

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

One hundred-sixth Legislative Day Wednesday, April 27, 2011

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 Jazzmine Phillips-Thomas from Lotus School
7 for Excellence, Denver.
8
9 The roll was called with the following result:

10
11 Present--63.
12 Excused--Representative(s) Liston, Sonnenberg--2.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Ramirez, the reading of the journal of
18 April 26, 2011, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

CONSIDERATION OF MEMORIAL

22
23
24
25 **HM11-1006** by Representative(s) Vaad and Summers--Memorializing
26 former Representative Floyd Sack.
27

28 Representative Vaad moved that the Memorial be adopted.
29

30 The Speaker ordered the memorial read at length.
31

32 The memorial was **adopted** by the following roll call vote:
33

	YES	62	NO	0	EXCUSED	3	ABSENT	0
35	Acree	Y	Fischer	Y	Liston	E	Scott	Y
36	Balmer	Y	Gardner B.	E	Looper	Y	Solano	Y
37	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	E
38	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
39	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
40	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
41	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
42	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
43	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y

1	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
2	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
3	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
4	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
5							Speaker	Y

6
7 Representative Todd moved for reconsideration of concurrence in Senate
8 amendments of HB11-1080. As shown by the following recorded vote,
9 a two thirds majority of those elected voted in the affirmative the motion
10 was declared **passed**:

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

32 MESSAGE(S) FROM THE SENATE

33
34
35 The Senate has adopted and transmits herewith: SJR11-037.

38 INTRODUCTION AND CONSIDERATION OF RESOLUTION

39
40 On motion of Representative Stephens, the rules were suspended and the
41 following resolution was given immediate consideration.

42
43 **SJR11-037** by Senator(s) Scheffel; also Representative(s) Hamner--
44 Concerning designating the month of April as Historic
45 Leadville Month.

46
47 (Printed and placed in member's file).

48
49 On motion of Representative Hamner, the resolution was read at length
50 and **adopted** by **viva voce** vote.

51
52 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Balmer,
53 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,
54 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gardner D.,
55 Gerou, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A., Kerr J.,
56 Labuda, Lee, Levy, Looper, Massey, McCann, McKinley, Miklosi, Murray,

1 Nikkel, Pabon, Pace, Peniston, Priola, Ramirez, Riesberg, Ryden, Schafer S.,
2 Scott, Solano, Soper, Stephens, Summers, Swalm, Swerdfeger, Szabo, Todd,
3 Tyler, Vaad, Vigil, Waller, Williams A., Wilson, Speaker.

4
5
6 **APPOINTMENT**

7
8 The Speaker announced the temporary appointment of Representative
9 Becker to replace Representative DelGrosso on the Committee on State,
10 Veterans, & Military Affairs (temporary appointment for the State,
11 Veterans, & Military Affairs meeting on Wednesday, April 27, 2011).

12
13
14 House in recess. House reconvened.

15
16
17 **CHANGE IN SPONSORSHIP**

18
19
20 The Speaker announced the following change in sponsorship:
21 SB11-177--Representative Coram to replace Representative Nikkel as
22 prime sponsor.

23
24
25
26 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

27
28 **ECONOMIC & BUSINESS DEVELOPMENT**

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

31
32 **SB11-206** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend reengrossed bill, page 5, line 5, strike "**Exemptions.**" and
37 substitute "**Exemptions - rules.**".

38
39 Page 5, strike lines 8 through 12 and substitute "FINANCIAL PROTECTION
40 OR THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN
41 DEVELOPMENT:".

42
43 Page 5, after line 26 insert:

44 "**SECTION 4.** 12-61-904, Colorado Revised Statutes, is amended
45 BY THE ADDITION OF A NEW SUBSECTION to read:

46
47 **12-61-904. Exemptions - rules.** (3) THE BOARD MAY ADOPT
48 REASONABLE RULES MODIFYING THE EXEMPTIONS IN THIS SECTION IN
49 ACCORDANCE WITH RULES ADOPTED BY THE FEDERAL BUREAU OF
50 CONSUMER FINANCIAL PROTECTION OR THE UNITED STATES DEPARTMENT
51 OF HOUSING AND URBAN DEVELOPMENT."

