

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

Seventy-third Legislative Day

Friday, March 25, 2011

1 Prayer by Pastor William Golson, True Light Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Jenna and Jordan Lakomy from Gold Rush
6 Elementary, Parker.
7
8 The roll was called with the following result:
9
10 Present--63.
11 Excused--Representative(s) McKinley, Sonnenberg--2.

12
13 The Speaker declared a quorum present.
14
15

16 On motion of Representative Holbert, the reading of the journal of
17 March 24, 2011, was declared dispensed with and approved as corrected
18 by the Chief Clerk.
19
20
21

22 **CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS**

23
24 **HB11-1186** by Representative(s) Ryden, Kerr A., McCann, Vigil; also
25 Senator(s) Guzman--Concerning reimbursement by health
26 insurance carriers for acupuncture services.
27

28 (Amended as printed in Senate Journal, March 21, page 521.)
29

30 Representative Ryden moved that the House **concur** in Senate
31 amendments. The motion was declared **passed** by the following roll call
32 vote:
33

	YES	54	NO	9	EXCUSED	2	ABSENT	0
35	Acree	Y	Fischer	Y	Liston	Y	Scott	N
36	Balmer	Y	Gardner B.	Y	Looper	N	Solano	Y
37	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	E
38	Baumgardner	N	Gerou	Y	McCann	Y	Soper	Y
39	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
40	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
41	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	N
42	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	Y
43	Casso	Y	Joshi	N	Pabon	Y	Szabo	Y

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

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

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

33 Co-sponsor(s) added: Representative(s) Kagan, Wilson.

34
 35 **HB11-1033** by Representative(s) Williams A.; also Senator(s) Jahn--
 36 Concerning the elimination of the requirement that certain
 37 insurers file Colorado-specific financial information with
 38 the commissioner of insurance, and making an
 39 appropriation therefor.

40 (Amended as printed in Senate Journal, March 22, page 535.)

41
 42
 43 Representative Williams A. moved that the House **concur** in Senate
 44 amendments. The motion was declared **passed** by the following roll call
 45 vote:

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

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

9
 10 The question being, "Shall the bill, as amended, pass?".
 11 A roll call vote was taken. As shown by the following recorded vote, a
 12 majority of those elected to the House voted in the affirmative, and the
 13 bill, as amended, was declared **repassed**.

15	YES	62	NO	1	EXCUSED	2	ABSENT	0
16	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
17	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
18	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	E
19	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
20	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
21	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
22	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
23	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
24	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
25	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
26	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
27	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
28	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
29	Duran	Y	Labuda	Y	Riesberg	N	Waller	Y
30	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
31	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
32							Speaker	Y

33 Co-sponsor(s) added: Representative(s) Labuda, Looper, Ramirez, Swalm.

34
 35 **HB11-1101** by Representative(s) Swalm; also Senator(s) Morse--
 36 Concerning an exemption from state licensure
 37 requirements for a community clinic that is a federally
 38 qualified health center, and making an appropriation in
 39 connection therewith.

40 (Amended as printed in Senate Journal, March 22, page 535.)

41
 42
 43 Representative Swalm moved that the House **concur** in Senate
 44 amendments. The motion was declared **passed** by the following roll call
 45 vote:

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

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

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

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

33 Co-sponsor(s) added: Representative(s) Looper, Priola, Schafer S., Wilson.

34
 35 **HB11-1159** by Representative(s) Coram; also Senator(s) Schwartz--
 36 Concerning a requirement that the commissioner of
 37 agriculture license grain protein analyzers prior to
 38 commercial use, and, in connection therewith, exempting
 39 grain protein analyzers from the requirement that a
 40 certificate of conformance be issued prior to use for
 41 commercial or law enforcement purposes, and making an
 42 appropriation.

43
 44 (Amended as printed in Senate Journal, March 22, pages 535-536.)

45
 46 Representative Coram moved that the House **concur** in Senate
 47 amendments. The motion was declared **passed** by the following roll call
 48 vote:

	YES	61	NO	2	EXCUSED	2	ABSENT	0
51	Acree	Y	Fischer	Y	Liston	Y	Scott	N
52	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
53	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	E
54	Baumgardner	N	Gerou	Y	McCann	Y	Soper	Y
55	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
56	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y

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

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

	YES	60	NO	3	EXCUSED	2	ABSENT	0
19	Acree	N	Fischer	Y	Liston	Y	Scott	Y
20	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
21	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	E
22	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
23	Becker	Y	Hamner	Y	McKinley	E	Stephens	Y
24	Beezley	N	Holbert	Y	Miklosi	Y	Summers	Y
25	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
26	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
27	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
28	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
29	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
30	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
31	DelGrosso	Y	Kerr J.	Y	Ramirez	N	Vigil	Y
32	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
33	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
34	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Fischer, Looper, Scott, Vigil, Wilson.

37
 38 **HB11-1258** by Representative(s) Baumgardner, Casso, Court, Lee,
 39 Liston, Miklosi, Ryden, Schafer S.; also Senator(s)
 40 Newell, Foster, King S.--Concerning forensic autopsies.

41
 42 (Amended as printed in Senate Journal, March 21, page 522, and
 43 amended on Third Reading as printed in Senate Journal March 23.)

44
 45 Representative Baumgardner moved that the House **not concur** in Senate
 46 amendments and that a Conference Committee be appointed. The motion
 47 was declared **passed** by the following roll call vote:

	YES	58	NO	5	EXCUSED	2	ABSENT	0
50	Acree	Y	Fischer	Y	Liston	N	Scott	N
51	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
52	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	E
53	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
54	Becker	N	Hamner	Y	McKinley	E	Stephens	Y
55	Beezley	Y	Holbert	Y	Miklosi	N	Summers	Y
56	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y

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

11 The Speaker appointed Representatives Baumgardner, Chairman, Barker
 12 and Levy as House conferees to the bill.

13
 14
 15
 16 **HOUSE RECEDES ON HB11-1189**

17
 18 **HB11-1189** by Representative(s) Fields, Schafer S., Todd, Vigil; also
 19 Senator(s) King K.--Concerning bail bond conditions for
 20 those arrested for subsequent substance abuse driving
 21 offenses.

22
 23 (Amended as printed in Senate Journal, March 21, page 522.)

