

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

Sixty-fifth Legislative Day

Thursday, March 17, 2011

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Jack Phillips, Laney Cox, Jack Harsh,
6 Madeline Snook from Timber Trail Elementary, Castle Pines.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Fields--1.

12
13 The Speaker declared a quorum present.
14
15

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

THIRD READING OF BILL(S)--FINAL PASSAGE

21
22
23
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 **HB11-1160** by Representative(s) Gerou; also Senator(s) Jahn--
29 Concerning the establishment of a green building incentive
30 pilot program administered by the governor's energy office
31 to incentivize the making of energy efficiency
32 improvements to existing residences with current home
33 energy ratings below minimum standards for people who
34 purchase highly efficient new residential construction.
35

36 The question being "Shall the bill pass?".
37 A roll call vote was taken. As shown by the following recorded vote, a
38 majority of those elected to the House voted in the affirmative and the bill
39 was declared **passed**.
40

| | YES | 34 | NO | 30 | EXCUSED | 1 | ABSENT | 0 |
|----|--------|----|------------|----|---------|---|--------|---|
| 42 | Acree | N | Fischer | N | Liston | Y | Scott | Y |
| 43 | Balmer | N | Gardner B. | Y | Looper | Y | Solano | N |

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

16 Co-sponsor(s) added: Representative(s) Looper, Speaker.

17

18 **SB11-034** by Senator(s) Nicholson; also Representative(s) Summers-
 19 -Concerning requiring an educator who provides services
 20 through the women, infants, and children program to
 21 report child abuse or neglect.

22

23 The question being "Shall the bill pass?".

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

27

| 28 | YES | 57 | NO | 7 | EXCUSED | 1 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|-------------|---|
| 29 | Acree | Y | Fischer | Y | Liston | Y | Scott | Y |
| 30 | Balmer | Y | Gardner B. | Y | Looper | N | Solano | Y |
| 31 | Barker | Y | Gardner D. | Y | Massey | Y | Sonnenberg | N |
| 32 | Baumgardner | N | Gerou | Y | McCann | Y | Soper | Y |
| 33 | Becker | N | Hamner | Y | McKinley | N | Stephens | Y |
| 34 | Beezley | Y | Holbert | N | Miklosi | Y | Summers | Y |
| 35 | Bradford | Y | Hullinghorst | Y | Murray | Y | Swalm | Y |
| 36 | Brown | Y | Jones | Y | Nikkel | Y | Swerdfeger | Y |
| 37 | Casso | Y | Joshi | Y | Pabon | Y | Szabo | Y |
| 38 | Conti | Y | Kagan | Y | Pace | Y | Todd | Y |
| 39 | Coram | N | Kefalas | Y | Peniston | Y | Tyler | Y |
| 40 | Court | Y | Kerr A. | Y | Priola | Y | Vaad | Y |
| 41 | DelGrosso | Y | Kerr J. | Y | Ramirez | Y | Vigil | Y |
| 42 | Duran | Y | Labuda | Y | Riesberg | Y | Waller | Y |
| 43 | Ferrandino | Y | Lee | Y | Ryden | Y | Williams A. | Y |
| 44 | Fields | E | Levy | Y | Schafer S. | Y | Wilson | Y |
| 45 | | | | | | | Speaker | Y |

46 Co-sponsor(s) added: Representative(s) Casso, Conti, Duran, Kefalas, Labuda,
 47 Massey, Pabon, Pace, Ryden, Schafer S., Todd, Vigil, Wilson.

48

49 **HB11-1076** by Representative(s) Riesberg; also Senator(s) Roberts--
 50 Concerning time payment fees in judicial matters.

51

52 The question being "Shall the bill pass?".

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

56

| | YES | 61 | NO | 3 | EXCUSED | 1 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|-------------|---|
| 1 | | | | | | | | |
| 2 | Acree | Y | Fischer | Y | Liston | Y | Scott | Y |
| 3 | Balmer | N | Gardner B. | Y | Looper | Y | Solano | Y |
| 4 | Barker | Y | Gardner D. | Y | Massey | Y | Sonnenberg | Y |
| 5 | Baumgardner | N | 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 | N | Pabon | Y | 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 | Y |
| 15 | Duran | Y | Labuda | Y | Riesberg | Y | Waller | Y |
| 16 | Ferrandino | Y | Lee | Y | Ryden | Y | Williams A. | Y |
| 17 | Fields | E | Levy | Y | Schafer S. | Y | Wilson | Y |
| 18 | | | | | | | Speaker | Y |

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

20
 21 **HB11-1163** by Representative(s) Vaad; also Senator(s) Tochtrop--
 22 Concerning the issuance by the department of
 23 transportation of permits for the movement of super loads
 24 on the highways.

