

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

Fifty-second Legislative Day

Friday, March 4, 2011

1 Prayer by Pastor George Morrison, Faith Bible Chapel, Arvada.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Karl Pierson from Arapahoe High School
6 and Kristen Pierson from Cresthill Middle School.
7
8 The roll was called with the following result:
9
10 Present--59.
11 Excused--Representative(s) Balmer, Baumgardner, Bradford,
12 Kerr A., McKinley, Vaad--6.
13
14 The Speaker declared a quorum present.
15
16
17 On motion of Representative Fields, the reading of the journal of
18 March 3, 2011, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
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22

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

28
29 **HB11-1121** 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 Education Committee Report dated February 14, 2011, page
34 4, after line 1 insert:

35
36 "Page 13, after line 16 insert:

37
38 **"SECTION 11. Appropriation.** (1) In addition to any other
39 appropriation, there is hereby appropriated, out of any moneys in the
40 educator licensure cash fund created in section 22-60.5-112 (1), Colorado
41 Revised Statutes, not otherwise appropriated, to the department of
42 education, management and administration, for allocation to the office of
43 professional services, for the fiscal year beginning July 1, 2011, the sum

1 of eighty-three thousand three hundred eighty-three dollars (\$83,383)
2 cash funds and 0.9 FTE, or so much thereof as may be necessary, for the
3 implementation of this act.
4

5 (2) In addition to any other appropriation, there is hereby
6 appropriated to the department of law, for the fiscal year beginning July
7 1, 2011, the sum of eleven thousand five dollars (\$11,005), or so much
8 thereof as may be necessary, for the provision of legal services to the
9 department of education related to the implementation of this act. Said
10 sum shall be from reappropriated funds received from the department of
11 education out of the appropriation made in subsection (1) of this section."
12

13 Renumber succeeding section accordingly."
14

15 Page 4 of the Committee Report, line 3, strike "**OFFENSES.**" and
16 substitute "**OFFENSES, AND MAKING AN APPROPRIATION THEREFOR.**".
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19
20 **HB11-1138** be amended as follows, and as so amended, be referred to
21 the Committee of the Whole with favorable
22 recommendation:
23

24 Amend printed bill, page 27, before line 24 insert:
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26 **"SECTION 12. Appropriation.** (1) In addition to any other
27 appropriation, there is hereby appropriated, out of any moneys in the
28 general fund not otherwise appropriated, to the department of public
29 safety, for allocation to the division of criminal justice, for sex offender
30 supervision, for the fiscal year beginning July 1, 2011, the sum of three
31 hundred eighteen thousand five hundred sixty-five dollars (\$318,565) and
32 3.2 FTE, or so much thereof as may be necessary, for the implementation
33 of this act.
34

35 (2) In addition to any other appropriation, there is hereby
36 appropriated, out of any moneys in the sex offender surcharge fund
37 created in section 18-21-103 (3), Colorado Revised Statutes, not
38 otherwise appropriated, to the department of public safety, for allocation
39 to the division of criminal justice, for the sex offender surcharge fund
40 program, for the fiscal year beginning July 1, 2011, the sum of one
41 hundred fifty-two thousand five hundred thirty-six dollars (\$152,536)
42 cash funds and 1.5 FTE, or so much thereof as may be necessary, for the
43 implementation of this act."
44

45 Renumber succeeding section accordingly.
46

47 Page 1, line 101, strike "**BOARD.**" and substitute "**BOARD, AND MAKING
48 AN APPROPRIATION THEREFOR.**".
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51
52 **HB11-1146** be referred to the Committee of the Whole with favorable
53 recommendation.
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1 **HB11-1179** be referred favorably to the Committee on Agriculture,
2 Livestock, & Natural Resources.
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4
5 **HB11-1216** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
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9 Amend printed bill, page 15, after line 5, insert:
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11 **"SECTION 4. Appropriation.** (1) In addition to any other
12 appropriation, there is hereby appropriated, out of any moneys in the
13 Colorado state titling and registration account of the highway users tax
14 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
15 otherwise appropriated, to the department of revenue, for allocation to the
16 information technology division, for the fiscal year beginning July 1,
17 2011, the sum of two thousand nine hundred sixty dollars (\$2,960) cash
18 funds, or so much thereof as may be necessary, for the implementation of
19 this act.
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 allocation to the office of information technology, for the
24 fiscal year beginning July 1, 2011, the sum of two thousand nine hundred
25 sixty dollars (\$2,960), or so much thereof as may be necessary, for the
26 programming services to be provided to the department of revenue related
27 to the implementation of this act. Said sum shall be from reappropriated
28 funds received from the department of revenue out of the appropriation
29 made in subsection (1) of this section."
30

