

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

Twenty-eighth Legislative Day

Tuesday, February 8, 2011

- 1 Prayer by Father Clint Honkomp, St. Dominic Ministries, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Josh Kistler from University of Colorado,
6 Colorado Springs.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) Conti, Pabon, Vigil--3.
12 Present after roll call--Representative(s) Conti.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Conti, the reading of the journal of
18 February 7, 2011, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

24 The following bill(s) was(were) considered on Third Reading. The
25 title(s) was(were) publicly read. Reading of the bill at length was
26 dispensed with by unanimous consent.
27
28

29 **HB11-1110** by Representative(s) Acree, Balmer, Holbert, Massey,
30 Murray, Solano; also Senator(s) Harvey, Carroll, Renfroe-
31 -Concerning the rights of members of nonprofit
32 corporations in which residency is a qualification for
33 membership.
34

35 As shown by the following roll call vote, a majority of all members
36 elected to the House voted in the affirmative, and Representative Acree
37 was given permission to offer a Third Reading amendment:
38

	YES	63	NO	0	EXCUSED	2	ABSENT	0
40	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
41	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
42	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
43	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y

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

14
15 **Third Reading amendment No. 1**, by Representative Acree.

16
17 Amend engrossed bill, page 3, strike lines 19 and 20 and substitute:

18
19 "(V) A CONTINUING CARE RETIREMENT COMMUNITY, AS
20 DESCRIBED IN SECTION 25.5-6-203, C.R.S., OPERATED BY AN ENTITY THAT
21 IS LICENSED OR OTHERWISE SUBJECT TO STATE REGULATION."

22
23 The amendment was declared **passed** by the following roll call vote:

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

43
44 The question being, "Shall the bill, as amended, pass?"

45 A roll call vote was taken. As shown by the following recorded vote, a
46 majority of those elected to the House voted in the affirmative, and the
47 bill, as amended, was declared **passed**.

48	YES	63	NO	0	EXCUSED	2	ABSENT	0
49								
50	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
51	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
52	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
53	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
54	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
55	Beezley	Y	Holbert	Y	Miklosi	Y	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	E	Szabo	Y
3	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
4	Coram	Y	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	E
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 Co-sponsor(s) added: Representative(s) Kerr J., Priola, Todd

12
13 **HB11-1074** by Representative(s) Gerou, Tyler, Becker, Kerr J.,
14 Schafer S., Summers; also Senator(s) Jahn, Heath, Hodge,
15 Hudak, Spence--Concerning Colorado school of mines
16 funding of financial aid.

17
18 The question being "Shall the bill pass?".

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

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

41 Co-sponsor(s) added: Representative(s) Conti, Ferrandino, Fields, Fischer,
42 Labuda, Nikkel, Pace, Stephens, Todd.

43
44 **HB11-1128** by Representative(s) Riesberg; also Senator(s)
45 Williams S.--Concerning the protection from discovery in
46 a civil lawsuit against a state-regulated professional of
47 documents resulting from a complaint about the
48 professional that are held by the board that regulates the
49 professional.

50
51 The question being "Shall the bill pass?".

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

55

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
3	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
4	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
5	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
6	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
7	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
8	Bradford	Y	Hullinghorst	Y	Murray	Y	Swalm	Y
9	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
10	Casso	Y	Joshi	Y	Pabon	E	Szabo	Y
11	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
12	Coram	Y	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	E
15	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
16	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
17	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Schafer S.

20
 21 **HB11-1031** by Representative(s) Miklosi; also Senator(s) Foster--
 22 Concerning the creation of creative districts, and, in
 23 connection therewith, authorizing specified local
 24 governments to designate a portion of their territory as a
 25 creative district subject to certification by the creative
 26 industries division within the Colorado office of economic
 27 development.
 28

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

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

52 Co-sponsor(s) added: Representative(s) Casso, Duran, Ferrandino, Fields,
 53 Fischer, Labuda, Lee, McCann, Pace, Ryden, Schafer S., Solano, Todd, Tyler,
 54 Williams A., Wilson.
 55

1 **HB11-1087** by Representative(s) Vigil; also Senator(s) Giron--
2 Concerning reimbursement to county governments for
3 charges incurred in pest control operations undertaken by
4 the county.
5

6 Laid over until February 9, retaining place on Calendar.
7
8

9 On motion of Representative Kerr J., the House resolved itself into
10 Committee of the Whole for consideration of General Orders, and he was
11 called to the Chair to act as Chairman.
12
13