25
 26 The question being "Shall the bill pass?".

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

| | YES | 64 | NO | 0 | EXCUSED | 1 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|-------------|---|
| 31 | | | | | | | | |
| 32 | Acree | Y | Fischer | Y | Liston | Y | Scott | Y |
| 33 | Balmer | Y | Gardner B. | Y | Looper | Y | Solano | Y |
| 34 | Barker | Y | Gardner D. | Y | Massey | Y | Sonnenberg | Y |
| 35 | Baumgardner | Y | Gerou | Y | McCann | Y | Soper | Y |
| 36 | Becker | Y | Hamner | Y | McKinley | Y | Stephens | Y |
| 37 | Beezley | Y | Holbert | Y | Miklosi | Y | Summers | Y |
| 38 | Bradford | Y | Hullinghorst | Y | Murray | Y | Swalm | Y |
| 39 | Brown | Y | Jones | Y | Nikkel | Y | Swerdfeger | Y |
| 40 | Casso | Y | Joshi | Y | Pabon | Y | Szabo | Y |
| 41 | Conti | Y | Kagan | Y | Pace | Y | Todd | Y |
| 42 | Coram | Y | Kefalas | Y | Peniston | Y | Tyler | Y |
| 43 | Court | Y | Kerr A. | Y | Priola | Y | Vaad | Y |
| 44 | DelGrosso | Y | Kerr J. | Y | Ramirez | Y | Vigil | Y |
| 45 | Duran | Y | Labuda | Y | Riesberg | Y | Waller | Y |
| 46 | Ferrandino | Y | Lee | Y | Ryden | Y | Williams A. | Y |
| 47 | Fields | E | Levy | Y | Schafer S. | Y | Wilson | Y |
| 48 | | | | | | | Speaker | Y |

49 Co-sponsor(s) added: Representative(s) Casso, Coram, Jones, Looper, Scott,
 50 Wilson.

51
 52
 53 **HB11-1080** by Representative(s) Todd; also Senator(s) King S.--
 54 Concerning the address confidentiality program, and
 55 making an appropriation therefor.

56

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

| | YES | 64 | NO | 0 | EXCUSED | 1 | 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 | Y |
| 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 | Y | Kerr A. | Y | Priola | Y | Vaad | Y |
| 19 | DelGrosso | Y | Kerr J. | Y | Ramirez | Y | Vigil | Y |
| 20 | Duran | Y | Labuda | Y | Riesberg | Y | Waller | Y |
| 21 | Ferrandino | Y | Lee | Y | Ryden | Y | Williams A. | Y |
| 22 | Fields | E | Levy | Y | Schafer S. | Y | Wilson | Y |
| 23 | | | | | | | Speaker | Y |

24 Co-sponsor(s) added: Representative(s) Brown, Court, Kerr J., Labuda, Pabon,
 25 Peniston, Schafer S., Wilson.

26
 27 **HB11-1166** by Representative(s) Murray; also Senator(s) Aguilar--
 28 Concerning the creation of a type 1 diabetes special
 29 license plate, and making an appropriation therefor.

30
 31 Laid over until March 18, retaining place on Calendar.

32
 33 **HB11-1198** by Representative(s) Kerr J.; also Senator(s) Schwartz--
 34 Concerning a reorganization of the statutes governing
 35 motor carriers, and, in connection therewith, consolidating
 36 the former articles 10, 11, 13, 14, and 16 of title 40,
 37 Colorado Revised Statutes, into a single article and
 38 making substantive and nonsubstantive amendments to
 39 provisions granting regulatory authority to the public
 40 utilities commission.

41
 42 The question being "Shall the bill pass?".
 43 A roll call vote was taken. As shown by the following recorded vote, a
 44 majority of those elected to the House voted in the affirmative and the bill
 45 was declared **passed**.

| | YES | 63 | NO | 1 | EXCUSED | 1 | ABSENT | 0 |
|----|-------------|----|--------------|---|----------|---|------------|---|
| 48 | Acree | Y | Fischer | Y | Liston | Y | Scott | Y |
| 49 | Balmer | Y | Gardner B. | Y | Looper | N | Solano | Y |
| 50 | Barker | Y | Gardner D. | Y | Massey | Y | Sonnenberg | Y |
| 51 | Baumgardner | Y | Gerou | Y | McCann | Y | Soper | Y |
| 52 | Becker | Y | Hamner | Y | McKinley | Y | 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 | E | Levy | Y | Schafer S. | Y | Wilson | Y |
| 8 | | | | | | | Speaker | Y |

9
 10 **HB11-1200** by Representative(s) Barker, Beezley, Labuda; also
 11 Senator(s) Roberts--Concerning conducting a substance
 12 abuse assessment at probation intake when the presentence
 13 report is waived.