52
53 Renumber succeeding section accordingly.

54
55
56

1 **HEALTH & ENVIRONMENT**

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

4
5 **HB11-1273** be amended as follows, and as so amended, be referred to
6 the Committee on Appropriations with favorable
7 recommendation:

8
9 Amend printed bill, strike everything below the enacting clause and
10 substitute:

11
12 "SECTION 1. Article 60 of title 24, Colorado Revised Statutes,
13 is amended BY THE ADDITION OF A NEW PART to read:

14
15 **PART 35**
16 **HEALTH CARE INTERSTATE COMPACT**

17
18 **24-60-3501. Short title.** THIS PART 35 SHALL BE KNOWN AND
19 MAY BE CITED AS THE "HEALTH CARE OPPORTUNITY AND PATIENT
20 EMPOWERMENT ACT".

21
22 **24-60-3502. Execution of compact.** THE GENERAL ASSEMBLY
23 HEREBY APPROVES AND THE GOVERNOR IS AUTHORIZED TO ENTER INTO A
24 COMPACT ON BEHALF OF THIS STATE WITH ANY OTHER STATE OR STATES
25 LEGALLY JOINING THEREIN IN THE FORM SUBSTANTIALLY AS FOLLOWS:

26
27 **ARTICLE I**
28 **PURPOSE**

29
30 (a) THE MEMBER STATES FIND THAT:

31
32 (1) THE SEPARATION OF POWERS, BOTH AMONG THE BRANCHES OF
33 THE FEDERAL GOVERNMENT AND BETWEEN FEDERAL AND STATE
34 AUTHORITY, IS ESSENTIAL TO THE PRESERVATION OF INDIVIDUAL LIBERTY;

35
36 (2) THE UNITED STATES CONSTITUTION CREATES A FEDERAL
37 GOVERNMENT OF LIMITED AND ENUMERATED POWERS AND RESERVES TO
38 THE STATES OR TO THE PEOPLE THOSE POWERS NOT GRANTED TO THE
39 FEDERAL GOVERNMENT;

40
41 (3) THE FEDERAL GOVERNMENT HAS ENACTED MANY LAWS THAT
42 HAVE PREEMPTED STATE LAWS WITH RESPECT TO HEALTH CARE AND HAVE
43 PLACED INCREASING STRAIN ON STATE BUDGETS, IMPAIRING OTHER
44 RESPONSIBILITIES SUCH AS EDUCATION, INFRASTRUCTURE, AND PUBLIC
45 SAFETY;

46
47 (4) THE MEMBER STATES SEEK TO PROTECT INDIVIDUAL LIBERTY
48 AND PERSONAL CONTROL OVER HEALTH CARE DECISIONS AND BELIEVE THE
49 BEST METHOD TO ACHIEVE THESE ENDS IS TO VEST REGULATORY
50 AUTHORITY OVER HEALTH CARE IN THE STATES;

51
52 (5) BY ACTING IN CONCERT, THE MEMBER STATES MAY EXPRESS
53 AND INSPIRE CONFIDENCE IN THE ABILITY OF EACH MEMBER STATE TO
54 GOVERN HEALTH CARE EFFECTIVELY; AND

55
56 (6) THE MEMBER STATES RECOGNIZE THAT CONSENT OF THE

1 UNITED STATES CONGRESS MAY BE MORE EASILY SECURED IF THE MEMBER
2 STATES COLLECTIVELY SEEK CONSENT THROUGH AN INTERSTATE COMPACT
3 AS SET FORTH IN THIS PART 35.

4
5 **ARTICLE II**
6 **DEFINITIONS**

7
8 AS USED IN THIS COMPACT, UNLESS THE CONTEXT CLEARLY INDICATES
9 OTHERWISE:

10
11 (a) "COMMISSION" MEANS THE INTERSTATE ADVISORY HEALTH
12 CARE COMMISSION ESTABLISHED IN ARTICLE VII OF THIS COMPACT.

