVEN days thereafter, the matter
 22 shall be disposed of promptly, consistent with the rights of the parties,
 23 either affirming the action of the title board or reversing it, in which latter
 24 case the court shall remand it with instructions, pointing out where the
 25 title board is in error."

26
 27 Renumber succeeding sections accordingly.

28
 29 As amended, ordered revised and placed on the Calendar for Third
 30 Reading and Final Passage.

31 32 33 34 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

35
 36 Passed Second Reading: **SB12-118, HB12-1278 amended, 1360**
 37 **amended, 1359 amended, SB12-044 amended, 166 amended, 175**
 38 **amended.**

39
 40 The Chairman moved the adoption of the Committee of the Whole
 41 Report. As shown by the following roll call vote, a majority of those
 42 elected to the House voted in the affirmative, and the Report was
 43 **adopted.**

44	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
46	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
47	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
48	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
49	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
50	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
51	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
52	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
53	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
54	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
55	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
56								

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							Speaker	Y

7
8
9
10 On motion of Representative Stephens, **HB12-1252** was made Special
11 Orders on Monday, May 7, 2012, at 2:32 p.m.
12
13

14 The hour of 2:32 p.m., having arrived, on motion of Representative
15 Liston, the House resolved itself into Committee of the Whole for
16 consideration of Special Orders and he was called to the Chair to act as
17 Chairman.
18
19

20 SPECIAL ORDERS--SECOND READING OF BILLS

21
22 The Committee of the Whole having risen, the Chairman reported the
23 titles of the following bills had been read (reading at length had been
24 dispensed with by unanimous consent), the bills considered and action
25 taken thereon as follows:
26

27 (Amendments to the committee amendment are to the printed committee
28 report which was printed and placed in the members' bill file.)
29

30 **HB12-1252** by Representative(s) Nikkel; also Senator(s) Spence--
31 Concerning the creation of an on-line database for a state
32 institution of higher education's financial information.
33

34 Amendment No. 1, Appropriations Report, dated May 4, 2012, and
35 placed in member's bill file; Report also printed in House Journal, May 4,
36 pages 1264-1265.
37

38 Amendment No. 2, by Representative(s) Nikkel.
39

40 Amend the Appropriations Committee Report, dated May 3, 2012, page
41 1, line 1, before line 1 insert:
42

43 "Amend printed bill, page 4, strike lines 14 through 27.
44

45 Page 5, strike lines 1 and 2 and substitute:
46

47 "SECTION 5. In Colorado Revised Statutes, add 24-72.4-106 as
48 follows:
49

50 **24-72.4-106. State institution of higher education - revenue**
51 **and expenditure - inclusion on web-based system.** (1) NO LATER THAN
52 JULY 1, 2013, THE CHIEF INFORMATION OFFICER SHALL MODIFY THE
53 WEB-BASED SYSTEM TO INCLUDE REVENUE AND EXPENDITURE
54 INFORMATION FOR EACH STATE INSTITUTION OF HIGHER EDUCATION. A
55 STATE INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE ALL OF THE
56 INFORMATION SET FORTH IN THIS SECTION TO THE CHIEF INFORMATION
OFFICER. THE INFORMATION FOR EACH STATE INSTITUTION OF HIGHER

1 EDUCATION SHALL BE SEPARATELY INCLUDED IN THE WEB-BASED SYSTEM.
 2 (2) EXCEPT AS OTHERWISE SET FORTH IN THIS SECTION, A STATE
 3 INSTITUTION OF HIGHER EDUCATION SHALL PROVIDE TO THE CHIEF
 4 INFORMATION OFFICER THE SAME INFORMATION RELATED TO ITS
 5 REVENUES AND EXPENDITURES AS THE DEPARTMENT OF TRANSPORTATION
 6 IS REQUIRED TO INCLUDE IN THE ON-LINE DATABASE PURSUANT TO
 7 SECTION 24-72.4-105."

8
 9 As amended, laid over until May 8, and returned to the General Orders
 10 Calendar.

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

15 Laid over until date indicated retaining place on General Orders Calendar:
 16 **HB12-1252 amended--May 8, 2012.**

18 The Chairman moved the adoption of the Committee of the Whole
 19 Report. As shown by the following roll call vote, a majority of those
 20 elected to the House voted in the affirmative, and the Report was
 21 **adopted.**

YES	54	NO	11	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	N
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	N	Szabo	Y
Casso	N	Kagan	Y	Pace	N	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y	Labuda	N	Ryden	Y	Waller	Y
Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	N	Levy	Y	Scott	Y	Wilson	N
Fields	Y	Liston	Y	Singer	Y	Young	N
						Speaker	Y

CONSIDERATION OF RESOLUTION(S)

46 **HJR12-1023** by Representative(s) McNulty and Stephens, Waller,
 47 Nikkel, Murray, Priola, Becker, Bradford, DelGrosso,
 48 Gardner B., Gerou, Kerr J., Liston, Massey, Sonnenberg,
 49 Summers, Vaad--Concerning authorizing and directing the
 50 committee on legal services to retain legal counsel to
 51 represent the General Assembly as amicus curiae in the
 52 case of Lobato v. State of Colorado for the purpose of
 53 preserving and protecting the General Assembly's plenary
 54 power under the doctrine of separation of powers.

56 (Printed and placed in members' file)

1 On motion of Representative McNulty, the resolution was **adopted** by
2 **viva voce** vote.

3
4 Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Beezley,
5 Conti, Coram, Holbert, Joshi, Looper, Pabon, Ramirez, Scott, Swalm,
6 Swerdfeger, Szabo.

7
8 House in recess. House reconvened.
9

10 11 12 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

13 14 **APPROPRIATIONS**

15 After consideration on the merits, the Committee recommends the
16 following:

17
18 **SB12-005** be referred to the Committee of the Whole with favorable
19 recommendation.
20

21
22 **SB12-047** be amended as follows, and as so amended, be referred to
23 the Committee of the Whole with favorable
24 recommendation:
25

26 Amend reengrossed bill, page 15, strike lines 15 through 21 and
27 substitute:

28 **"SECTION 11. Appropriation.** In addition to any other
29 appropriation, there is hereby appropriated, out of any moneys in the state
30 public school fund created in section 22-54-114 (1), Colorado Revised
31 Statutes, not otherwise appropriated, to the department of education, for
32 the fiscal year beginning July 1, 2012, the sum of \$1,000,000, or so much
33 thereof as may be necessary, for the implementation of section 22-2-112
34 (4), Colorado Revised Statutes.

35 **SECTION 12. Appropriation - adjustments in 2012 long bill.**
36 For the implementation of this act, the cash funds appropriations made in
37 the annual general appropriation act to the department of education for
38 the fiscal year beginning July 1, 2012, for the Colorado student
39 assessment program, is decreased by \$1,000,000. Said sum is from the
40 state public school fund created in section 22-54-114 (1), Colorado
41 Revised Statutes."
42

43 Renumber succeeding section accordingly.
44
45
46
47

48 **FINANCE**

49 After consideration on the merits, the Committee recommends the
50 following:

51
52 **SB12-002** be referred favorably to the Committee on Appropriations.
53

54
55 **SB12-104** be referred favorably to the Committee on Appropriations.
56

1 **HEALTH & ENVIRONMENT**

2 After consideration on the merits, the Committee recommends the
3 following:

4
5 **SB12-173** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
9

10 **MESSAGE(S) FROM THE SENATE**

11
12 The Senate has granted permission to the First Conference Committee to
13 go beyond the scope of the differences between the two houses, on
14 HB12-1168.
15

16 The Senate has postponed indefinitely HB12-1101. The bill is returned
17 herewith
18
19

20 The Senate has passed on Third Reading and returns herewith
21 HB12-1314, HB12-1084.
22

23 The Senate has passed on Third Reading and transmits to the Revisor of
24 Statutes:
25

26 SB12-169 amended on Third Reading, May 7, 2012, as printed in
27 the Senate Journal.

28 SB12-174 amended as printed in Senate Journal, May 4, 2012,
29 page 1092.

30 SB12-155 amended as printed in Senate Journal, May 4, 2012,
31 pages 1093-1096.

32 SB12-105 amended as printed in Senate Journal, May 4, 2012,
33 pages 1096-1099, and amended on Third Reading,
34 May 7, 2012, as printed in the Senate Journal.

35 SB12-171 amended as printed in Senate Journal, May 4, 2012,
36 page 1099.

37 SB12-182 amended as printed in Senate Journal, May 4, 2012,
38 page 1099.

39 HB12-1329 amended as printed in Senate Journal, May 4, 2012,
40 page 1096.

41 HB12-1223 amended as printed in Senate Journal, May 4, 2012,
42 page 1099.

43 HB12-1267 amended as printed in Senate Journal, May 4, 2012,
44 page 1100.
45

46 The Senate has postponed indefinitely HB12-1306 and HB12-1218. The
47 bills are returned herewith.
48
49

50 The Senate has postponed indefinitely HB12-1069. The bill is returned
51 herewith
52
53
54
55
56

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1329, 1223, and 1267.

Without comment, as amended, SB12-174, 169, 155, 105, 171, and 182.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 7th day of May, 2012, at 3:10 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

May 7, 2012

The Honorable Colorado State House
Sixty-Eighth General Assembly
Second Regular Session
State Capitol
Denver, CO 80203

Dear Colleagues:

We are filing today with the Secretary of State House Bill 12-1348, "Concerning the powers of the legislative department with respect to capitol buildings group space, and, in connection therewith, providing for the designation of space for the members of the General Assembly, legislative staff, and legislative staff agencies and the furnishing and equipping thereof, and granting the control of legislative spaces to the legislative department."

I will neither sign nor veto House Bill 12-1348. Therefore, this bill will become law at 12:01 a.m. on May 8, 2012. This letter sets forth my reasons for allowing this bill to become law without my signature.

House Bill 12-1348 proceeds without a master plan for maximizing use of the State's buildings in Denver or for controlling costs across all branches of government in the face of rising leasing expenses. The Department of Personnel and Administration (DPA) presented a preliminary plan to the Capital Development Committee in December, 2011 outlining cost-effective plans for converting 1525 Sherman St. from use by the Attorney General's Office and consolidating two leased spaces into that building. Rather than working with DPA to adapt the submitted long-range plan, House Bill 12-1348 makes hasty decisions, the full financial impact of which will be borne by future General Assemblies.

For example, House Bill 12-1348 designates parking spaces in proportion to the space assigned to the General Assembly in the building at 1525 Sherman St. Currently, the State charges market rate for parking in state-owned lots and the revenue is used to repay certificates of participation (COP). Revenue for these COP payments will be reduced to the extent that the General Assembly does not pay for its proportionate share of the parking, requiring new financial outlays to meet the COP payments of the parking structure.

1 Also at issue in House Bill 12-1348 are public safety concerns and the financial
2 resources required to allay those concerns. The tunnels between buildings are
3 primarily corridors for utilities, the staff that service those utilities, and the State
4 Patrol. Opening the tunnels to the General Assembly and staff represents a
5 serious employee safety hazard, exacerbated by the lack of communication in
6 the tunnels. Upgrading the accessibility of the tunnels and installing
7 communication equipment may require significant future appropriations. In
8 their current state, the tunnels present serious liabilities to the State through
9 potential workers' compensation claims or lawsuits.

10

11 Despite our concerns for financial planning and public safety, options remain
12 to address these issues and the Executive Committee of Legislative Services
13 maintains control over these new legislative areas. Our administration will
14 engage with the Executive Committee to address the issues raised by House Bill
15 12-1348.

16

17 For these reasons, I am allowing House Bill 12-1348 to become law without my
18 signature.

19

20 Sincerely,

21 (signed)

22 John W. Hickenlooper

23 Governor

24

25

26 May 7, 2012

27

28 To the Honorable House of Representatives

29 Sixty-Eighth General Assembly

30 Second Regular Session

31 State Capitol

32 Denver, CO 80203

33

34 Ladies and Gentlemen:

35

36 I have the honor to inform you that I have approved and filed with the
37 Secretary of State the following Acts:

38

39 **HB12-1335** CONCERNING THE PROVISION FOR PAYMENT OF THE
40 EXPENSES OF THE EXECUTIVE, LEGISLATIVE, AND
41 JUDICIAL DEPARTMENTS OF THE STATE OF COLORADO,
42 AND OF ITS AGENCIES AND INSTITUTIONS FOR AND
43 DURING THE FISCAL YEAR BEGINNING JULY 1, 2012,
44 EXCEPT AS OTHERWISE NOTED.

45

46 Approved May 7, 2012 at 1:23 pm

47

48 Sincerely,

49 (signed)

50 John W. Hickenlooper

51 Governor

52

53

54

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56

INTRODUCTION OF BILLS
First Reading

The following bills were read by title and referred to the committees indicated:

SB12-105 by Senator(s) Steadman, Carroll, Guzman; also Representative(s) Levy, Hulinghorst, Lee, Pabon--Concerning provisions that improve the reintegration opportunities for persons involved in the criminal justice system, and, in connection therewith, making and reducing appropriations.

Committee on State, Veterans, & Military Affairs

SB12-155 by Senator(s) Heath and White; also Representative(s) Court and Murray--Concerning procedures to protect transparency in elections while preserving the integrity of ballots in connection with a request for public inspection of ballots under the "Colorado Open Records Act".

Committee on State, Veterans, & Military Affairs

SB12-169 by Senator(s) Tochtrop; also Representative(s) Sonnenberg--Concerning the administration of county powers to maintain the landscape.

Committee on Agriculture, Livestock, & Natural Resources

SB12-171 by Senator(s) Shaffer B. and Brophy; also Representative(s) Becker--Concerning the creation of the Colorado conservation and recreation fund, and, in connection therewith, creating the Colorado conservation license plate and making an appropriation.

Committee on Transportation

Committee on Finance

SB12-174 by Senator(s) Johnston; also Representative(s) Pabon--Concerning the creation of a pilot alternate property tax valuation protest and appeal procedure for the city and county of Denver.

Committee on State, Veterans, & Military Affairs

SB12-182 by Senator(s) Bacon and Mitchell, Heath, Johnston, Shaffer B., Cadman, Harvey; also Representative(s) Massey, Ramirez--Concerning benefit corporations, and, in connection therewith, making an appropriation.

Committee on Economic and Business Development

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Waller, the following item(s) on the Calendar was (were) laid over until May 8, retaining place on Calendar:

Consideration of Third Reading--**SB12-160, 026, 078.**

Consideration of General Orders--**HB12-1109, 1347, 1354, SB12-051, 068, 159, 046, 170.**

1 Consideration of Conference Committee Report(s)--**HB12-1002,**
2 **SB12-020.**

3 Consideration of Resolution(s)--**HJR12-1020, SJR12-041, 025, 043, 044,**
4 **HJR12-1024.**

5 Consideration of Memorial(s)--**SJM12-003.**

6 Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1270,**
7 **1275, 1059, 1081, 1304, 1324, 1124, 1041, 1068, 1226, 1274, 1294,**
8 **1303, 1036, 1043, 1086, 1237, 1238.**

9

10

11

12 On motion of Representative Gardner, the House adjourned until
13 9:00 a.m., May 8, 2012.

14

15

16

17

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19

20

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-nineteenth Legislative Day

Tuesday, May 8, 2012

1 The Speaker called the House to order at 9:00 a.m.

2

3 Prayer by Father Timothy McMahon, Arrupe Jesuit High School, Denver.

4

5 Pledge of Allegiance led by Ashton Legendre, Mallory Miller, Jade
6 Owens, Heather DeMille from Heritage Elementary, Pueblo.

7

8 The roll was called with the following result:

9

10 Present--65.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Jones, the reading of the journal of
16 May 7, 2012, was declared dispensed with and approved as corrected by
17 the Chief Clerk.

18

19

20

21 **THIRD READING OF BILL(S)--FINAL PASSAGE**

22

23 The following bill(s) was(were) considered on Third Reading. The
24 title(s) was(were) publicly read. Reading of the bill at length was
25 dispensed with by unanimous consent.

26

27 **SB12-160** by Senator(s) Hudak; also Representative(s) Duran--
28 Concerning parent involvement in public education
29 advisory committees.

30

31 The question being "Shall the bill pass?".

32 A roll call vote was taken. As shown by the following recorded vote, a
33 majority of those elected to the House voted in the affirmative and the bill
34 was declared **passed**.

35

	YES	57	NO	8	EXCUSED	0	ABSENT	0
37	Acree	Y	Fischer	Y	Looper	N	Solano	Y
38	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
39	Barker	N	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
42	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
43	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y

1	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
2	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
3	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
4	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
5	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
6	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
7	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
8	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
9	Fields	Y	Liston	Y	Singer	Y	Young	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Casso, Fields, Fischer, Hamner,
 12 Hulinghorst, Jones, Kerr A., Labuda, Pabon, Pace, Peniston, Ryden, Schafer S.,
 13 Singer, Solano, Todd, Vigil, Williams A., Wilson, Young.

14
 15 **SB12-026** by Senator(s) Cadman; also Representative(s) Vaad--
 16 Concerning a state agency rule that creates a state mandate
 17 on a local government.

18
 19 The question being "Shall the bill pass?".
 20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.

24	YES	64	NO	1	EXCUSED	0	ABSENT	0
25	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
26	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
31	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
33	Casso	N	Kagan	Y	Pace	Y	Todd	Y
34	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
36	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
38	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
39	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
40	Fields	Y	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Barker, Beezley, Bradford, Brown,
 43 Coram, Gerou, Kerr J., Labuda, Miklosi, Pabon, Pace, Scott, Summers, Tyler.

44
 45 **SB12-078** by Senator(s) Hudak, Aguilar, Jahn, Newell, Roberts,
 46 Tochtrop, White, Williams S.; also Representative(s)
 47 Schafer S., Fischer, Kerr A., Kerr J., Ramirez--Concerning
 48 protections for at-risk adults.

49
 50 As shown by the following roll call vote, a majority of all members
 51 elected to the House voted in the affirmative, and Representative
 52 Schafer S. was given permission to offer a Third Reading amendment:

54	YES	50	NO	15	EXCUSED	0	ABSENT	0
55	Acree	N	Fischer	Y	Looper	Y	Solano	Y
56	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N

1	Barker	N	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	N	Holbert	Y	Miklosi	Y	Summers	N
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	N
6	Brown	N	Joshi	N	Pabon	Y	Szabo	N
7	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
8	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
9	Coram	N	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	N	Wilson	Y
14	Fields	Y	Liston	Y	Singer	Y	Young	Y
15							Speaker	Y

Third Reading amendment No. 1, by Representative Schafer S.

Amend reengrossed bill, page 9, after line 21, insert:

"(8) NOTHING IN THIS SECTION SHALL BE INTERPRETED TO REQUIRE ANY PERSON, INCLUDING BUT NOT LIMITED TO A PERSON DESCRIBED IN PARAGRAPH (b) OF SUBSECTION (1) OF THIS SECTION, TO REPORT A CASE OR A SUSPECTED CASE OF MISTREATMENT, SELF-NEGLECT, OR EXPLOITATION OF AN AT-RISK ADULT."

On motion of Representative Schafer S., the amendment was withdrawn.

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** (unamended on third reading).

YES	59	NO	6	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	N	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	Y	Murray	N	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	N	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	N
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) Acree, Brown, Casso, Court, Fields, Hamner, Hulinghorst, Jones, Kefalas, Labuda, Lee, Levy, Looper, McCann, Miklosi, Pabon, Peniston, Ryden, Singer, Solano, Soper, Stephens, Summers, Todd, Tyler, Vigil, Wilson, Young.

1 **SB12-118** by Senator(s) White, Jahn; also Representative(s) Acree--
 2 Concerning the repeal of the requirement for a hotel and
 3 restaurant alcohol license that twenty-five percent of sales
 4 must be from meals.