24
 25 Representative Fields moved that the House **recede** from its position and
 26 that the Conference Committee be discharged on **HB11-1189**. A
 27 substitute motion by Representative Levy that the House Conference
 28 Committee be granted permission to go beyond the scope of the
 29 differences between the House and the Senate was declared **lost** by the
 30 following roll call vote:

	YES	20	NO	43	EXCUSED	2	ABSENT	0
33	Acree	N	Fischer	Y	Liston	N	Scott	N
34	Balmer	N	Gardner B.	N	Looper	Y	Solano	Y
35	Barker	N	Gardner D.	Y	Massey	N	Sonnenberg	E
36	Baumgardner	N	Gerou	N	McCann	Y	Soper	N
37	Becker	N	Hamner	N	McKinley	E	Stephens	N
38	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
39	Bradford	Y	Hullinghorst	Y	Murray	N	Swalm	N
40	Brown	N	Jones	N	Nikkel	N	Swerdfeger	N
41	Casso	N	Joshi	N	Pabon	N	Szabo	N
42	Conti	N	Kagan	Y	Pace	N	Todd	N
43	Coram	Y	Kefalas	N	Peniston	N	Tyler	Y
44	Court	N	Kerr A.	Y	Priola	Y	Vaad	N
45	DelGrosso	Y	Kerr J.	N	Ramirez	N	Vigil	N
46	Duran	N	Labuda	N	Riesberg	Y	Waller	N
47	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	N
48	Fields	N	Levy	Y	Schafer S.	N	Wilson	Y
49							Speaker	N

50
 51
 52 Representative Fields motion that the House **recede** from its position and
 53 that the Conference Committee be discharged on **HB11-1189** was
 54 declared **passed** by the following roll call vote:

	YES	49	NO	14	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	N	Liston	Y	Scott	N
3	Balmer	Y	Gardner B.	Y	Looper	N	Solano	N
4	Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	E
5	Baumgardner	Y	Gerou	Y	McCann	N	Soper	Y
6	Becker	N	Hamner	Y	McKinley	E	Stephens	Y
7	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
8	Bradford	N	Hullinghorst	Y	Murray	Y	Swalm	Y
9	Brown	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
10	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
11	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
12	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
13	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
14	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
15	Duran	Y	Labuda	Y	Riesberg	N	Waller	Y
16	Ferrandino	Y	Lee	Y	Ryden	N	Williams A.	Y
17	Fields	Y	Levy	N	Schafer S.	Y	Wilson	N
18							Speaker	Y

19
20 Representative Fields moved that the House **concur** in Senate
21 amendments. The motion was declared **passed** by the following roll call
22 vote:

	YES	45	NO	18	EXCUSED	2	ABSENT	0
23								
24								
25	Acree	Y	Fischer	N	Liston	Y	Scott	N
26	Balmer	Y	Gardner B.	Y	Looper	N	Solano	N
27	Barker	Y	Gardner D.	N	Massey	Y	Sonnenberg	E
28	Baumgardner	N	Gerou	Y	McCann	N	Soper	Y
29	Becker	N	Hamner	Y	McKinley	E	Stephens	Y
30	Beezley	Y	Holbert	N	Miklosi	Y	Summers	Y
31	Bradford	N	Hullinghorst	Y	Murray	Y	Swalm	Y
32	Brown	N	Jones	Y	Nikkel	Y	Swerdfeger	Y
33	Casso	Y	Joshi	N	Pabon	Y	Szabo	Y
34	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
35	Coram	N	Kefalas	Y	Peniston	Y	Tyler	Y
36	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
37	DelGrosso	N	Kerr J.	Y	Ramirez	Y	Vigil	Y
38	Duran	Y	Labuda	Y	Riesberg	N	Waller	Y
39	Ferrandino	Y	Lee	Y	Ryden	N	Williams A.	Y
40	Fields	Y	Levy	N	Schafer S.	Y	Wilson	N
41							Speaker	Y

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

	YES	51	NO	12	EXCUSED	2	ABSENT	0
47								
48								
49	Acree	Y	Fischer	N	Liston	Y	Scott	Y
50	Balmer	Y	Gardner B.	Y	Looper	N	Solano	N
51	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	E
52	Baumgardner	Y	Gerou	Y	McCann	N	Soper	Y
53	Becker	N	Hamner	Y	McKinley	E	Stephens	Y
54	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Bradford	N	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Brown	N	Jones	Y	Nikkel	Y	Swerdfeger	Y

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

10 Co-sponsor(s) added: Representative(s) Summers.

11
12
13

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

15

16 **APPROPRIATIONS**

17

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

20

21 **SB11-076** be referred favorably to the Committee on State,
22 Veterans, & Military Affairs

23

24

25 **SB11-198** be referred to the Committee of the Whole with favorable
26 recommendation.

27

28

29

30 **ECONOMIC & BUSINESS DEVELOPMENT**

31

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

34

35 **HB11-1284** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:

38

39 Amend printed bill, page 6, after line 15 insert:

40

41 **"SECTION 7.** 12-47-407 (1) and (4), Colorado Revised Statutes,
42 are amended to read:

43

44 **12-47-407. Retail liquor store license.** (1) (a) A retail liquor
45 store license shall be issued to persons selling only malt, vinous, and
46 spirituous liquors in sealed containers not to be consumed at the place
47 where sold. Malt, vinous, and spirituous liquors in sealed containers shall
48 not be sold at retail other than in retail liquor stores except as provided in
49 section 12-47-408.

50

51 (b) In addition TO SELLING MALT, VINOUS, AND SPIRITUOUS
52 LIQUORS, A retail liquor stores STORE may sell SOFT DRINKS AND MIXERS
53 IN SEALED CONTAINERS FOR CONSUMPTION OFF PREMISES; nonfood items
54 DIRECTLY related to the consumption of such MALT, VINOUS, AND
55 SPIRITUOUS liquors OR SOFT DRINKS AND MIXERS; liquor-filled candy; and
56 NONPERISHABLE food items; approved by the state licensing authority that
are prepackaged, labeled, directly related to the consumption of such
liquors, and sold solely for the purpose of cocktail garnish in containers

1 ~~up to sixteen ounces. Nothing in this section shall be construed to~~
 2 ~~authorize the sale of food items that could constitute a snack, a meal, or~~
 3 ~~a portion of a meal~~ LEMONS, LIMES, AND SIMILAR COCKTAIL
 4 GARNISHMENTS; AND TOBACCO, TOBACCO PRODUCTS, AND SMOKERS'
 5 SUPPLIES.