13
14 (b) "CURRENT YEAR INFLATION ADJUSTMENT FACTOR" MEANS THE
15 TOTAL GROSS DOMESTIC PRODUCT DEFLATOR IN THE CURRENT YEAR
16 DIVIDED BY THE TOTAL GROSS DOMESTIC PRODUCT DEFLATOR IN FEDERAL
17 FISCAL YEAR 2010. TOTAL GROSS DOMESTIC PRODUCT DEFLATOR SHALL
18 BE DETERMINED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED
19 STATES DEPARTMENT OF COMMERCE.

20
21 (c) "EFFECTIVE DATE" MEANS THE DATE UPON WHICH THIS
22 COMPACT BECOMES EFFECTIVE FOR PURPOSES OF THE OPERATION OF STATE
23 AND FEDERAL LAW IN A MEMBER STATE, WHICH SHALL BE THE LATER OF:

24
25 (1) THE DATE UPON WHICH THIS COMPACT IS ADOPTED UNDER THE
26 LAWS OF THE MEMBER STATE; AND

27
28 (2) THE DATE UPON WHICH THE UNITED STATES CONGRESS
29 CONSENTS TO THIS COMPACT PURSUANT TO ARTICLE I, SECTION 10 OF THE
30 UNITED STATES CONSTITUTION, AFTER AT LEAST TWO MEMBER STATES
31 ADOPT THE COMPACT.

32
33 (d) (1) "HEALTH CARE" MEANS CARE, SERVICES, SUPPLIES, OR
34 PLANS RELATED TO THE HEALTH OF AN INDIVIDUAL AND INCLUDES THE
35 FOLLOWING:

36
37 (i) PREVENTIVE, DIAGNOSTIC, THERAPEUTIC, REHABILITATIVE,
38 MAINTENANCE, OR PALLIATIVE CARE AND COUNSELING, SERVICE,
39 ASSESSMENT, OR PROCEDURE WITH RESPECT TO THE PHYSICAL OR MENTAL
40 CONDITION OR FUNCTIONAL STATUS OF AN INDIVIDUAL OR THAT AFFECTS
41 THE STRUCTURE OR FUNCTION OF THE BODY;

42
43 (ii) THE SALE OR DISPENSING OF A DRUG, DEVICE, EQUIPMENT, OR
44 OTHER ITEM IN ACCORDANCE WITH A PRESCRIPTION; AND

45
46 (iii) AN INDIVIDUAL OR GROUP PLAN THAT PROVIDES, OR PAYS THE
47 COST OF, CARE, SERVICES, OR SUPPLIES RELATED TO THE HEALTH OF AN
48 INDIVIDUAL.

49
50 (2) "HEALTH CARE" DOES NOT INCLUDE ANY CARE, SERVICES,
51 SUPPLIES, OR PLANS PROVIDED BY THE UNITED STATES DEPARTMENTS OF
52 DEFENSE AND VETERANS AFFAIRS OR PROVIDED TO NATIVE AMERICANS.

53
54 (e) "MEMBER STATE" MEANS A STATE THAT IS A SIGNATORY TO
55 THIS COMPACT AND HAS ADOPTED IT UNDER THE LAWS OF THAT STATE.

