

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

Ninety-second Legislative Day

Wednesday, April 13, 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 Kaleah Thomas, Mariam Wacker, Betelhem  
7 Assefa, Laura Lopez from Martin Luther King Jr., Early College, Denver.  
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

19 On motion of Representative Lee, the reading of the journal of  
20 April 12, 2011, was declared dispensed with and approved as corrected  
21 by the Chief Clerk.  
22  
23  
24

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

**APPROPRIATIONS**

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

32 **HB11-1293** 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 8, after line 8 insert:  
37

38 **"SECTION 6. Appropriation.** 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 revenue,  
41 for the fiscal year beginning July 1, 2011, the sum of four thousand two  
42 hundred eighty dollars (\$4,280), or so much thereof as may be necessary,  
43 for the implementation of this act.".

1 Renumber succeeding sections accordingly.

2

3 Page 1, line 103 strike "**2012.**" and substitute "**2012, AND MAKING AN**  
4 **APPROPRIATION THEREFOR.**".

5

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7

8

9 **FINANCE**

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

12

13 **SJR11-009** be referred out for final action.

14

15

16

17

18 **INTRODUCTION OF MEMORIAL**

19

20 The following memorial was read by title and laid over until  
21 April 18, 2011 under the rules:

22

23 **HM11-1004** by Representative(s) Vaad, Riesberg--Memorializing  
24 former Representative Eunice Wharton Fine.

25

26

27

28 **CONSIDERATION OF MEMORIAL**

29

30 **HM11-1003** by Representative(s) Vaad--Memorializing former  
31 Representative Dale Erickson.

32

33 Representative Vaad moved that the Memorial be adopted and requested  
34 it be read at length.

35

36 The memorial was **adopted** by **viva voce** vote.

37

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

46

47

48

49 **CONSIDERATION OF RESOLUTION**

50

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

53

54 **HJR11-1015** by Representative(s) Nikkel and McCann; also Senator(s)  
55 Newell and White--Concerning recognition of the month  
56 of April as Child Abuse Prevention Month.

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

2

3 On motion of Representative McCann, 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 Barker, Baumgardner, Becker, Beezley, Bradford, Brown, Casso, Conti, Coram,  
8 Court, DelGrosso, Duran, Ferrandino, Fields, Fischer, Gardner B., Gardner D.,  
9 Gerou, Hamner, Holbert, Hullinghorst, Jones, Joshi, Kagan, Kefalas, Kerr A.,  
10 Kerr J., Labuda, Lee, Levy, Liston, Looper, Massey, McKinley, Miklosi,  
11 Murray, Pabon, Pace, Peniston, Priola, Ramirez, Riesberg, Ryden, Schafer S.,  
12 Scott, Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Swerdfeger,  
13 Szabo, Todd, Tyler, Vaad, Vigil, Waller, Williams A., Wilson.

14

15

16

House in recess. House reconvened.

17

18

19

20 On motion of Representative Stephens, **SB11-209, 210, 215, 217, 218,**  
21 **224, 225, 216, 222, 228, 229, 211, 221, 213, 226, 219, 212, 214, 223,**  
22 **HB11-1293, 1296** were made Special Orders on Wednesday,  
23 April 13, 2011, at 1:09 p.m.

24

25

26 The hour of 1:09 p.m., having arrived, on motion of Representative  
27 Gardner B., the House resolved itself into Committee of the Whole for  
28 consideration of Special Orders and he was called to the Chair to act as  
29 Chairman.

30

31

### 32 **SPECIAL 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 **SB11-209** by Senator(s) Hodge, Steadman, Lambert; also  
43 Representative(s) Gerou, Becker, Ferrandino--Concerning  
44 the provision for payment of the expenses of the executive,  
45 legislative, and judicial departments of the state of  
46 Colorado, and of its agencies and institutions, for and  
47 during the fiscal year beginning July 1, 2011, except as  
48 otherwise noted.

49

50 Amendment No. 1, Appropriations, dated April 12, 2011, and placed in  
51 member's bill file; Report also printed in House Journal, April 12,  
52 pages 952-953.

53

54 As amended, ordered revised and placed on the Calendar for Third  
55 Reading and Final Passage.

56

1 A motion by Representative Waller that the Committee rise, report  
2 progress and beg leave to sit again at 6:30 p.m., was adopted by  
3 unanimous consent.

4

5

6

---

House reconvened.

7

8 The Committee of the Whole reported it had risen, reported progress and  
9 would sit again at 6:30 p.m.

10

11

12

---

House in recess. House reconvened.

13

14

15 On motion of Representative Gardner B., the House resolved itself into  
16 Committee of the Whole for continuation of consideration of Special  
17 Orders, and he returned to the Chair to act as Chairman.

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### SPECIAL ORDERS--SECOND READING OF BILLS

21

(Continued)

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**SB11-210** by Senator(s) Hodge, Steadman, Lambert; also  
Representative(s) Ferrandino, Becker, Gerou--Concerning  
the elimination of the supplemental old age pension health  
and medical care program, and, in connection therewith,  
providing for the transfer of the fund balance of the  
supplemental old age pension health and medical care fund  
to the general fund, authorizing the use of moneys in the  
tobacco tax cash fund to provide services under medicaid  
for the medical care of old age pensioners, and making an  
appropriation.