31 Renumber succeeding section accordingly.
32

33 Page 1, line 103, strike "**VEHICLES.**" and substitute "**VEHICLES, AND**
34 **MAKING AN APPROPRIATION THEREFOR.**"
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38 **HB11-1234** 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 5, after line 6 insert:
43

44 **"SECTION 4. Appropriation.** (1) In addition to any other
45 appropriation, there is hereby appropriated, to the department of revenue,
46 for allocation to the information technology division, for the fiscal year
47 beginning July 1, 2011, the sum of ten thousand nine hundred fifty-two
48 dollars (\$10,952) cash funds, or so much thereof as may be necessary, for
49 the implementation of this act. Of said sum, eight thousand eight hundred
50 eighty dollars (\$8,880) shall be from the Colorado state titling and
51 registration account of the highway users tax fund created in section 42-1-
52 211 (2), Colorado Revised Statutes, and two thousand seventy-two dollars
53 (\$2,072) shall be from the licensing services cash fund created in section
54 42-2-114.5 (1), Colorado Revised Statutes.
55

56 (2) In addition to any other appropriation, there is hereby

1 appropriated to the governor - lieutenant governor - state planning and
2 budgeting, for allocation to the office of information technology, for the
3 fiscal year beginning July 1, 2011, the sum of ten thousand nine hundred
4 fifty-two dollars (\$10,952), or so much thereof as may be necessary, for
5 the programming services to be provided to the department of revenue
6 related to the implementation of this act. Said sum shall be from
7 reappropriated funds received from the department of revenue out of the
8 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 allocation to the division
14 of motor vehicles, driver and vehicle services, for the fiscal year
15 beginning July 1, 2011, the sum of fourteen thousand eight hundred
16 dollars (\$14,800) cash funds, or so much thereof as may be necessary, for
17 the implementation of this act."
18

19 Renumber succeeding section accordingly.
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21 Page 1, line 102 strike "SERVICES." and substitute "SERVICES, AND
22 MAKING AN APPROPRIATION THEREFOR."
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27 FINANCE

28 After consideration on the merits, the Committee recommends the
29 following:
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31 **HB11-1248** 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 3, line 14, strike "House Bill 11-____" and
36 substitute "House Bill 11-1248".
37

38

39

40 **HB11-1257** be amended as follows, and as so amended, be referred to
41 the Committee on Appropriations with favorable
42 recommendation:
43

44 Amend printed bill, page 2, strike line 7 and substitute "~~and the~~
45 ~~percentage of the state contribution to health benefits for all~~".
46

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50 JUDICIARY

51 After consideration on the merits, the Committee recommends the
52 following:
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54 **SB11-020** be referred to the Committee of the Whole with favorable
55 recommendation.
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1 **SB11-034** be referred to the Committee of the Whole with favorable
2 recommendation.
3

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5 **SB11-123** be referred to the Committee of the Whole with favorable
6 recommendation.
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11 **STATE, VETERANS, & MILITARY AFFAIRS**

12 After consideration on the merits, the Committee recommends the
13 following:
14

15 **HB11-1149** 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 2, strike line 3 and substitute "amended, and the
20 said 24-76.5-103 is further amended BY THE ADDITION OF A NEW
21 SUBSECTION, to read:".
22

23 Page 3, after line 6 insert:
24

25 "(4.7) NOTWITHSTANDING THE REQUIREMENTS OF SUBSECTION (4)
26 OF THIS SECTION, AN AGENCY OR POLITICAL SUBDIVISION OF THE STATE IS
27 NOT REQUIRED TO CHECK THE SOCIAL SECURITY CARD OF AN APPLICANT
28 WHO APPLIES FOR STATE OR LOCAL PUBLIC BENEFITS OR FOR FEDERAL
29 PUBLIC BENEFITS IF THE AGENCY OR POLITICAL SUBDIVISION OF THE STATE
30 HAS EXISTING PROCEDURES THAT VERIFY THE IDENTITY AS WELL AS THE
31 LAWFUL PRESENCE OF THE APPLICANT BY EXAMINING THE APPLICANT'S
32 COLORADO DRIVER'S LICENSE OR COLORADO IDENTIFICATION CARD OR
33 OTHER DOCUMENTS DESCRIBED IN PARAGRAPH (a) OF SUBSECTION (4) OF
34 THIS SECTION."
35

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38 **HB11-1204** be postponed indefinitely.
39