5
 6 The question being "Shall the bill pass?".
 7 A roll call vote was taken. As shown by the following recorded vote, a
 8 majority of those elected to the House voted in the affirmative and the bill
 9 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	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	Y	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

29 Co-sponsor(s) added: Representative(s) Beezley, Conti, DelGrosso, Gardner B.,
 30 Holbert, Kerr A., Kerr J., Nikkel, Pabon, Ramirez, Scott, Singer, Tyler, Vigil,
 31 Wilson, Young.

32
 33 **HB12-1278** by Representative(s) Fischer; also Senator(s) Renfro--
 34 Concerning the authorization of a study of the South Platte
 35 river alluvial aquifer, and, in connection therewith, making
 36 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**.

	YES	58	NO	7	EXCUSED	0	ABSENT	0
44	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
45	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	Y
46	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
47	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
49	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
50	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
51	Brown	Y	Joshi	N	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.	N	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	N	Scott	Y	Wilson	Y
3	Fields	Y	Liston	Y	Singer	Y	Young	Y
4							Speaker	N

5 Co-sponsor(s) added: Representative(s) Becker, Brown, Casso, Coram, Duran,
6 Fields, Kefalas, Labuda, Miklosi, Pabon, Pace, Priola, Ryden, Schafer S.,
7 Solano, Todd, Tyler, Vigil, Williams A., Wilson, Young.

8
9 **HB12-1360** by Representative(s) Gerou and Levy, Becker; also
10 Senator(s) Steadman and Lambert, Hodge--Concerning the
11 transfer of up to four million dollars from the general fund
12 to the Colorado economic development fund based upon
13 the amount by which the June 2012 estimate of general
14 fund revenue for the 2011-12 fiscal year exceeds the
15 March 2012 estimate of general fund revenue for the
16 2011-12 fiscal year, and, in connection therewith, making
17 an appropriation.

18
19 The question being "Shall the bill pass?".

20 A roll call vote was taken. As shown by the following recorded vote, a
21 majority of those elected to the House voted in the affirmative and the bill
22 was declared **passed**.

24	YES	49	NO	16	EXCUSED	0	ABSENT	0
25	Acree	Y	Fischer	Y	Looper	N	Solano	Y
26	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
30	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
31	Bradford	N	Jones	Y	Nikkel	N	Swerdfeger	Y
32	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
33	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
34	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
35	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
36	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
38	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
39	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
40	Fields	Y	Liston	N	Singer	Y	Young	Y
41							Speaker	Y

42 Co-sponsor(s) added: Representative(s) Duran, Ferrandino, Fields, Hamner,
43 Kerr A., Lee, Schafer S., Todd, Young.

44
45
46 **SB12-044** by Senator(s) Guzman; also Representative(s) Pabon--
47 Concerning failure to present valid evidence of mass
48 transit fare payment, and, in connection therewith, making
49 an appropriation.

50
51 The question being "Shall the bill pass?".

52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Bradford, Court, Duran, Fields, Fischer,
 20 Hullinghorst, Jones, Kagan, Labuda, Looper, Miklosi, Pace, Schafer S., Todd,
 21 Tyler, Vigil, Waller, Williams A., Wilson, Young.

22
 23 **SB12-166** by Senator(s) Giron and Roberts; also Representative(s)
 24 Priola and Williams A.--Concerning the coordination of
 25 various economic development reports, and, in connection
 26 therewith, requiring the Colorado office of economic
 27 development to report annually to the general assembly
 28 regarding the programs it administers.

29
 30 The question being "Shall the bill pass?".
 31 A roll call vote was taken. As shown by the following recorded vote, a
 32 majority of those elected to the House voted in the affirmative and the bill
 33 was declared **passed**.

	YES	63	NO	2	EXCUSED	0	ABSENT	0
35								
36	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
37	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
38	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
40	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
41	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
42	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
43	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
47	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
48	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
49	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
51	Fields	Y	Liston	Y	Singer	Y	Young	Y
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Duran, Fields, Labuda, Pace,
 54 Schafer S., Todd, Young.

55
 56

1 **SB12-175** by Senator(s) Carroll and Roberts; also Representative(s)
 2 Gardner B. and Duran--Concerning statutorily established
 3 time intervals.
 4

5 As shown by the following roll call vote, a majority of all members
 6 elected to the House voted in the affirmative, and Representative Duran,
 7 was given permission to offer a Third Reading amendment:
 8

	YES	65	NO	0	EXCUSED	0	ABSENT	0
10	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
11	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
12	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
13	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
14	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
15	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
16	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
17	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
18	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
19	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
20	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
21	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
22	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
23	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
24	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
25	Fields	Y	Liston	Y	Singer	Y	Young	Y
26							Speaker	Y

27
 28 **Third Reading amendment No. 1**, by Representative Gardner B.
 29

30 Amend revised bill, page 142, strike line 15 and substitute "(2) as
 31 amended by House Bill 12-1313, as follows:
 32

33 Page 142, line 26, after "five" insert "business".
 34

35 The amendment was declared **passed** by the following roll call vote:
 36

	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Becker	Y	Holbert	Y	Miklosi	Y	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
 56

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **passed**.

	YES	65	NO	0	EXCUSED	0	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	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

24 Co-sponsor(s) added: Representative(s) Barker, Fields, Kagan, Labuda, Liston,
 25 Singer, Stephens, Waller, Wilson, Speaker.

30 CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

32 **HB12-1002** by Representative(s) Sonnenberg; also Senator(s) Jahn--
 33 Concerning the rules of state agencies applicable to

35 (Conference Committee report printed in House Journal, April 30,
 36 page 1201.)

38 On motion of Representative Sonnenberg, the Conference Committee
 39 Report was **adopted** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
42	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
44	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
46	Becker	Y	Holbert	Y	Miklosi	Y	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	Y	Wilson	Y

Fields	Y	Liston	Y	Singer	Y	Young Speaker	Y
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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**.

YES	61	NO	4	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y	Jones	N	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	N	Ryden	Y	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
Fields	Y	Liston	Y	Singer	Y	Young Speaker	Y

Co-sponsor(s) added: Representative(s) Barker, Conti, Pabon, Stephens, Summers.

SB12-020 by Senator(s) Aguilar, Steadman; also Representative(s) Summers--Concerning immunity from certain criminal offenses when a person reports in good faith an emergency drug or alcohol overdose event.

(Conference Committee report printed in House Journal, May 3, pages 1253-1254.)

On motion of Representative Summers, the Conference Committee Report was **adopted** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

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**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	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) Acree, Duran, Hamner, Kagan, Kerr J., Miklosi, Schafer S., Tyler, Williams A., Wilson, Young.

MESSAGE(S) FROM THE SENATE

The Senate has adopted the First Report of the First Conference Committee on HB12-1168, as printed in Senate Journal, May 7, 2012, pages 1152-1153, and repassed the bill as amended. The bill is returned herewith.

FIRST REPORT OF FIRST CONFERENCE COMMITTEE on HB12-1168

This Report Amends the Reengrossed Bill.

To the President of the Senate and the
Speaker of the House of Representatives:

Your first conference committee appointed on HB12-1168, concerning clarification of provisions authorizing ignition interlock devices, has met and reports that it has agreed upon the following:

1. That the Senate recede from its amendments made to the bill, as the amendments appear in the rerevised bill, and that the following amendments be substituted therefor:

1 Amend reengrossed bill, page 14, strike lines 5 and 6 and substitute:

2

3 "(9) **Appeal.** (c) A filing of a petition for judicial".

4

5 Page 14, line 10, strike "merits and that the person will suffer irreparable
6 harm if" and substitute "merits. ~~and that the person will suffer irreparable~~
7 ~~harm if the order is not stayed.~~".

8

9 Page 14, strike lines 11 through 14.

10

11 2. That, under the authority granted the committee to consider
12 matters not at issue between the two houses, the following amendments
13 be recommended:

14

15 Amend reengrossed bill, page 17, strike line 12 and substitute:

16

17 "**SECTION 9.** In Colorado Revised Statutes, 42-2-132.5, **amend**
18 **as amended by House Bill 12-1168** (1) (a), (1) (c), and (4) (c) as
19 follows:

20

21 **42-2-132.5. Mandatory and voluntary restricted licenses**
22 **following alcohol convictions - rules.** (1) The following persons shall
23 be required to hold an interlock-restricted license pursuant to this section
24 for at least one year following reinstatement prior to being eligible to
25 obtain any other driver's license issued under this article:

26

27 (a) A person whose privilege to drive was revoked for multiple
28 convictions for any combination of a DUI, DUI per se, OR DWAI ~~or~~
29 ~~habitual user~~ pursuant to section 42-2-125 (1) (g) (I) or (1) (i);

30

31 (c) A person whose privilege to drive was revoked as an habitual
32 offender under section 42-2-203 in which the revocation was due in part
33 to a DUI, DUI per se, OR DWAI ~~or habitual user~~ conviction; or

34

35 (4) **Persons who may acquire an interlock-restricted license**
36 **prior to serving a full-term revocation.** (c) In order to be eligible for
37 early reinstatement pursuant to this subsection (4), a person who has been
38 designated an habitual offender under the provisions of section 42-2-202
39 must have at least one conviction for DUI, DUI per se, OR DWAI ~~or~~
40 ~~habitual user~~ under section 42-4-1301, and no contributing violations
41 other than violations for driving under restraint under section 42-2-138
42 or reckless driving under section 42-4-1401.

43

44 **SECTION 10.** In Colorado Revised Statutes, 42-2-132, **amend**
45 **as amended by House Bill 12-1168** (2) (a) (IV) as follows:

46

47 **42-2-132. Period of suspension or revocation.** (2) (a) (IV) Any
48 person whose license or privilege to drive a motor vehicle on the public
49 highways has been revoked under section 42-2-125 (1) (g) (I) or (1) (i) or
50 42-2-203 where the revocation was due in part to a DUI, DUI per se, OR
51 DWAI ~~or habitual user~~ conviction shall be required to present an affidavit
52 stating that the person has obtained at the person's own expense a signed
53 lease agreement for the installation and use of an approved ignition
54 interlock device, as defined in section 42-2-132.5 (9) (a), in each motor
55 vehicle on which the person's name appears on the registration and any
56 other vehicle that the person may drive during the period of the
interlock-restricted license.

SECTION 11. Act subject to petition - effective date. (1) This act".

Page 17 after line 21 add:

"(2) Notwithstanding any provision of subsection (1) of this section to the contrary, sections 9 and 10 of this act take effect only if Senate Bill 12-117 becomes law.".

Respectfully submitted,

House Committee:

(signed)

David Young

Mark Barker

Sal Pace

Senate Committee:

(signed)

Angela Giron

Steve King

Morgan Carroll

CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

On motion of Representative Stephens, the rules were suspended for immediate consideration of Conference Committee Report.

HB12-1168 by Representative(s) Young, Fischer, Kerr A., Levy; also Senator(s) Morse--Concerning clarification of provisions authorizing ignition interlock devices.

(Conference Committee Report printed in House Journal, May 8, pages 1300-1302.)

On motion of Representative Young, the Conference Committee Report was **adopted** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

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**.

YES	51	NO	14	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
Brown	Y	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y
Court	Y	Kerr J.	N	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	N	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Barker, Hulinghorst, Labuda, Tyler.

HOUSE RECEDES ON HB12-1053

HB12-1053 by Representative(s) Gardner B.; also Senator(s) Giron--
Concerning the victims' rights act.

Representative Gardner B., moved that the House **recede** from its position on HB12-1053, that the House **recede** from its position and that the Conference Committee be discharged on HB12-1053. The motion was declared **passed** by the following roll call vote:

YES	58	NO	7	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	N	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	N	Kagan	Y	Pace	Y	Todd	N
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	N	Ryden	Y	Waller	Y
Duran	Y	Lee	Y	Schafer S.	N	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	N	Liston	Y	Singer	N	Young	Y
						Speaker	Y

Representative Gardner B., moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	64	NO	1	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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	N	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

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**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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) Acree, Balmer, Baumgardner, Becker, Beezley, Bradford, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino, Fischer, Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kerr A., Lee, Levy, Looper, Massey, McCann, Miklosi, Murray, Pabon, Peniston, Priola, Ramirez, Scott, Singer, Sonnenberg, Soper, Stephens, Swalm, Swerdfeger, Szabo, Tyler, Vaad, Waller, Williams A., Wilson, Speaker.

1 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

2
 3 **HB12-1270** by Representative(s) Ryden, Jones, Liston, Miklosi, Tyler,
 4 Wilson; also Senator(s) Heath--Concerning an increase in
 5 the limit on the amount of alcohol beverages a person
 6 licensed to sell alcohol beverages for on-premises
 7 consumption may purchase from a licensed alcohol
 8 beverage retailer.
 9

10 (Amended as printed in Senate Journal, March 22, page 553.)
 11

12 Representative Ryden moved that the House **concur** in Senate
 13 amendments. The motion was declared **passed** by the following roll call
 14 vote:
 15

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

36 The question being, "Shall the bill, as amended, pass?".

37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative, and the
 39 bill, as amended, was declared **repassed**.
 40

YES	63	NO	2	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	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 Speaker	Y
Co-sponsor(s) added: Representative(s) Kagan, Schafer S.							

House in recess. House reconvened.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS (continued)

HB12-1275 by Representative(s) Pace; also Senator(s) White--
Concerning the encouragement of outdoor recreational
opportunities, and, in connection therewith, creating the
wildlife sporting license plate and making an
appropriation.

(Amended as printed in Senate Journal, April 23, page 815.)

Representative Pace moved that the House **concur** in Senate
amendments. The motion was declared **passed** by the following roll call
vote:

YES	61	NO	4	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	N	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	N	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	N	Labuda	Y	Ryden	Y	Waller	Y
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	N	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	Y	Singer	Y	Young 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**.

YES	50	NO	15	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
Becker	N	Holbert	N	Miklosi	Y	Summers	N
Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	N	Levy	N	Scott	Y	Wilson	Y
10	Fields	Y	Liston	N	Singer	Y	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Kagan, Looper, Miklosi, Schafer S.,
 13 Singer, Soper, Vigil.

14
 15 **HB12-1059** by Representative(s) Looper; also Senator(s) King K.--
 16 Concerning the authority of a person credentialed in
 17 another state whose residence is determined by military
 18 orders to practice an occupation regulated by Colorado
 19 law.

20
 21 (Amended as printed in Senate Journal, March 20, page 728.)

22
 23 Representative Looper moved that the House **concur** in Senate
 24 amendments. The motion was declared **passed** by the following roll call
 25 vote:

26	YES	65	NO	0	EXCUSED	0	ABSENT	0
27								
28	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	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	Y	Singer	Y	Young	Y
44							Speaker	Y

45
 46 The question being, "Shall the bill, as amended, pass?"

47 A roll call vote was taken. As shown by the following recorded vote, a
 48 majority of those elected to the House voted in the affirmative, and the
 49 bill, as amended, was declared **repassed**.

50	YES	65	NO	0	EXCUSED	0	ABSENT	0
51								
52	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
53	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
54	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
56	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y

1	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
2	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
3	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
4	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
5	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
7	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
8	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
9	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
10	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
11	Fields	Y	Liston	Y	Singer	Y	Young	Y
12							Speaker	Y

13 Co-sponsor(s) added: Representative(s) Baumgardner, Becker, Bradford,
 14 Brown, Conti, Coram, Court, DelGrosso, Ferrandino, Fields, Hullinghorst,
 15 Jones, Joshi, Kagan, Kerr J., McKinley, Miklosi, Nikkel, Pabon, Solano,
 16 Sonnenberg, Stephens, Swalm, Swerdfeger, Szabo, Tyler, Waller, Williams A.,
 17 Wilson, Speaker.

18
 19 **HB12-1081** by Representative(s) Duran; also Senator(s) Steadman--
 20 Concerning the operations of the Auraria higher education
 21 center.

22
 23 (Amended as printed in Senate Journal, February 1, pages 124-125.)

24
 25 Representative Duran moved that the House **concur** in Senate
 26 amendments. The motion was declared **passed** by the following roll call
 27 vote:

29	YES	65	NO	0	EXCUSED	0	ABSENT	0
30	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
31	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
32	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
33	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
34	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
35	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
36	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
37	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
38	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
39	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
40	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
41	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
42	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
43	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
44	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
45	Fields	Y	Liston	Y	Singer	Y	Young	Y
46							Speaker	Y

47
 48 The question being, "Shall the bill, as amended, pass?".
 49 A roll call vote was taken. As shown by the following recorded vote, a
 50 majority of those elected to the House voted in the affirmative, and the
 51 bill, as amended, was declared **repassed**.

53	YES	65	NO	0	EXCUSED	0	ABSENT	0
54	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
55	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
56	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

1	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
2	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
3	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
4	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
6	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
8	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
13	Fields	Y	Liston	Y	Singer	Y	Young	Y
14							Speaker	Y

15
16 **HB12-1304** by Representative(s) Barker; also Senator(s) Newell--
17 Concerning measures to prevent organized retail theft.
18

19 (Amended as printed in Senate Journal, March 9, pages 587-588.)
20

21 Representative Barker moved that the House **concur** in Senate
22 amendments. The motion was declared **passed** by the following roll call
23 vote:
24

25	YES	65	NO	0	EXCUSED	0	ABSENT	0
26	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
27	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
28	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
29	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
30	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
31	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
32	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
33	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
34	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
35	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
36	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
37	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
38	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
39	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
40	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
41	Fields	Y	Liston	Y	Singer	Y	Young	Y
42							Speaker	Y

43
44
45 The question being, "Shall the bill, as amended, pass?".
46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative, and the
48 bill, as amended, was declared **repassed**.
49

50	YES	65	NO	0	EXCUSED	0	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Baumgardner, Becker, Bradford,
13 Fischer, Looper, Murray, Schafer S., Soper, Swalm, Todd.

14
15 **HB12-1324** by Representative(s) Massey and Scott; also Senator(s)
16 Johnston and King S., Bacon, Heath--Concerning
17 Colorado Mesa university.
18
19

20 (Amended as printed in Senate Journal, April 2, page 872.)
21

22 Representative Massey moved that the House **concur** in Senate
23 amendments. The motion was declared **passed** by the following roll call
24 vote:
25

26	YES	65	NO	0	EXCUSED	0	ABSENT	0
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44
45 The question being, "Shall the bill, as amended, pass?".
46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative, and the
48 bill, as amended, was declared **repassed**.
49

50	YES	65	NO	0	EXCUSED	0	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Kerr J., Pace, Schafer S., Stephens.

13
14 **HB12-1124** by Representative(s) Massey, Fields, Hamner, Holbert,
15 Levy, Peniston; also Senator(s) Johnston--Concerning a
16 study of digital learning in Colorado.

17
18 (Amended as printed in Senate Journal, March 12, pages 465-466.)

19
20 Representative Massey moved that the House **concur** in Senate
21 amendments. The motion was declared **passed** by the following roll call
22 vote:

24	YES	65	NO	0	EXCUSED	0	ABSENT	0
25	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
26	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
31	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
33	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
34	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
36	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
38	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
39	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
40	Fields	Y	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y

42
43
44 The question being, "Shall the bill, as amended, pass?"

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative, and the
47 bill, as amended, was declared **repassed**.

49	YES	65	NO	0	EXCUSED	0	ABSENT	0
50	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
51	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
52	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
53	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
54	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y

1	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
2	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
3	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
4	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
5	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
6	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
7	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
8	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
9	Fields	Y	Liston	Y	Singer	Y	Young	Y
10							Speaker	Y

11 Co-sponsor(s) added: Representative(s) Ryden, Tyler.

12
13 **HB12-1068** by Representative(s) McKinley; also Senator(s) Grantham-
14 -Concerning the administration of a nonprofit cemetery
15 corporation by persons who own the right to bury a
16 deceased person within the cemetery.

17
18 (Amended as printed in Senate Journal, April 30, page 935.)