Amendment No. 1, Appropriations, dated April 12, 2011, and placed in  
member's bill file; Report also printed in House Journal, April 12,  
page 953.

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

**SB11-215** by Senator(s) Hodge, Steadman, Lambert; also  
Representative(s) Becker, Gerou, Ferrandino--Concerning  
a reduction in the general fund portion of the per diem  
rates paid to nursing facilities for the 2011-12 fiscal year,  
and making an appropriation therefor.

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

**SB11-217** by Senator(s) Hodge, Steadman, Lambert; also  
Representative(s) Ferrandino, Becker, Gerou--Concerning  
a reduction to the juvenile detention bed cap, and making  
an appropriation in connection therewith.

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

1 **SB11-218** by Senator(s) Hodge, Steadman, Lambert; also  
2 Representative(s) Ferrandino, Becker, Gerou--Concerning  
3 the transfer of moneys from certain cash funds to the state  
4 education fund.

5  
6 Ordered revised and placed on the Calendar for Third Reading and Final  
7 Passage.

8  
9 **SB11-224** by Senator(s) Hodge, Steadman, Lambert; also  
10 Representative(s) Ferrandino, Becker, Gerou--Concerning  
11 the suspension of annual increases in the percentage of  
12 tobacco litigation settlement moneys received by the state  
13 that are allocated to the nurse home visitor program, and  
14 making an appropriation therefor.

15  
16 Ordered revised and placed on the Calendar for Third Reading and Final  
17 Passage.

18  
19 **SB11-225** by Senator(s) Hodge, Steadman, Lambert; also  
20 Representative(s) Gerou, Becker, Ferrandino--Concerning  
21 the short-term innovative health program grant fund, and,  
22 in connection therewith, transferring the balance of the  
23 grant fund to the general fund at the end of the 2011-12  
24 fiscal year and terminating all existing statutory transfers  
25 to the grant fund other than its percentage-based base  
26 allocation of tobacco litigation settlement moneys after the  
27 2010-11 fiscal year.

28  
29 Amendment No. 1, Appropriations, dated April 12, 2011, and placed in  
30 member's bill file; Report also printed in House Journal, April 12,  
31 page 956.

32  
33 As amended, ordered revised and placed on the Calendar for Third  
34 Reading and Final Passage.

35  
36 **SB11-216** by Senator(s) Hodge, Steadman, Lambert; also  
37 Representative(s) Ferrandino, Becker, Gerou--Concerning  
38 the reduction of general fund appropriations for the  
39 children's basic health plan by reallocating tobacco-related  
40 revenue streams, and, in connection therewith, abolishing  
41 the pediatric specialty hospital fund and the supplemental  
42 tobacco litigation settlement money account in the  
43 pediatric specialty hospital fund, abolishing the  
44 comprehensive primary and preventive care fund,  
45 abolishing the comprehensive primary and preventive care  
46 grant program, and making an appropriation.

47  
48 Ordered revised and placed on the Calendar for Third Reading and Final  
49 Passage.

50  
51 **SB11-222** by Senator(s) Hodge, Steadman, Lambert; also  
52 Representative(s) Gerou, Becker, Ferrandino--Concerning  
53 transfers of moneys relating to capital construction.

54  
55 Ordered revised and placed on the Calendar for Third Reading and Final  
56 Passage.

1 **SB11-228** by Senator(s) Steadman, Hodge, Lambert; also  
2 Representative(s) Gerou, Becker, Ferrandino--Concerning  
3 the formula by which moneys shall be advanced to a  
4 county from the county tax base relief fund in the event  
5 that appropriations are insufficient to cover all  
6 advancements.  
7

8 Ordered revised and placed on the Calendar for Third Reading and Final  
9 Passage.  
10

11 **SB11-229** by Senator(s) Steadman, Hodge, Lambert; also  
12 Representative(s) Ferrandino, Becker, Gerou--Concerning  
13 increasing the statutory cap on administrative expenses for  
14 the school counselor corps grant program.  
15

16 Ordered revised and placed on the Calendar for Third Reading and Final  
17 Passage.  
18

19 **SB11-211** by Senator(s) Hodge, Steadman, Lambert; also  
20 Representative(s) Ferrandino, Becker, Gerou--Concerning  
21 the use of tobacco tax revenue for health-related purposes  
22 during a state fiscal emergency, and making an  
23 appropriation therefor.  
24

25 Ordered revised and placed on the Calendar for Third Reading and Final  
26 Passage.  
27

28 **SB11-221** by Senator(s) Hodge, Steadman, Lambert; also  
29 Representative(s) Becker, Gerou, Ferrandino--Concerning  
30 contributions to pay the unfunded accrued liability of old  
31 hire pension plans that are affiliated with the fire and  
32 police pension association, and making an appropriation  
33 therefor.  
34