56

1 (f) "MEMBER STATE BASE FUNDING LEVEL" MEANS A NUMBER
2 EQUAL TO THE TOTAL FEDERAL SPENDING ON HEALTH CARE IN THE
3 MEMBER STATE DURING FEDERAL FISCAL YEAR 2010. ON OR BEFORE THE
4 EFFECTIVE DATE, EACH MEMBER STATE SHALL DETERMINE THE MEMBER
5 STATE BASE FUNDING LEVEL FOR ITS STATE, AND THAT NUMBER SHALL BE
6 BINDING ON THE MEMBER STATE. THE PRELIMINARY ESTIMATE OF THE
7 MEMBER STATE BASE FUNDING LEVEL FOR THE STATE OF COLORADO IS
8 EIGHT BILLION NINE HUNDRED SEVEN MILLION DOLLARS.
9

10 (g) "MEMBER STATE CURRENT YEAR FUNDING LEVEL" MEANS THE
11 MEMBER STATE BASE FUNDING LEVEL MULTIPLIED BY THE MEMBER STATE
12 CURRENT YEAR POPULATION ADJUSTMENT FACTOR MULTIPLIED BY THE
13 CURRENT YEAR INFLATION ADJUSTMENT FACTOR.
14

15 (h) "MEMBER STATE CURRENT YEAR POPULATION ADJUSTMENT
16 FACTOR" MEANS THE AVERAGE POPULATION OF THE MEMBER STATE IN THE
17 CURRENT YEAR LESS THE AVERAGE POPULATION OF THE MEMBER STATE IN
18 FEDERAL FISCAL YEAR 2010, DIVIDED BY THE AVERAGE POPULATION OF
19 THE MEMBER STATE IN FEDERAL FISCAL YEAR 2010, PLUS ONE. AVERAGE
20 POPULATION IN A MEMBER STATE SHALL BE DETERMINED BY THE UNITED
21 STATES BUREAU OF THE CENSUS.
22

23 **ARTICLE III** 24 **PLEDGE**

25
26 THE MEMBER STATES SHALL TAKE JOINT AND SEPARATE ACTION TO
27 SECURE THE CONSENT OF THE UNITED STATES CONGRESS TO THIS
28 COMPACT IN ORDER TO RETURN THE AUTHORITY TO REGULATE HEALTH
29 CARE TO THE MEMBER STATES CONSISTENT WITH THE GOALS AND
30 PRINCIPLES ARTICULATED IN THIS COMPACT. THE MEMBER STATES SHALL
31 IMPROVE HEALTH CARE POLICY WITHIN THEIR RESPECTIVE JURISDICTIONS
32 AND ACCORDING TO THE JUDGMENT AND DISCRETION OF EACH MEMBER
33 STATE.
34

35 **ARTICLE IV** 36 **LEGISLATIVE POWER**

37
38 THE LEGISLATURES OF THE MEMBER STATES HAVE THE PRIMARY
39 RESPONSIBILITY TO REGULATE HEALTH CARE IN THEIR RESPECTIVE STATES.
40

41 **ARTICLE V** 42 **STATE CONTROL**

43
44 EACH MEMBER STATE, WITHIN ITS STATE, MAY SUSPEND BY
45 LEGISLATION THE OPERATION OF ALL FEDERAL LAWS, RULES,
46 REGULATIONS, AND ORDERS REGARDING HEALTH CARE THAT ARE
47 INCONSISTENT WITH THE LAWS AND REGULATIONS ADOPTED BY THE
48 MEMBER STATE PURSUANT TO THIS COMPACT. FEDERAL AND STATE LAWS,
49 RULES, REGULATIONS, AND ORDERS REGARDING HEALTH CARE WILL
50 REMAIN IN EFFECT UNLESS A MEMBER STATE EXPRESSLY SUSPENDS THEM
51 PURSUANT TO ITS AUTHORITY UNDER THIS COMPACT. FOR ANY FEDERAL
52 LAW, RULE, REGULATION, OR ORDER THAT REMAINS IN EFFECT IN A
53 MEMBER STATE AFTER THE EFFECTIVE DATE, THAT MEMBER STATE SHALL
54 BE RESPONSIBLE FOR THE ASSOCIATED FUNDING OBLIGATIONS IN ITS
55 STATE.
56