19
20 Representative McKinley moved that the House **concur** in Senate
21 amendments. The motion was declared **passed** by the following roll call
22 vote:

23	YES	62	NO	3	EXCUSED	0	ABSENT	0
24								
25	Acree	N	Fischer	Y	Looper	Y	Solano	Y
26	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
31	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
33	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
34	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
36	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
37	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
38	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
39	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
40	Fields	Y	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y

42
43 The question being, "Shall the bill, as amended, 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
46 bill, as amended, was declared **repassed**.

47	YES	51	NO	14	EXCUSED	0	ABSENT	0
48								
49	Acree	N	Fischer	Y	Looper	Y	Solano	Y
50	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
51	Barker	Y	Gerou	N	McCann	Y	Soper	Y
52	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	N
53	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
54	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
55	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
56	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N

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	N	Vaad	Y
4	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
5	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
6	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
7	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
8	Fields	Y	Liston	N	Singer	Y	Young	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Ryden.

11
12 **HB12-1226** by Representative(s) Barker; also Senator(s) Aguilar--
13 Concerning a surcharge on persons convicted of crimes
14 against at-risk persons, and, in connection therewith,
15 making an appropriation.

16
17 (Amended as printed in Senate Journal, May 1, page 959.)

18
19 Representative Barker moved that the House **concur** in Senate
20 amendments. The motion was declared **passed** by the following roll call
21 vote:

22								
23	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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
42 The question being, "Shall the bill, as amended, pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

46								
47	YES	48	NO	17	EXCUSED	0	ABSENT	0
48	Acree	N	Fischer	Y	Looper	N	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
53	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
55	Brown	N	Joshi	N	Pabon	Y	Szabo	N
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	N	Scott	Y	Wilson	N
7	Fields	Y	Liston	N	Singer	Y	Young	Y
8							Speaker	Y

9 Representative Holbert requested his name be removed as co-sponsor.
 10 Co-sponsor(s) added: Representative(s) Hamner, Peniston, Schafer S., Todd,
 11 Vigil.

12
 13 **HB12-1274** by Representative(s) Swerdfeger; also Senator(s) Jahn--
 14 Concerning the regulation of notaries public, and, in
 15 connection therewith, making and reducing appropriations.

16
 17 (Amended as printed in Senate Journal, May 1, page 955.)

18
 19 Representative Swerdfeger moved that the House **concur** in Senate
 20 amendments. The motion was declared **passed** by the following roll call
 21 vote:

22								
23	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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
 42 The question being, "Shall the bill, as amended, pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative, and the
 45 bill, as amended, was declared **repassed**.

46								
47	YES	65	NO	0	EXCUSED	0	ABSENT	0
48	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Barker, Bradford, Murray, Pace.

10
11 **HB12-1294** by Representative(s) Liston, Todd, Acree, Gardner B.,
12 Kerr J., Massey, Miklosi, Murray, Priola, Ramirez, Soper,
13 Swalm, Swerdfeger, Szabo; also Senator(s) Tochtrop,
14 Boyd, Mitchell, Neville, White--Concerning modifications
15 to the system of regulation of health facilities currently
16 regulated by the department of public health and
17 environment, and, in connection therewith, making an
18 appropriation.
19

20 (Amended as printed in Senate Journal, May 1, page 958.)

21
22 Representative Liston moved that the House **concur** in Senate
23 amendments. The motion was declared **passed** by the following roll call
24 vote:
25

26	YES	65	NO	0	EXCUSED	0	ABSENT	0
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	Y	Young	Y
43							Speaker	Y

44
45 The question being, "Shall the bill, as amended, pass?".
46 A roll call vote was taken. As shown by the following recorded vote, a
47 majority of those elected to the House voted in the affirmative, and the
48 bill, as amended, was declared **repassed**.
49

50	YES	61	NO	4	EXCUSED	0	ABSENT	0
51	Acree	Y	Fischer	Y	Looper	N	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Balmer, Barker, Bradford, Court,
13 Singer, Summers, Williams A.

14
15 **HB12-1303** by Representative(s) Schafer S., Hamner, Kerr J.,
16 Peniston, Summers, Young; also Senator(s) Spence, Jahn--
17 Concerning the regulation of speech-language pathologists
18 by the department of regulatory agencies, and, in
19 connection therewith, making an appropriation.

20
21 (Amended as printed in Senate Journal, May 1, page 959.)

22
23 Representative Schafer S., moved that the House **concur** in Senate
24 amendments. The motion was declared **passed** by the following roll call
25 vote:

27	YES	65	NO	0	EXCUSED	0	ABSENT	0
28	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
29	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
30	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
31	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
37	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
39	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	DelGrosso	Y	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	Y	Singer	Y	Young	Y
44							Speaker	Y

45
46 The question being, "Shall the bill, as amended, pass?"

47 A roll call vote was taken. As shown by the following recorded vote, a
48 majority of those elected to the House voted in the affirmative, and the
49 bill, as amended, was declared **repassed**.

51	YES	42	NO	23	EXCUSED	0	ABSENT	0
52	Acree	Y	Fischer	Y	Looper	N	Solano	Y
53	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
54	Barker	N	Gerou	Y	McCann	Y	Soper	Y
55	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
56	Becker	N	Holbert	N	Miklosi	Y	Summers	Y

1	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
2	Bradford	Y	Jones	Y	Nikkel	N	Swerdfeger	Y
3	Brown	N	Joshi	N	Pabon	Y	Szabo	N
4	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
5	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
6	Coram	N	Kerr A.	Y	Priola	Y	Vaad	N
7	Court	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
8	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
9	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
10	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
11	Fields	Y	Liston	Y	Singer	Y	Young	Y
12							Speaker	Y

House in recess. House reconvened.

APPOINTMENT

The Speaker announced the temporary appointment:

STATE, VETERANS, & MILITARY AFFAIRS

Representative Barker to replace Representative Becker to the Committee on State, Veterans, & Military Affairs (appointment for the meeting on May 8, 2012).

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

In response to the request from the House, HB12-1053 is returned herewith.

The Senate has adopted and returns herewith: HJR12-1021, amended as printed in Senate Journal, May 8, 2012.

The Senate has passed on Third Reading and transmits to the Revisor of Statutes:

SB12-184 amended as printed in Senate Journal, May 7, 2012, pages 1146-1147, and amended on Third Reading, May 8, 2012, as printed in the Senate Journal.

SB12-083 amended as printed in Senate Journal, May 7, 2012, page 1147.

SB12-183 amended as printed in Senate Journal, May 7, 2012, pages 1147-1148, and amended on Third Reading, May 8, 2012, as printed in the Senate Journal.

The Senate voted to concur in House amendments to SB12-036 and repassed the bill as amended.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, SB12-184, 083, and 183.

**INTRODUCTION OF BILLS
First Reading**

The following bills were read by title and referred to the committees indicated:

SB12-083 by Senator(s) Scheffel; also Representative(s) DelGrosso--
Concerning dynamic modeling to analyze the fiscal impact
of proposed legislation.
Committee on Finance

SB12-183 by Senator(s) Boyd; also Representative(s) Tyler--
Concerning restrictions on a utility's ability to disconnect
certain residential customers' utility service, and, in
connection therewith, directing the commission on low-
income energy assistance to review and report on the
effectiveness of existing measures concerning
discontinuance of service and low-income rate relief.
Committee on Appropriations

SB12-184 by Senator(s) Cadman, Tochtrop; also Representative(s)
Priola--Concerning the registration of special mobile
machinery fleets, and, in connection therewith, making an
appropriation.
Committee on Finance

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

After consideration on the merits, the Committee recommends the following:

HB12-1309 be referred favorably to the Committee on Appropriations.

HB12-1356 be amended as follows, and as so amended, be referred to
the Committee on Appropriations with favorable
recommendation:

Amend printed bill, strike everything below the enacting clause and
substitute:

"**SECTION 1.** In Colorado Revised Statutes, 39-29-110, **add** (8)
as follows:

1 **39-29-110. Local government severance tax fund - creation -**
 2 **administration - definitions - repeal.** (8) (a) THE DEPARTMENT OF
 3 LOCAL AFFAIRS SHALL CONDUCT A STUDY TO DETERMINE THE EFFECT ON
 4 STATE SEVERANCE TAX REVENUES THAT RESULTS FROM A LOCAL
 5 GOVERNMENT'S MORATORIUM OR PERMANENT PROHIBITION ON THE
 6 EXTRACTION OF OIL AND GAS. THE DEPARTMENT SHALL INCLUDE ITS
 7 FINDINGS IN A REPORT AND SUBMIT THE REPORT TO THE SENATE
 8 AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE AND THE
 9 HOUSE OF REPRESENTATIVES AGRICULTURE, LIVESTOCK, AND NATURAL
 10 RESOURCES COMMITTEE, OR ANY SUCCESSOR COMMITTEES, ON OR BEFORE
 11 MARCH 1, 2013.

12 (b) THIS SUBSECTION (8) IS REPEALED, EFFECTIVE JULY 1, 2013.

13 **SECTION 2. Act subject to petition - effective date.** This act
 14 takes effect at 12:01 a.m. on the day following the expiration of the
 15 ninety-day period after final adjournment of the general assembly (August
 16 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a
 17 referendum petition is filed pursuant to section 1 (3) of article V of the
 18 state constitution against this act or an item, section, or part of this act
 19 within such period, then the act, item, section, or part will not take effect
 20 unless approved by the people at the general election to be held in
 21 November 2012 and, in such case, will take effect on the date of the
 22 official declaration of the vote thereon by the governor."
 23
 24
 25

26 **SB12-129** be referred to the Committee of the Whole with favorable
 27 recommendation.
 28
 29

30 **SB12-132** be postponed indefinitely.
 31
 32

33 **SB12-165** be referred favorably to the Committee on Appropriations.
 34
 35

36 **SB12-169** be amended as follows, and as so amended, be referred to
 37 the Committee of the Whole with favorable
 38 recommendation:
 39

40 Amend reengrossed bill, page 2, after line 1 insert:

41
 42 **"SECTION 1.** In Colorado Revised Statutes, 35-4-107, **amend**
 43 (1) (e) (III) and (3) as follows:

44 **35-4-107. Inspections - notice - treatment - collection of costs.**
 45 (1) (e) Within ten days after receipt of notification of a pest infestation
 46 or infection, the landowner or occupant:

47 (III) ~~If the landowner or occupant disputes the finding of~~
 48 ~~infestation or infection by the county pest inspector,~~ May request a
 49 hearing before the board of county commissioners or a panel appointed
 50 by the board IF THE LANDOWNER OR OCCUPANT DISPUTES THE FINDING OF
 51 INFESTATION OR INFECTION BY THE COUNTY PEST INSPECTOR. Any owner
 52 requesting such a hearing ~~shall not be required to take action to~~ NEED
 53 NOT control THE pests pending the outcome of the hearing. The board of
 54 county commissioners conducting the hearing shall order appropriate
 55 relief if it finds there is infestation or infection as alleged in the written
 56 notice. Any relief ordered pursuant to this article ~~shall be~~ IS at the

1 expense of the owner, but the cost to the owner or owners of any one
2 parcel, including parcels contiguous thereto, shall not exceed ~~five~~
3 ~~thousand dollars~~ FIFTEEN PERCENT OF THE ASSESSED VALUE OF THE
4 PROPERTY annually, AS DETERMINED BY SECTION 39-1-103, C.R.S.
5 (3) Upon payment by the board of county commissioners of any
6 cost and expense of treating pest infestation or infection ~~pursuant to~~ IN
7 ACCORDANCE WITH subsection (2) of this section, ~~it~~ THE COUNTY shall
8 ~~make demand in writing upon such~~ FROM THE owner, in person or by
9 mail addressed to ~~such~~ THE owner at his or her last-known place of
10 residence, ~~for reimbursement to the county for the amount of the county's~~
11 ~~direct costs and expenses only, No such written demand for~~
12 ~~reimbursement of pest infestation or infection costs and expenses shall~~
13 ~~be in excess of five thousand dollars~~ FIFTEEN PERCENT OF THE ASSESSED
14 VALUE OF THE PROPERTY annually, ~~Such written notice~~ AS DETERMINED
15 BY SECTION 39-1-103, C.R.S. IN THE WRITTEN NOTICE, THE COUNTY shall
16 inform ~~such~~ THE owner of the right to appear before the board of county
17 commissioners at any meeting thereof, as fixed by law, to be held within
18 the following four months, and be heard as to the amount of ~~such claims~~
19 THE CLAIM FOR REIMBURSEMENT. If the claim, as originally demanded by
20 the board or as adjusted upon ~~such~~ A hearing, is not paid at the end of
21 ~~such~~ THE FOUR-MONTH period, the board shall certify ~~such~~ THE claim to
22 the county treasurer of the county ~~in which~~ WHERE the property is
23 located. The county treasurer shall add the amount of the claim to any
24 taxes due, or to become due, from the owner, and if not paid in due
25 course, ~~the same shall be collected by~~ the county treasurer SHALL
26 COLLECT THE AMOUNT OF THE CLAIM as delinquent taxes. The board of
27 county commissioners shall work with any landowner to develop a
28 payment schedule for the cost of an assessment for pest treatment upon
29 a demonstration by such landowner of an economic hardship. All ~~such~~
30 accounts when collected ~~shall be~~ ARE paid into the general fund of the
31 county.".

32
33 Renumber succeeding sections accordingly.
34
35
36
37

38 **ECONOMIC & BUSINESS DEVELOPMENT**

39 After consideration on the merits, the Committee recommends the
40 following:

41
42 **SB12-182** be referred favorably to the Committee on Appropriations.
43
44
45
46

47 **EDUCATION**

48 After consideration on the merits, the Committee recommends the
49 following:

50
51 **SB12-172** be amended as follows, and as so amended, be referred to
52 the Committee of the Whole with favorable
53 recommendation:
54

55 Amend reengrossed bill, page 2, line 9, after "ASSESSMENTS." insert "ON
56 OR BEFORE JANUARY 1, 2014, AND ON OR BEFORE EACH JANUARY 1

1 THEREAFTER IF COLORADO IS A GOVERNING BOARD MEMBER OF THE
2 CONSORTIUM OF STATES, THE STATE BOARD IS STRONGLY ENCOURAGED TO
3 CONDUCT A FISCAL AND STUDENT ACHIEVEMENT BENEFIT ANALYSIS OF
4 COLORADO'S REMAINING A GOVERNING BOARD MEMBER OF THE
5 CONSORTIUM."

6
7
8
9
10 **FINANCE**

11 After consideration on the merits, the Committee recommends the
12 following:

13
14 **HB12-1179** be postponed indefinitely.

15
16
17 **SB12-184** be referred favorably to the Committee on Appropriations.

18
19
20
21
22 **JUDICIARY**

23 After consideration on the merits, the Committee recommends the
24 following:

25
26 **HB12-1092** be postponed indefinitely.

27
28
29 **SB12-162** be postponed indefinitely.

30
31
32 **SB12-163** be referred to the Committee of the Whole with favorable
33 recommendation.

34
35
36
37
38 **TRANSPORTATION**

39 After consideration on the merits, the Committee recommends the
40 following:

41
42 **SB12-171** be referred favorably to the Committee on Finance.

43
44
45
46
47 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

48
49 The Speaker has signed: **HB12-1008, 1034, 1146, 1213, 1241, 1282,**
50 **1292, 1293, 1321, HCR12-1001; SJR12-023, 031, 035.**

51
52
53
54 House in recess. House reconvened.
55
56

REPORT(S) OF COMMITTEE(S) OF REFERENCE

FINANCE

After consideration on the merits, the Committee recommends the following:

SB12-083 be referred favorably to the Committee on Appropriations.

STATE, VETERANS, & MILITARY AFFAIRS

After consideration on the merits, the Committee recommends the following:

SB12-105 be postponed indefinitely.

SB12-155 be referred to the Committee of the Whole with favorable recommendation.

SB12-174 be postponed indefinitely.

MESSAGE(S) FROM THE SENATE

The Senate has postponed indefinitely HJR12-1023. The resolution is returned herewith

House in recess. House reconvened.

CONSIDERATION OF RESOLUTION(S)

HJR12-1020 by Representative(s) Kefalas, Court, Duran, Ferrandino, Fields, Fischer, Hamner, Hulinghorst, Jones, Kagan, Kerr A., Labuda, Lee, Levy, McCann, Pabon, Pace, Peniston, Ryden, Schafer S., Solano, Soper, Todd, Tyler, Williams A., Wilson, Young, Casso, Massey, Miklosi, Swerdfeger, Vigil; also Senator(s) Nicholson, Boyd, Shaffer B., Aguilar, Bacon, Carroll, Guzman, Hudak, Jahn, King S., Roberts--Concerning civility and respect in the Colorado general assembly.

(Printed and placed in members' file)

On motion of Representative Kefalas, the resolution was read at length and **adopted** by the following roll call vote:

YES	63	NO	1	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	Y	Gerou	Y	McCann	E	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	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	Y	Singer	Y	Young	Y
15							Speaker	Y

16 Co-sponsor(s) added: Representative(s) Balmer, Brown, Conti, DelGrosso,
 17 Gardner B., Holbert, Nikkel, Priola, Scott, Singer, Sonnenberg, Swalm, Vaad,
 18 Waller, Speaker.

19
 20
 21 Representative Stephens moved to proceed with General Orders.
 22 Representative Ferrandino objected to proceeding with General Orders.
 23 Representative Stephen's motion to proceed with General Orders was
 24 declared **lost** by the following roll call vote:

	YES	32	NO	32	EXCUSED	1	ABSENT	0
27	Acree	Y	Fischer	N	Looper	Y	Solano	N
28	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	E	Soper	N
30	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
32	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	N	Nikkel	N	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
35	Casso	N	Kagan	N	Pace	N	Todd	N
36	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
37	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
38	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
39	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
40	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
41	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
42	Fields	N	Liston	Y	Singer	N	Young	N
43							Speaker	Y

45 Representative Waller moved to proceed with General Orders.
 46 Representative Ferrandino objected to proceeding with General Orders.
 47 Representative Waller's motion to proceed with General Orders was
 48 declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
51	Acree	Y	Fischer	N	Looper	Y	Solano	N
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	N	Soper	N
54	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
56	Beezley	N	Hullinghorst	N	Murray	Y	Swalm	Y

1	Bradford	Y	Jones	N	Nikkel	N	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
3	Casso	N	Kagan	N	Pace	N	Todd	N
4	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
5	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
6	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
7	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
8	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
9	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
10	Fields	N	Liston	Y	Singer	N	Young	N
11							Speaker	Y

12
13 Representative Stephens moved to proceed with General Orders.
14 Representative Ferrandino objected to proceeding with General Orders.
15 Representative Stephen's motion to proceed with General Orders was
16 declared **lost** by the following roll call vote:

17	YES	31	NO	34	EXCUSED	0	ABSENT	0
19	Acree	Y	Fischer	N	Looper	Y	Solano	N
20	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
21	Barker	Y	Gerou	Y	McCann	N	Soper	N
22	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
23	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
24	Beezley	N	Hullinghorst	N	Murray	Y	Swalm	Y
25	Bradford	Y	Jones	N	Nikkel	N	Swerdfeger	Y
26	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
27	Casso	N	Kagan	N	Pace	N	Todd	N
28	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
29	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
30	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
31	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
32	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
33	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
34	Fields	N	Liston	Y	Singer	N	Young	N
35							Speaker	Y

36
37 Representative Waller moved to proceed with General Orders.
38 Representative Ferrandino objected to proceeding with General Orders.
39 Representative Waller's motion to proceed with General Orders was
40 declared **lost** by the following roll call vote:

41	YES	32	NO	33	EXCUSED	0	ABSENT	0
43	Acree	Y	Fischer	N	Looper	Y	Solano	N
44	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
45	Barker	Y	Gerou	Y	McCann	N	Soper	N
46	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
47	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
48	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
49	Bradford	Y	Jones	N	Nikkel	N	Swerdfeger	Y
50	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
51	Casso	N	Kagan	N	Pace	N	Todd	N
52	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
53	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
54	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
55	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
56	Duran	N	Lee	N	Schafer S.	N	Williams A.	N

1	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
2	Fields	N	Liston	Y	Singer	N	Young	N
3							Speaker	Y

4
5 Representative Stephens moved to proceed with General Orders.
6 Representative Ferrandino objected to proceeding with General Orders.
7 Representative Stephen's motion to proceed with General Orders was
8 declared **lost** by the following roll call vote:

10	YES	31	NO	34	EXCUSED	0	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	N	Soper	N
14	Baumgardner	Y	Hamner	N	McKinley	N	Stephens	Y
15	Becker	Y	Holbert	Y	Miklosi	N	Summers	Y
16	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
17	Bradford	N	Jones	N	Nikkel	N	Swerdfeger	Y
18	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
19	Casso	N	Kagan	N	Pace	N	Todd	N
20	Conti	Y	Kefalas	N	Peniston	N	Tyler	N
21	Coram	Y	Kerr A.	N	Priola	Y	Vaad	Y
22	Court	N	Kerr J.	Y	Ramirez	Y	Vigil	N
23	DelGrosso	Y	Labuda	N	Ryden	N	Waller	Y
24	Duran	N	Lee	N	Schafer S.	N	Williams A.	N
25	Ferrandino	N	Levy	N	Scott	Y	Wilson	N
26	Fields	N	Liston	Y	Singer	N	Young	N
27							Speaker	Y

28
29
30 House in recess. House reconvened.
31
32

33 34 REPORT(S) OF COMMITTEE(S) OF REFERENCE

35 36 APPROPRIATIONS

37 After consideration on the merits, the Committee recommends the
38 following:

39
40 **HB12-1255** be amended as follows, and as so amended, be referred to
41 the Committee of the Whole with favorable
42 recommendation:

43
44 Amend printed bill, page 2, line 5, strike "**definitions.**" and substitute
45 "**definitions - repeal.**"

46
47 Page 2, strike line 6 and substitute "OTHERWISE REQUIRES:

48 (a) (I) "CONTINUOUS APPROPRIATION", EXCEPT AS SET FORTH IN
49 SUBPARAGRAPH (II) OF THIS PARAGRAPH (a), MEANS ANY GRANT OF
50 AUTHORITY TO SPEND AN UNSPECIFIED AMOUNT OF STATE MONEYS THAT
51 IS INCLUDED IN A STATUTORY PROVISION, REGARDLESS OF HOW IT IS
52 DESCRIBED, WHICH GRANT DOES NOT REQUIRE A FURTHER APPROPRIATION
53 BY THE GENERAL ASSEMBLY.