35 Ordered revised and placed on the Calendar for Third Reading and Final  
36 Passage.  
37

38 **SB11-226** by Senator(s) Hodge, Steadman, Lambert; also  
39 Representative(s) Gerou, Becker, Ferrandino--Concerning  
40 the augmentation of the general fund through transfers of  
41 certain moneys, and making an appropriation in  
42 connection therewith.  
43

44 Amendment No. 1, Appropriations, dated April 12, 2011, and placed in  
45 member's bill file; Report also printed in House Journal, April 12,  
46 page 956.  
47

48 As amended, ordered revised and placed on the Calendar for Third  
49 Reading and Final Passage.  
50

51  
52 **SB11-219** by Senator(s) Hodge, Steadman, Lambert; also  
53 Representative(s) Ferrandino, Becker, Gerou--Concerning  
54 moneys appropriated in the 2011-12 fiscal year for health  
55 clinics, and making an appropriation therefor.  
56

1 Amendment No. 1, Appropriations, dated April 12, 2011, and placed in  
2 member's bill file; Report also printed in House Journal, April 12,  
3 pages 955-956.

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

7  
8 **SB11-213** by Senator(s) Hodge, Steadman, Lambert; also  
9 Representative(s) Gerou, Becker, Ferrandino--Concerning  
10 enrollee cost-sharing for children enrolled in the children's  
11 basic health plan, and making an appropriation therefor.

12  
13 Amendment No. 1, Appropriations, dated April 12, 2011, and placed in  
14 member's bill file; Report also printed in House Journal, April 12,  
15 pages 954-955.

16  
17 As amended, ordered revised and placed on the Calendar for Third  
18 Reading and Final Passage.

19  
20 **SB11-212** by Senator(s) Hodge, Steadman, Lambert; also  
21 Representative(s) Gerou, Becker, Ferrandino--Concerning  
22 authority for an additional permissible use of moneys in  
23 the hospital provider fee cash fund for state medicaid  
24 expenditures to offset state general fund expenditures for  
25 the next two fiscal years, and making an appropriation  
26 therefor.

27  
28 Ordered revised and placed on the Calendar for Third Reading and Final  
29 Passage.

30  
31 **SB11-214** by Senator(s) Hodge, Steadman, Lambert; also  
32 Representative(s) Becker, Gerou, Ferrandino--Concerning  
33 decommissioning Fort Lyon correctional facility.

34  
35 Ordered revised and placed on the Calendar for Third Reading and Final  
36 Passage.

37  
38 **HB11-1293** by Representative(s) Stephens and Murray; also Senator(s)  
39 Jahn and Newell--Concerning the repeal of House  
40 Bill 10-1192 regarding the state sales and use tax of  
41 standardized software on July 1, 2012.

42  
43 Amendment No. 1, Appropriations Report, dated April 13, 2011, and  
44 placed in member's bill file; Report also printed in House Journal,  
45 April 13, 2011, pages 959-960.

46  
47 Amendment No. 2, by Representative(s) Murray.

48  
49 Amend the Appropriations Committee Report, dated April 13, 2011, page  
50 1, after line 8 insert:

51  
52 "Page 8, line 10, strike "2012." and substitute "2012; except that section  
53 6 of this act shall take effect upon passage."."

54  
55 As amended, ordered engrossed and placed on the Calendar for Third  
56 Reading and Final Passage.

1 On motion of Representative Waller, the following item(s) on the  
 2 Calendar (was)were laid over until later in the day retaining place on  
 3 Calendar: **SB11-223, HB11-1296.**

4  
 5  
 6  
 7 **AMENDMENT(S) TO THE COMMITTEE**  
 8 **OF THE WHOLE REPORT**  
 9

10 Representatives Ryden, Fischer, Pabon, Peniston, Todd, and Schafer  
 11 moved to amend the Report of the Committee of the Whole to reverse the  
 12 action taken by the Committee in not adopting the following Ryden,  
 13 Fischer, Pabon, Peniston, and Todd amendment, to SB11-209, to show  
 14 that said amendment passed, and that **SB11-209**, as amended, passed.

15  
 16 Amend the House Appropriations Committee Report, dated April 12,  
 17 2011, page 2, strike lines 10 through 17.

18  
 19 The amendment was declared **lost** by the following roll call vote:

20  
 21

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

39

40 Representatives Tyler moved to amend the Report of the Committee of  
 41 the Whole to reverse the action taken by the Committee in not adopting  
 42 the following Tyler amendment, to SB11-209, to show that said  
 43 amendment passed, and that **SB11-209**, as amended, passed.

44  
 45 Amend reengrossed bill, page 78, line 13, in the ITEM & SUBTOTAL  
 46 column strike "1,295,168" and substitute "1,795,168" and in the  
 47 GENERAL FUND column strike "84,522" and substitute "584,522".

48  
 49 Adjust affected totals accordingly.