6
 7 (c) Nothing in this section or in section 12-47-103 (31) ~~shall be~~
 8 ~~construed to prohibit the sale of items by~~ PROHIBITS a retail liquor store
 9 LICENSEE FROM:

10
 11 (I) SELLING ITEMS on behalf of or to benefit a charitable
 12 organization, as defined in section 39-26-102, C.R.S., or a nonprofit
 13 corporation subject to the "Colorado Revised Nonprofit Corporation Act",
 14 articles 121 to 137 of title 7, C.R.S., and determined to be exempt from
 15 federal income tax by the federal internal revenue service, if the retail
 16 liquor store does not receive compensation for ~~any such~~ THE sale; ~~Nothing~~
 17 ~~in this section shall prohibit a retail liquor store licensee~~

18
 19 (II) At the option of the licensee, ~~from~~ displaying promotional
 20 material furnished by a manufacturer or wholesaler, which material
 21 permits a customer to purchase other items from a third person, if the
 22 retail liquor store licensee does not receive payment from the third person
 23 and if the ordering of the additional merchandise is done by the customer
 24 directly from the third person; ~~Nothing in this subsection (1) shall prohibit~~
 25 ~~a retail liquor store licensee from~~ OR

26
 27 (III) Allowing tastings to be conducted on ~~his or her~~ THE licensed
 28 premises if an authorization for the tastings has been granted pursuant to
 29 section 12-47-301.

30
 31 (4) (a) EXCEPT AS SPECIFIED IN PARAGRAPH (b) OF THIS
 32 SUBSECTION (4), it is unlawful for any owner, part owner, shareholder, or
 33 person interested directly or indirectly in a retail liquor store to conduct,
 34 own either in whole or in part, or be directly or indirectly interested in any
 35 other business licensed pursuant to this article. ~~except that such a person~~
 36

37 (b) AN OWNER, PART OWNER, SHAREHOLDER, OR PERSON
 38 INTERESTED DIRECTLY OR INDIRECTLY IN A RETAIL LIQUOR STORE may
 39 have ~~an interest~~ INTERESTS in:

40
 41 (I) ADDITIONAL RETAIL LIQUOR STORE LICENSES, IF THE LICENSED
 42 RETAIL LIQUOR STORE AND ANY ADDITIONAL RETAIL LIQUOR STORES IN
 43 WHICH THE OWNER, PART OWNER, SHAREHOLDER, OR PERSON OBTAINS AN
 44 INTEREST DO NOT CONTAIN MORE THAN FIVE THOUSAND SQUARE FEET OF
 45 TOTAL RETAIL SPACE AND DO NOT HAVE A PHARMACY ON THE LICENSED
 46 PREMISES;

47
 48 (II) ~~an Arts license or an~~ LICENSES;

49
 50 (III) Airline public transportation system ~~license~~ LICENSES granted
 51 under this article; or ~~in a~~

52
 53 (IV) Financial ~~institution~~ INSTITUTIONS referred to in section
 54 12-47-308 (4).".

55
 56 Renumber succeeding sections accordingly.

1 **FINANCE**

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

4
5 **HB11-1265** 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, page 4, strike line 20 and substitute "and, except as
10 provided in ~~paragraph (d)~~ PARAGRAPH (c) of this subsection (2) AND".

11
12 Page 5, line 12, strike "No assessment" and substitute "~~No assessment~~".

13
14 Page 5, strike lines 13 and 14 and substitute "~~shall be made of validly
15 issued refunds made under the rules governing this paragraph (e) in effect
16 on June 7, 1979.~~".

17
18 Page 7, line 5, before "PURCHASER." insert "VENDOR TO THE".

19
20
21
22 **SB11-089** be referred favorably to the Committee on Appropriations.

23
24
25 **SB11-119** be amended as follows, and as so amended, be referred to
26 the Committee of the Whole with favorable
27 recommendation:

28
29 Amend reengrossed bill, page 2, line 4, after "(a)" insert "(I)".

30
31 Page 2, line 6, after "APPEALING" insert "EITHER".

32
33 Page 2, line 8, after "(1)" insert "OR A DENIAL OF AN ABATEMENT OF
34 TAXES PURSUANT TO SECTION 39-10-114".

35
36 Page 3, strike lines 3 through 5 and substitute:

37
38 "(A) ACTUAL ANNUAL RENTAL INCOME FOR TWO FULL YEARS
39 INCLUDING THE BASE YEAR FOR THE RELEVANT PROPERTY TAX YEAR;

40
41 "(B) TENANT REIMBURSEMENTS FOR TWO FULL YEARS INCLUDING
42 THE BASE YEAR FOR THE RELEVANT PROPERTY TAX YEAR;

43
44 "(C) ITEMIZED EXPENSES FOR TWO FULL YEARS INCLUDING THE
45 BASE YEAR FOR THE RELEVANT PROPERTY TAX YEAR; AND".

46
47 Page 3, line 6, strike "(IV)" and substitute "(D)".

48
49 Page 3, after line 10 insert:

50
51 "(II) THE PETITIONER SHALL PROVIDE THE INFORMATION REQUIRED
52 BY SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) WITHIN NINETY DAYS
53 AFTER THE APPEAL HAS BEEN FILED WITH THE BOARD OF ASSESSMENT
54 APPEALS."

55
56 Page 3, strike lines 11 through 15 and substitute:

1 "(b) (I) THE ASSESSOR, THE COUNTY BOARD OF EQUALIZATION, OR
2 THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY, AS APPLICABLE,
3 SHALL, UPON REQUEST MADE BY THE PETITIONER, PROVIDE TO A
4 PETITIONER WHO HAS FILED AN APPEAL WITH THE BOARD OF ASSESSMENT
5 APPEALS NOT MORE THAN NINETY DAYS AFTER RECEIPT OF THE
6 PETITIONER'S REQUEST, THE FOLLOWING INFORMATION:
7

8 (A) ALL OF THE UNDERLYING DATA USED BY THE COUNTY IN
9 CALCULATING THE VALUE OF THE SUBJECT PROPERTY THAT IS BEING
10 APPEALED, INCLUDING THE CAPITALIZATION RATE FOR SUCH PROPERTY;
11 AND
12

13 (B) THE NAMES OF ANY COMMERCIALY AVAILABLE AND
14 COPYRIGHTED PUBLICATIONS USED IN CALCULATING THE VALUE OF THE
15 SUBJECT PROPERTY.
16

17 (II) THE PARTY PROVIDING THE INFORMATION TO THE PETITIONER
18 PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) SHALL REDACT
19 ALL CONFIDENTIAL INFORMATION CONTAINED THEREIN."
20

21 Page 3, strike lines 16 through 20.
22

23 Reletter succeeding paragraphs accordingly.
24

25 Page 3, line 22, after the first "BY" insert "SUBPARAGRAPH (I) OF".
26

27 Page 3, line 23, strike "PARAGRAPH (c) OF THIS SUBSECTION (5)," and
28 substitute "SUBPARAGRAPH (II) OF SAID PARAGRAPH (a),".
29