1
2
3
4

ARTICLE VI FUNDING

5 (a) EACH FEDERAL FISCAL YEAR, EACH MEMBER STATE SHALL
6 HAVE THE RIGHT TO FEDERAL MONEYS UP TO AN AMOUNT EQUAL TO ITS
7 MEMBER STATE CURRENT YEAR FUNDING LEVEL FOR THAT FEDERAL FISCAL
8 YEAR, FUNDED BY CONGRESS AS MANDATORY SPENDING AND NOT SUBJECT
9 TO ANNUAL APPROPRIATION, TO SUPPORT THE EXERCISE OF MEMBER STATE
10 AUTHORITY UNDER THIS COMPACT. THIS FUNDING SHALL NOT BE
11 CONDITIONAL ON ANY ACTION OF OR REGULATION, POLICY, LAW, OR RULE
12 BEING ADOPTED BY THE MEMBER STATE.

13 (b) BY THE START OF EACH FEDERAL FISCAL YEAR, CONGRESS
14 SHALL ESTABLISH AN INITIAL MEMBER STATE CURRENT YEAR FUNDING
15 LEVEL FOR EACH MEMBER STATE, BASED UPON REASONABLE ESTIMATES.
16 THE FINAL MEMBER STATE CURRENT YEAR FUNDING LEVEL SHALL BE
17 CALCULATED, AND FUNDING SHALL BE RECONCILED BY THE UNITED
18 STATES CONGRESS BASED UPON INFORMATION PROVIDED BY EACH
19 MEMBER STATE AND AUDITED BY THE UNITED STATES GOVERNMENT
20 ACCOUNTABILITY OFFICE.

21
22
23
24
25

ARTICLE VII INTERSTATE ADVISORY HEALTH CARE COMMISSION

26 (a) THE INTERSTATE ADVISORY HEALTH CARE COMMISSION IS
27 ESTABLISHED. THE COMMISSION CONSISTS OF MEMBERS APPOINTED BY
28 EACH MEMBER STATE THROUGH A PROCESS TO BE DETERMINED BY EACH
29 MEMBER STATE. A MEMBER STATE MAY NOT APPOINT MORE THAN TWO
30 MEMBERS TO THE COMMISSION AND MAY WITHDRAW MEMBERSHIP FROM
31 THE COMMISSION AT ANY TIME. EACH COMMISSION MEMBER IS ENTITLED
32 TO ONE VOTE. THE COMMISSION SHALL NOT ACT UNLESS A MAJORITY OF
33 THE MEMBERS ARE PRESENT, AND NO ACTION SHALL BE BINDING UNLESS
34 APPROVED BY A MAJORITY OF THE COMMISSION'S TOTAL MEMBERSHIP.

35
36 (b) THE COMMISSION MAY ELECT FROM AMONG ITS MEMBERSHIP
37 A CHAIRPERSON. THE COMMISSION MAY ADOPT AND PUBLISH BYLAWS AND
38 POLICIES THAT DO NOT CONFLICT WITH THIS COMPACT. THE COMMISSION
39 SHALL MEET AT LEAST ONCE A YEAR AND MAY MEET MORE FREQUENTLY.

40
41 (c) THE COMMISSION MAY STUDY ISSUES OF HEALTH CARE
42 REGULATION THAT ARE OF PARTICULAR CONCERN TO THE MEMBER STATES.
43 THE COMMISSION MAY MAKE NONBINDING RECOMMENDATIONS TO THE
44 MEMBER STATES. THE LEGISLATURES OF THE MEMBER STATES MAY
45 CONSIDER THESE RECOMMENDATIONS IN DETERMINING THE APPROPRIATE
46 HEALTH CARE POLICIES IN THEIR RESPECTIVE STATES.