50  
 51 The amendment was declared **lost** by the following roll call vote:

52  
 53

	YES	31	NO	34	EXCUSED	0	ABSENT	0
54	Acree	N	Fischer	Y	Liston	N	Scott	N
55	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
56	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N



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

16 Representatives Fischer and Wilson moved to amend the Report of the  
 17 Committee of the Whole to reverse the action taken by the Committee in  
 18 not adopting the following Fischer and Wilson amendment, to SB11-209,  
 19 to show that said amendment passed, and that **SB11-209**, as amended,  
 20 passed.

21  
 22 Amend reengrossed bill, page 14, line 4, strike "Grants" and substitute  
 23 "Grants<sup>1a</sup>", in the ITEM & SUBTOTAL column strike "45,000" and  
 24 substitute "295,000", and in the GENERAL FUND column insert  
 25 "250,000".

26  
 27 Adjust affected totals accordingly.

28  
 29 Page 18, after line 8 insert:

30  
 31 **FOOTNOTES** -- The following statements are referenced to the  
 32 numbered footnotes throughout section 2.

33  
 34 1a Agriculture, Agricultural Markets Division,  
 35 Agricultural Markets, Economic  
 36 Development Grants -- It is the intent of the  
 37 General Assembly that these grants be used  
 38 for agricultural development purposes and  
 39 the promotion of Colorado agricultural  
 40 products."

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

44	YES	30	NO	35	EXCUSED	0	ABSENT	0
45	Acree	N	Fischer	Y	Liston	N	Scott	N
46	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
47	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
48	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
49	Becker	N	Hamner	Y	McKinley	N	Stephens	N
50	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
51	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
52	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
53	Casso	Y	Joshi	N	Pabon	Y	Szabo	N
54	Conti	N	Kagan	Y	Pace	Y	Todd	Y
55	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
56	Court	Y	Kerr A.	Y	Priola	N	Vaad	N

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

6  
7 Representative Lee moved to amend the Report of the Committee of the  
8 Whole to reverse the action taken by the Committee in not adopting the  
9 following Lee amendment, to SB11-209, to show that said amendment  
10 passed, and that **SB11-209**, as amended, passed.

11  
12 Amend reengrossed bill, page 119, line 7, in the ITEM & SUBTOTAL  
13 column strike "74,859,186" and substitute "79,859,186" and in the  
14 GENERAL FUND COLUMN strike "74,515,865" and substitute  
15 "79,515,865".

16  
17 Adjust affected totals accordingly.

18  
19 The amendment was declared **lost** by the following roll call vote:

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

39  
40 Representatives Hamner, Lee, and Fields moved to amend the Report of  
41 the Committee of the Whole to reverse the action taken by the Committee  
42 in not adopting the following Hamner and Lee amendment, to SB11-209,  
43 to show that said amendment passed, and that **SB11-209**, as amended,  
44 passed.

45  
46 Amend reengrossed bill, page 155, line 6, in the ITEM & SUBTOTAL  
47 column strike "1,978,317" and substitute "2,478,317" and in the  
48 GENERAL FUND column insert "500,000".

49  
50 Adjust affected totals accordingly.

51  
52 The amendment was declared **lost** by the following roll call vote:

54	YES	31	NO	34	EXCUSED	0	ABSENT	0
55	Acree	N	Fischer	Y	Liston	N	Scott	N
56	Balmer	N	Gardner B.	N	Looper	N	Solano	Y

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

16  
 17 Representative Hullinghorst moved to amend the Report of the  
 18 Committee of the Whole to reverse the action taken by the Committee in  
 19 not adopting the following Hullinghorst amendment, to SB11-209, to  
 20 show that said amendment passed, and that **SB11-209**, as amended,  
 21 passed.

22  
 23 Amend reengrossed bill, page 295, line 15, strike "**Services**" and  
 24 substitute "**Services<sup>48a</sup>**".

25  
 26 Page 309, after line 9 insert:

27  
 28 **"FOOTNOTES** -- The following statements are referenced to the  
 29 numbered footnotes throughout section 2.

30  
 31 48a Department of Personnel and Administration,  
 32 Division of Human Resources, Employee Benefits  
 33 Services -- It is the intent of the General Assembly  
 34 that the Department shall submit to the Joint  
 35 Budget Committee the projected premium increases  
 36 for State and employee contributions for employee  
 37 group benefits for the upcoming fiscal year. The  
 38 information shall be submitted in time to be  
 39 considered as a part of the Joint Budget Committee  
 40 staff's annual total compensation recommendations  
 41 for the upcoming fiscal year."  
 42

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

45	YES	30	NO	35	EXCUSED	0	ABSENT	0
46	Acree	N	Fischer	Y	Liston	N	Scott	N
47	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
48	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
49	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
50	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
51	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
52	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
53	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
54	Casso	N	Joshi	N	Pabon	Y	Szabo	N
55	Conti	N	Kagan	Y	Pace	Y	Todd	Y
56	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y

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

7  
8 Representatives Miklosi and Pabon moved to amend the Report of the  
9 Committee of the Whole to reverse the action taken by the Committee in  
10 not adopting the following Miklosi amendment, to SB11-209, to show  
11 that said amendment passed, and that **SB11-209**, as amended, passed.