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41 **HB11-1212** be amended as follows, and as so amended, be referred to
42 the Committee on Appropriations with favorable
43 recommendation:
44

45 Amend printed bill, page 3, line 8, strike "assembly, employees of
46 departments, and any certified" and substitute "assembly and employees
47 of departments;".
48

49 Page 3, strike line 9.
50

51 Page 3, line 24, strike "PROCESSES," and substitute "PROCESSES AND
52 RESOURCES,".
53

54 Page 4, line 11, after "REALLOCATION" insert "OR REMOVAL".
55

56 Page 4, line 23, strike "AND".

1 Page 4, line 26, strike "EMPLOYEES." and substitute "EMPLOYEES; AND".

2

3 Page 4, after line 26, insert:

4

5 "(g) THE DEVELOPMENT OF A PROCESS TO UNDERSTAND BARRIERS
6 TO APPLYING LEAN GOVERNMENT PRINCIPLES. BARRIERS MAY INCLUDE
7 BUT ARE NOT LIMITED TO EXISTING CONTRACTS FOR GOODS AND SERVICES,
8 LIMITATIONS TO WORKFORCE REDUCTION, AND GOVERNMENTAL
9 REQUIREMENTS IN THE PROCUREMENT PROCESS."

10

11 Page 5, line 20, strike "MONEY." and substitute "MONEY, IMPROVED
12 PROCESS EFFICIENCIES, AND THE REMOVAL OR REALLOCATION OF
13 RESOURCES."

14

15 Page 5, strike line 27.

16

17 Page 6, strike lines 1 through 12.

18

19 Renumber succeeding section accordingly.

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23 **HB11-1237** be referred favorably to the Committee on Appropriations.

24

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26 **SJR11-007** be referred out for final action.

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31 **TRANSPORTATION**

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

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35 **SB11-002** be referred to the Committee of the Whole with favorable
36 recommendation.

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39 **SB11-093** be referred to the Committee of the Whole with favorable
40 recommendation.

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DELIVERY OF BILLS TO GOVERNOR

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46 The Chief Clerk of the House of Representatives reports the following
47 bills have been delivered to the Office of the Governor: **HB11-1011,**
48 **1018, 1021, 1028, 1041, 1051, 1087, 1110, 1113** at 10:50 a.m. on
49 March 3, 2011.

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INTRODUCTION OF BILLS
First Reading

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3
4 The following bills were read by title and referred to the committees
5 indicated:

6
7 **HB11-1274** by Representative(s) Sonnenberg; also Senator(s)
8 Schwartz--Concerning the funding of Colorado water
9 conservation board projects, and making appropriations in
10 connection therewith.

11 Committee on Agriculture, Livestock, & Natural Resources

12
13 **HB11-1275** by Representative(s) Priola--Concerning the creation of an
14 engine idling standard for certain commercial diesel
15 vehicles.

16 Committee on Transportation

17
18 **HB11-1276** by Representative(s) Brown, Baumgardner, Bradford,
19 Conti, DelGrosso, Holbert, Kerr J., Murray, Scott,
20 Sonnenberg; also Senator(s) Roberts--Concerning the
21 criteria used by courts in evaluating congressional
22 redistricting plans.

23 Committee on State, Veterans, & Military Affairs

24
25 **HB11-1277** by Representative(s) Massey and Solano; also Senator(s)
26 Bacon--Concerning statutory changes involving K-12
27 education.

28 Committee on Education

29
30 **SB11-120** by Senator(s) Newell, Bacon, Foster, Giron, Guzman,
31 Hudak, Jahn, Johnston, Morse, Nicholson, Schwartz,
32 Shaffer B., Steadman, Williams S.; also Representative(s)
33 Kefalas, Ferrandino, Kagan--Concerning rights of certain
34 children in foster care, and, in connection therewith,
35 establishing rights for children in foster care except for
36 those in the custody of the division of youth corrections or
37 a state mental hospital.

38 Committee on Health and Environment

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LAY OVER OF CALENDAR ITEM(S)

44

45 On motion of Representative Stephens, the following item(s) on the
46 Calendar (was)were laid over until March 7, retaining place on Calendar:

47

48 Consideration of Third Reading--**HB11-1055, 1065, 1180.**

49 Consideration of General Orders---**HB11-1160, 1119, 1168, SB11-061,**
50 **106, HB11-1116, SB11-086, 104, HB11-1249, SB11-103.**

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1 On motion of Representative Stephens, the House adjourned until
2 10:00 a.m., March 7, 2011.

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6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
FRANK McNULTY,
Speaker