30 Page 4, line 1, after "ASSESSOR" insert "OR THE COUNTY BOARD OF
31 EQUALIZATION".
32

33 Page 4, line 4, strike "(d)" and substitute "(c)".
34

35 Page 4, strike lines 10 and 11 and substitute "DUE THE TAXPAYER SHALL
36 CEASE TO ACCRUE AS OF THE DATE THE ORDER COMPELLING DISCLOSURE
37 IS ISSUED, AND THE ACCRUAL OF INTEREST SHALL RESUME AS OF THE DATE
38 THE CONTESTED INFORMATION HAS BEEN PROVIDED BY THE TAXPAYER."
39

40 Page 4, strike lines 16 through 25 and substitute:
41

42 "(e) THE COUNTY BOARD OF EQUALIZATION AND THE BOARD OF
43 COUNTY COMMISSIONERS RECEIVING ANY INFORMATION PROVIDED BY A
44 PETITIONER PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (a) OF THIS
45 SUBSECTION (5) THAT IS EXEMPT FROM DISCLOSURE UNDER EITHER
46 SECTION 24-72-204 (3) (a) (IV), C.R.S., OR ANOTHER PROVISION OF THE
47 "COLORADO OPEN RECORDS ACT", PART 2 OF ARTICLE 72 OF TITLE 24,
48 C.R.S., SHALL KEEP SUCH INFORMATION CONFIDENTIAL; EXCEPT THAT
49 SUCH INFORMATION MAY BE DISCLOSED TO THE ADMINISTRATOR AND THE
50 EMPLOYEES OF HIS OR HER OFFICE, THE BOARD OF ASSESSMENT APPEALS,
51 THE COUNTY BOARD OF EQUALIZATION, THE BOARD OF COUNTY
52 COMMISSIONERS OF THE COUNTY IN WHICH THE SUBJECT PROPERTY IS
53 LOCATED, THE OFFICE OF THE COUNTY ASSESSOR, OR A PERSON RETAINED
54 TO APPRAISE OR PROVIDE VALUE CONSULTATION IN CONNECTION WITH THE
55 SUBJECT PROPERTY WHERE SUCH INFORMATION IS PERTINENT TO AN
56 APPEAL.

1 (f) NOTHING IN THIS SUBSECTION (5) SHALL BE CONSTRUED TO
2 APPLY TO A PUBLIC UTILITY WHOSE VALUATION FOR PROPERTY TAX
3 PURPOSES IS DETERMINED BY THE ADMINISTRATOR IN ACCORDANCE WITH
4 THE PROVISIONS OF ARTICLE 4 OF THIS TITLE."
5
6
7
8

9 **HEALTH & ENVIRONMENT**

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

13 **HB11-1283** be referred to the Committee of the Whole with favorable
14 recommendation.
15
16
17
18

19 **JUDICIARY**

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

23 **SB11-108** be referred favorably to the Committee on Appropriations.
24
25
26
27

28 **STATE, VETERANS, & MILITARY AFFAIRS**

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

32 **SB11-043** be postponed indefinitely.
33
34

35 **SB11-063** be referred to the Committee of the Whole with favorable
36 recommendation.
37
38

39 **SB11-069** be postponed indefinitely.
40
41

42 **SB11-082** be referred to the Committee of the Whole with favorable
43 recommendation.
44
45
46
47

48 **TRANSPORTATION**

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

52 **HB11-1251** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:
55

56 Amend printed bill, page 2, strike lines 18 through 23 and substitute:

1 "(III) A LAW ENFORCEMENT VEHICLE MAY HAVE ITS WINDOWS,
2 EXCEPT THE WINDSHIELD, TREATED IN SUCH A MANNER SO AS TO ALLOW
3 LESS THAN TWENTY-SEVEN PERCENT LIGHT TRANSMITTANCE ONLY FOR
4 THE PURPOSE OF PROVIDING A VALID LAW ENFORCEMENT SERVICE. A LAW
5 ENFORCEMENT VEHICLE WITH SUCH WINDOW TREATMENT SHALL NOT BE
6 USED FOR ANY TRAFFIC LAW ENFORCEMENT OPERATIONS, INCLUDING
7 OPERATIONS CONCERNING ANY OFFENSE IN ARTICLE 4 OF THIS TITLE. FOR
8 PURPOSES OF THIS SUBPARAGRAPH (III), "LAW ENFORCEMENT VEHICLE"
9 MEANS A VEHICLE OWNED OR LEASED BY A STATE OR LOCAL LAW
10 ENFORCEMENT AGENCY. THE TREATMENT OF THE WINDSHIELD OF A LAW
11 ENFORCEMENT VEHICLE IS SUBJECT TO THE LIMITS DESCRIBED IN
12 PARAGRAPH (b) OF THIS SUBSECTION (1)."
13
14
15

16 **HB11-1275** be amended as follows, and as so amended, be referred to
17 the Committee on Appropriations with favorable
18 recommendation:
19

20 Amend printed bill, page 3, line 18, strike "MOTOR VEHICLE" and
21 substitute "COMMERCIAL DIESEL VEHICLE".
22

23 Page 4, line 10, after "EQUIPMENT" insert "ONLY".
24

25 Page 5, strike lines 4 through 10 and substitute:
26

27 "(i) WHEN USED TO HEAT OR COOL A SLEEPER BERTH
28 COMPARTMENT DURING A REST OR SLEEP PERIOD AT A REST AREA, FLEET
29 TRUCKING TERMINAL, COMMERCIAL TRUCK STOP, OR STATE-DESIGNATED
30 LOCATION DESIGNED TO BE A DRIVER'S REST AREA;
31

32 "(j) WHEN USED TO HEAT OR COOL A SLEEPER BERTH
33 COMPARTMENT DURING A REST OR SLEEP PERIOD AT A LOCATION WHERE
34 THE VEHICLE IS LEGALLY PERMITTED TO PARK AND THAT IS AT LEAST ONE
35 THOUSAND FEET FROM".
36

37 Reletter succeeding paragraph accordingly.
38
39

40
41
42 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
43

44 The Speaker has signed: **HB11-1083, 1183, 1193, 1203, 1262;**
45 **HJR11-1012; SB11-010, 016, 019, 024, 031, 087 and 100.**
46
47

48
49 **MESSAGE(S) FROM THE SENATE**
50

51 The Senate has passed on Third Reading and transmitted to the Revisor
52 of Statutes:
53

54 SB11-172 amended as printed in Senate Journal, March 23, 2011, pages
55 549-550.
56

1 In response to the request of the House for a Conference Committee on
2 HB11-1189, the President appoints Senators King K. Chair, Guzman, and
3 Giron as conferees on the First Conference Committee on HB11-1189.