12  
13 Amend reengrossed bill, page 199, line 3, in the ITEM & SUBTOTAL  
14 column strike "16,043,094" and substitute "15,968,094" and in the  
15 GENERAL FUND column strike "12,068,777" and substitute  
16 "11,993,777".

17  
18 Adjust affected totals accordingly.

19  
20 Page 213, line 4, in the ITEM & SUBTOTAL column strike "129,827"  
21 and substitute "204,827" and in the GENERAL FUND column strike  
22 "129,827" and substitute "204,827".

23  
24 Page 213, line 5, in the GENERAL FUND column strike "(1.0 FTE)" and  
25 substitute "(2.0 FTE)".

26  
27 Adjust affected totals accordingly.

28  
29 The amendment was declared **lost** by the following roll call vote:

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

49  
50 Representative Kefalas moved to amend the Report of the Committee of  
51 the Whole to reverse the action taken by the Committee in not adopting  
52 the following Kefalas amendment, to SB11-209, to show that said  
53 amendment passed, and that **SB11-209**, as amended, passed.

54  
55 Amend reengrossed bill, page 185, line 2, in the ITEM & SUBTOTAL  
56 column strike "17,428,495" and substitute "19,513,495" and in the

1 GENERAL FUND column strike "11,421,471" and substitute  
2 "13,506,471".

3  
4 Adjust affected totals accordingly.

5  
6 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
9	Acree	N	Fischer	Y	Liston	N	Scott	N
10	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
11	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
12	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
13	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
14	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
15	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
16	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
17	Casso	Y	Joshi	N	Pabon	Y	Szabo	N
18	Conti	N	Kagan	Y	Pace	Y	Todd	Y
19	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
20	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
21	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	Y
22	Duran	Y	Labuda	Y	Riesberg	Y	Waller	N
23	Ferrandino	N	Lee	Y	Ryden	Y	Williams A.	Y
24	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
25							Speaker	N

26  
27 Representatives Gardner D., Ryden, and McCann moved to amend the  
28 Report of the Committee of the Whole to reverse the action taken by the  
29 Committee in not adopting the following Gardner D., Ryden, and  
30 McCann amendment, to SB 11-211, to show that said amendment passed,  
31 and that **SB11-211**, as amended, passed.

32  
33 Amend reengrossed bill, page 3, line 13, strike "(II)".

34  
35 Page 3, line 16, strike "(II)".

36  
37 Page 5, line 24, strike "thirty-three" and substitute "thirty-one million  
38 three hundred seventy-five thousand dollars (\$31,375,000)".

39  
40 Page 5, strike line 25.

41  
42 Page 7, strike lines 23 through 27.

43  
44 Renumber succeeding subsections accordingly.

45  
46 Page 8, strike lines 1 through 3.

47  
48 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	35	EXCUSED	0	ABSENT	0
51	Acree	N	Fischer	Y	Liston	N	Scott	N
52	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
53	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
54	Baumgardner	N	Gerou	N	McCann	Y	Soper	N
55	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
56	Beezley	N	Holbert	N	Miklosi	Y	Summers	N

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

12  
13 Representative Jones moved to amend the Report of the Committee of the  
14 Whole to reverse the action taken by the Committee in not adopting the  
15 following Jones amendment, to SB11-219, to show that said amendment  
16 passed, and that **SB11-219**, as amended, passed.

17  
18 Strike the House Appropriations committee report, dated April 12, 2011.

19  
20 The amendment was declared **lost** by the following roll call vote:

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

40  
41 Representative Jones moved to amend the Report of the Committee of the  
42 Whole to reverse the action taken by the Committee in not adopting the  
43 following Jones amendment, to SB11-226, to show that said amendment  
44 passed, and that **SB11-226**, as amended, passed.

45  
46 Strike the Appropriations Committee Report, dated April 12, 2011.

47  
48 The amendment was declared **lost** by the following roll call vote:

49	YES	31	NO	34	EXCUSED	0	ABSENT	0
50								
51	Acree	N	Fischer	Y	Liston	N	Scott	N
52	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
53	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
54	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
55	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
56	Beezley	N	Holbert	N	Miklosi	Y	Summers	N

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

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

17 Passed Second Reading: **SB11-209 amended, 210 amended, 215, 217,**  
 18 **218, 224, 225 amended, 216, 222, 228, 229, 211, 221, 226 amended,**  
 19 **219 amended, 213 amended, 212, 214, HB11-1293 amended.**

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

	YES	55	NO	10	EXCUSED	0	ABSENT	0
27	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
28	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	N
29	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
30	Baumgardner	Y	Gerou	Y	McCann	N	Soper	N
31	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
32	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
33	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
34	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
35	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
36	Conti	Y	Kagan	Y	Pace	Y	Todd	N
37	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
38	Court	N	Kerr A.	Y	Priola	Y	Vaad	Y
39	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
40	Duran	N	Labuda	N	Riesberg	N	Waller	Y
41	Ferrandino	Y	Lee	Y	Ryden	N	Williams A.	Y
42	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	N
43							Speaker	Y

44  
 45  
 46 On motion of Representative Gardner B., the House resolved itself into  
 47 Committee of the Whole for consideration of Special Orders, and he was  
 48 called to the Chair to act as Chairman.