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

| 19 | YES | 64 | NO | 0 | EXCUSED | 1 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|-------------|---|
| 21 | Acree | Y | Fischer | Y | Liston | Y | Scott | Y |
| 22 | Balmer | Y | Gardner B. | Y | Looper | Y | Solano | Y |
| 23 | Barker | Y | Gardner D. | Y | Massey | Y | Sonnenberg | Y |
| 24 | Baumgardner | Y | Gerou | Y | McCann | Y | Soper | Y |
| 25 | Becker | Y | Hamner | Y | McKinley | Y | Stephens | Y |
| 26 | Beezley | Y | Holbert | Y | Miklosi | Y | Summers | Y |
| 27 | Bradford | Y | Hullinghorst | Y | Murray | Y | Swalm | Y |
| 28 | Brown | Y | Jones | Y | Nikkel | Y | Swerdfeger | Y |
| 29 | Casso | Y | Joshi | Y | Pabon | Y | Szabo | Y |
| 30 | Conti | Y | Kagan | Y | Pace | Y | Todd | Y |
| 31 | Coram | Y | Kefalas | Y | Peniston | Y | Tyler | Y |
| 32 | Court | Y | Kerr A. | Y | Priola | Y | Vaad | Y |
| 33 | DelGrosso | Y | Kerr J. | Y | Ramirez | Y | Vigil | Y |
| 34 | Duran | Y | Labuda | Y | Riesberg | Y | Waller | Y |
| 35 | Ferrandino | Y | Lee | Y | Ryden | Y | Williams A. | Y |
| 36 | Fields | E | Levy | Y | Schafer S. | Y | Wilson | Y |
| 37 | | | | | | | Speaker | Y |

38 Co-sponsor(s) added: Representative(s) Kerr J., Pace, Ramirez, Summers,
 39 Todd.

40
 41 **HB11-1230** by Representative(s) Duran; also Senator(s) Boyd--
 42 Concerning the consolidation of state programs that
 43 distribute federal moneys to persons needing assistance in
 44 obtaining housing into the division of housing within the
 45 department of local affairs, and making an appropriation
 46 therefor.

47
 48 The question being "Shall the bill pass?".
 49 A roll call vote was taken. As shown by the following recorded vote, a
 50 majority of those elected to the House voted in the affirmative and the bill
 51 was declared **passed**.

| 52 | YES | 64 | NO | 0 | EXCUSED | 1 | ABSENT | 0 |
|----|--------|----|------------|---|---------|---|------------|---|
| 54 | Acree | Y | Fischer | Y | Liston | Y | Scott | Y |
| 55 | Balmer | Y | Gardner B. | Y | Looper | Y | Solano | Y |
| 56 | Barker | Y | Gardner D. | Y | Massey | Y | Sonnenberg | Y |

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

15 Co-sponsor(s) added: Representative(s) Brown, Casso, Court, Fischer, Hamner,
 16 Hullinghorst, Labuda, Murray, Pabon, Pace, Peniston, Ryden, Schafer S.,
 17 Summers, Todd, Vigil, Wilson.

18
 19

20 On motion of Representative Priola, the House resolved itself into
 21 Committee of the Whole for consideration of General Orders, and he was
 22 called to the Chair to act as Chairman.

23
 24

25 GENERAL ORDERS--SECOND READING OF BILLS

26

27 The Committee of the Whole having risen, the Chairman reported the
 28 titles of the following bills had been read (reading at length had been
 29 dispensed with by unanimous consent), the bills considered and action
 30 taken thereon as follows:

31

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

34

35 **SB11-019** by Senator(s) King K.; also Representative(s) Stephens--
 36 Concerning payment of the costs of health insurance
 37 coverage to employees of small employers.

38

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

41

42 **HB11-1267** by Representative(s) McCann; also Senator(s) Mitchell--
 43 Concerning an expansion of the circumstances in which a
 44 court may order further restrictions as conditions of a
 45 protection order against a defendant.

46

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

49

50 **SB11-016** by Senator(s) Grantham; also Representative(s) Barker--
 51 Concerning increases in the amounts allocated to certain
 52 family members during the administration of a decedent's
 53 estate.