54 (II) "CONTINUOUS APPROPRIATION" DOES NOT INCLUDE:

55 (A) A GRANT OF AUTHORITY TO SPEND STATE MONEYS FROM THE
56 UNEMPLOYMENT COMPENSATION FUND CREATED IN SECTION 8-77-101,

1 C.R.S.; THE RISK MANAGEMENT FUND CREATED IN SECTION 24-30-1510,
2 INCLUDING THE STATE EMPLOYEES' WORKERS COMPENSATION ACCOUNT
3 CREATED IN SECTION 24-30-1510.7; THE SELF-INSURED PROPERTY FUND
4 CREATED IN SECTION 24-30-1510.5; THE UNCLAIMED PROPERTY TRUST
5 FUND CREATED IN SECTION 38-13-116.5, C.R.S.; THE RESERVE CREATED
6 IN SECTION 39-22-622, C.R.S., INCLUDING REFUNDS MADE PURSUANT TO
7 SAID SECTION AND GRANTS MADE PURSUANT TO SECTION 39-31-101 OR
8 39-31-104, C.R.S.; THE LOCAL GOVERNMENT SEVERANCE TAX FUND
9 CREATED IN SECTION 39-29-110, C.R.S.; OR THE OLD AGE PENSION FUND
10 CREATED IN SECTION 1 OF ARTICLE XXIV OF THE STATE CONSTITUTION;

11 (B) AN EXPENDITURE PURSUANT TO "THE COLORADO HIGH RISK
12 HEALTH INSURANCE ACT", PART 5 OF ARTICLE 8 OF TITLE 10, C.R.S.;

13 (C) STATE CONTRIBUTIONS TO LOCAL GOVERNMENT FOR OLD HIRE
14 PENSION PLANS PURSUANT TO SECTION 31-30.5-307, C.R.S.; OR

15 (D) CIGARETTE REBATES PURSUANT TO SECTION 39-22-623 (1) (a)
16 (II) (A), C.R.S.

17 (b) (I) "CONTINUOUSLY APPROPRIATE", EXCEPT AS SET FORTH IN
18 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), MEANS TO GRANT
19 AUTHORITY TO SPEND AN UNSPECIFIED AMOUNT OF STATE MONEYS IN A
20 STATUTORY PROVISION, REGARDLESS OF HOW IT IS DESCRIBED.

21 (II) "CONTINUOUSLY APPROPRIATE" DOES NOT INCLUDE ANY
22 STATUTORY APPROPRIATION OR A GRANT OF AUTHORITY TO SPEND STATE
23 MONEYS SET FORTH IN A SECTION IDENTIFIED IN SUBPARAGRAPH (II) OF
24 PARAGRAPH (a) OF THIS SUBSECTION (1).

25 (c) "STATE AGENCY" MEANS ANY DEPARTMENT,".

26
27 Page 2, line 11, strike "2012," and substitute "2013,".

28
29 Page 2, line 16, strike "2012," and substitute "2013,".

30
31 Page 2, line 23, strike "2012." and substitute "2013."

32 (5) (a) (I) ALONG WITH THEIR ANNUAL BUDGET REQUEST
33 SUBMITTED TO THE JOINT BUDGET COMMITTEE FOR THE 2013-14 STATE
34 FISCAL YEAR, EACH PRINCIPAL DEPARTMENT SHALL SUBMIT A REPORT
35 THAT:

36 (A) IDENTIFIES A FUND FROM WHICH MONEYS WERE
37 CONTINUOUSLY APPROPRIATED PRIOR TO JULY 1, 2013, THAT THE
38 DEPARTMENT BELIEVES SHOULD NOT BE ANNUALLY APPROPRIATED;

39 (B) INCLUDES AN ESTIMATE OF THE AMOUNT OF MONEYS THAT
40 THE STATE AGENCY WILL EXPEND FOR THE 2013-14 STATE FISCAL YEAR
41 FROM SUCH FUND IF THE MONEYS ARE CONTINUOUSLY APPROPRIATED; AND

42 (C) STATES THE REASON THAT THE DEPARTMENT BELIEVES THAT
43 THE MONEYS SHOULD NOT BE ANNUALLY APPROPRIATED FROM SUCH FUND
44 BY THE GENERAL ASSEMBLY.

45 (II) AT THE SAME TIME THE REPORT IS SUBMITTED TO THE JOINT
46 BUDGET COMMITTEE PURSUANT TO SUBPARAGRAPH (I) OF THIS
47 PARAGRAPH (a), THE PRINCIPAL DEPARTMENT SHALL PROVIDE COPIES OF
48 THE REPORT TO THE EXECUTIVE COMMITTEE OF LEGISLATIVE COUNCIL AND
49 THE APPROPRIATIONS COMMITTEES OF THE HOUSE OF REPRESENTATIVES
50 AND THE SENATE.

51 (b) A STATE AGENCY THAT IS NOT WITHIN A PRINCIPAL
52 DEPARTMENT IS REQUIRED TO SUBMIT THE REPORT ON CRITICAL
53 CONTINUOUS APPROPRIATIONS SPECIFIED IN PARAGRAPH (a) OF THIS
54 SUBSECTION (5) IN THE SAME MANNER AS A PRINCIPAL DEPARTMENT.

55 (c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2013.".

56

- 1 **HB12-1309** be referred to the Committee of the Whole with favorable
2 recommendation.
3
4
5 **HB12-1356** be referred to the Committee of the Whole with favorable
6 recommendation.
7
8
9 **SB12-002** be amended as follows, and as so amended, be referred to
10 the Committee of the Whole with favorable
11 recommendation:
12

13 Amend reengrossed bill, page 19, after line 12, insert:
14

15 **"14-15-119. Protections for religious organizations.** A
16 RELIGIOUS ORGANIZATION, ORGANIZATION OPERATED FOR CHARITABLE OR
17 EDUCATIONAL PURPOSES WHICH IS SUPERVISED OR CONTROLLED BY OR IN
18 CONNECTION WITH A RELIGIOUS ORGANIZATION, OR AN INDIVIDUAL
19 EMPLOYED BY SUCH AN ORGANIZATION, WHILE ACTING IN THE SCOPE OF
20 THAT EMPLOYMENT, SHALL NOT BE REQUIRED TO PROVIDE SERVICES OR
21 ACCOMMODATIONS OR CHANGE ITS PRACTICES AS A RESULT OF THE
22 PASSAGE OF THIS ARTICLE IF SUCH ACTIONS WOULD CAUSE SUCH
23 ORGANIZATION TO VIOLATE THE AGENCY'S WRITTEN RELIGIOUS BELIEFS OR
24 RELIGIOUS POLICIES OR WOULD CAUSE THE INDIVIDUAL TO VIOLATE HIS OR
25 HER SINCERELY HELD RELIGIOUS BELIEFS."
26

27 Renumber succeeding C.R.S. section accordingly.
28

29 Page 22, after line 26 insert:
30

31 **"SECTION 8.** In Colorado Revised Statutes, **add** 12-43-230 as
32 follows:
33

34 **12-43-230. Conscience protection clause.** A PSYCHOLOGIST,
35 SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST, LICENSED
36 PROFESSIONAL COUNSELOR, PSYCHOTHERAPIST, OR ADDICTION
37 COUNSELOR LICENSED, REGISTERED, OR CERTIFIED UNDER THIS ARTICLE
38 SHALL RETAIN PERSONAL FREEDOM OF CONSCIENCE REGARDING WHETHER
39 TO PROVIDE SERVICES OR COUNSELING TO ANY INDIVIDUAL RELATING TO
40 ENTERING INTO A CIVIL UNION OR RELATING TO PROBLEMS BETWEEN THE
41 TWO PARTIES TO A CIVIL UNION, CONSISTENT WITH HIS OR HER RELIGIOUS
42 BELIEFS OR MORAL CONVICTIONS. A REFUSAL TO PROVIDE SERVICES OR
43 COUNSELING SHALL NOT BE CONSIDERED GROUNDS FOR DISCIPLINARY
44 ACTION PURSUANT TO THIS ARTICLE."
45

46 Renumber succeeding sections accordingly.
47
48

- 49 **SB12-083** be referred favorably to the Committee on Legislative
50 Council.
51
52
53 **SB12-086** be referred to the Committee of the Whole with favorable
54 recommendation.
55
56

1 **SB12-104** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 17, strike line 2 and substitute "to be
6 allocated for".
7

8 Page 17, after line 3 insert:
9

10 "(a) \$90,128 reappropriated funds and 1.0 FTE for courts
11 administration, administration and technology, general courts
12 administration, for personal services; said sum is from general fund
13 moneys credited to the correctional treatment cash fund through the
14 appropriation made in paragraph (d) of subsection (3) of this section;

15 (b) \$950 reappropriated funds for courts administration,
16 administration and technology, general courts administration, for
17 operating expenses; said sum is from general fund moneys credited to the
18 correctional treatment cash fund through the appropriation made in
19 paragraph (d) of subsection (3) of this section;

20 (c) \$4,703 reappropriated funds for courts administration,
21 centrally administered programs, courthouse capital/infrastructure
22 maintenance, for capital outlay expenses; said sum is from general fund
23 moneys credited to the correctional treatment cash fund through the
24 appropriation made in paragraph (d) of subsection (3) of this section";
25

26 Reletter succeeding paragraphs accordingly.
27

28 Page 17, line 4, after "fund" insert "for probation and related services,".
29

30 Page 17, line 7, after "funds" insert "for probation and related services,".
31

32 Page 17, line 11, strike "\$9,856,200 reappropriated funds" and substitute
33 "\$9,760,419 reappropriated funds for probation and related services,".
34

35 Page 17, line 15, strike "(a)" and substitute "(d)".
36
37
38

39 **SB12-117** be referred to the Committee of the Whole with favorable
40 recommendation.
41

42
43 **SB12-165** be referred to the Committee of the Whole with favorable
44 recommendation.
45

46
47 **SB12-182** be referred to the Committee of the Whole with favorable
48 recommendation.
49

50
51 **SB12-183** be referred to the Committee of the Whole with favorable
52 recommendation.
53

54
55 **SB12-184** be referred to the Committee of the Whole with favorable
56 recommendation.

1 On motion of Representative Sonnenberg, 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 **SB12-051** by Senator(s) Bacon; also Representative(s) Massey--
17 Concerning requirements for contracts executed by local
18 education providers.
19

20 Amendment No. 1, Education Report, dated April 30, 2012, and placed
21 in member's bill file; Report also printed in House Journal, May 1,
22 page 1207.
23

24 As amended, ordered revised and placed on the Calendar for Third
25 Reading and Final Passage.
26

27 **SB12-159** by Senator(s) Hudak, Aguilar, Nicholson, Shaffer B.,
28 Williams S.; also Representative(s) Kerr J., Massey,
29 Schafer S., Peniston, Summers--Concerning the evaluation
30 of home- and community-based services for children with
31 autism under the medicaid waiver program, and, in
32 connection therewith, making an appropriation.
33

34 Amendment No. 1, Health & Environment Report, dated May 1, 2012,
35 and placed in member's bill file; Report also printed in House Journal,
36 May 2, pages 1242-1243.
37

38 As amended, ordered revised and placed on the Calendar for Third
39 Reading and Final Passage.
40

41 **SB12-068** by Senator(s) Guzman; also Representative(s) Massey and
42 Duran--Concerning prohibiting the inclusion of
43 industrially produced trans fats in foods made available to
44 students by public schools, and, in connection therewith,
45 making an appropriation.
46

47 Amendment No. 1, Education Report, dated April 30, 2012, and placed
48 in member's bill file; Report also printed in House Journal, May 1,
49 page 1207.
50

51 Amendment No. 2, by Representative(s) Massey.

52 Amend reengrossed bill, page 5, strike lines 23- 26 and substitute:

53
54
55 "SECTION DOES NOT APPLY TO:

56 (a) ANY FOOD OR BEVERAGE THAT IS MADE AVAILABLE TO A

1 STUDENT AS PART OF A MEAL PROGRAM OF THE UNITED STATES
2 DEPARTMENT OF AGRICULTURE;

3 (b) ANY FOOD OR BEVERAGE THAT IS MADE AVAILABLE TO A
4 STUDENT AS PART OF A FUNDRAISING EFFORT CONDUCTED BY ONE OR
5 MORE STUDENTS, TEACHERS, OR PARENTS; OR

6 (c) ANY FOOD OR BEVERAGE THAT IS DONATED TO THE SCHOOL TO
7 BE GIVEN TO A STUDENT FOR CONSUMPTION OFF OF SCHOOL PREMISES AND
8 NOT DURING THE SCHOOL DAY.".

9
10 As amended, ordered revised and placed on the Calendar for Third
11 Reading and Final Passage.

12
13 **SB12-170** by Senator(s) Aguilar; also Representative(s) Gerou--
14 Concerning authorization for personalized license plates
15 of one position to fund a program that helps persons with
16 disabilities obtain benefits.

17
18 Ordered revised and placed on the Calendar for Third Reading and Final
19 Passage.

20
21 **SB12-028** by Senator(s) Grantham; also Representative(s) Barker--
22 Concerning aggravated juvenile offenders adjudicated for
23 murder.

24
25
26 Representative Levy moved that the committee rise and report.

27
28
29 Committee in recess. Committee reconvened.

30
31
32 Representative Levy withdrew her motion that the committee rise and
33 report.

34
35
36 Representative Stephens moved that the committee rise and report.

37 38 39 40 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

41
42 Passed Second Reading: **SB12-051 amended, 159 amended, 068**
43 **amended, 170.**

44
45 The Chairman moved the adoption of the Committee of the Whole
46 Report. As shown by the following roll call vote, a majority of those
47 elected to the House voted in the affirmative, and the Report was
48 **adopted.**

49	YES	64	NO	0	EXCUSED	1	ABSENT	0
50								
51	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
52	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
53	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
54	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
56	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

1	Bradford	Y	Jones	Y	Nikkel	E	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	Y	Young	Y
11							Speaker	Y

LAY OVER OF CALENDAR ITEM(S)

Consideration of Third Reading--**HB12-1359.**

Consideration of General Orders--**HB12-1252, 1109, 1347, 1354, SB12-046, 028, 101, 108, 116, 164, 027, 177, 176, SCR12-001.**

Consideration of Resolution(s)--**SJR12-041, 025, 043, 044, HJR12-1024.**

Consideration of Memorial(s)--**SJM12-003.**

Consideration of Senate Amendment(s)--**HJR12-1010, HB12-1041, 1036, 1043, 1086, 1237, 1238, 1223, 1267, 1329.**

On motion of Representative Stephens, the House adjourned until 11:00 a.m., May 9, 2012.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

HOUSE JOURNAL
SIXTY-EIGHTH GENERAL ASSEMBLY
STATE OF COLORADO
Second Regular Session

One hundred-twentieth Legislative Day Wednesday, May 9, 2012

1 The Speaker called the House to order at 11:00 a.m.

2

3 Prayer by Representative Kenneth Summers.

4

5 Pledge of Allegiance led by Mattie and Xander Weiser from Meiklejohn
6 Elementary, Arvada.

7

8 The roll was called with the following result:

9

10 Present--64.

11 Excused--Representative(s) A. Kerr--1.

12 Present after roll call--Representative(s) A. Kerr.

13

14 The Speaker declared a quorum present.

15

16

17 On motion of Representative Jones, the reading of the journal of
18 May 8, 2012, was declared dispensed with and approved as corrected by
19 the Chief Clerk.

20

21

22

23 **CONSIDERATION OF RESOLUTION(S)**

24

25 **HJR12-1024** by Representative(s) McNulty, Ferrandino; also Senator(s)
26 Shaffer B., Cadman--Concerning divestment from Iran for
27 its continued pursuit of nuclear weapons.

28

29 (Printed and placed in members' file)

30

31 On motion of Representative McNulty, the resolution was **adopted** by
32 **viva voce** vote.

33

34 Co-sponsor(s) added: Representative(s) Acree, Balmer, Barker, Baumgardner,
35 Becker, Beezley, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso,
36 Duran, Fields, Fischer, Gardner B., Gerou, Hamner, Holbert, Hullinghorst,
37 Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston,
38 Looper, Massey, McCann, McKinley, Miklosi, Murray, Nikkel, Pabon, Pace,
39 Peniston, Priola, Ramirez, Ryden, Schafer S., Scott, Singer, Solano,
40 Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd,
41 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young.