4
5 The Senate has adopted and returns herewith: HJR11-1012.

6
7 The Senate voted to concur in House amendments to SB11-034,
8 SB11-083, SB11-039, SB11-025, and SB11-120, and repassed the bills
9 as amended.

10

11

12 The Senate has postponed indefinitely HB11-1084, HB11-1065,
13 HB11-1168 and HB-1055. The bills are returned herewith.

14

15

16

17

MESSAGE(S) FROM THE REVISOR

18

19 We herewith transmit:

20 Without comment, as amended, SB11-172.

21

22

23

24

MESSAGE(S) FROM THE GOVERNOR

25

26 I certify I received the following on the 24th day of March, 2011, at
27 3:10 p.m. The original is on file in the records of the House of
28 Representatives of the General Assembly.

29

30

Marilyn Eddins,
Chief Clerk of the House

31

32

33 March 24, 2011

34

35 To the Honorable House of Representatives
36 Sixty-eighth General Assembly
37 First Regular Session
38 State Capitol
39 Denver, CO 80203

40

41 Ladies and Gentlemen:

42

43 I have the honor to inform you that I have approved and filed with the
44 Secretary of State the following Acts:

45

46 **HB11-1187** CONCERNING PERSONNEL EMPLOYED TO OPERATE THE
47 PUBLIC GOLFING CLUB AT NORTHEASTERN JUNIOR
48 COLLEGE

49

50 Approved March 24, 2011 at 1:22 p.m.

51

52 Sincerely,

53 (signed)

54 John W. Hickenlooper

55 Governor

56

INTRODUCTION OF BILLS
First Reading

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

SB11-172 by Senator(s) Steadman, Aguilar, Bacon, Boyd, Carroll, Foster, Giron, Guzman, Heath, Hodge, Hudak, Jahn, Johnston, Morse, Newell, Nicholson, Shaffer B., Tochtrop, Williams S., Schwartz; also Representative(s) Ferrandino, Court, Duran, Fischer, Gardner D., Hamner, Hullinghorst, Jones, Kagan, Kefalas, Kerr A., Labuda, Lee, Levy, McCann, Miklosi, Pabon, Peniston, Ryden, Schafer S., Tyler, Williams A., Wilson, Casso, Fields, Todd, Vigil-- Concerning authorization of civil unions, and making an appropriation in connection therewith.
Committee on Judiciary

SB11-178 by Senator(s) Newell; also Representative(s) Sonnenberg-- Concerning the manner in which a statutory local government may adopt a sales tax exemption.
Committee on Local Government

SB11-188 by Senator(s) Bacon and King K.; also Representative(s) Casso--Concerning increasing the state's oversight of the program that allows the financing of capital construction for qualified charter schools.
Committee on Education

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

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

HB11-1219 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 2, line 3, after "ARTICLE" insert "CONTAINING RELOCATED PROVISIONS, WITH AMENDMENTS,".

Page 2, after line 8 insert:

"(1) "BALLOT" MEANS:

(a) A FEDERAL WRITE-IN ABSENTEE BALLOT;

(b) A BALLOT SPECIFICALLY PREPARED OR DISTRIBUTED FOR USE BY A COVERED VOTER IN ACCORDANCE WITH THIS ARTICLE; OR

- 1 (c) A BALLOT CAST BY A COVERED VOTER IN ACCORDANCE WITH
2 THIS ARTICLE."
3
4 Renumber succeeding subsections accordingly.
5
6 Page 2, line 13, strike "WHOSE VOTING RESIDENCE IS IN THIS".
7
8 Page 2, line 14, strike "STATE" and substitute "WHO IS A RESIDENT OF THIS
9 STATE BUT WHO IS ABSENT FROM THIS STATE BY REASON OF ACTIVE
10 DUTY".
11
12 Page 3, line 2, strike "(1)," and substitute "(2)."
13
14 Page 3, strike lines 3 and 4 and substitute "SATISFIES THIS STATE'S VOTER
15 ELIGIBILITY REQUIREMENTS IF THE LAST PLACE WHERE A PARENT OR
16 LEGAL GUARDIAN OF THE".
17
18 Page 3, line 6, strike "STATE; AND" and substitute "STATE".
19
20 Page 3, strike lines 7 and 8.
21
22 Page 3, line 9, strike "AN INDIVIDUAL RECOGNIZED AS A".
23
24 Page 3, strike line 10 and substitute "A SPOUSE OR DEPENDENT OF A
25 COVERED VOTER DESCRIBED IN SUBSECTION (2) OF THIS SECTION WHO IS
26 A RESIDENT OF THIS STATE BUT WHO IS ABSENT FROM THE STATE BY
27 REASON OF THE ACTIVE DUTY OR SERVICE OF THE COVERED VOTER."
28
29 Page 3, strike lines 18 through 23.
30
31 Renumber succeeding subsections accordingly.
32
33 Page 4, line 9, strike "GUARD AND STATE MILITIA." and substitute
34 "GUARD."
35
36 Page 4, line 19, strike "GUARD".
37
38 Page 4, strike line 20 and substitute "GUARD; OR".
39
40 Page 5, line 2, strike "SPECIAL," and substitute "CONGRESSIONAL
41 VACANCY,".
42
43 Page 5, line 4, strike "SPECIAL,".
44
45 Page 5, strike lines 7 through 11 and substitute:
46
47 "(c) ANY OTHER ELECTION COORDINATED BY THE COUNTY CLERK
48 AND RECORDER."
49
50 Page 5, line 20, strike "MILITARY-OVERSEAS".
51
52 Page 5, line 27, strike "MILITARY-OVERSEAS".
53
54 Page 6, line 6, strike "MILITARY-OVERSEAS".
55
56 Page 6, line 14, strike "AN OVERSEAS-MILITARY" and substitute "A".

1 Page 6, line 15, strike "MUST" and substitute "SHALL".

2

3 Page 6, after line 21 insert:

4

5 **"1-8.3-105. [Formerly 1-8-103] Effect of "Uniformed and**
6 **Overseas Citizens Absentee Voting Act" - emergency authority of**
7 **secretary of state.** (1) In the event of any conflict between this ~~part~~
8 ARTICLE and any provisions of the federal "Uniformed and Overseas
9 Citizens Absentee Voting Act", 42 U.S.C. sec. 1973ff et seq., the
10 provisions of the federal act shall control, and all designated election
11 officials who are charged with the performance of duties under this code
12 shall perform the duties and discharge the obligations placed upon them
13 by the federal act.