### SPECIAL ORDERS--SECOND READING OF BILLS

49  
 50  
 51  
 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:

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 **SB11-223** by Senator(s) Hodge, Steadman, Lambert; also  
5 Representative(s) Gerou--Concerning state sales tax  
6 revenues retained by a vendor as compensation for  
7 expenses incurred by the vendor in the collection and  
8 remittance of such tax revenues to the state, and making an  
9 appropriation therefor.

10  
11 Ordered revised and placed on the Calendar for Third Reading and Final  
12 Passage.

13  
14 **HB11-1296** by Representative(s) Kagan, Court, Ferrandino, Fischer,  
15 Labuda, Miklosi, Tyler, Wilson--Concerning the  
16 temporary continuation of the state sales and use tax on  
17 cigarettes.

18  
19 Ordered engrossed and placed on the Calendar for Third Reading and  
20 Final Passage.

21  
22  
23  
24 **AMENDMENT(S) TO THE COMMITTEE**  
25 **OF THE WHOLE REPORT**

26  
27 Representative Labuda moved to amend the Report of the Committee of  
28 the Whole to reverse the action taken by the Committee in not adopting  
29 the following Labuda, McCann, and Schafer amendment, to SB11-223,  
30 to show that said amendment passed, and that **SB11-223**, as amended,  
31 passed.

32  
33 Amend reengrossed bill, page 2, strike lines 2 through 12 and substitute:

34  
35 **"SECTION 1.** 39-26-105 (1) (f) (I) (B), Colorado Revised  
36 Statutes, is amended, and the said 39-26-105 (1) is further amended BY  
37 THE ADDITION OF A NEW PARAGRAPH, to read:

38  
39 **39-26-105. Vendor liable for tax - repeal.**  
40 (1) (f) (I) Notwithstanding any other provision of this section:

41  
42 (B) A vendor shall not retain any amount to cover the vendor's  
43 expense in collecting and remitting tax pursuant to this section on any  
44 return made on or after July 1, 2009, ~~but prior to June 30, 2011. For any~~  
45 ~~return made prior to August 1, 2009, a vendor shall not be liable for any~~  
46 ~~interest or other penalty imposed as a result of an error made in~~  
47 ~~connection with the elimination of the amount of sales tax revenues that~~  
48 ~~may be retained in accordance with the provisions of this~~  
49 ~~sub-subparagraph (B).~~

50  
51 (g) (I) NOTWITHSTANDING ANY OTHER PROVISION OF THIS  
52 SECTION, ON JULY 1, 2012, THE STATE TREASURER SHALL DEDUCT  
53 SEVENTY MILLION EIGHT HUNDRED THOUSAND DOLLARS FROM THE  
54 GENERAL FUND AND TRANSFER SUCH SUM TO THE STATE EDUCATION FUND  
55 CREATED IN SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

56



1 (II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
 2 ON JULY 1, 2013, THE STATE TREASURER SHALL DEDUCT SEVENTY-THREE  
 3 MILLION FOUR HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND  
 4 AND TRANSFER SUCH SUM TO THE STATE EDUCATION FUND CREATED IN  
 5 SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

6  
 7 **SECTION 2. Repeal.** 39-26-105 (1) (f) (I) (C) and (1) (f) (II),  
 8 Colorado Revised Statutes, are repealed."  
 9

10 Renumber succeeding sections accordingly.

11  
 12 The amendment was declared **lost** by the following roll call vote:  
 13

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

32  
 33 Representative Solano moved to amend the Report of the Committee of  
 34 the Whole to reverse the action taken by the Committee in not adopting  
 35 the following Solano, Williams, and Kerr A. amendment, to SB11-223,  
 36 to show that said amendment passed, and that **SB11-223**, as amended,  
 37 passed.  
 38

39 Amend reengrossed bill, page 2, line 6, after "VENDOR" insert "WHO IS  
 40 NOT REQUIRED TO USE ELECTRONIC FUNDS TRANSFERS TO REMIT ALL  
 41 STATE AND LOCAL SALES TAXES PURSUANT TO SECTION 39-26-105.5,".  
 42

43 Page 2, line 7, strike "SECTION" and substitute "SECTION,".  
 44

45 Page 2, line 10, after "2014." add "A VENDOR WHO IS REQUIRED TO USE  
 46 ELECTRONIC FUNDS TRANSFERS TO REMIT ALL STATE AND LOCAL SALES  
 47 TAXES PURSUANT TO SECTION 39-26-105.5 SHALL NOT RETAIN ANY  
 48 AMOUNT TO COVER THE VENDOR'S EXPENSE IN COLLECTING AND  
 49 REMITTING TAX PURSUANT TO THIS SECTION ON ANY RETURN MADE ON OR  
 50 AFTER JULY 1, 2009, BUT PRIOR TO JULY 1, 2014.  
 51

52 (II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
 53 ON JULY 1, 2012, THE STATE TREASURER SHALL DEDUCT FIFTY-NINE  
 54 MILLION EIGHT HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND  
 55 AND TRANSFER SUCH SUM TO THE STATE EDUCATION FUND CREATED IN  
 56 SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

1 (III) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
 2 ON JULY 1, 2013, THE STATE TREASURER SHALL DEDUCT SIXTY-TWO  
 3 MILLION DOLLARS FROM THE GENERAL FUND AND TRANSFER SUCH SUM TO  
 4 THE STATE EDUCATION FUND CREATED IN SECTION 17 (4) OF ARTICLE IX  
 5 OF THE STATE CONSTITUTION."