14 **GENERAL ORDERS--SECOND READING OF BILLS**
15

16 The Committee of the Whole having risen, the Chairman reported the
17 titles of the following bills had been read (reading at length had been
18 dispensed with by unanimous consent), the bills considered and action
19 taken thereon as follows:
20

21 (Amendments to the committee amendment are to the printed committee
22 report which was printed and placed in the members' bill file.)
23

24 **HB11-1072** by Representative(s) McNulty, Stephens, Liston; also
25 Senator(s) Morse--Concerning the responsibilities of a
26 designated representative of the proponents of an initiative
27 petition.
28

29 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
30 February 2, 2011, and placed in member's bill file; Report also printed in
31 House Journal, February 3, pages 155-156.
32

33 As amended, ordered engrossed and placed on the Calendar for Third
34 Reading and Final Passage.
35

36 **HB11-1054** by Representative(s) Ramirez; also Senator(s) Harvey--
37 Concerning a requirement that the regional transportation
38 district contract a certain amount of its vehicular service to
39 private businesses pursuant to competitively negotiated
40 contracts.
41

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

45 **HB11-1036** by Representative(s) Gardner D.; also Senator(s) King S.--
46 Concerning the creation of an emergency alert system to
47 notify the public immediately of the imminent danger
48 posed by a suspect who has killed or seriously injured a
49 peace officer.
50

51 Amendment No. 1, Judiciary Report, dated February 3, 2011, and placed
52 in member's bill file; Report also printed in House Journal, February 4,
53 page 167.
54

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

1 **HB11-1049** by Representative(s) Barker--Concerning criminal uses of
2 personal identifying information.
3

4 Amendment No. 1, Judiciary Report, dated February 3, 2011, and placed
5 in member's bill file; Report also printed in House Journal, February 4,
6 pages 167-169.
7

8 As amended, ordered engrossed and placed on the Calendar for Third
9 Reading and Final Passage.
10

11 **HB11-1085** by Representative(s) Schafer S.; also Senator(s) Jahn--
12 Concerning referral of offenders to community
13 corrections.
14

15 Amendment No. 1, Judiciary Report, dated February 3, 2011, and placed
16 in member's bill file; Report also printed in House Journal, February 4,
17 page 169.
18

19 As amended, ordered engrossed and placed on the Calendar for Third
20 Reading and Final Passage.
21

22 **HB11-1105** by Representative(s) Acree, Balmer, Barker,
23 Baumgardner, Court, Fields, Holbert, Joshi, Kagan, Kerr
24 J., Looper, Massey, McCann, Priola, Todd; also Senator(s)
25 White, Kopp, King S., Tochtrop--Concerning assaults
26 against medical care providers.
27

28 Amendment No. 1, Judiciary Report, dated February 3, 2011, and placed
29 in member's bill file; Report also printed in House Journal, February 4,
30 pages 169-170.
31

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

35 **HB11-1093** by Representative(s) Bradford, Sonnenberg--Concerning
36 the payment of specific ownership tax on special mobile
37 machinery.
38

39 Amendment No. 1, Transportation Report, dated February 3, 2011, and
40 placed in member's bill file; Report also printed in House Journal,
41 February 4, pages 162-163.
42

43 Amendment No. 2, by Representative(s) Bradford.
44

45 Amend printed bill, page 4, strike lines 1 through 10 and substitute:
46

47 **"SECTION 3. Safety clause.** The general assembly hereby finds,
48 determines, and declares that this act is necessary for the immediate
49 preservation of the public peace, health, and safety."
50

51 As amended, ordered engrossed and placed on the Calendar for Third
52 Reading and Final Passage.
53
54
55

1 On motion of Representative Stephens, consideration of (**HB11-1007,**
2 **1030, 1058, 1092**) was laid over until February 9, retaining place on
3 Calendar.

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

10 Representative Pace moved to amend the Report of the Committee of the
11 Whole to reverse the action taken by the Committee in not adopting the
12 following Pace amendment, to HB11-1054, to show that said amendment
13 passed, and that **HB11-1054**, as amended, passed.

14
15 Amend printed bill, page 2, line 3, strike "amended" and substitute
16 "amended, and the said 32-9-119.5 (2) is further amended BY THE
17 ADDITION OF A NEW PARAGRAPH,".