14

15 (2) If a national or local emergency arises ~~which~~ THAT makes
16 substantial compliance with the provisions of this ~~part~~ ARTICLE
17 impossible or unreasonable, such as when congress has declared a
18 national emergency or the president has ordered into active military
19 service of the United States any units and members of the National Guard
20 of this state, the secretary of state may prescribe, by emergency orders or
21 rules, such special procedures or requirements as may be necessary to
22 facilitate absentee voting by those members of the military or military
23 support personnel directly affected by the emergency."

24

25 Renumber succeeding C.R.S. sections accordingly.

26

27 Page 6, line 24, strike "MUST" and substitute "SHALL".

28

29 Page 6, line 26, strike "(1)" and substitute "(2)".

30

31 Page 7, line 2, strike "MUST" and substitute "SHALL".

32

33 Page 7, line 13, strike "MUST" and substitute "SHALL".

34

35 Page 7, line 22, strike "**military-overseas**".

36

37 Page 7, line 24, strike "MILITARY-OVERSEAS".

38

39 Page 8, line 4, strike "1-8.3-106 AND FOR A MILITARY-OVERSEAS" and
40 substitute "1-8.3-107 AND FOR A".

41

42 Page 8, line 9, strike "MILITARY-OVERSEAS".

43

44 Page 8, line 15, strike "MILITARY-OVERSEAS".

45

46 Page 8, line 20, strike "MUST" and substitute "SHALL".

47

48 Page 9, strike lines 6 and 7 and substitute "**ballot.** AN APPLICATION FOR
49 A BALLOT IS TIMELY IF RECEIVED BY THE DESIGNATED ELECTION OFFICIAL
50 NO LATER THAN THE CLOSE OF BUSINESS ON THE FRIDAY IMMEDIATELY
51 PRECEDING THE ELECTION; EXCEPT THAT, IF THE APPLICANT WISHES TO
52 RECEIVE THE BALLOT BY MAIL, THE APPLICATION SHALL BE RECEIVED NO
53 LATER THAN THE CLOSE OF BUSINESS ON THE SEVENTH DAY BEFORE".

54

55 Page 9, line 8, strike "MILITARY-OVERSEAS".

56

- 1 Page 9, line 10, strike "MILITARY-OVERSEAS".
2
3 Page 9, strike lines 17 through 19 and substitute "ELECTION, THE
4 ELECTION OFFICIAL IN EACH JURISDICTION".
5
6 Page 9, line 22, strike "MILITARY-OVERSEAS".
7
8 Page 9, line 27, strike "INTERNET".
9
10 Page 10, line 1, strike "DELIVERY." and substitute "ELECTRONIC
11 TRANSMISSION."
12
13 Page 10, strike lines 9 and 10 and substitute "VOTER WITHIN
14 SEVENTY-TWO HOURS AFTER THE RECEIPT OF THE APPLICATION."
15
16 Page 10, line 12, strike "MILITARY-OVERSEAS BALLOT MUST" and
17 substitute "BALLOT SHALL".
18
19 Page 10, line 14, strike "MUST" and substitute "SHALL".
20
21 Page 10, strike lines 16 and 17 and substitute "THAN 7:00 P.M. MOUNTAIN
22 TIME ON THE DATE OF THE ELECTION."
23
24 Page 10, line 18, after "**ballot.**" insert "(1)".
25
26 Page 10, after line 21 insert:
27
28 **"[Formerly 1-8-117 (4) (b)].** (2) The ~~eligible elector~~ COVERED
29 VOTER may designate the ~~federal~~ candidate by writing in the name of the
30 candidate or by writing in the name of a political party or political
31 organization, in which case the ballot shall be counted for the candidate
32 of that political party or political organization. Any abbreviation,
33 misspelling, or other minor variation in the form of the name of the
34 candidate, political party, or political organization shall be disregarded in
35 determining the validity of the ballot as long as the intention of the ~~elector~~
36 COVERED VOTER can be ascertained."
37
38 Page 10, strike line 22 and substitute:
39
40 **"1-8.3-113. Transmission and receipt of ballot.** (1) A
41 COVERED VOTER WHO REQUESTED AND RECEIVED BALLOT MATERIALS BY
42 ELECTRONIC TRANSMISSION MAY ALSO RETURN THE BALLOT BY
43 ELECTRONIC TRANSMISSION, AS SPECIFIED IN RULES PROMULGATED BY THE
44 SECRETARY OF STATE.
45
46 (2) A VALID".
47
48 Page 10, line 23, strike "MILITARY-OVERSEAS".
49
50 Page 10, strike lines 24 through 26 and substitute "1-8.3-111 SHALL BE
51 COUNTED IF IT IS RECEIVED BY THE CLOSE OF BUSINESS ON THE EIGHTH
52 DAY AFTER AN ELECTION AT THE ADDRESS".
53
54 Page 11, line 1, strike "(2)" and substitute "(3)" and strike
55 "MILITARY-OVERSEAS".
56

- 1 Page 11, strike lines 4 and 5 and substitute "BALLOT SHALL NOT BE
2 REJECTED AS LATE."
3
- 4 Page 11, line 6, strike "MILITARY-OVERSEAS BALLOT MUST" and substitute
5 "BALLOT SHALL".
6
- 7 Page 11, line 7, strike "A DECLARATION SIGNED BY THE VOTER" and
8 substitute "THE SIGNED AFFIRMATION REQUIRED BY THE FEDERAL
9 "UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT", 42
10 U.S.C. SEC. 1973ff, ET SEQ."
11
- 12 Page 11, strike lines 8 through 20.
13
- 14 Renumber succeeding C.R.S. sections accordingly.
15
- 16 Page 11, line 25, strike "MAY" and substitute "SHALL".
17
- 18 Page 12, line 4, strike "MILITARY-OVERSEAS".
19
- 20 Page 12, line 7, strike "MUST" and substitute "SHALL".
21
- 22 Page 12, line 11, strike "A COVERED" and substitute "UNLESS A COVERED
23 VOTER APPLIES TO BE A PERMANENT MAIL-IN VOTER PURSUANT TO
24 SECTION 1-8-104.5, THE COVERED".
25
- 26 Page 12, line 20, strike "MILITARY-OVERSEAS".
27
- 28 Page 12, line 22, strike "MILITARY-OVERSEAS".
29
- 30 Page 12, strike lines 26 and 27 and substitute "THE SECRETARY OF STATE
31 SHALL PREPARE AN".
32
- 33 Page 13, line 1, strike "FOR THAT JURISDICTION".
34
- 35 Page 13, line 3, strike "MUST" and substitute "SHALL" and strike "BALLOT
36 MEASURES AND FEDERAL,".
37
- 38 Page 13, line 4, strike "STATE, AND LOCAL" and substitute "FEDERAL AND
39 STATE" and strike "OFFICIAL" and substitute "SECRETARY OF STATE".
40
- 41 Page 13, line 5, after "NOTICE" insert "SHALL".
42
- 43 Page 13, line 6, strike "MUST".
44
- 45 Page 13, line 9, after "CONTESTED." add "THE SECRETARY OF STATE
46 SHALL POST THE NOTICE ON THE OFFICIAL WEB SITE OF THE SECRETARY OF
47 STATE."
48
- 49 Page 13, line 11, strike "OFFICIAL CHARGED WITH PREPARING THE
50 ELECTION NOTICE" and substitute "COUNTY CLERK AND RECORDER".
51
- 52 Page 13, line 16, strike "OFFICIAL CHARGED WITH" and substitute
53 "SECRETARY OF STATE".
54
- 55 Page 13, strike line 17.
56