6

7 Renumber succeeding subparagraph accordingly.

8

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

10

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

29

30 Representative Duran moved to amend the Report of the Committee of  
 31 the Whole to reverse the action taken by the Committee in not adopting  
 32 the following Duran amendment, to SB11-223, to show that said  
 33 amendment passed, and that **SB11-223**, as amended, passed.

34

35 Amend reengrossed bill, page 2, line 10, after "2104." add "ANY VENDOR  
 36 THAT RETAINS AN AMOUNT TO COVER THE VENDOR'S EXPENSE IN  
 37 COLLECTING AND REMITTING TAX PURSUANT TO THIS SECTION SHALL NOT  
 38 OUTSOURCE ANY JOBS OR DUTIES TO LOCALES OUTSIDE OF THE UNITED  
 39 STATES."

40

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

42

	YES	31	NO	34	EXCUSED	0	ABSENT	0
44	Acree	N	Fischer	Y	Liston	N	Scott	N
45	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
46	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	N
47	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
48	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
49	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
50	Bradford	N	Hullinghorst	Y	Murray	N	Swalm	N
51	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	N
52	Casso	Y	Joshi	N	Pabon	Y	Szabo	N
53	Conti	N	Kagan	Y	Pace	Y	Todd	Y
54	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
55	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
56	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	Y

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

5  
6 Representative Kagan moved to amend the Report of the Committee of  
7 the Whole to reverse the action taken by the Committee in not adopting  
8 the following Kagan amendment, to SB11-223, to show that said  
9 amendment passed, and that **SB11-223**, as amended, passed.

10  
11 Amend reengrossed bill, page 2, line 8, strike "TWO AND TWENTY-TWO"  
12 and substitute "ONE AND ELEVEN".

13  
14 Page 2, after line 10 insert:

15  
16 "(II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
17 ON JULY 1, 2012, THE STATE TREASURER SHALL DEDUCT FORTY-FIVE  
18 MILLION SIX HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND AND  
19 TRANSFER SUCH SUM TO THE STATE EDUCATION FUND CREATED IN SECTION  
20 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION.

21  
22 "(III) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION,  
23 ON JULY 1, 2013, THE STATE TREASURER SHALL DEDUCT FORTY-EIGHT  
24 MILLION TWO HUNDRED THOUSAND DOLLARS FROM THE GENERAL FUND  
25 AND TRANSFER SUCH SUM TO THE STATE EDUCATION FUND CREATED IN  
26 SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION."

27  
28 Renumber succeeding subparagraph accordingly.

29  
30 The amendment was declared **lost** by the following roll call vote:

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

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51  
52  
53 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

54  
55 Passed Second Reading: **SB11-223, HB11-1296.**

56

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

24  
 25  
 26 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
 27 **on HB11-1258**

28  
 29 This Report Amends the Rerevised Bill.

30  
 31 To the President of the Senate and the  
 32 Speaker of the House of Representatives:

33  
 34 Your first conference committee appointed on HB11-1258,  
 35 concerning forensic autopsies, has met and reports that it has agreed upon  
 36 the following:

37  
 38 1. That the House accede to the Senate amendments made to the  
 39 bill, as the amendments appear in the rerevised bill, with the following  
 40 changes:

41  
 42 Amend rerevised bill, page 3, line 7, strike "IF THE DISTRICT ATTORNEY  
 43 REQUESTS THE".

44  
 45 Page 3, strike lines 8 through 10.

46  
 47 Page 3, line 21, strike "GOVERNED" and substitute "REGULATED".

48  
 49 Respectfully submitted,

50  
 51 House Committee:  
 52 (signed)  
 53 Randy Baumgardner  
 54 Mark Barker  
 55 Claire Levy

56  
 Senate Committee:  
 (signed)  
 Linda Newell  
 Jeanne Nicholson  
 Steve King

**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

The Speaker has signed: **HB11-1185, HM11-1003.**

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**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: **HB11-1185** at 3:57 p.m. on April 13, 2011.

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**MESSAGE(S) FROM THE SENATE**

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes, SB11-201.

The Senate has passed on Third Reading and returns herewith HB11-1198, and HB11-1182.

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

HB11-1156 amended as printed in Senate Journal, April 12, 2011, page 716.

HB11-1004 amended as printed in Senate Journal, April 12, 2011, page 716.

HB11-1080 amended as printed in Senate Journal, April 12, 2011, page 716.