18
19 Page 2, after line 9 insert:

20
21 "(e) ON AND AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH (e),
22 ANY COMPETITIVE NEGOTIATED CONTRACT ENTERED INTO OR RENEWED
23 PURSUANT TO THIS SECTION SHALL BE BETWEEN THE DISTRICT AND A
24 DOMESTIC CORPORATION, PARTNERSHIP, PERSON, OR ENTITY WITH IT'S
25 PRINCIPAL PLACE OF BUSINESS IN THE UNITED STATES. THE DISTRICT
26 SHALL ESTABLISH POLICIES TO IMPLEMENT THE PROVISIONS OF THIS
27 PARAGRAPH (e). NOTHING IN THIS PARAGRAPH (e) SHALL BE CONSTRUED
28 OR IMPLEMENTED IN A MATTER THAT WOULD CONFLICT WITH A
29 REQUIREMENT OF ANY INTERNATIONAL TRADE AGREEMENT, TREATY, OR
30 FEDERAL LAW.".

31
32 The amendment was declared **lost** by the following roll call vote:
33

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

52
53
54
55
56

1 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

2
3 Passed Second Reading: **HB11-1072 amended, 1054, 1036 amended,**
4 **1049 amended, 1085 amended, 1105 amended 1093 amended.**

5
6 Laid over until date indicated retaining place on Calendar: **HB11-1007,**
7 **1030, 1058, 1092**--February 9, 2011.

8
9 The Chairman moved the adoption of the Committee of the Whole
10 Report. As shown by the following roll call vote, a majority of those
11 elected to the House voted in the affirmative, and the Report was
12 **adopted.**

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

32
33
34
35 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

36
37 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

40
41 **HB11-1034** be postponed indefinitely.

42
43
44 **HB11-1083** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Amend printed bill, page 2, line 12, strike everything after "PARAGRAPH"
49 and substitute "(c):

50
51 (I) "HYDROELECTRICITY" MEANS THE GENERATION AND DELIVERY
52 TO THE INTERCONNECTION METER OF ANY SOURCE OF ELECTRICAL OR
53 MECHANICAL ENERGY BY HARNESSING THE KINETIC ENERGY OF WATER
54 THAT IS:

55
56 (A) A NEW FACILITY THAT IS AN ADDITION TO WATER

1 INFRASTRUCTURE SUCH AS A RESERVOIR, DITCH, OR PIPELINE THAT
2 EXISTED BEFORE JANUARY 1, 2011, AND DOES NOT RESULT IN ANY CHANGE
3 IN THE QUANTITY OR TIMING OF DIVERSIONS OR RELEASES FOR PURPOSES
4 OF PEAK POWER GENERATION; OR

5
6 (B) A NEW FACILITY THAT IS PLACED INTO PRODUCTION AS PART
7 OF NEW WATER INFRASTRUCTURE SUCH AS A RESERVOIR, DITCH, OR
8 PIPELINE CONSTRUCTED ON OR AFTER JANUARY 1, 2011, AND OPERATED
9 FOR PRIMARY BENEFICIAL USES OF WATER OTHER THAN SOLELY FOR
10 PRODUCTION OF ELECTRICITY.

11
12 (II) "PUMPED HYDROELECTRICITY" MEANS".

13
14 Page 2, line 16, strike "RESERVOIR." and substitute "RESERVOIR TAKING
15 INTO ACCOUNT THE POTENTIAL BENEFITS OR IMPACTS OF THE PROPOSED
16 FACILITY ON FISHERY HEALTH."

17
18
19
20 **HB11-1159** be referred to the Committee of the Whole with favorable
21 recommendation.

22
23
24 **HB11-1172** be postponed indefinitely.

25
26
27
28
29 **EDUCATION**

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

32
33 **HB11-1048** be referred favorably to the Committee on Finance.

34
35
36 **HB11-1055** be amended as follows, and as so amended, be referred to
37 the Committee on Appropriations with favorable
38 recommendation:

39
40 Amend printed bill, page 2, line 7, strike "OR TO USE LAND".

41
42 Page 2, line 11, strike "THIRTY" and substitute "SIXTY".

43
44 Page 2, line 14, strike "OR LAND".

45
46 Page 3, line 1, after the period insert "THE CHARTER SCHOOL SHALL BE
47 RESPONSIBLE TO THE DEPARTMENT FOR THE COST OF THE EVALUATION."

48
49 Page 3, line 2, strike "OR LAND".

50
51 Page 3, line 4, strike "SPACE OR LAND." and substitute "SPACE. THE
52 DECISION OF THE DEPARTMENT SHALL BE FINAL AND NOT SUBJECT TO
53 APPEAL."

54
55 Page 3, line 6, strike "OR LAND".