1 Page 13, strike lines 19 and 20 and substitute "OFFICE."
2

3 Page 13, strike lines 21 through 27 and substitute:
4

5 "(4) A COUNTY HAVING ONE OR MORE COVERED VOTERS AND THAT
6 MAINTAINS A WEB SITE SHALL PROVIDE A LINK TO THE ELECTION NOTICE
7 MAINTAINED ON THE SECRETARY OF STATE'S OFFICIAL WEB SITE."
8

9 Page 14, strike lines 1 through 19.
10

11 Renumber succeeding C.R.S. sections accordingly.
12

13 Page 14, strike lines 20 through 26 and substitute:
14

15 "**1-8.3-117. Covered voter may file complaint.** ANY COVERED
16 VOTER ALLEGING A GRIEVANCE MAY FILE A COMPLAINT WITH THE
17 SECRETARY OF STATE AS SPECIFIED IN SECTION 1-1.5-105."
18

19 Page 15, line 1, strike "MUST" and insert "SHALL".
20

21 Page 17, strike lines 14 through 23 and substitute:
22

23 "**SECTION 4. Repeal of provisions being relocated in this act.**
24 Sections 1-8-103 and 1-8-117 (4) (b), Colorado Revised Statutes, are
25 repealed.
26

27 **SECTION 5. Repeal of provisions not being relocated in this**
28 **act.** Sections 1-2-208, 1-2-209, 1-2-209.5, 1-8-103.3, 1-8-103.5, 1-8-116,
29 and 1-8-117 (1), (2), (3), (4) (a), (5), (6), and (7), Colorado Revised
30 Statutes, are repealed."
31

32 Page 18, after line 6 insert:
33

34 "**SECTION 7. Applicability.** This act shall apply to elections
35 held on or after November 1, 2011."
36

37 Renumber succeeding section accordingly.
38
39
40

41 **HB11-1282** be amended as follows, and as so amended, be referred to
42 the Committee of the Whole with favorable
43 recommendation:
44

45 Amend printed bill, page 2, line 6, after the period insert "The judicial
46 department's public access system shall provide meaningful access to the
47 records of the judicial department to the public, without imposing undue
48 burden or cost so that the public is able to monitor the conduct of the
49 judicial branch of government."
50

51 Page 2, line 17, after the period insert "THE JUDICIAL DEPARTMENT SHALL,
52 THROUGH DIRECT-PAYING USERS AND NONPAYING USERS, PROVIDE
53 REMOTE ACCESS TO COURT RECORDS TO THE PUBLIC WITHOUT UNDUE
54 BURDEN OR COST."
55

56 Page 3, line 18, strike "OTHERS" and substitute "OTHERS, INCLUDING THE

- 1 GENERAL PUBLIC,".
2
3 Page 3, line 23, strike "ADVISORY".
4
5 Page 3, line 25, strike "NINE" and substitute "ELEVEN".
6
7 Page 4, line 1, strike "ONE MEMBER;" and substitute "TWO MEMBERS. ONE
8 MEMBER APPOINTED BY THE PRESIDENT SHALL REPRESENT THE INTEREST
9 OF THE PRESS. ONE MEMBER APPOINTED BY THE SPEAKER SHALL BE A
10 MEMBER OF THE GENERAL PUBLIC."
11
12 Page 5, line 7, after the period insert "THE BOARD SHALL BE A STATE
13 PUBLIC BODY AS DEFINED IN SECTION 24-6-402 (1) (d), C.R.S., AND SHALL
14 BE SUBJECT TO SECTION 24-6-402, C.R.S."
15
16 Page 5, after line 9 insert:
17
18 "(I) TO CONDUCT BUSINESS AND MAKE DECISIONS IN ACCORDANCE
19 WITH THIS SECTION, UPON AFFIRMATIVE VOTE OF THE MAJORITY OF THE
20 QUORUM PRESENT AT ANY MEETING;"
21
22 Renumber succeeding subparagraphs accordingly.
23
24 Page 5, line 15, strike "SUBJECT TO THE PROVISIONS OF" and substitute "IN
25 ACCORDANCE WITH AND SUBJECT TO THE LIMITATIONS OF".
26
27
28
29 **SB11-062** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:
32
33 Amend reengrossed bill, page 4, strike lines 22 through 27.
34
35 Page 5, strike lines 1 through 7.
36
37 Renumber succeeding sections accordingly.
38
39 Page 5, line 17, strike "(2) (b)" and substitute "(1), (2) (b),".
40
41 Page 5, strike line 20 and substitute:
42
43 "**responsibilities.** (1) The ~~governor~~ CHIEF INFORMATION OFFICER shall
44 appoint a chief information security officer who shall serve at the
45 pleasure of the ~~governor~~ CHIEF INFORMATION OFFICER. The SECURITY
46 officer shall report to and be under the supervision of the chief
47 information officer. The SECURITY officer shall exhibit a background and
48 expertise in security and risk management for communications and
49 information resources. In the event the SECURITY officer is unavailable
50 to perform the duties and responsibilities under this part 4, all powers and
51 authority granted to the SECURITY officer may be exercised by the chief
52 information officer.
53
54 (2) The chief information security officer shall:"
55
56 Page 10, after line 23 insert:

1 "**SECTION 11. Repeal.** 24-37.5-406, Colorado Revised Statutes,
2 is repealed as follows:
3

4 **24-37.5-406. Reporting.** ~~The chief information security officer
5 shall report to the governor and the office on a quarterly basis concerning
6 the implementation of the provisions of this part 4."~~