HB11-1042 amended as printed in Senate Journal, April 12, 2011, page 720.

HB11-1071 amended as printed in Senate Journal, April 12, 2011, pages 721-722.

HB11-1230 amended as printed in Senate Journal, April 12, 2011, pages 722-724.

SB11-195 amended as printed in Senate Journal, April 12, 2011, page 716.

SB11-191 amended as printed in Senate Journal, April 12, 2011, page 716.

SB11-180 amended as printed in Senate Journal, April 12, 2011, page 717.

SB11-193 amended as printed in Senate Journal, April 12, 2011, page 718.

SB11-189 amended as printed in Senate Journal, April 12, 2011, page 719.

SB11-206 amended as printed in Senate Journal, April 12, 2011, page 720.

SB11-197 amended as printed in Senate Journal, April 12, 2011, page 720.

The Senate has adopted the First Report of the First Conference Committee in HB11-1258, as printed in Senate Journal, April 8, 2011, page 664, and repassed the bill as amended. The bill is returned herewith.

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**MESSAGE(S) FROM THE REVISOR**

Without comment, SB11-201.  
Without comment, as amended, HB11-1004, 1042, 1071, 1080, 1156, and 1230.  
Without comment, as amended, SB11-180, 191, 193, 195, 197, and 206.  
With comment, as amended, SB11-189.

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**MESSAGE(S) FROM THE GOVERNOR**

I certify I received the following on the 13th day of April, 2011, 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

April 13, 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:

**HB11-1013** CONCERNING EXEMPTIONS FROM PROFESSIONAL REGULATION FOR ACTIVE DUTY MILITARY PERSONNEL

Approved April 13, 2011 at 10:52 a.m.

**HB11-1124** CONCERNING CONFLICTS OF INTEREST OF MEMBERS OF THE EXECUTIVE BOARD OF A UNIT OWNERS' ASSOCIATION

Approved April 13, 2011 at 10:57 a.m.

**HB11-1130** CONCERNING COMMODITY METALS, AND, IN CONNECTION THEREWITH, IMPLEMENTING STRICTER IDENTIFICATION AND PAYMENT REQUIREMENTS FOR TRANSACTIONS INVOLVING COMMODITY METALS, INCREASING PENALTIES FOR VIOLATIONS OF THE LAW REGULATING PURCHASE OF COMMODITY METALS, BASING THE CLASSIFICATION OF OFFENSE OF THEFT OF A COMMODITY METAL ON THE WEIGHT OF THE METAL, AND CREATING THE COMMODITY METALS THEFT TASK FORCE

Approved April 13, 2011 at 11:00 a.m.

1 **HB11-1192** CONCERNING THE ADDITION OF SPECIFIED HIGHWAY  
2 SEGMENTS TO THOSE FOR WHICH A PERSON MAY APPLY  
3 TO THE DEPARTMENT OF TRANSPORTATION FOR  
4 PERMISSION TO OPERATE A LONGER VEHICLE  
5 COMBINATION UNDER EXISTING LAW  
6

7 Approved April 13, 2011 at 11:12 a.m.  
8

9 **HB11-1206** CONCERNING THE "UNIFORM DEBT-MANAGEMENT  
10 SERVICES ACT"  
11

12 Approved April 13, 2011 at 11:13 a.m.  
13

14 Sincerely,  
15 (signed)  
16 John W. Hickenlooper  
17 Governor  
18

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19  
20  
21 **INTRODUCTION OF BILLS**  
22 **First Reading**  
23

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

27 **HB11-1297** by Representative(s) Murray; also Senator(s) Cadman--  
28 Concerning the statewide internet portal authority.  
29 Committee on Transportation  
30

31 **HB11-1298** by Representative(s) Tyler and Vaad, Barker, Brown,  
32 Fischer, Gardner D., Hamner, Hullinghorst, Kerr A.,  
33 Looper, Pabon, Peniston, Ramirez, Scott, Williams A.;  
34 also Senator(s) Spence, Bacon, Hudak, Johnston, King K.,  
35 King S., Renfroe, Schwartz, Tochtrop, White, Williams S.-  
36 -Concerning the creation of a special license plate for  
37 Craig hospital, and making an appropriation therefor.  
38 Committee on Transportation  
39

40 **HB11-1299** by Representative(s) Barker, Gardner B., Brown,  
41 DelGrosso, Holbert, Joshi, Sonnenberg, Waller--  
42 Concerning the repeal of the Colorado estate tax.  
43 Committee on Finance  
44

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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 April 14, retaining place on Calendar:  
50

51 Consideration of Third Reading--**HB11-1141, 1032, SB11-188,**  
52 **HB11-1064, 1265, 1272, 1275, 1043, 1288.**

53 Consideration of General Orders--**HB11-1255, 1222, 1271 amended,**  
54 **1212, 1242, SB11-076, 128, HB11-1250.**

55 Consideration of Senate Amendment(s)--**HB11-1097.**  
56

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1 On motion of Representative Stephens, the House adjourned until  
2 9:00 a.m., April 14, 2011.

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7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:  
FRANK McNULTY,  
Speaker