54

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

1 **HB11-1211** by Representative(s) Pace; also Senator(s) Tochtrop,
2 Carroll--Concerning restrictions on travel-related
3 expenditures by state-chartered entities on behalf of
4 persons affiliated with such entities.
5

6 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
7 March 10, 2011, and placed in member's bill file; Report also printed in
8 House Journal, March 11, page 627.
9

10 As amended, ordered engrossed and placed on the Calendar for Third
11 Reading and Final Passage.
12

13 **SB11-024** by Senator(s) King K.; also Representative(s) Loooper--
14 Concerning free state parks admission for veterans, and, in
15 connection therewith, establishing free admission on a
16 specified day each year for veterans and free state parks
17 admission for members of the United States armed
18 services wounded warrior programs who have sustained
19 severe combat-related injuries while serving in post-
20 September 11, 2001, overseas contingency operations.
21

22 Ordered revised and placed on the Calendar for Third Reading and Final
23 Passage.
24

25 **SB11-031** by Senator(s) Cadman; also Representative(s) Loooper--
26 Concerning motor vehicles valued as collector's items for
27 historical reasons.
28

29 Ordered revised and placed on the Calendar for Third Reading and Final
30 Passage.
31

32 **SB11-100** by Senator(s) Hudak and King K.; also Representative(s)
33 Murray--Concerning continuation of the council of higher
34 education representatives.
35

36 Ordered revised and placed on the Calendar for Third Reading and Final
37 Passage.
38

39 **HB11-1116** by Representative(s) Szabo, Beezley, Bradford, Brown,
40 Liston, Ramirez, Stephens, Swerdfeger--Concerning the
41 provision of waste services within the boundaries of local
42 government entities.
43

44 Amendment No. 1, Local Government Report, dated February 28, 2011,
45 and placed in member's bill file; Report also printed in House Journal,
46 March 1, page 512.
47

48 Amendment No. 2, by Representative(s) Brown.
49

50 Amend printed bill, page 3, line 23, after "ONLY" insert "IF ANY RESIDENT
51 IS ALLOWED THE OPTION OF NOT USING SUCH SERVICES AT ANY TIME
52 WITHOUT PENALTY OR".
53

54 As amended, laid over until March 18, retaining place on Calendar.
55

1 **HB11-1106** by Representative(s) Gardner B., Waller, Barker,
2 DelGrosso, Liston, Nikkel, Sonnenberg, Stephens; also
3 Senator(s) Roberts--Concerning the recovery of actual
4 damages in personal injury cases.
5

6 Amendment No. 1, Judiciary Report, dated March 3, 2011, and placed in
7 member's bill file; Report also printed in House Journal, March 7,
8 pages 569-570.
9

10 Amendment No. 2, by Representative(s) Gardner B.
11

12 Amend the Judiciary Committee Report, dated March 3, 2011, page 1,
13 line 10, strike "CHARGES" and substitute "AMOUNTS".
14

15 Page 1, line 11, strike "OWING" and substitute "DUE".
16

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

20
21
22 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
23

24 Passed Second Reading: **SB11-019, HB11-1267, SB11-016, HB11-1211**
25 **amended, SB11-024, 031, 100, HB11-1106 amended.**
26

27 Laid over until date indicated retaining place on Calendar: **HB11-1116**
28 **amended**--March 18, 2011.
29

30 The Chairman moved the adoption of the Committee of the Whole
31 Report. As shown by the following roll call vote, a majority of those
32 elected to the House voted in the affirmative, and the Report was
33 **adopted.**
34

| | YES | 63 | NO | 0 | EXCUSED | 2 | ABSENT | 0 |
|----|-------------|----|--------------|---|------------|---|-------------|---|
| 36 | Acree | Y | Fischer | Y | Liston | E | Scott | Y |
| 37 | Balmer | Y | Gardner B. | Y | Looper | Y | Solano | Y |
| 38 | Barker | Y | Gardner D. | Y | Massey | Y | Sonnenberg | Y |
| 39 | Baumgardner | Y | Gerou | Y | McCann | Y | Soper | Y |
| 40 | Becker | Y | Hamner | Y | McKinley | Y | Stephens | Y |
| 41 | Beezley | Y | Holbert | Y | Miklosi | Y | Summers | Y |
| 42 | Bradford | Y | Hullinghorst | Y | Murray | Y | Swalm | Y |
| 43 | Brown | Y | Jones | Y | Nikkel | Y | Swerdfeger | Y |
| 44 | Casso | Y | Joshi | Y | Pabon | Y | Szabo | Y |
| 45 | Conti | Y | Kagan | Y | Pace | Y | Todd | Y |
| 46 | Coram | Y | Kefalas | Y | Peniston | Y | Tyler | Y |
| 47 | Court | Y | Kerr A. | Y | Priola | Y | Vaad | Y |
| 48 | DelGrosso | Y | Kerr J. | Y | Ramirez | Y | Vigil | Y |
| 49 | Duran | Y | Labuda | Y | Riesberg | Y | Waller | Y |
| 50 | Ferrandino | Y | Lee | Y | Ryden | Y | Williams A. | Y |
| 51 | Fields | E | Levy | Y | Schafer S. | Y | Wilson | Y |
| 52 | | | | | | | Speaker | Y |