7
8 Renumber succeeding sections accordingly.
9

10 Page 12, line 15, after the period add "AN AGENCY MAY ONLY PURCHASE
11 PRIVATE SERVICES IF IT HAS FIRST WORKED WITH THE OFFICE AND THE
12 OFFICE HAS AUTHORIZED THE PURCHASE OF PRIVATE SERVICES."
13

14 Page 14, line 13, after the period add "AN AGENCY MAY ONLY PURCHASE
15 PRIVATE SERVICES IF IT HAS FIRST WORKED WITH THE OFFICE AND THE
16 OFFICE HAS AUTHORIZED THE PURCHASE OF PRIVATE SERVICES."
17

18
19
20 _____

DELIVERY OF BILLS TO GOVERNOR

21
22 The Chief Clerk of the House of Representatives reports the following
23 bills have been delivered to the Office of the Governor: **HB11-1079,**
24 **1083, 1118, 1151, 1153, 1167, 1183, 1193, 1203, 1210, 1226, 1239, 1262**
25 at 11:45 a.m. on March 25, 2011.
26
27 _____

28
29 **MESSAGE(S) FROM THE GOVERNOR**

30
31 I certify I received the following on the 25th day of March, 2011, at
32 1:30 p.m. The original is on file in the records of the House of
33 Representatives of the General Assembly.
34

35
36 Marilyn Eddins,
37 Chief Clerk of the House

38
39
40 March 25, 2011

41 To the Honorable House of Representatives
42 Sixty-eighth General Assembly
43 First Regular Session
44 State Capitol
45 Denver, CO 80203

46 Ladies and Gentlemen:

47 I have the honor to inform you that I have approved and filed with the
48 Secretary of State the following Acts:
49

50 **HB11-1122** CONCERNING THE TECHNICAL MODIFICATION OF
51 SPECIFIED REQUIREMENTS AFFECTING THE PROCESS BY
52 WHICH A PROPOSED HOME RULE CHARTER FOR A
53 MUNICIPALITY IS TO BE SUBMITTED FOR THE APPROVAL
54 OF THE VOTERS OF THE MUNICIPALITY.
55

56 Approved March 25th, 2011 at 10:27 AM

- 1 **HB11-1144** CONCERNING FETAL ALCOHOL SPECTRUM DISORDERS,
2 AN, IN CONNECTION THEREWITH, EXPENDING THE
3 NUMBER OF MEMBERS OF THE FETAL ALCOHOL
4 SPECTRUM DISORDERS COMMISSION AND ENCOURAGING
5 EVALUATION AND EXPANDED USE OF HEALTH WARNING
6 INFORMATION.
7
8 Approved March 25th, 2011 at 10:28 AM
9
10
11 **HB11- 1161** CONCERNING THE EXTENSION THROUGH THE 2011-12
12 FISCAL YEAR OF AUTHORIZATION FOR THE USE OF
13 HIGHWAY USER TAX FUND MONEYS TO FUND DRIVER
14 AND VEHICLE SERVICES WITHIN THE DIVISION OF MOTOR
15 VEHICLES OF THE DEPARTMENT OF REVENUE.
16
17 Approved March 25th, 2011 at 10:27 AM
18
19 **HB11- 1016** CONCERNING PROHIBITION AGAINST FURNISHING
20 TOBACCO PRODUCTS TO MINORS.
21
22 Approved March 25th, 2011 at 10:26 AM
23
24
25 **HB11- 1053** CONCERNING COURT PROCEEDINGS INITIATED TO
26 COMPEL A MINOR TO ATTEND SCHOOL.
27
28 Approved March 25th, 2011 at 10:22 AM
29
30 **HB11- 1260** CONCERNING THE DUE DATE FOR TAX INSTALLMENT
31 PAYMENTS WHEN THE DUE DATE FALLS ON A LEGAL
32 FEDERAL HOLIDAY.
33
34 Approved March 25th, 2011 at 10:24 AM
35
36
37 **HB11- 1074** CONCERNING COLORADO SCHOOL OF MINES FUNDING OF
38 FINANCIAL AID.
39
40 Approved March 25th, 2011 at 10:26 AM
41
42 **HB11-1089** CONCERNING THE AUTHORITY OF THE STATE CHARTER
43 SCHOOL INSTITUTE TO ACT AS A LOCAL EDUCATION
44 AGENCY FOR CHARTER SCHOOLS THAT APPLY FOR
45 GRANT PROGRAMS.
46
47 Approved March 25th, 2011 at 10:10 AM
48
49
50 **HB11-1176** CONCERNING AN EXEMPTION OF CRUDE OIL FROM
51 DESIGNATED ROUTES SET BY THE STATE PATROL FOR
52 THE TRANSPORTATION OF HAZARDOUS SUBSTANCES BY
53 MOTOR VEHICLES.
54
55 Approved March 25th, 2011 at 10:13 AM
56

1 **HJR11-1008** CONCERNING APPROVAL OF WATER PROJECT
2 REVOLVING FUND ELIGIBILITY LISTS ADMINISTERED BY
3 THE COLORADO WATER RESOURCES AND POWER
4 DEVELOPMENT AUTHORITY.

5
6 Approved March 25th, 2011 at 11:15 AM

7
8 Sincerely,
9 (signed)
10 John W. Hickenlooper

11 _____
12
13
14 **INTRODUCTION OF BILLS**
15 **First Reading**

16
17 The following bills were read by title and referred to the committees
18 indicated:

19
20 **HB11-1289** by Representative(s) Sonnenberg; also Senator(s) Hodge--
21 Concerning the manner in which the state historical
22 society acts with regard to water supply structures.
23 Committee on Agriculture, Livestock, & Natural Resources

24
25 **HB11-1290** by Representative(s) Liston and Riesberg, Balmer, Casso,
26 Gardner B., Holbert, Kerr J., Massey, Nikkel, Schafer S.,
27 Stephens, Swerdfeger; also Senator(s) Heath, Brophy,
28 Hodge, Kopp, Tochtrop--Concerning the nonrefundability
29 of an origination fee for a deferred deposit loan.
30 Committee on Economic and Business Development

31 _____
32
33
34 **LAY OVER OF CALENDAR ITEM(S)**

35
36 On motion of Representative Stephens, the following item(s) on the
37 Calendar (was)were laid over until March 28, retaining place on
38 Calendar:

39
40 Consideration of Third Reading--**HB11-1146.**
41 Consideration of General Orders--**HB11-1116, 1005, 1286, SB11-084.**

42 _____
43
44
45 On motion of Representative Stephens, the House adjourned until
46 10:00 a.m., March 28, 2011.

47
48 Approved:
49 FRANK McNULTY,
50 Speaker

51 Attest:
52 MARILYN EDDINS,
53 Chief Clerk