42

43

1 **SJR12-041** by Senator(s) Morse; also Representative(s) Stephens--
2 Concerning the convening date for the 2013 First Regular
3 Session of the Sixty-ninth General Assembly.
4

5 (Printed and placed in members' file)
6

7 On motion of Representative Stephens, the resolution was **adopted** by
8 **viva voce** vote.
9

10 Co-sponsor(s) added: Representative(s) Acree, Barker, Bradford, Brown, Casso,
11 Conti, Coram, Court, Ferrandino, Fields, Fischer, Gardner B., Gerou, Holbert,
12 Joshi, Kerr A., Labuda, Lee, Peniston, Priola, Ramirez, Schafer S., Scott, Soper,
13 Summers, Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A.,
14 Wilson, Young, Speaker.
15

16 **SJR12-044** by Senator(s) Grantham; also Representative(s) Becker--
17 Concerning the 25th anniversary of the Arkansas Valley
18 Correctional Facility.
19

20 (Printed and placed in members' file)
21

22 On motion of Representative Becker, the resolution was read at length
23 and **adopted** by **viva voce** vote.
24

25 Co-sponsor(s) added: Representative(s) Barker, Bradford, Brown, Coram,
26 Court, Ferrandino, Fields, Fischer, Gerou, Holbert, Kerr A., Kerr J., Massey,
27 McCann, Murray, Pace, Schafer S., Soper, Swalm, Swerdfeger, Todd, Vigil,
28 Wilson, Speaker.
29

30 **SJR12-025** by Senator(s) Grantham; also Representative(s) McKinley--
31 -Concerning recognition of the Amtrak Southwest Chief.
32

33 (Printed and placed in members' file)
34

35 On motion of Representative McKinley, the resolution was **adopted** by
36 **viva voce** vote.
37

38 Co-sponsor(s) added: Representative(s) Barker, Bradford, Brown, Coram,
39 Duran, Ferrandino, Fields, Fischer, Hamner, Kerr A., Kerr J., Labuda, Lee,
40 Levy, Massey, Pace, Priola, Ramirez, Schafer S., Singer, Soper, Stephens,
41 Summers, Swerdfeger, Vigil, Wilson, Young, Speaker.
42

43 **SJR12-043** by Senator(s) White, Foster, Guzman, Hudak, Jahn, King
44 S., Lundberg, Newell, Nicholson, Roberts, Scheffel,
45 Shaffer B., Spence, Tochtrop, Williams S.; also
46 Representative(s) Murray--Concerning ovarian cancer in
47 Colorado.
48

49 (Printed and placed in members' file)
50

51 On motion of Representative Murray, the resolution was read at length
52 and **adopted** by **viva voce** vote.
53

54 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
55 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
56 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gerou,

1 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
 2 Labuda, Lee, Levy, Liston, Looper, Massey, McCann, McKinley, Miklosi,
 3 Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden, Schafer S., Scott,
 4 Singer, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,
 5 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Young, Speaker.

CONSIDERATION OF MEMORIAL

11 **SJM12-003** by Senator(s) Lundberg, Harvey, Grantham, Mitchell,
 12 Renfroe, King S., Cadman, King K., Newell, Roberts,
 13 Spence, Giron, Brophy, Jahn, Lambert, Neville, Scheffel,
 14 White; also Representative(s) DelGrosso, Liston--
 15 Memorializing Congress to modify certain reporting
 16 procedures for small nonprofit organizations to require the
 17 Internal Revenue Service to adequately notify such
 18 organizations of the procedures and to allow such
 19 organizations to remedy reporting deficiencies.

21 (Printed and placed in members' file)

23 On motion of Representative DelGrosso, the memorial was **adopted** by
 24 **viva voce** vote:

26 Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
 27 Beezley, Bradford, Brown, Casso, Conti, Court, Ferrandino, Fields, Gerou,
 28 Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
 29 Labuda, Lee, Looper, Massey, McCann, Miklosi, Murray, Pabon, Pace,
 30 Peniston, Priola, Ryden, Schafer S., Scott, Singer, Stephens, Summers, Swalm,
 31 Swerdfeger, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Speaker.

House in recess. House reconvened.

THIRD READING OF BILL(S)--FINAL PASSAGE

40 The following bill(s) was(were) considered on Third Reading. The
 41 title(s) was(were) publicly read. Reading of the bill at length was
 42 dispensed with by unanimous consent.

44 **SB12-051** by Senator(s) Bacon; also Representative(s) Massey--
 45 Concerning requirements for contracts executed by local
 46 education providers.

48 The question being "Shall the bill pass?"

49 A roll call vote was taken. As shown by the following recorded vote, a
 50 majority of those elected to the House voted in the affirmative and the bill
 51 was declared **passed**.

	YES	41	NO	21	EXCUSED	3	ABSENT	0
54	Acree	N	Fischer	Y	Looper	N	Solano	Y
55	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
56	Barker	N	Gerou	Y	McCann	Y	Soper	Y

1	Baumgardner	N	Hamner	Y	McKinley	N	Stephens	Y
2	Becker	N	Holbert	N	Miklosi	E	Summers	Y
3	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
4	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	N	Joshi	N	Pabon	E	Szabo	N
6	Casso	Y	Kagan	Y	Pace	E	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	N	Tyler	Y
8	Coram	N	Kerr A.	Y	Priola	Y	Vaad	N
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	Y
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
13	Fields	Y	Liston	N	Singer	Y	Young	Y
14							Speaker	Y

15 Co-sponsor(s) added: Representative(s) Casso, Fields, Fischer, Kerr J., Soper

16
17 **SB12-159** by Senator(s) Hudak, Aguilar, Nicholson, Shaffer B.,
18 Williams S.; also Representative(s) Kerr J., Massey,
19 Schafer S., Peniston, Summers--Concerning the evaluation
20 of home- and community-based services for children with
21 autism under the medicaid waiver program, and, in
22 connection therewith, making an appropriation.

23
24 The question being "Shall the bill pass?".

25 A roll call vote was taken. As shown by the following recorded vote, a
26 majority of those elected to the House voted in the affirmative and the bill
27 was declared **passed**.

28	YES	65	NO	0	EXCUSED	0	ABSENT	0
29								
30	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
31	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
32	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
33	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
34	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
35	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
36	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
37	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
38	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
39	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
40	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
41	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
42	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
43	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
44	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
45	Fields	Y	Liston	Y	Singer	Y	Young	Y
46							Speaker	Y

47 Co-sponsor(s) added: Representative(s) Casso, Fields, Fischer, Gardner B.,
48 Labuda, Pabon, Pace, Singer, Todd, Tyler, Vigil, Williams A., Young

49
50 **SB12-068** by Senator(s) Guzman; also Representative(s) Massey and
51 Duran--Concerning prohibiting the inclusion of
52 industrially produced trans fats in foods made available to
53 students by public schools, and, in connection therewith,
54 making an appropriation.

55
56 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	36	NO	29	EXCUSED	0	ABSENT	0
Acree	N	Fischer	Y	Looper	N	Solano	Y
Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
Barker	N	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	N	Stephens	N
Becker	N	Holbert	N	Miklosi	Y	Summers	Y
Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	N
Brown	N	Joshi	N	Pabon	Y	Szabo	N
Casso	Y	Kagan	N	Pace	Y	Todd	Y
Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	N	Vaad	N
Court	Y	Kerr J.	N	Ramirez	N	Vigil	N
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Casso, Fields, Fischer, Hamner, Labuda, McCann, Miklosi, Pace, Schafer S., Todd, Tyler, Williams A., Young

SB12-170 by Senator(s) Aguilar; also Representative(s) Gerou--
Concerning authorization for personalized license plates
of one position to fund a program that helps persons with
disabilities obtain benefits.

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	52	NO	13	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
Barker	N	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
Becker	N	Holbert	N	Miklosi	Y	Summers	Y
Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
Fields	Y	Liston	N	Singer	Y	Young	Y
						Speaker	Y

Co-sponsor(s) added: Representative(s) Labuda, Looper, Pabon, Schafer S., Soper, Todd, Tyler, Young.

MESSAGE(S) FROM THE SENATE

The Senate has passed on Third Reading and returns herewith
HB12-1119, HB12-1327, HB12-1328, HB12-1045, HB12-1357.

The Senate has passed on Third Reading and returns herewith,
HB12-1350.

The Senate has passed on Third Reading and transmits to the Revisor of
Statutes:

HB12-1268 amended as printed in Senate Journal, May 8, 2012,
page 1163.

HB12-1266 amended as printed in Senate Journal, May 8, 2012,
pages 1175-1176.

HB12-1281 amended as printed in Senate Journal, May 8, 2012,
page 1177.

HB12-1263 amended as printed in Senate Journal, May 8, 2012.

The Senate has passed on Third Reading and returns herewith,
HB12-1334, HB12-1042.

The Senate has passed on Third Reading and transmits to the Revisor of
Statutes:

HB12-1273 amended as printed in Senate Journal, May 8, 2012,
page 1177.

HB12-1315 amended as printed in Senate Journal, May 8, 2012,
page 1177.

HB12-1311 amended as printed in Senate Journal, May 8, 2012,
pages 1177-1178.

The Senate has passed on Third Reading and returns herewith,
HB12-1214, HB12-1353, HB12-1037, HB12-1346.

The Senate has passed on Third Reading and transmits to the Revisor of
Statutes:

HB12-1300 amended as printed in Senate Journal, May 8, 2012,
pages 1183-1184.

The Senate has adopted the First Report of the First Conference
Committee on SB12-020, as printed in Senate Journal, May 3, 2012,
pages 1077-1078, and repassed the bill as amended.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:

Without comment, as amended, HB12-1263, 1266, 1268, and 1281.

1 We herewith transmit:

2 Without comment, as amended, HB12-1273, 1315, and 1311.

5 We herewith transmit:

6 Without comment, as amended, HB12-1300.

12 **HB12-1036** by Representative(s) Kerr J.; also Senator(s) Boyd--
 13 Concerning clarification of the exemption from the
 14 "Colorado Open Records Act" for investigative files.

16 (Amended as printed in Senate Journal, May 2, page 1041.)

18 Representative J. Kerr that the House **not concur** in Senate amendments
 19 and that a Conference Committee be appointed with permission to go
 20 beyond the scope of the differences between the House and the Senate.
 21 The motion was declared **passed** by the following roll call vote:

	YES	56	NO	9	EXCUSED	0	ABSENT	0
24	Acree	Y	Fischer	N	Looper	Y	Solano	N
25	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
26	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
27	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
29	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
30	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
31	Brown	Y	Joshi	Y	Pabon	N	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	N
36	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
37	Duran	N	Lee	Y	Schafer S.	Y	Williams A.	Y
38	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	N
39	Fields	N	Liston	Y	Singer	Y	Young	Y
40							Speaker	Y

41 The Speaker appointed Representatives J. Kerr, Chairman, Levy and
 42 Murray as House conferees to the bill.

47 **HJR12-1010** by Representative(s) Todd and Massey; also Senator(s)
 48 Newell and White--Concerning recognition of the film,
 49 television, and video gaming industry in Colorado.

51 (Amended as printed in Senate Journal, February 27.)

53 Representative Todd moved that the House **adhere** to its position on
 54 **HJR12-1010** . The motion was declared **passed** by the following roll call
 55 vote:

	YES	64	NO	1	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y
19								
20								
21								
22								
23								

HB12-1041 by Representative(s) Labuda; also Senator(s) Guzman--
Concerning the creation of an electronic death registration
system in the department of public health and
environment, and, in connection therewith, making an
appropriation.

(Amended as printed in Senate Journal, April 27, page 924.)

Representative Labuda moved that the House **concur** in Senate
amendments. The motion was declared **passed** by the following roll call
vote:

	YES	63	NO	2	EXCUSED	0	ABSENT	0
36								
37	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
38	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
39	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
40	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
41	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
42	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
43	Bradford	N	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	N	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								
55								

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	64	NO	1	EXCUSED	0	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	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	N	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 Co-sponsor(s) added: Representative(s) Summers, Speaker

25
 26 **HB12-1043** by Representative(s) Conti; also Senator(s) King K.--
 27 Concerning concurrent enrollment for students who may
 28 complete high school graduation requirements before the
 29 end of twelfth grade.

30
 31 (Amended as printed in Senate Journal, May 2, page 1041.)

32
 33 Representative Conti moved that the House **concur** in Senate
 34 amendments. The motion was declared **passed** by the following roll call
 35 vote:

	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Becker	Y	Holbert	Y	Miklosi	Y	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
 56

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	64	NO	1	EXCUSED	0	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	Y	Hamner	Y	McKinley	N	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

24
 25 **HB12-1086** by Representative(s) Gardner B., Labuda, Levy, Murray,
 26 Waller; also Senator(s) Morse, Brophy, Guzman, Roberts,
 27 Schwartz--Concerning implementation of
 28 recommendations of the committee on legal services in
 29 connection with legislative review of rules and regulations
 30 of state agencies.

31
 32 (Amended as printed in Senate Journal, May 2, page 1041.)

33
 34 Representative B. Gardner moved that the House **concur** in Senate
 35 amendments. The motion was declared **passed** by the following roll call
 36 vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
39	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
40	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
41	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
42	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
43	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
44	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
45	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
46	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
47	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
48	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
49	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
50	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
51	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
52	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
53	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
54	Fields	Y	Liston	Y	Singer	Y	Young	Y
55							Speaker	Y

56

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	65	NO	0	EXCUSED	0	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	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

24
 25 **HB12-1237** by Representative(s) Williams A.; also Senator(s) Harvey-
 26 -Concerning the records kept by the unit owners'
 27 association of a common interest community.

28
 29 (Amended as printed in Senate Journal, May 3, page 1056.)

30
 31 Representative A. Williams moved that the House **concur** in Senate
 32 amendments. The motion was declared **passed** by the following roll call
 33 vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
36	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
37	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
38	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
39	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
40	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
41	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
42	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
43	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
44	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
45	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
46	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
47	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
48	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
49	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
50	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
51	Fields	Y	Liston	Y	Singer	Y	Young	Y
52							Speaker	Y

53
 54
 55 The question being, "Shall the bill, as amended, pass?".
 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, as amended, was declared **repassed**.

YES	62	NO	3	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	N
Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
Beezley	N	Hullinghorst	Y	Murray	N	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) Casso, Coram, Massey, Ryden, Vigil

HB12-1238 by Representative(s) Massey and Hamner, Fields, Pabon, Priola, Casso, Gerou, Lee, Murray, Pace, Sonnenberg, Swerdfeger; also Senator(s) Johnston and Spence, Bacon, Giron, Jahn, Newell--Concerning literacy education for students enrolled in kindergarten through third grade, and, in connection therewith, creating the "Colorado Early Literacy Act" and making and reducing appropriations.

(Amended as printed in Senate Journal, May 2, pages 1054-1056.)

Representative Massey moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	60	NO	5	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
Barker	Y	Gerou	Y	McCann	Y	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	N
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	N	Vaad	Y
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	N	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	N	Singer	Y	Young	Y
						Speaker	Y

1 The question being, "Shall the bill, as amended, 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
 4 bill, as amended, was declared **repassed**.

	YES	58	NO	7	EXCUSED	0	ABSENT	0
7	Acree	Y	Fischer	Y	Looper	Y	Solano	N
8	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
9	Barker	Y	Gerou	Y	McCann	Y	Soper	N
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	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
14	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
15	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
16	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
17	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
18	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	N
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	N	Singer	Y	Young	Y
23							Speaker	Y

24 Representative Sonnenberg requested his name be removed as sponsor.
 25 Co-sponsor(s) added: Representative(s) Court, Duran, Ferrandino, Fischer,
 26 Kefalas, Kerr A., Labuda, Schafer S., Singer, Stephens, Todd, Tyler, Young.

27
 28
 29
 30 House in recess. House reconvened.
 31
 32

33 MESSAGE(S) FROM THE SENATE

34
 35
 36 The Senate has passed on Third Reading and transmits to the Revisor of
 37 Statutes:

38
 39 HB12-1240 amended as printed in Senate Journal, May 8, 2012,
 40 page 1175, and amended on Third Reading, May 9, 2012,
 41 as printed in the Senate Journal.
 42

43 MESSAGE(S) FROM THE REVISOR

44
 45 We herewith transmit:
 46 Without comment, as amended, HB12-1240.
 47
 48
 49

50 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILL

51
 52
 53
 54 **HB12-1240** by Representative(s) Kerr A.; also Senator(s) Bacon and
 55 King K.--Concerning statutory changes to K-12 education.
 56

(Amended as printed in Senate Journal, May 8 , page 1175.)

Representative A. Kerr moved that the House **not concur** in Senate amendments and that a Conference Committee be appointed. The motion was declared **passed** by the following roll call vote:

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

The Speaker appointed Representatives A. Kerr, Chairman, Massy and Summers as House conferees to the bill.

House in recess. House reconvened.

MESSAGE(S) FROM THE SENATE

The Senate has laid HB12-1358 and HB12-1351 over to May 10, 2012. The bills are returned herewith.

In response to the request of the House for a Conference Committee on HB12-1036, the president appoints senators Boyd Chair, Heath, and White as conferees on the First Conference Committee on HB12-1036. The Senate has granted permission to the First Conference Committee to go beyond the scope of the difference between the two houses.

The Senate has adopted and returns herewith: HJR12-1020.

The Senate has adopted and transmits herewith: SJR12- 038.

The Senate has adopted and returns herewith: HJR12-1024.

The Senate has adopted and transmits herewith: SJR12- 034, amended as printed in Senate Journal, May 9, 2012.

1 The Senate has laid HB12-1160 over to May 10, 2012. The bill is
2 returned herewith.

3
4
5 The Senate voted to recede from its position on HJR12-1010, and
6 repassed the bill. The bill is returned herewith.

7
8
9
10 The President appoints Senators Bacon Chair, Johnston, and K. King as
11 conferees on the First Conference Committee on HB12-1240.

12
13
14 The Senate has adopted and transmits herewith: SJR12- 037, amended as
15 printed in Senate Journal, May 2, 2012, page 1020.

16
17
18 The Senate has passed on Third Reading and transmits to the Revisor of
19 Statutes:

20
21 HB12-1345 amended as printed in Senate Journal, May 8, 2012,
22 pages 1164-1166, and amended on Third Reading,
23 May 9, 2012, as printed in the Senate Journal.

24 HB12-1332 amended as printed in Senate Journal, May 8, 2012,
25 pages 1172-1173.

26 HB12-1261 amended as printed in Senate Journal, May 8, 2012,
27 page 1173.

28 HB12-1317 amended as printed in Senate Journal, May 8, 2012,
29 page 1175.

30 HB12-1286 amended as printed in Senate Journal, May 8, 2012,
31 page 1178.

32
33
34 The Senate has passed on Third Reading and returns herewith,
35 HB12-1143, HB12-1110, HB12-1330, HB12-1349, HB12-1355.

36
37 The Senate has passed on Third Reading and transmits to the Revisor of
38 Statutes:

39
40 HB12-1283 amended as printed in Senate Journal, May 8, 2012,
41 pages 1173-1175, and amended on Third Reading,
42 May 9, 2012, as printed in the Senate Journal.

43 HB12-1326 amended as printed in Senate Journal, May 8, 2012,
44 page 1178.

45 HB12-1038 amended as printed in Senate Journal, May 8, 2012,
46 pages 1178-1179.

47 HB12-1352 amended as printed in Senate Journal, May 8, 2012,
48 page 1185.

49 HB12-1278 amended as printed in Senate Journal, May 8, 2012,
50 page 1188.

51
52
53 The Senate has passed on Third Reading and returns herewith,
54 HB12-1099, HB12-1360.

55

1 The Senate has passed on Third Reading and transmits to the Revisor of
2 Statutes:

3
4 HB12-1155 amended on Third Reading, May 9, 2012, as printed in the
5 Senate Journal.

6 HB12-1310 amended as printed in Senate Journal, May 8, 2012,
7 page 1178, and amended on Third Reading, May 9, 2012,
8 as printed in the Senate Journal
9

10

11

12 The Senate has passed on Third Reading and returns herewith,
13 HB12-1361.

14

15

16

17

MESSAGE(S) FROM THE REVISOR

18

19 We herewith transmit:

20 Without comment, as amended, HB12-1261, 1286, 1317, 1332, and 1345.

21

22

23 We herewith transmit:

24 Without comment, as amended, HB12-1038, 1278, 1283, 1326, and 1352.

25

26

27 We herewith transmit:

28 Without comment, as amended, HB12-1155 and 1310.

29

30

31

32

33 CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS 34 (continued)

35

36 **HB12-1223** by Representative(s) Levy, Becker, Gerou; also Senator(s)
37 Steadman, Hodge, Lambert--Concerning earned time for
38 inmates, and, in connection therewith, making and
39 reducing appropriations.

40

41 (Amended as printed in Senate Journal, May 4, page 1099.)