47
48 (d) THE COMMISSION SHALL COLLECT INFORMATION AND DATA TO
49 ASSIST THE MEMBER STATES IN THEIR REGULATION OF HEALTH CARE,
50 INCLUDING ASSESSING THE PERFORMANCE OF VARIOUS STATE HEALTH
51 CARE PROGRAMS AND COMPILING INFORMATION ON THE PRICES OF HEALTH
52 CARE. THE COMMISSION SHALL MAKE THIS INFORMATION AND DATA
53 AVAILABLE TO THE LEGISLATURES OF THE MEMBER STATES.
54 NOTWITHSTANDING ANY OTHER PROVISION IN THIS COMPACT, NO MEMBER
55 STATE SHALL DISCLOSE TO THE COMMISSION THE HEALTH INFORMATION OF
56 ANY INDIVIDUAL, NOR SHALL THE COMMISSION DISCLOSE THE HEALTH

1 INFORMATION OF ANY INDIVIDUAL.

2

3 (e) THE COMMISSION SHALL BE FUNDED BY THE MEMBER STATES
4 AS AGREED TO BY THE MEMBER STATES. THE COMMISSION SHALL HAVE
5 THE RESPONSIBILITIES AND DUTIES AS MAY BE CONFERRED UPON IT BY
6 SUBSEQUENT ACTION OF THE RESPECTIVE LEGISLATURES OF THE MEMBER
7 STATES IN ACCORDANCE WITH THE TERMS OF THIS COMPACT.

8

9 (f) THE COMMISSION SHALL NOT TAKE ANY ACTION WITHIN A
10 MEMBER STATE THAT CONTRAVENES ANY STATE LAW OF THAT MEMBER
11 STATE.

12

13

14

15

ARTICLE VIII CONGRESSIONAL CONSENT

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

ARTICLE X WITHDRAWAL; DISSOLUTION

45

46

47

48

49

50

51

52

53

54

55

ANY MEMBER STATE MAY WITHDRAW FROM THIS COMPACT BY
ADOPTING A LAW TO THAT EFFECT, BUT NO SUCH WITHDRAWAL SHALL
TAKE EFFECT UNTIL SIX MONTHS AFTER THE GOVERNOR OF THE
WITHDRAWING MEMBER STATE HAS GIVEN NOTICE OF THE WITHDRAWAL
TO THE OTHER MEMBER STATES. A WITHDRAWING STATE SHALL BE LIABLE
FOR ANY OBLIGATIONS THAT IT MAY HAVE INCURRED PRIOR TO THE DATE
ON WHICH ITS WITHDRAWAL BECOMES EFFECTIVE. THIS COMPACT SHALL
BE DISSOLVED UPON THE WITHDRAWAL OF ALL BUT ONE OF THE MEMBER
STATES.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

SECTION 2. 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."

SB11-195 be referred to the Committee of the Whole with favorable recommendation.

JUDICIARY

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

HB11-1302 be referred favorably to the Committee on Appropriations.

SB11-191 be referred favorably to the Committee on Appropriations.

SB11-193 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 7, strike "NOT SUBJECT TO" and substitute "IMMUNE FROM".

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed: **HB11-1305.**

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB11-1042, 1160, 1200, 1201, 1251, 1286; HM11-1005; SB11-165, 188, 209, 210, 225.**

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: **HB11-1097, 1258** at 2:28 p.m. on April 26, 2011.

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB11-1042, 1160, 1200, 1201, 1251, 1286** at 3:10 p.m. on April 27, 2011.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56

MESSAGE(S) FROM THE SENATE

The Senate voted to recall HB11-1080, for purposes of reconsideration, and requests the return of the bill.

Upon Announcement of President Shaffer, Senator Spence will be added as a co-prime sponsor on HB11-1043.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes, SB11-204 and SB11-232.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes:

SB11-200 amended as printed in Senate Journal, April 25, 2011, page 853.

The Senate has passed on Third Reading and returns herewith HB11-1274, HB11-1283, HB11-1100, HB11-1289, and HB11-1291.

The Senate has postponed indefinitely HB11-1271. The bill is returned herewith.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB11-204 and 232.
Without comment, as amended, SB11-200.