56

1 Page 4, line 2, strike "OR ON LAND".

2

3 Page 4, line 6, strike "THIRTY" and substitute "SIXTY".

4

5 Page 4, line 9, strike "OR LAND".

6

7 Page 4, strike line 11 and substitute "SCHOOL'S USE. THE INSTITUTE
8 CHARTER SCHOOL SHALL BE RESPONSIBLE TO THE DEPARTMENT FOR THE
9 COST OF THE EVALUATION. IF THE DEPARTMENT FINDS THE FACILITY
10 SPACE".

11

12 Page 4, line 13, strike "SPACE OR" and substitute "SPACE".

13

14 Page 4, strike line 14 and substitute "THE DECISION OF THE DEPARTMENT
15 SHALL BE FINAL AND NOT SUBJECT TO APPEAL".

16

17 Page 4, line 16, strike "OR LAND".

18

19 Page 4, after line 20 insert:

20

21 "(e) PURSUANT TO SECTION 24-30-1303 (1), C.R.S., THE
22 DEPARTMENT OF PERSONNEL SHALL BE RESPONSIBLE FOR NEGOTIATING
23 AND EXECUTING ANY LEASE FOR THE USE OF A STATE-OWNED FACILITY BY
24 AN INSTITUTE CHARTER SCHOOL PURSUANT TO THIS SUBSECTION (8)".

25

26 Reletter succeeding paragraphs accordingly.

27

28 Page 4, line 27, strike "(e)" and substitute "(f)".

29

30 Page 5, line 3, strike "(e)" and substitute "(f)".

31

32

33

34 **HB11-1069** be amended as follows, and as so amended, be referred to
35 the Committee of the Whole with favorable
36 recommendation:

37

38 Amend printed bill, page 4, strike lines 3 through 8 and substitute "ADOPT
39 A PHYSICAL ACTIVITY POLICY THAT INCORPORATES INTO THE SCHEDULE
40 OF EACH STUDENT ATTENDING AN ELEMENTARY SCHOOL THE
41 OPPORTUNITY FOR THE STUDENT TO ENGAGE IN:

42

43 (I) A MINIMUM OF SIX HUNDRED MINUTES OF PHYSICAL ACTIVITY
44 PER MONTH IF THE CLASSES AT THE SCHOOL MEET FIVE DAYS PER WEEK
45 AND THE STUDENT ATTENDS SCHOOL FOR A FULL DAY;

46

47 (II) A MINIMUM OF THREE HUNDRED MINUTES OF PHYSICAL
48 ACTIVITY PER MONTH IF THE CLASSES AT THE SCHOOL MEET FIVE DAYS PER
49 WEEK AND THE STUDENT ATTENDS SCHOOL FOR A HALF DAY;

50

51 (III) A MINIMUM OF THIRTY MINUTES OF PHYSICAL ACTIVITY PER
52 DAY IF THE CLASSES AT THE SCHOOL MEET FEWER THAN FIVE DAYS PER
53 WEEK AND THE STUDENT ATTENDS SCHOOL FOR A FULL DAY; AND

54

55 (IV) A MINIMUM OF FIFTEEN MINUTES OF PHYSICAL ACTIVITY PER
56 DAY IF THE CLASSES AT THE SCHOOL MEET FEWER THAN FIVE DAYS PER

1 WEEK AND THE STUDENT ATTENDS SCHOOL FOR A HALF DAY.

2

3 (b) THE PHYSICAL ACTIVITY POLICY MAY INCLUDE AN EXCEPTION
4 FOR ANY MONTH THAT INCLUDES A PLANNED OR UNPLANNED FULL-DAY OR
5 HALF-DAY SCHOOL CLOSURE.

6

7 (c) EACH SCHOOL DISTRICT BOARD OF EDUCATION SHALL
8 IMPLEMENT THE PHYSICAL ACTIVITY".

9

10 Reletter succeeding paragraphs accordingly.

11

12 Page 4, line 18, strike "PLAN" and substitute "POLICY".

13

14 Page 4, strike lines 23 and 24 and substitute "THAN THE MINIMUM
15 MINUTES SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3) SHALL NOT
16 DECREASE THE AMOUNT OF PHYSICAL".

17

18 Page 4, line 26, strike "(3)." and substitute "(3); EXCEPT THAT THE SCHOOL
19 MAY DECREASE ITS REQUIRED MINUTES OF PHYSICAL ACTIVITY IN
20 RESPONSE TO BUDGETARY CONSTRAINTS, SO LONG AS THE SCHOOL
21 COMPLIES WITH THE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF THIS
22 SUBSECTION (3).".