42

43 Representative Levy moved that the House **concur** in Senate
44 amendments. The motion was declared **passed** by the following roll call
45 vote:

46

47	YES	64	NO	1	EXCUSED	0	ABSENT	0
48	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
7	Fields	Y	Liston	N	Singer	Y	Young	Y
8							Speaker	Y

9
10 The question being, "Shall the bill, as amended, pass?".
11 A roll call vote was taken. As shown by the following recorded vote, a
12 majority of those elected to the House voted in the affirmative, and the
13 bill, as amended, was declared **repassed**.
14

15	YES	43	NO	22	EXCUSED	0	ABSENT	0
16	Acree	Y	Fischer	Y	Looper	N	Solano	Y
17	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
18	Barker	N	Gerou	Y	McCann	Y	Soper	Y
19	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
20	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
21	Beezley	Y	Hullinghorst	Y	Murray	N	Swalm	N
22	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
23	Brown	N	Joshi	N	Pabon	Y	Szabo	N
24	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
25	Conti	Y	Kefalas	Y	Peniston	N	Tyler	Y
26	Coram	N	Kerr A.	Y	Priola	N	Vaad	Y
27	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
28	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
29	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
30	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
31	Fields	N	Liston	N	Singer	Y	Young	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Schafer S.
34

35 **HB12-1329** by Representative(s) Scott and Pabon, Sonnenberg,
36 Looper, Barker, Nikkel, Liston, Kerr J., Stephens, Vaad;
37 also Senator(s) Nicholson--Concerning the county
38 treasurer becoming the public trustee in certain counties
39 where the public trustee is currently appointed by the
40 governor.
41

42 (Amended as printed in Senate Journal, May 4, page 1096.)
43

44 Representative Scott moved that the House **concur** in Senate
45 amendments. The motion was declared **passed** by the following roll call
46 vote:
47

48	YES	64	NO	1	EXCUSED	0	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	N	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	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

11 The question being, "Shall the bill, as amended, 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
 14 bill, as amended, was declared **repassed**.

15

16	YES	63	NO	2	EXCUSED	0	ABSENT	0
17	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
18	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
19	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
20	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	Y	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	N	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) Vigil, Wilson.

35

36 **HJR12-1021** by Representative(s) Hamner and McKinley, Massey; also
 37 Senator(s) Scheffel--Concerning the designation of pack
 38 burro racing as a summer heritage sport in Colorado.

39

40 (Amended as printed in Senate Journal, May 8.)

41

42 Representative McKinley moved that the House **concur** in Senate
 43 amendments. The motion was declared **passed** by the following roll call
 44 vote:

45

46	YES	59	NO	6	EXCUSED	0	ABSENT	0
47	Acree	N	Fischer	Y	Looper	Y	Solano	Y
48	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
49	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
50	Baumgardner	N	Hamner	Y	McKinley	Y	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	N	Vigil	Y
3	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
4	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
5	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
6	Fields	Y	Liston	Y	Singer	Y	Young	Y
7							Speaker	Y

8
9 The question being, "Shall the resolution, as amended, pass?".
10 A roll call vote was taken. As shown by the following recorded vote, a
11 majority of those elected to the House voted in the affirmative, and the
12 resolution, as amended, was declared **repassed**.

14	YES	65	NO	0	EXCUSED	0	ABSENT	0
15	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
16	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
17	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
18	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
19	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
20	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
21	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
22	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
23	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
24	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
25	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
26	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
27	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
28	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
29	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
30	Fields	Y	Liston	Y	Singer	Y	Young	Y
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Barker.

33
34 **HB12-1263** by Representative(s) Levy; also Senator(s) Steadman--
35 Concerning reducing barriers to employment by state of
36 Colorado agencies for people with criminal records.

37
38 (Amended as printed in Senate Journal, May 8.)

39
40 Representative Levy moved that the House **concur** in Senate
41 amendments. The motion was declared **passed** by the following roll call
42 vote:

44	YES	65	NO	0	EXCUSED	0	ABSENT	0
45	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
46	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
47	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
48	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
49	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
50	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
51	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
52	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
53	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
54	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
55	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
56	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y

1	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
2	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
3	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
4	Fields	Y	Liston	Y	Singer	Y	Young	Y
5							Speaker	Y

6
7 The question being, "Shall the bill, as amended, pass?".
8 A roll call vote was taken. As shown by the following recorded vote, a
9 majority of those elected to the House voted in the affirmative, and the
10 bill, as amended, was declared **repassed**.

12	YES	36	NO	29	EXCUSED	0	ABSENT	0
13	Acree	N	Fischer	Y	Looper	N	Solano	Y
14	Balmer	N	Gardner B.	N	Massey	N	Sonnenberg	N
15	Barker	N	Gerou	Y	McCann	Y	Soper	Y
16	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
17	Becker	N	Holbert	N	Miklosi	Y	Summers	N
18	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
19	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	N
20	Brown	N	Joshi	N	Pabon	Y	Szabo	N
21	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
22	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
23	Coram	Y	Kerr A.	Y	Priola	N	Vaad	N
24	Court	Y	Kerr J.	N	Ramirez	N	Vigil	Y
25	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
26	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
27	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
28	Fields	Y	Liston	N	Singer	Y	Young	Y
29							Speaker	N

30 Co-sponsor(s) added: Representative(s) Lee, Schafer S., Todd, Vigil.

31
32 **HB12-1266** by Representative(s) Sonnenberg, Gardner B.; also
33 Senator(s) Morse--Concerning the continuation of the
34 licensing of persons who furnish bail for compensation,
35 and, in connection therewith, reducing an appropriation .

36
37 (Amended as printed in Senate Journal, May 8, pages 1175-1176.)

38
39 Representative Sonnenberg moved that the House **concur** in Senate
40 amendments. The motion was declared **passed** by the following roll call
41 vote:

43	YES	63	NO	2	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
48	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
49	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
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
6 The question being, "Shall the bill, as amended, pass?".

7 A roll call vote was taken. As shown by the following recorded vote, a
8 majority of those elected to the House voted in the affirmative, and the
9 bill, as amended, was declared **repassed**.

10

11	YES	62	NO	3	EXCUSED	0	ABSENT	0
12	Acree	Y	Fischer	Y	Looper	N	Solano	Y
13	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
14	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
15	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
16	Becker	N	Holbert	Y	Miklosi	Y	Summers	Y
17	Beezley	N	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

29 Co-sponsor(s) added: Representative(s) Kagan, Scott, Vigil.

30

31 **HB12-1268** by Representative(s) Acree, Beezley, Joshi, Kerr J.,
32 McCann, Ramirez; also Senator(s) Hudak--Concerning a
33 transfer of functions pertaining to health facility
34 compliance with certain building safety standards from the
35 department of public health and environment to the
36 division of fire safety in the office of preparedness,
37 security, and fire safety within the department of public
38 safety, and, in connection therewith, creating the health
39 facility construction and inspection section in the division
40 of fire safety.

41

42 (Amended as printed in Senate Journal, May 8, page 1163.)

43

44 Representative Acree moved that the House **concur** in Senate
45 amendments. The motion was declared **passed** by the following roll call
46 vote:

47

48	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	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

11 The question being, "Shall the bill, as amended, 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
 14 bill, as amended, was declared **repassed**.

15

16	YES	61	NO	4	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
21	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
22	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
23	Bradford	Y	Jones	N	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	N
32	Fields	N	Liston	Y	Singer	N	Young	Y
33							Speaker	Y

34

35 **HB12-1281** by Representative(s) Young and Gerou, Ferrandino,
 36 Fields, Kefalas, Kerr A., McCann, Peniston, Schafer S.;
 37 also Senator(s) Steadman and Roberts--Concerning a pilot
 38 program establishing new payment methodologies in
 39 medicaid, and, in connection therewith, making an
 40 appropriation.

41

42 (Amended as printed in Senate Journal, May 8, page 1177.)

43

44 Representative Gerou moved that the House **concur** in Senate
 45 amendments. The motion was declared **passed** by the following roll call
 46 vote:

47

48	YES	62	NO	3	EXCUSED	0	ABSENT	0
49	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
50	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
51	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
52	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
54	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
55	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
56	Brown	Y	Joshi	N	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

11 The question being, "Shall the bill, as amended, 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
 14 bill, as amended, was declared **repassed**.

15

16	YES	53	NO	12	EXCUSED	0	ABSENT	0
17	Acree	N	Fischer	Y	Looper	N	Solano	Y
18	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
19	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
20	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
21	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
22	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
23	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
24	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
25	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
26	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
27	Coram	N	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	N	Singer	Y	Young	Y
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Duran, Singer, Tyler.

35

36 **HB12-1273** by Representative(s) Pabon, Conti, McCann, Swerdfeger;
 37 also Senator(s) Steadman--Concerning the inclusion of
 38 approved facility schools affiliated with a hospital to the
 39 definition of child care facility for purposes of the child
 40 care contribution income tax credit.

41

42 (Amended as printed in Senate Journal, May 8, page 1177.)

43

44 Representative Pabon moved that the House **concur** in Senate
 45 amendments. The motion was declared **passed** by the following roll call
 46 vote:

47

48	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	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

11 The question being, "Shall the bill, as amended, 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
 14 bill, as amended, was declared **repassed**.

15

16	YES	57	NO	8	EXCUSED	0	ABSENT	0
17	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
18	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
19	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
20	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
21	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
22	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	Y
23	Bradford	N	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	N	Kerr A.	Y	Priola	N	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) Duran, Fields, Lee, Todd, Wilson.

35

36 **HB12-1311** by Representative(s) Summers, Acree, Brown, Fields,
 37 Joshi, Kefalas, McCann, Schafer S., Young; also
 38 Senator(s) Boyd--Concerning continuation of the state
 39 board of pharmacy, and, in connection therewith,
 40 implementing the recommendations contained in the
 41 sunset review and report regarding the board and
 42 recodifying the laws regulating pharmacists, the practice
 43 of pharmacy, and the manufacture, distribution, and
 44 dispensing of prescription drugs and controlled substances,
 45 and making an appropriation.

46

47 (Amended as printed in Senate Journal, May 8, pages 1177-1178.)

48

49 Representative Summers moved that the House **concur** in Senate
 50 amendments. The motion was declared **passed** by the following roll call
 51 vote:

52

53	YES	65	NO	0	EXCUSED	0	ABSENT	0
54	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
55	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
56	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

1	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
2	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
3	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
4	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
6	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
8	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
13	Fields	Y	Liston	Y	Singer	Y	Young	Y
14							Speaker	Y

15
 16 The question being, "Shall the bill, as amended, pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative, and the
 19 bill, as amended, was declared **repassed**.

21	YES	56	NO	9	EXCUSED	0	ABSENT	0
22	Acree	N	Fischer	Y	Looper	N	Solano	Y
23	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	N
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
26	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
27	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
28	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	Y	Szabo	N
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
33	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
37	Fields	Y	Liston	Y	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Liston.

40
 41 **HB12-1315** by Representative(s) Becker; also Senator(s) Steadman--
 42 Concerning the reorganization of the governor's energy
 43 office, and in connection therewith, making an
 44 appropriation.

45
 46 (Amended as printed in Senate Journal, May 8 , page 1177.)

47
 48 Representative Becker moved that the House **concur** in Senate
 49 amendments. The motion was declared **passed** by the following roll call
 50 vote:

52	YES	63	NO	2	EXCUSED	0	ABSENT	0
53	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
54	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
55	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
56	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y

1	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
2	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
3	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
4	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
5	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
6	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
7	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
8	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
9	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
10	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
11	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
12	Fields	Y	Liston	Y	Singer	Y	Young	Y
13							Speaker	Y

14
15 The question being, "Shall the bill, as amended, pass?".
16 A roll call vote was taken. As shown by the following recorded vote, a
17 majority of those elected to the House voted in the affirmative, and the
18 bill, as amended, was declared **repassed**.

19	YES	64	NO	1	EXCUSED	0	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	Y	Soper	N
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

38 Co-sponsor(s) added: Representative(s) Acree, Beezley, Casso, Court, Duran,
39 Ferrandino, Fields, Kerr A., Labuda, Looper, Miklosi, Pace, Scott, Sonnenberg,
40 Szabo, Todd, Tyler, Vigil, Williams A., Young.

41
42 **HB12-1300** by Representative(s) Gardner B., Barker, Ryden, Waller;
43 also Senator(s) Aguilar--Concerning professional review
44 committees, and, in connection therewith, implementing
45 the sunset review recommendations of the department of
46 regulatory agencies and making an appropriation.

47
48 (Amended as printed in Senate Journal, May 8 , pages 1183-1184.)

49
50 Representative B. Gardner moved that the House **concur** in Senate
51 amendments. The motion was declared **passed** by the following roll call
52 vote:

53	YES	65	NO	0	EXCUSED	0	ABSENT	0
55	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
56	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y

1	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
2	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
3	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
4	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
5	Bradford	Y	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	Y	Singer	Y	Young	Y
15							Speaker	Y

16
 17 The question being, "Shall the bill, as amended, 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
 20 bill, as amended, was declared **repassed**.

22	YES	64	NO	1	EXCUSED	0	ABSENT	0
23	Acree	Y	Fischer	Y	Looper	N	Solano	Y
24	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
25	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
26	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
27	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
28	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
29	Bradford	Y	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	Y	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	Y
36	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
37	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
38	Fields	Y	Liston	Y	Singer	Y	Young	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Kerr J., Todd.

41
 42 **HB12-1261** by Representative(s) Solano, Massey, Todd; also
 43 Senator(s) Bacon--Concerning effective educators in low-
 44 performing, high-needs schools, and, in connection
 45 therewith, making an appropriation.

46
 47 (Amended as printed in Senate Journal, May 8 , page 1173.)

48
 49 Representative Solano moved that the House **concur** in Senate
 50 amendments. The motion was declared **passed** by the following roll call
 51 vote:

53	YES	65	NO	0	EXCUSED	0	ABSENT	0
54	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
55	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
56	Barker	Y	Gerou	Y	McCann	Y	Soper	Y

1	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
2	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
3	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
4	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
5	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
6	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
7	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
8	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
9	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
10	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
11	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
12	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
13	Fields	Y	Liston	Y	Singer	Y	Young	Y
14							Speaker	Y

15
 16 The question being, "Shall the bill, as amended, pass?".
 17 A roll call vote was taken. As shown by the following recorded vote, a
 18 majority of those elected to the House voted in the affirmative, and the
 19 bill, as amended, was declared **repassed**.

21	YES	63	NO	2	EXCUSED	0	ABSENT	0
22	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
23	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
24	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
25	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
26	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
27	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
28	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
29	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
30	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
31	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
32	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	N
33	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
34	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
35	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
36	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
37	Fields	Y	Liston	Y	Singer	Y	Young	Y
38							Speaker	Y

39 Co-sponsor(s) added: Representative(s) Summers.

40
 41 **HB12-1286** by Representative(s) Massey and Ferrandino, Todd,
 42 Brown, Casso, Coram, Court, Duran, Fields, Fischer,
 43 Hamner, Hullinghorst, Kagan, Kefalas, Kerr A., Kerr J.,
 44 Liston, McCann, Miklosi, Pabon, Pace, Peniston, Priola,
 45 Ryden, Schafer S., Singer, Soper, Summers, Swerdfeger,
 46 Vigil, Williams A., Wilson, Young; also Senator(s) Newell
 47 and White, Aguilar, Bacon, Boyd, Foster, Heath, Jahn,
 48 Morse, Nicholson, Shaffer B., Steadman, Williams S.--
 49 Concerning film production activities in Colorado, and, in
 50 connection therewith, making an appropriation.

51
 52 (Amended as printed in Senate Journal, May 8 , page 1178.)

53
 54 Representative Ferrandino moved that the House **concur** in Senate
 55 amendments. The motion was declared **passed** by the following roll call
 56 vote:

	YES	60	NO	5	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Fischer	Y	Looper	Y	Solano	Y
3	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	N
4	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
5	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
6	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
7	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
8	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
9	Brown	Y	Joshi	N	Pabon	Y	Szabo	Y
10	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
11	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
12	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
13	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
14	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
15	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
16	Ferrandino	Y	Levy	N	Scott	N	Wilson	Y
17	Fields	Y	Liston	Y	Singer	Y	Young	Y
18							Speaker	Y

19
20 The question being, "Shall the bill, as amended, pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative, and the
23 bill, as amended, was declared **repassed**.

	YES	42	NO	23	EXCUSED	0	ABSENT	0
25								
26	Acree	N	Fischer	Y	Looper	N	Solano	N
27	Balmer	N	Gardner B.	N	Massey	Y	Sonnenberg	N
28	Barker	N	Gerou	Y	McCann	Y	Soper	Y
29	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
30	Becker	Y	Holbert	N	Miklosi	Y	Summers	Y
31	Beezley	N	Hullinghorst	Y	Murray	N	Swalm	N
32	Bradford	N	Jones	N	Nikkel	Y	Swerdfeger	Y
33	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
34	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
35	Conti	N	Kefalas	Y	Peniston	Y	Tyler	Y
36	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	N
37	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
38	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
39	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
40	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
41	Fields	Y	Liston	Y	Singer	Y	Young	Y
42							Speaker	N

43 Co-sponsor(s) added: Representative(s) Labuda, Nikkel, Scott.

44
45 **HB12-1317** by Representative(s) Sonnenberg; also Senator(s)
46 Schwartz--Concerning the creation of the parks and
47 wildlife commission to replace the parks and wildlife
48 board in the department of natural resources, and, in
49 connection therewith, describing the composition and
50 terms of the commission, and reducing appropriations.

51
52 (Amended as printed in Senate Journal, May 8, page 1175.)

53
54 Representative Sonnenberg moved that the House **concur** in Senate
55 amendments. The motion was declared **passed** by the following roll call
56 vote:

	YES	61	NO	4	EXCUSED	0	ABSENT	0
1								
2								
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	N	Hamner	Y	McKinley	Y	Stephens	Y
7	Becker	N	Holbert	Y	Miklosi	Y	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	N	Vigil	Y
15	DelGrosso	N	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
 21 The question being, "Shall the bill, as amended, pass?".
 22 A roll call vote was taken. As shown by the following recorded vote, a
 23 majority of those elected to the House voted in the affirmative, and the
 24 bill, as amended, was declared **repassed**.

	YES	58	NO	7	EXCUSED	0	ABSENT	0
25								
26								
27	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
28	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
29	Barker	Y	Gerou	Y	McCann	Y	Soper	N
30	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
31	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
32	Beezley	Y	Hullinghorst	N	Murray	Y	Swalm	Y
33	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
34	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
35	Casso	Y	Kagan	Y	Pace	Y	Todd	N
36	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
37	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
38	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
39	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
40	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
41	Ferrandino	N	Levy	Y	Scott	Y	Wilson	Y
42	Fields	Y	Liston	Y	Singer	N	Young	Y
43							Speaker	Y

44 Co-sponsor(s) added: Representative(s) Brown, Holbert, Pabon, Pace, Vigil.

45
 46
 47
 48
 49 House in recess. House reconvened.
 50
 51
 52
 53
 54
 55

1 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

2
3 The rules were suspended and the following resolution was given
4 immediate consideration.

5
6 **SJR12-037** by Senator(s) Tochtrop; also Representative(s) Vaad--
7 Concerning the need for adequate and reliable long-term
8 sources of funding for the statewide transportation system.
9

10 (Printed and placed in member's file).

11
12 On motion of Representative Vaad, the resolution was **adopted** by **viva**
13 **voce** vote.

14
15 Co-sponsor(s) added: Representative(s) Acree, Balmer, Barker, Baumgardner,
16 Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran, Ferrandino,
17 Fields, Fischer, Gardner B., Gerou, Hamner, Hullinghorst, Jones, Joshi, Kagan,
18 Kefalas, Kerr A., Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey, McCann,
19 McKinley, Miklosi, Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Ryden,
20 Schafer S., Scott, Singer, Solano, Sonnenberg, Soper, Stephens, Summers,
21 Swalm, Swerdfeger, Szabo, Todd, Tyler, Vigil, Waller, Williams A., Wilson,
22 Young, Speaker.
23
24

25
26
27 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**
28 (continued)
29

30 **HB12-1332** by Representative(s) Balmer, Liston, Hullinghorst, Joshi,
31 Kerr J., Peniston, Schafer S., Young, Ramirez; also
32 Senator(s) Guzman, Boyd, King S., Morse, Newell--
33 Concerning licensure of anesthesiologist assistants.
34

35 (Amended as printed in Senate Journal, May 8 , pages 1172-1173.)