MESSAGE(S) FROM THE GOVERNOR

I certify I received the following on the 26th day of April, 2011, at 1:35 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

April 26, 2011

To the Honorable House of Representatives
Sixty-eighth General Assembly
First 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:

1 **HB11-1216** CONCERNING THE FUNDING OF PROGRAMS THAT HELP
 2 PERSONS WITH DISABILITIES OBTAIN BENEFITS BY THE
 3 SALE OF UNIQUELY VALUABLE REGISTRATION NUMBERS
 4 FOR VEHICLES, AND MAKING AN APPROPRIATION
 5 THEREFOR
 6

7 Approved April 26, 2011 at 11:57 a.m.

8 Sincerely,
 9 (signed)
 10 John W. Hickenlooper
 11 Governor

12
 13
 14
 15 **INTRODUCTION OF BILLS**
 16 **First Reading**
 17

18 The following bills were read by title and referred to the committees
 19 indicated:
 20

21 **HB11-1306** by Representative(s) Priola; also Senator(s) Hodge--
 22 Concerning the schedule for sunset review of the functions
 23 of the division of insurance in the department of regulatory
 24 agencies.
 25 Committee on Economic and Business Development
 26

27 **HB11-1307** by Representative(s) Becker, Gerou, Ferrandino; also
 28 Senator(s) Steadman, Hodge, Lambert--Concerning
 29 recovery audits.
 30 Committee on Finance
 31

32 **HB11-1308** by Representative(s) Baumgardner, Becker, Bradford,
 33 Brown, Coram, Holbert, Joshi, Kerr J., McKinley, Murray,
 34 Ramirez, Scott, Swerdfeger; also Senator(s) King S.,
 35 Harvey, White--Concerning the distribution of federal
 36 mineral leasing revenues related to naval oil shale reserves
 37 to affected counties in Colorado.
 38 Committee on Agriculture, Livestock, & Natural Resources
 39

40 **HB11-1309** by Representative(s) Baumgardner, Scott; also Senator(s)
 41 Renfroe--Concerning enactment of the "Unauthorized
 42 Employment and Human Smuggling Prevention Act".
 43 Committee on Agriculture, Livestock, & Natural Resources
 44

45 **HB11-1310** by Representative(s) Sonnenberg, Brown, Vigil; also
 46 Senator(s) Bacon, Schwartz, Renfroe--Concerning the
 47 funding for the restoration of the state capitol dome.
 48 Committee on State, Veterans, & Military Affairs
 49

50 **HB11-1311** by Representative(s) Swerdfeger and Kerr A., Stephens,
 51 Pace; also Senator(s) Giron, Cadman--Concerning the
 52 number of project applications that the Colorado economic
 53 development commission may approve following approval
 54 of two initial projects pursuant to the "Colorado Regional
 55 Tourism Act".
 56 Committee on Economic and Business Development

- 1 **SB11-004** by Senator(s) Guzman, Steadman; also Representative(s)
2 Pabon--Concerning crimes against homeless persons.
3 Committee on Judiciary
4
- 5 **SB11-044** by Senator(s) Steadman; also Representative(s) Levy--
6 Concerning the collateral consequences of a conviction.
7 Committee on State, Veterans, & Military Affairs
8
- 9 **SB11-047** by Senator(s) Heath; also Representative(s) Gerou and
10 Riesberg--Concerning funding to support innovative
11 industries, and, in connection therewith, creating the
12 "Colorado Clean Technology Innovation Reinvestment
13 Act".
14 Committee on Economic and Business Development
15
- 16 **SB11-066** by Senator(s) Jahn; also Representative(s) Gardner B.--
17 Concerning the issuance of special event permits to serve
18 alcohol beverages.
19 Committee on Local Government
20
- 21 **SB11-105** by Senator(s) Guzman, Aguilar, Boyd, Carroll, Foster,
22 Lundberg, Newell, Roberts; also Representative(s) Levy--
23 Concerning in-home support services, and, in connection
24 therewith, extending the in-home support services
25 program.
26 Committee on Health and Environment
27
- 28 **SB11-133** by Senator(s) Hudak and Newell, Foster, Giron, Steadman,
29 Bacon, Jahn, King K.; also Representative(s) Nikkel,
30 Ferrandino, Gardner B., Kagan, Levy, Waller, Solano--
31 Concerning a study of disciplinary actions taken in public
32 schools.
33 Committee on Education
34
- 35 **SB11-177** by Senator(s) Nicholson, Aguilar, Boyd, Carroll, Foster,
36 Newell; also Representative(s) Coram--Concerning the
37 teen pregnancy and dropout prevention program, and, in
38 connection therewith, continuing the program, and making
39 an appropriation.
40 Committee on Health and Environment
41
- 42 **SB11-185** by Senator(s) Johnston; also Representative(s) Duran--
43 Concerning a clause in state contracts that requires a
44 vendor to notify the state if the vendor outsources duties
45 performed pursuant to the contract to a locale outside the
46 United States.
47 Committee on State, Veterans, & Military Affairs
48
- 49 **SB11-192** by Senator(s) Aguilar and Spence, Boyd, Guzman, Jahn,
50 Newell, White, Williams S.; also Representative(s)
51 Massey, Casso, Priola, Riesberg, Soper--Concerning the
52 continuation of the prescription drug monitoring program,
53 and, in connection therewith, repealing the prescription
54 controlled substance abuse monitoring committee, and
55 making an appropriation.
56 Committee on Health and Environment