23

24 Page 5, strike lines 2 through 27.

25

26 Page 6, strike line 1.

27

28 Page 6, line 5, strike "(a)".

29

30 Page 6, strike lines 9 through 27.

31

32 Page 7, strike lines 1 through 8.

33

34 Page 7, strike lines 18 and 19 and substitute "student health and wellness.
35 THE STATE BOARD IS ENCOURAGED TO INCLUDE IN THE SCHOOL
36 PERFORMANCE REPORT INFORMATION CONCERNING EACH SCHOOL
37 DISTRICT'S AND EACH PUBLIC SCHOOL'S INCORPORATION OF PHYSICAL
38 ACTIVITY INTO THE SCHOOL DAY.".

39

40

41

42

43 **LOCAL GOVERNMENT**

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

46

47 **HB11-1094** be postponed indefinitely.

48

49

50 **HB11-1109** be amended as follows, and as so amended, be referred to
51 the Committee of the Whole with favorable
52 recommendation:

53

54 Amend printed bill, page 2, line 5, after "(10)" insert "(a)".

55

56 Page 2, line 6, after "CONTRARY," insert "AND EXCEPT AS PROVIDED IN

1 PARAGRAPH (b) OF THIS SUBSECTION (10)," and after "SALES" insert "TO
2 A TELECOMMUNICATIONS PROVIDER".

3
4 Page 2, line 7, strike "INTRASTATE".

5
6 Page 2, line 8, strike the first "SERVICE" and substitute "SERVICE, CABLE
7 TELEVISION SERVICE, BROADBAND COMMUNICATIONS SERVICE,".

8
9 Page 2, after line 12 insert:

10
11 "(b) A TOWN, CITY, OR COUNTY MAY NOT ADOPT AN EXEMPTION
12 PURSUANT TO THE AUTHORITY SET FORTH IN PARAGRAPH (a) OF THIS
13 SUBSECTION (10) UNLESS THE EXEMPTION APPLIES IN A UNIFORM AND
14 NONDISCRIMINATORY MANNER TO THE TELECOMMUNICATIONS PROVIDERS
15 OF TELEPHONE AND TELEGRAPH SERVICE, CABLE TELEVISION SERVICE,
16 BROADBAND COMMUNICATIONS SERVICE, AND MOBILE
17 TELECOMMUNICATIONS SERVICE.".

18
19
20
21 **HB11-1136** be amended as follows, and as so amended, be referred to
22 the Committee on Economic & Business Development
23 with favorable recommendation:

24
25 Amend printed bill, page 3, line 19, strike "2016." and substitute "2014.".

26
27 Page 7, line 10, strike "2016." and substitute "2014.".

28
29 Page 7, line 12, strike "2016," and substitute "2014,".

30
31 Page 7, line 15, strike "2016," and substitute "2014,".

32
33 Page 9, line 27, strike "2016." and substitute "2014.".

34
35 Page 10, line 1, strike "2016," and substitute "2014,".

36
37 Page 11, line 21, strike "2016." and substitute "2014.".

38
39 Page 12, line 15, strike "2015." and substitute "2013.".

40
41 Page 12, after line 26 insert:

42
43 "SECTION 8. 38-38-806, Colorado Revised Statutes, is amended
44 to read:

45
46 **38-38-806. Foreclosure counselor immunity.** A foreclosure
47 counselor acting in good faith shall IS not be liable to any person for
48 approving or failing to approve a borrower for a foreclosure deferment or
49 for certifying or declining to certify an early termination, NOR DOES ANY
50 OF THE FOREGOING AFFECT THE VALIDITY OF ANY FORECLOSURE
51 PROCEEDING OR FORECLOSURE SALE.".

52
53 Renumber succeeding sections accordingly.

54
55
56

PRINTING REPORT

1
2
3 The Chief Clerk reports the following bills have been correctly printed:
4 **HB11-1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178,**
5 **1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189,**
6 **1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200,**
7 **1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211,**
8 **1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222,**
9 **1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233,**
10 **1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244,**
11 **1245, 1246, 1247.**

12
13
14
15 **LAY OVER OF CALENDAR ITEM(S)**

16
17 On motion of Representative Stephens, the following item(s) on the
18 Calendar (was)were laid over until February 9, retaining place on
19 Calendar:

20
21 Consideration of Resolution(s)--**HR11-1005.**

22
23
24 On motion of Representative Stephens, the House adjourned until
25 9:00 a.m., February 9, 2011.

26
27
28 Approved:
29 FRANK McNULTY,
30 Speaker

31 Attest:
32 MARILYN EDDINS,
Chief Clerk