36
37 Representative Balmer moved that the House **concur** in Senate
38 amendments. The motion was declared **passed** by the following roll call
39 vote:
40

41	YES	62	NO	3	EXCUSED	0	ABSENT	0
42	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
43	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
44	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
45	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
46	Becker	N	Holbert	N	Miklosi	Y	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	N	Vaad	Y
53	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
54	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
55	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
56	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y

Fields	Y	Liston	Y	Singer	Y	Young Speaker	Y
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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**.

	YES	51	NO	14	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	N	Looper	N	Solano	Y	
Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N	
Barker	N	Gerou	Y	McCann	Y	Soper	Y	
Baumgardner	Y	Hamner	Y	McKinley	N	Stephens	Y	
Becker	N	Holbert	N	Miklosi	Y	Summers	Y	
Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N	
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	N	Peniston	Y	Tyler	Y	
Coram	Y	Kerr A.	Y	Priola	N	Vaad	Y	
Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y	
DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N	
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 Speaker	Y	

Co-sponsor(s) added: Representative(s) Gerou, Nikkel.

HB12-1038 by Representative(s) Looper, Barker, Brown, Priola, Ramirez, Scott, Williams A.; also Senator(s) Williams S.-- Concerning the creation of a multi-year registration for Class A trailers, and, in connection therewith, making an appropriation.

(Amended as printed in Senate Journal, May 8 , pages 1178-1179.)

Representative Looper moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y	
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y	
Barker	Y	Gerou	Y	McCann	Y	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 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**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y		Fischer	Y	Looper	Y	Solano	Y
Balmer	Y		Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y		Gerou	Y	McCann	Y	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 Speaker	Y

Co-sponsor(s) added: Representative(s) Becker, Beezley, Conti, Gerou, Pace, Swalm, Swerdfeger, Szabo, Vigil, Wilson.

HB12-1283 by Representative(s) Barker; also Senator(s) Giron--
Concerning the department of public safety, and, in
connection therewith, renaming and reorganizing certain
existing entities, and making and reducing appropriations.

(Amended as printed in Senate Journal, May 8 , pages 1173-1175, and
amended as printed in Senate Journal, May 9.)

Representative Barker moved that the House **concur** in Senate
amendments. The motion was declared **passed** by the following roll call
vote:

	YES	56	NO	8	EXCUSED	1	ABSENT	0
Acree	Y		Fischer	N	Looper	Y	Solano	Y
Balmer	Y		Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y		Gerou	Y	McCann	Y	Soper	Y
Baumgardner	Y		Hamner	Y	McKinley	N	Stephens	Y
Becker	Y		Holbert	Y	Miklosi	Y	Summers	Y
Beezley	Y		Hullinghorst	N	Murray	Y	Swalm	Y
Bradford	Y		Jones	N	Nikkel	Y	Swerdfeger	Y
Brown	Y		Joshi	Y	Pabon	Y	Szabo	Y
Casso	Y		Kagan	Y	Pace	Y	Todd	Y
Conti	Y		Kefalas	N	Peniston	Y	Tyler	Y
Coram	Y		Kerr A.	Y	Priola	Y	Vaad	Y
Court	E		Kerr J.	Y	Ramirez	Y	Vigil	Y
DelGrosso	Y		Labuda	N	Ryden	N	Waller	Y
Duran	Y		Lee	Y	Schafer S.	Y	Williams A.	Y

1	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
2	Fields	Y	Liston	Y	Singer	N	Young	Y
3							Speaker	Y

4
5 The question being, "Shall the bill, as amended, 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
8 bill, as amended, was declared **repassed**.

9								
10	YES	60	NO	5	EXCUSED	0	ABSENT	0
11	Acree	Y	Fischer	N	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	Y	Hamner	Y	McKinley	N	Stephens	Y
15	Becker	Y	Holbert	Y	Miklosi	Y	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	Y
20	Conti	Y	Kefalas	N	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) Gardner B., Gerou, Kerr J., Pace,
29 Summers, Waller.

30
31
32
33 House in recess. House reconvened.
34
35

36 INTRODUCTION OF RESOLUTIONS

37
38
39 The following resolutions were read by title and laid over one day under
40 the rules:

41
42 **HR12-1005** by Representative(s) Kefalas and Massey--Concerning the
43 "cliff effect" as a persistent barrier to financial security for
44 low-income Colorado workers and their families.

45
46 **SJR12-004** by Senator(s) Johnston; also Representative(s) DelGrosso--
47 Concerning the certification by the general assembly of
48 its estimate of state general fund revenues for the 2012-13
49 fiscal year.

50
51 **SJR12-045** by Senator(s) Newell, Schwartz, Hudak; also
52 Representative(s) Kerr A.--Concerning recognition of
53 fifteen years of the PeaceJam Foundation.
54
55

SJR12-046 by Senator(s) Williams S.; also Representative(s) Kefalas--
Concerning the remembrance of the American Indian
atrocities and the designation of November 2012 as First
Nation appreciation month in the state of Colorado.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS
(continued)

HB12-1345 by Representative(s) Massey; also Senator(s) Bacon--
Concerning the financing of public schools, and, in
connection therewith, requiring a post-enactment review
of the implementation of this act and making and reducing
appropriations.

(Amended as printed in Senate Journal, May 8, page 1164-1166 and
amended as printed in Senate Journal May 9.)

Representative Massey moved that the House **concur** in Senate
amendments. The motion was declared **passed** by the following roll call
vote:

YES	64	NO	1	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	N
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

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**.

YES	65	NO	0	EXCUSED	0	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
Barker	Y	Gerou	Y	McCann	Y	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

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) Fischer, Schafer S., Williams A.,
 11 Speaker.

12
 13 **HB12-1326** by Representative(s) Acree and Kefalas; also Senator(s)
 14 Spence and Nicholson--Concerning assistance to the
 15 elderly, and, in connection therewith, making an
 16 appropriation.

17
 18 (Amended as printed in Senate Journal, May 8, page 1178.)

19
 20 Representative Kefalas moved that the House **concur** in Senate
 21 amendments. The motion was declared **passed** by the following roll call
 22 vote:

23								
24	YES	44	NO	21	EXCUSED	0	ABSENT	0
25	Acree	Y	Fischer	Y	Looper	N	Solano	Y
26	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N
27	Barker	N	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
29	Becker	N	Holbert	N	Miklosi	Y	Summers	N
30	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
31	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	N	Pabon	Y	Szabo	N
33	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
34	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
36	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
37	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
38	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
39	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
40	Fields	Y	Liston	N	Singer	Y	Young	Y
41							Speaker	Y
42								

43 The question being, "Shall the bill, as amended, 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
 46 bill, as amended, was declared **repassed**.

47								
48	YES	45	NO	20	EXCUSED	0	ABSENT	0
49	Acree	Y	Fischer	Y	Looper	N	Solano	Y
50	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	N
51	Barker	N	Gerou	Y	McCann	Y	Soper	Y
52	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	N
53	Becker	N	Holbert	N	Miklosi	Y	Summers	Y
54	Beezley	N	Hullinghorst	Y	Murray	Y	Swalm	N
55	Bradford	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
56	Brown	Y	Joshi	N	Pabon	Y	Szabo	N

1	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
2	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
3	Coram	N	Kerr A.	Y	Priola	N	Vaad	N
4	Court	Y	Kerr J.	N	Ramirez	Y	Vigil	Y
5	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	N
6	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
7	Ferrandino	Y	Levy	Y	Scott	N	Wilson	Y
8	Fields	Y	Liston	N	Singer	Y	Young	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) DelGrosso, Gerou, Massey, Ryden,
 11 Summers, Speaker.

12
 13 **HB12-1278** by Representative(s) Fischer; also Senator(s) Renfro--
 14 Concerning the authorization of a study of the South Platte
 15 river alluvial aquifer, and, in connection therewith, making
 16 an appropriation.

17
 18 (Amended as printed in Senate Journal, May 8 , pages 1188.)

19
 20 Representative Fischer moved that the House **concur** in Senate
 21 amendments. The motion was declared **passed** by the following roll call
 22 vote:

23								
24	YES	61	NO	4	EXCUSED	0	ABSENT	0
25	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
26	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
27	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
28	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
29	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
30	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
31	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
32	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
33	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
34	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
35	Coram	N	Kerr A.	Y	Priola	Y	Vaad	Y
36	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
37	DelGrosso	N	Labuda	Y	Ryden	Y	Waller	N
38	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
39	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
40	Fields	Y	Liston	Y	Singer	Y	Young	Y
41							Speaker	Y
42								

43 The question being, "Shall the bill, as amended, 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
 46 bill, as amended, was declared **repassed**.

47								
48	YES	58	NO	7	EXCUSED	0	ABSENT	0
49	Acree	Y	Fischer	Y	Looper	N	Solano	Y
50	Balmer	Y	Gardner B.	N	Massey	Y	Sonnenberg	Y
51	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
52	Baumgardner	N	Hamner	Y	McKinley	Y	Stephens	Y
53	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
54	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
55	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
56	Brown	Y	Joshi	N	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	N	Scott	N	Wilson	Y
8	Fields	Y	Liston	Y	Singer	Y	Young	Y
9							Speaker	N

10 Co-sponsor(s) added: Representative(s) Nikkel, Sonnenberg, Summers.

11
12 **HB12-1352** by Representative(s) Gardner B. and Gerou; also
13 Senator(s) Cadman--Concerning the creation of a state
14 commission to address matters arising out of the lower
15 north fork wildfire.

16
17 (Amended as printed in Senate Journal, May 8 , page 1185.)

18
19 Representative Gerou moved that the House **concur** in Senate
20 amendments. The motion was declared **passed** by the following roll call
21 vote:

22								
23	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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
42 The question being, "Shall the bill, as amended, pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

46								
47	YES	63	NO	2	EXCUSED	0	ABSENT	0
48	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	N	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	N
51	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Ferrandino, Kerr A., Peniston,
10 Schafer S., Todd, Young.

11
12 **HB12-1155** by Representative(s) Massey, Fields, Hamner; also
13 Senator(s) Bacon--Concerning measures to increase the
14 timely completion of postsecondary degrees, and, in
15 connection therewith, making an appropriation.

16
17 (Amended as printed in Senate Journal, May 9.)

18
19 Representative Massey moved that the House **concur** in Senate
20 amendments. The motion was declared **passed** by the following roll call
21 vote:

22								
23	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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
42 The question being, "Shall the bill, as amended, pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

46								
47	YES	65	NO	0	EXCUSED	0	ABSENT	0
48	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Vigil, Wilson.

10
11 **HB12-1310** by Representative(s) Gardner B., Barker; also Senator(s)
12 Carroll, Guzman--Concerning changes to statutory
13 provisions related to criminal proceedings, and, in
14 connection therewith, making an appropriation.

15
16 (Amended as printed in Senate Journal, May 8, page 1178, and amended
17 on Third reading, May 9.)

18
19 Representative B. Gardner moved that the House **concur** in Senate
20 amendments. The motion was declared **passed** by the following roll call
21 vote:

22								
23	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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
42 The question being, "Shall the bill, as amended, pass?".
43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative, and the
45 bill, as amended, was declared **repassed**.

46								
47	YES	65	NO	0	EXCUSED	0	ABSENT	0
48	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Casso, Gerou, Labuda, McCann, Pabon,
10 Pace, Ryden, Stephens, Tyler, Vigil, Wilson, Young.

11
12
13 House in recess. House reconvened.
14

15 16 17 MESSAGE(S) FROM THE SENATE

18
19 The Senate has adopted the First Report of the First Conference
20 Committee on HB12-1036, as printed in Senate Journal, May 9, 2012, and
21 repassed the bill as amended. The bill is returned herewith.

22
23
24 The Senate has adopted the First Report of the First Conference
25 Committee on HB12-1240, as printed in Senate Journal, May 9, 2012, and
26 repassed the bill as amended. The bill is returned herewith

27 28 29 30 FIRST REPORT OF FIRST CONFERENCE COMMITTEE 31 on HB12-1036

32
33 This Report Amends the Rerevised Bill.

34
35 To the President of the Senate and the
36 Speaker of the House of Representatives:

37
38 Your first conference committee appointed on HB12-1036,
39 concerning clarification of the exemption from the "Colorado Open
40 Records Act" for investigative files, has met and reports that it has agreed
41 upon the following:

42
43 1. That the House accede to the Senate amendments made to the
44 bill, as the amendments appear in the rerevised bill.

45
46 2. That, under the authority granted the committee to consider
47 matters not at issue between the two houses, the following amendments
48 be recommended:

49
50 Amend rerevised bill, page 3, after line 7 insert:

51
52 "SECTION 2. In Colorado Revised Statutes, add 24-72-205.5 as
53 follows:

54 **24-72-205.5. Public inspection of ballots - stay period -**
55 **exception to stay for recounts - rules governing public inspection of**
56 **ballots - legislative declaration - definitions. (1) (a) BY ENACTING THIS**

1 SECTION, THE GENERAL ASSEMBLY INTENDS TO PERMIT THE INSPECTION OF
2 BALLOTS UNDER THE CONDITIONS SPECIFIED IN THIS SECTION AND TO
3 PROTECT THE INTEGRITY OF THE ELECTION PROCESS WHILE PROTECTING
4 VOTER PRIVACY AND PRESERVING SECRECY IN VOTING IN ACCORDANCE
5 WITH THE PROVISIONS OF SECTION 8 OF ARTICLE VII OF THE STATE
6 CONSTITUTION.

7 (b) IN ORDER TO FACILITATE AND ENSURE A CONSISTENT
8 APPLICATION OF THE PROVISIONS OF THIS SECTION ACROSS THE STATE, THE
9 MATTERS ADDRESSED IN THIS SECTION ARE MATTERS OF STATEWIDE
10 CONCERN.

11 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
12 REQUIRES:

13 (a) "BALLOT" MEANS A BALLOT VOTED BY ANY ACCEPTABLE,
14 APPLICABLE, OR LEGAL METHOD THAT IS IN THE CUSTODY OF AN ELECTION
15 OFFICIAL. "BALLOT" INCLUDES ANY DIGITAL IMAGE OR ELECTRONIC
16 REPRESENTATION OF VOTES CAST.

17 (b) "DESIGNATED ELECTION OFFICIAL" HAS THE SAME MEANING AS
18 SET FORTH IN SECTION 1-1-104 (8), C.R.S.

19 (c) "INTERESTED PARTY" MEANS:

20 (I) ANY CANDIDATE WHO WAS IN AN ELECTION CONTEST THAT IS
21 THE SUBJECT OF A RECOUNT OR THE POLITICAL PARTY OR POLITICAL
22 ORGANIZATION AS DEFINED IN SECTION 1-1-104 (24), C.R.S., OF SUCH
23 CANDIDATE;

24 (II) ANY PETITION REPRESENTATIVE IDENTIFIED PURSUANT TO
25 SECTION 1-40-113 OR 31-11-106 (2), C.R.S., AS APPLICABLE, IN
26 CONNECTION WITH A BALLOT ISSUE OR BALLOT QUESTION THAT IS THE
27 SUBJECT OF THE RECOUNT;

28 (III) THE GOVERNING BODY THAT REFERRED A BALLOT QUESTION
29 OR BALLOT ISSUE TO THE ELECTORATE THAT IS THE SUBJECT OF THE
30 RECOUNT; OR

31 (IV) THE AGENT OF AN ISSUE COMMITTEE THAT IS REQUIRED TO
32 REPORT CONTRIBUTIONS PURSUANT TO THE "FAIR CAMPAIGN PRACTICES
33 ACT", ARTICLE 45 OF TITLE 1, C.R.S., THAT EITHER SUPPORTED OR
34 OPPOSED A BALLOT QUESTION OR BALLOT ISSUE THAT IS THE SUBJECT OF
35 THE RECOUNT.

36 (3) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
37 THIS SUBSECTION (3), THE DESIGNATED ELECTION OFFICIAL SHALL NOT
38 FULFILL A REQUEST UNDER THIS PART 2 FOR THE PUBLIC INSPECTION OF
39 BALLOTS DURING THE PERIOD COMMENCING WITH THE FORTY-FIFTH DAY
40 PRECEDING ELECTION DAY AND CONCLUDING WITH THE DATE EITHER BY
41 WHICH THE DESIGNATED ELECTION OFFICIAL IS REQUIRED TO CERTIFY AN
42 OFFICIAL ABSTRACT OF VOTES CAST FOR THE APPLICABLE CANDIDATE
43 CONTEST OR BALLOT ISSUE OR BALLOT QUESTION PURSUANT TO SECTION
44 1-10-102 OR 31-10-1205 (1), C.R.S., AS APPLICABLE, OR BY WHICH ANY
45 RECOUNT CONDUCTED IN ACCORDANCE WITH ARTICLE 10.5 OF TITLE 1,
46 C.R.S., OR SECTION 31-10-1207, C.R.S., IS COMPLETED, AS APPLICABLE,
47 WHICHEVER DATE IS LATER. THE DENIAL OF PUBLIC INSPECTION OF
48 BALLOTS AUTHORIZED PURSUANT TO THIS PARAGRAPH (a) SHALL ALSO
49 APPLY TO ANY INTERNAL BATCH REPORTS GENERATED BY A DESIGNATED
50 ELECTION OFFICIAL FOR THE SPECIFIC PURPOSE OF AUDITING BALLOTS
51 RECEIVED IN THE COURSE OF CONDUCTING AN ELECTION.

52 (b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
53 THE DENIAL OF PUBLIC INSPECTION OF BALLOTS AUTHORIZED PURSUANT
54 TO PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL APPLY TO A RECOUNT
55 THAT IS CONDUCTED IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE
56 10.5 OF TITLE 1, C.R.S., OR SECTION 31-10-1207, C.R.S., AS APPLICABLE;

1 EXCEPT THAT, DURING THE PERIOD DESCRIBED IN PARAGRAPH (a) OF THIS
2 SUBSECTION (3), AN INTERESTED PARTY MAY INSPECT AND REQUEST
3 COPIES OF BALLOTS IN CONNECTION WITH SUCH RECOUNT WITHOUT
4 HAVING TO OBTAIN A COURT ORDER GRANTING SUCH INSPECTION. IN
5 CONNECTION WITH AN INSPECTION BY AN INTERESTED PARTY AS
6 AUTHORIZED BY THIS PARAGRAPH (b), AN INTERESTED PARTY MAY
7 WITNESS THE HANDLING OF BALLOTS INVOLVED IN THE RECOUNT TO
8 VERIFY THAT THE RECOUNT IS BEING CONDUCTED IN A FAIR, IMPARTIAL,
9 AND UNIFORM MANNER SO AS TO DETERMINE THAT ALL BALLOTS THAT
10 HAVE BEEN CAST ARE ACCURATELY INTERPRETED AND COUNTED; EXCEPT
11 THAT AN INTERESTED PARTY IS NOT PERMITTED TO HANDLE THE ORIGINAL
12 BALLOTS. EXCEPT AS SPECIFIED IN THIS PARAGRAPH (b), NOTHING IN THIS
13 SECTION SHALL BE CONSTRUED TO PROHIBIT AN INTERESTED PARTY FROM
14 REQUESTING COPIES OF BALLOTS IN CONNECTION WITH A RECOUNT, TO
15 AFFECT THE CONDUCT OF A RECOUNT, OR TO AFFECT THE RIGHTS OF AN
16 INTERESTED PARTY IN CONNECTION WITH A RECOUNT.