1 **SB11-227** by Senator(s) Hudak, Bacon, Boyd, Heath, Williams S.;
 2 also Representative(s) Vaad and Ryden--Concerning a
 3 repeal of the exception to the child restraint system law for
 4 children weighing more than forty pounds who are being
 5 transported in a motor vehicle with a rear seat that was not
 6 equipped with combination belts at the time of
 7 manufacture.

8 Committee on Transportation
 9

10

11

12

13

INTRODUCTION OF RESOLUTIONS

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

16

17 **HJR11-1018** by Representative(s) Massey, Acree, Joshi, McKinley,
 18 Riesberg, Sonnenberg, Soper, Wilson; also Senator(s)
 19 Boyd, Nicholson, White--Concerning recognition of rural
 20 health care providers in Colorado, and, in connection
 21 therewith, declaring April 29, 2011, "Rural Health Day".
 22

23 **HJR11-1019** by Representative(s) Gardner B., Conti, Court, Holbert,
 24 Hullinghorst, Joshi, Kerr A., Looper, McCann, Murray,
 25 Pace, Sonnenberg, Stephens, Swalm, Szabo, Williams A.,
 26 Wilson; also Senator(s) Jahn, Bacon, Cadman, Grantham,
 27 King S., Morse, Roberts, Tochtrop, White--Concerning
 28 Lupus awareness, and, in connection therewith,
 29 designating May as "Lupus Awareness Month" in the state
 30 of Colorado.
 31

32 **HJR11-1020** by Representative(s) Gardner B., Acree, Barker, Duran,
 33 Kagan, Lee, Levy, McCann, McNulty, Pabon, Waller; also
 34 Senator(s) Carroll, Heath, Johnston, Mitchell, Roberts,
 35 Scheffel, Shaffer B., Steadman--Concerning the
 36 recognition of Law Day in Colorado.
 37

38

39

40

41

LAY OVER OF CALENDAR ITEM(S)

42

43 On motion of Representative Stephens, the following item(s) on the
 44 Calendar (was)were laid over until April 28, retaining place on Calendar:
 45

46 Consideration of Special Orders--**HB11-1149 amended.**
 47 Consideration of General Orders---**HB11-1212, SB11-076, HB11-1294,**
 48 **1223, 1285, SB11-045, 189, HB11-1264, SB11-180.**
 49 Consideration of Conference Committee Report(s)--**SB11-219.**
 50 Consideration of Resolution(s)--**SJR11-009.**
 51 Consideration of Senate Amendment(s)--**HB11-1076.**
 52

53

54

55

1 On motion of Representative Stephens, the House adjourned until
2 9:00 a.m., April 28, 2011.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
FRANK McNULTY,
Speaker