17 (c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
18 NOTHING IN THIS SECTION SHALL BE CONSTRUED TO RESTRICT THE PUBLIC
19 INSPECTION OF ELECTION RECORDS AS DEFINED IN SECTION 1-1-104 (11),
20 C.R.S.; EXCEPT THAT, FOR PURPOSES OF THIS SECTION, ELECTION RECORDS
21 SHALL NOT INCLUDE BALLOTS.

22 (4) (a) IN ACCORDANCE WITH THE PROVISIONS OF SECTION
23 24-72-203 (1) (a) AND IN ADDITION TO ANY OTHER REQUIREMENTS THAT
24 ARE APPLICABLE TO A PERSON REQUESTING THE INSPECTION OF PUBLIC
25 RECORDS UNDER THIS PART 2, PRIOR TO AND LATER THAN THE STAY
26 PERIOD DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (3) OF THIS SECTION,
27 BALLOTS SHALL BE AVAILABLE FOR INSPECTION BY THE PUBLIC IN
28 ACCORDANCE WITH THE REQUIREMENTS OF THIS PART 2.

29 (b) IN CONNECTION WITH THE PUBLIC INSPECTION OF THE BALLOTS
30 TO WHICH THIS SECTION PERTAINS:

31 (I) THE ORIGINAL BALLOTS SHALL AT ALL TIMES REMAIN IN THE
32 CUSTODY OF THE DESIGNATED ELECTION OFFICIAL OR HIS OR HER
33 DESIGNEE. IN THE DISCRETION OF THE DESIGNATED ELECTION OFFICIAL OR
34 HIS OR HER DESIGNEE, AND SUBJECT TO THE PROVISIONS OF PARAGRAPH
35 (a) OF THIS SUBSECTION (4) AND THIS PART 2, THE DESIGNATED ELECTION
36 OFFICIAL OR HIS OR HER DESIGNEE SHALL DETERMINE THE MANNER IN
37 WHICH SUCH BALLOTS MAY BE VIEWED BY THE PUBLIC.

38 (II) THE DESIGNATED ELECTION OFFICIAL OR HIS OR HER DESIGNEE
39 SHALL COVER OR REDACT, BASED UPON THE MOST PRACTICAL MEANS
40 AVAILABLE, ANY MARKINGS OR MESSAGE ON A BALLOT THAT MAY
41 IDENTIFY THE PARTICULAR ELECTOR WHO CAST THE BALLOT BEFORE THE
42 BALLOT MAY BE MADE AVAILABLE FOR PUBLIC INSPECTION;

43 (III) TO PROTECT THE PRIVACY OF PARTICULAR ELECTORS, ANY
44 BALLOTS CAST BY ELECTORS WITHIN GROUPS OF DISCRETE INDIVIDUALS
45 WHO ARE MORE SUSCEPTIBLE OF BEING PERSONALLY IDENTIFIED, SUCH AS
46 MILITARY AND OVERSEAS ELECTORS, SHALL BE MADE AVAILABLE FOR
47 PUBLIC INSPECTION ONLY TO THE EXTENT SUCH BALLOTS MAY BE
48 DUPLICATED WITHOUT IDENTIFYING ELECTOR INFORMATION. INsofar AS
49 SUCH BALLOTS ARE NOT ABLE TO BE DUPLICATED WITHOUT IDENTIFYING
50 ELECTOR INFORMATION, THEY ARE NOT AVAILABLE FOR PUBLIC
51 INSPECTION. NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
52 NO BALLOT, OR ANY PORTION THEREOF, MAY BE MADE AVAILABLE FOR
53 INSPECTION WHERE THE BALLOT, OR ANY REQUESTED PORTION THEREOF,
54 IS IDENTICAL IN PRINTED FORM, CONSIDERING A COMBINATION OF THE
55 ELECTION CONTESTS AT ISSUE AND PRECINCT CODING, TO ONLY NINE OR
56 FEWER BALLOTS, OR COMPARABLE PORTIONS THEREOF, AMONG ALL

1 BALLOTS USED IN THE SAME ELECTION. HOWEVER, ANY SUCH BALLOT, OR
2 ANY REQUESTED PORTION THEREOF, THAT IS IDENTICAL IN PRINTED FORM
3 TO TEN OR MORE BALLOTS, OR COMPARABLE PORTIONS THEREOF, USED IN
4 THE SAME ELECTION MAY BE INSPECTED.

5 (IV) TO PROTECT THE PRIVACY OF PARTICULAR ELECTORS,
6 BALLOTS MADE AVAILABLE FOR INSPECTION MAY BE PRESENTED IN
7 RANDOM ORDER SELECTED BY THE DESIGNATED ELECTION OFFICIAL OR HIS
8 OR HER DESIGNEE;

9 (V) FOR THE PURPOSE OF MINIMIZING THE COSTS OF MAKING
10 BALLOTS AVAILABLE FOR PUBLIC INSPECTION, THE PERSON SEEKING THE
11 INSPECTION MAY INDICATE THE CANDIDATE CONTEST, BALLOT ISSUE, OR
12 BALLOT QUESTION FOR WHICH THE PERSON SEEKS TO INSPECT THE
13 BALLOTS; AND

14 (VI) ANY ACTUAL COSTS INCURRED BY THE OFFICE OF THE
15 DESIGNATED ELECTION OFFICIAL IN MAKING THE BALLOTS AVAILABLE FOR
16 INSPECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION
17 MAY BE CHARGED TO THE PERSON REQUESTING INSPECTION OF THE
18 BALLOTS. IF THE DESIGNATED ELECTION OFFICIAL SELECTS A PERSON
19 OTHER THAN AN EMPLOYEE OF HIS OR HER OFFICE TO CONDUCT THE DUTIES
20 REQUIRED BY THIS SECTION, THE ACTUAL COSTS TO BE CHARGED THE
21 PERSON SEEKING INSPECTION SHALL NOT EXCEED THE ACTUAL COSTS THAT
22 WOULD HAVE BEEN INCURRED IF THE WORK INVOLVED IN COMPLYING WITH
23 THE REQUIREMENTS OF THIS SECTION WAS COMPLETED BY AN EMPLOYEE
24 OF THE DESIGNATED ELECTION OFFICIAL.

25 (5) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,
26 NOTHING IN THIS SECTION AFFECTS EITHER THE RIGHTS OF A WATCHER SET
27 FORTH IN THE PROVISIONS OF TITLES 1 AND 31, C.R.S., OR THE OPERATION
28 OF A CANVASS BOARD IN ACCORDANCE WITH THE PROVISIONS OF ARTICLES
29 1 TO 13 OF TITLE 1, C.R.S."

30

31 Page 3, strike line 8 and substitute:

32 "SECTION 3. Applicability. (1) The provisions of section 1 of
33 this act apply to".

34

35 Page 3, after line 11 insert:

36 "(2) The provisions of section 2 of this act apply to requests for
37 inspection of ballots submitted on or after the effective date of this act."

38

39 Renumber succeeding section accordingly.

40

41 Respectfully submitted,

42 House Committee:

43 (signed)

44 Jim Kerr

45 Carole R. Murray

46 Claire Levy

47

48

49

50 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
51 **on HB12-1240**

52

53 This Report Amends the Rerevised Bill.

54

55 To the President of the Senate and the

56 Speaker of the House of Representatives:

1 Your first conference committee appointed on HB12-1240,
 2 concerning statutory changes to K-12 education, has met and reports that
 3 it has agreed upon the following:

4
 5 That the House accede to the Senate amendments made to the bill,
 6 as the amendments appear in the rerevised bill, with the following
 7 changes:

8 Amend rerevised bill, page 47, line 25, strike "IN" and substitute "IF".
 9

10 Respectfully submitted,

11 House Committee:

12 (signed)

13 Andrew Kerr

14 Tom Massey

15 Kenneth Summers

Senate Committee:

(signed)

Bob Bacon

Keith King

Michael Johnston

19 DELIVERY OF BILLS TO GOVERNOR

20
 21 The Chief Clerk of the House of Representatives reports the following
 22 bills have been delivered to the Office of the Governor: **HB12-1008,**
 23 **1034, 1146, 1213, 1241, 1282, 1292, 1293, 1321** at 5:30 p.m. on
 24 May 8, 2012.
 25

28 INTRODUCTION OF RESOLUTION

29
 30 The following resolution was read by title and laid over until later:

31
 32 **HJR12-1025** by Representative(s) Stephens, McNulty, Ferrandino; also
 33 Senator(s) Morse, Shaffer B., Cadman--Concerning the
 34 adjournment sine die of the Second Regular Session of the
 35 Sixty-eighth General Assembly.
 36

38 INTRODUCTION OF RESOLUTIONS

39
 40 The following resolutions were read by title and laid over one day under
 41 the rules:

42
 43 **SJR12-034** by Senator(s) Carroll, Aguilar, Bacon, Boyd, Foster,
 44 Giron, Guzman, Heath, Hodge, Hudak, Johnston, Morse,
 45 Newell, Nicholson, Schwartz, Shaffer B., Steadman,
 46 Tochtrop, Williams S.; also Representative(s) Jones,
 47 Court, Casso, Duran, Ferrandino, Fields, Fischer, Hamner,
 48 Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Lee, Levy,
 49 McCann, McKinley, Miklosi, Pabon, Pace, Peniston,
 50 Ryden, Schafer S., Singer, Solano, Soper, Todd, Tyler,
 51 Vigil, Williams A., Wilson, Young--Concerning the
 52 expression by the Colorado General Assembly of its strong
 53 opposition to recent federal court rulings affecting
 54 campaign finance and urging the reversal of the doctrine
 55 of corporate personhood as set forth in the case of Citizens
 56 United v. Federal Election Commission.

1 **SJR12-038** by Senator(s) Tochtrop; also Representative(s) Soper--
2 Concerning the 75th anniversary of Wildlife and Sport
3 Fish Restoration Programs.
4

5
6 **MESSAGE(S) FROM THE SENATE**
7

8 The Senate voted to concur in House amendments to SB12-026,
9 SB12-078, SB12-044, SB12-166, SB12-175 and repassed the bills as
10 amended.
11

12
13 The Senate has laid HB12-1325 over to May 10, 2012. The bill is
14 returned herewith.
15

16
17 **MESSAGE(S) FROM THE GOVERNOR**
18

19 I certify I received the following on the 9th day of May, 2012, at
20 2:25 p.m. The original is on file in the records of the House of
21 Representatives of the General Assembly.
22

23 Marilyn Eddins,
24 Chief Clerk of the House
25

26 May 9, 2012
27 To the Honorable House of Representatives
28 Sixty-Eighth General Assembly
29 Second Regular Session
30 State Capitol
31 Denver, CO 80203
32

33 Ladies and Gentlemen:
34

35 I have the honor to inform you that I have approved and filed with the
36 Secretary of State the following Acts:
37

38 **HB12-1224** CONCERNING THE CREATION OF A CONSOLIDATION
39 COMMUNICATIONS SYSTEM AUTHORITY
40

41 Approved May 9, 2012 at 11:21 am
42

43 **HB12-1070** CONCERNING THE MODIFICATION OF STATUTORY
44 PROVISIONS GOVERNING THE ETHICAL CONDUCT OF
45 PERSONS INVOLVED IN GOVERNMENT FOR THE PURPOSE
46 OF HARMONIZING SUCH PROVISIONS WITH SECTION 3 (5)
47 OF ARTICLE XXIX OF THE STATE CONSTITUTION
48

49 Approved May 9, 2012 at 11:21 am
50

51 **HB12-1034** CONCERNING CONTINUING THE PROCESSORS AND END
52 USERS FUND THAT ENCOURAGES RECYCLING OF WASTE
53 TIRES, AND, IN CONNECTION THEREWITH, MAKING AN
54 APPROPRIATION.
55

56 Approved May 9, 2012 at 11:22 am

HB12-1262 CONCERNING ENACTMENT OF AMENDMENTS TO THE
SECURED TRANSACTIONS PROVISIONS OF THE "UNIFORM
COMMERCIAL CODE"

Approved May 9, 2012 at 11:22 am

Sincerely,
(signed)
John W. Hickenlooper
Governor

CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)

HB12-1036 by Representative(s) Kerr J.; also Senator(s) Boyd--
Concerning clarification of the exemption from the
"Colorado Open Records Act" for investigative files.

(Conference Committee Report printed in House Journal, May 9,
pages 1373-1376)

On motion of Representative J. Kerr, the Conference Committee Report
was **adopted** by the following roll call vote:

YES	60	NO	4	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	Y	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	E
Barker	Y	Gerou	Y	McCann	Y	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	N	Nikkel	Y	Swerdfeger	Y
Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
Casso	Y	Kagan	Y	Pace	Y	Todd	Y
Conti	Y	Kefalas	N	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	N	Young	Y
						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**.

YES	58	NO	6	EXCUSED	1	ABSENT	0
Acree	Y	Fischer	N	Looper	Y	Solano	Y
Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	E
Barker	Y	Gerou	Y	McCann	Y	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

1	Bradford	Y	Jones	N	Nikkel	Y	Swerdfeger	Y
2	Brown	Y	Joshi	Y	Pabon	N	Szabo	Y
3	Casso	Y	Kagan	Y	Pace	Y	Todd	Y
4	Conti	Y	Kefalas	N	Peniston	Y	Tyler	Y
5	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
6	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
7	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
8	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
9	Ferrandino	Y	Levy	N	Scott	Y	Wilson	Y
10	Fields	Y	Liston	Y	Singer	N	Young	Y
11							Speaker	Y

12 Co-sponsor(s) added: Representative(s) Coram, Court, Murray.

13
14 **HB12-1240** by Representative(s) Kerr A.; also Senator(s) Bacon and
15 King K.--Concerning statutory changes to K-12 education.

16
17 (Conference Committee Report printed in House Journal, May 9,
18 page 1376.)

19
20 On motion of Representative A. Kerr, the Conference Committee Report
21 was **adopted** by the following roll call vote:

23	YES	65	NO	0	EXCUSED	0	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	Y	Hamner	Y	McKinley	Y	Stephens	Y
28	Becker	Y	Holbert	Y	Miklosi	Y	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
42 The question being "Shall the bill, as amended, pass?".

43 A roll call vote was taken. As shown by the following recorded vote, a
44 majority of those elected to the House voted in the affirmative and the
45 bill, as amended, was declared **repassed**.

47	YES	65	NO	0	EXCUSED	0	ABSENT	0
48	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
49	Balmer	Y	Gardner B.	Y	Massey	Y	Sonnenberg	Y
50	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
51	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
52	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
53	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
54	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
55	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
56	Casso	Y	Kagan	Y	Pace	Y	Todd	Y

1	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
2	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
3	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
4	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
5	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
6	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
7	Fields	Y	Liston	Y	Singer	Y	Young	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Casso, Fields, Hamner, Kefalas, Kerr J.,
 10 Massey, Vigil.

11
 12
 13 House in recess. House reconvened.
 14

15 16 17 MESSAGE(S) FROM THE SENATE

18
 19 The Senate has adopted and transmits herewith: SJR12-049. The
 20 President appoints Senator Spence and Senator Boyd.

21 22 23 24 INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

25
 26 On motion of Representative Stephens, the rules were suspended and the
 27 following resolutions were given immediate consideration.

28
 29 **SJR12-049** by Senator(s) Morse, Shaffer B., Cadman; also
 30 Representative(s) Stephens, McNulty, Ferrandino--
 31 Concerning the appointment of a joint committee to notify
 32 the Governor that the Second Regular Session of the
 33 Sixty-eighth General Assembly is about to adjourn sine
 34 die.

35
 36 (Printed and placed in member's file).

37
 38 On motion of Representative Stephens, the resolution was **adopted** by
 39 **viva voce** vote.

40
 41 The Speaker appointed Representatives Massey, Chairman, Swerdfeger,
 42 and Todd pursuant to the resolution.

43
 44 Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
 45 Beezley, Bradford, Brown, Casso, Conti, Court, Fields, Gardner B., Gerou,
 46 Holbert, Hullinghorst, Joshi, Kerr A., Labuda, Lee, Looper, Massey, Miklosi,
 47 Murray, Nikkel, Pace, Priola, Ramirez, Scott, Singer, Solano, Soper, Summers,
 48 Swerdfeger, Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson,
 49 Young.

50
 51 **HJR12-1025** by Representative(s) Stephens, McNulty, Ferrandino; also
 52 Senator(s) Morse, Shaffer B., Cadman--Concerning the
 53 adjournment sine die of the Second Regular Session of the
 54 Sixty-eighth General Assembly.

55
 56 (Printed and placed in member's file).

1 On motion of Representative Stephens, the resolution was **adopted** by the
 2 following roll call vote.

	YES	62	NO	0	EXCUSED	3	ABSENT	0
5	Acree	Y	Fischer	Y	Looper	Y	Solano	Y
6	Balmer	Y	Gardner B.	Y	Massey	E	Sonnenberg	Y
7	Barker	Y	Gerou	Y	McCann	Y	Soper	Y
8	Baumgardner	Y	Hamner	Y	McKinley	Y	Stephens	Y
9	Becker	Y	Holbert	Y	Miklosi	Y	Summers	Y
10	Beezley	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
11	Bradford	Y	Jones	Y	Nikkel	Y	Swerdfeger	E
12	Brown	Y	Joshi	Y	Pabon	Y	Szabo	Y
13	Casso	Y	Kagan	Y	Pace	Y	Todd	E
14	Conti	Y	Kefalas	Y	Peniston	Y	Tyler	Y
15	Coram	Y	Kerr A.	Y	Priola	Y	Vaad	Y
16	Court	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
17	DelGrosso	Y	Labuda	Y	Ryden	Y	Waller	Y
18	Duran	Y	Lee	Y	Schafer S.	Y	Williams A.	Y
19	Ferrandino	Y	Levy	Y	Scott	Y	Wilson	Y
20	Fields	Y	Liston	Y	Singer	Y	Young	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Acree, Barker, Baumgardner, Becker,
 23 Beezley, Bradford, Brown, Casso, Conti, Coram, Court, DelGrosso, Duran,
 24 Fields, Fischer, Gardner B., Gerou, Holbert, Hullinghorst, Jones, Joshi, Kerr A.,
 25 Kerr J., Labuda, Liston, Looper, McCann, Miklosi, Murray, Nikkel, Pabon,
 26 Priola, Ramirez, Schafer S., Scott, Solano, Soper, Summers, Swalm, Vaad,
 27 Vigil, Waller, Williams A., Wilson, Young.

28
 29
 30
 31 House in recess. House reconvened.
 32
 33

34 MESSAGE(S) FROM THE SENATE

35
 36
 37 The Senate has adopted and returns herewith: HJR12-1025.
 38
 39

40 REPORT OF SINE DIE COMMITTEE

41
 42
 43 The Committee appointed pursuant to SJR12-049 reported that they had
 44 notified Governor Hickenlooper that the Second Regular Session of the
 45 Sixty-eighth General Assembly was ready to adjourn sine die.
 46
 47

48 At the hour of 11:58 p.m., on motion of Majority Leader Stephens, and
 49 with both the House of Representatives and the Senate being in
 50 agreement, Speaker McNulty declared, the Second Regular Session of the
 51 Sixty-eighth General Assembly was adjourned sine die.
 52
 53
 54
 55
 56

1 The following items did not receive final action in the house:

2

3 Consideration of Third Reading--**HB12-1359.**

4 Consideration of General Orders--**HB12-1252, 1109, 1347, 1354,**

5 **SB12-046, 028, 101, 108, 116, 164, 027, 177, 176, SCR12-001,**

6 **SB12-005, 047, 173, 129, 169, HB12-1309, 1356, 1255, SB12-165, 086,**

7 **104, 117, 183, 184, 002, 182, 172, 163, 155.**

8 Consideration of Resolution(s)--**SJR12-004, 034, 038, HR12-1005.**

9 Consideration of Senate Amendment(s)--**HB12-1267.**

10

11

12

13

14

15

Approved:

FRANK McNULTY,

Speaker

16 Attest:

17 MARILYN EDDINS,

18 Chief Clerk