53
54
55
56

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

2
3 **AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

6
7 **HB11-1274** be referred favorably to the Committee on Appropriations.
8
9

10
11
12 **FINANCE**

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

15
16 **SB11-025** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:
19

20 Amend reengrossed bill, page 2, line 6, strike "**rules.**" and substitute
21 "**rules - repeal.**".
22

23 Page 2, line 10, strike "EACH" and substitute "(a) TO THE EXTENT NOT
24 PROHIBITED BY FEDERAL LAW, EACH".
25

26 Page 2, after line 14 insert:
27

28 "(b) (I) EACH AGREEMENT ENTERED INTO BY A GOVERNMENTAL
29 BODY WITH A CERTIFIED EMPLOYEE ORGANIZATION FOR STATE EMPLOYEES
30 UNDER EXECUTIVE ORDER D 028 07, OR ANY SIMILAR SUCCESSOR
31 EXECUTIVE ORDER WITH RESPECT TO THE EXISTENCE OF A CERTIFIED
32 EMPLOYEE ORGANIZATION FOR STATE EMPLOYEES, SHALL SPECIFY THAT
33 THE AGREEMENT IS OPEN TO PUBLIC INSPECTION AS PROVIDED IN SECTIONS
34 24-72-203 AND 24-72-204.
35

36 (II) IF EXECUTIVE ORDER D 028 07, OR ANY SIMILAR SUCCESSOR
37 EXECUTIVE ORDER WITH RESPECT TO THE EXISTENCE OF A CERTIFIED
38 EMPLOYEE ORGANIZATION FOR STATE EMPLOYEES, IS RESCINDED OR
39 ALTERED BY THE GOVERNOR IN ANY WAY TO CREATE A SITUATION WHERE
40 A CERTIFIED EMPLOYEE ORGANIZATION FOR STATE EMPLOYEES NO LONGER
41 REPRESENTS STATE EMPLOYEES, THE GOVERNOR SHALL PROVIDE WRITTEN
42 NOTICE OF THIS FACT TO THE REVISOR OF STATUTES.
43

44 (III) THIS PARAGRAPH (b) IS REPEALED, EFFECTIVE UPON THE
45 RECEIPT BY THE REVISOR OF STATUTES OF THE WRITTEN NOTICE UNDER
46 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b).".
47
48
49

50 **SB11-076** be amended as follows, and as so amended, be referred to
51 the Committee on Appropriations with favorable
52 recommendation:
53

54 Amend reengrossed bill, page 2, strike lines 2 through 5 and substitute:
55

56 "**SECTION 1.** 24-51-401 (1.7) (a) and (1.7) (f), Colorado Revised

1 Statutes, are amended, and the said 24-51-401 (1.7) is further amended
2 BY THE ADDITION OF A NEW PARAGRAPH, to read:

3
4 **24-51-401. Employer and member contributions.**
5 (1.7) (a) Employers shall deliver a contribution report and the full
6 amount of employer contributions, member contributions, and working
7 retiree contributions to the association within five days after the date
8 members and retirees are paid. Except as provided in ~~paragraph (f)~~
9 PARAGRAPHS (f) AND (g) of this subsection (1.7), subsection (7) of this
10 section, and section 24-51-408.5, such contributions shall be based upon
11 the rates for the appropriate division as set forth in the following table
12 multiplied by the salary, as defined in section 24-51-101 (42), paid to
13 members and retirees for the payroll period:

14
15 **TABLE A**
16 **CONTRIBUTION RATES**

| 18 Division | 18 Membership | 18 Employer Rate | 18 Member Rate |
|---------------|-------------------|------------------|----------------|
| 19 State | 19 All Members | 19 10.15% | 19 8.0% |
| | 20 Except | | |
| | 21 State Troopers | 21 12.85% | 21 10.0% |
| 22 School | 22 All Members | 22 10.15% | 22 8.0% |
| 23 Local | | | |
| 24 Government | 24 All Members | 24 10.0% | 24 8.0% |
| 25 Judicial | 25 All Members | 25 13.66% | 25 8.0% |
| 26 DPS | 26 All Members | 26 13.75% | 26 8.0% |

27
28 (f) (I) For the 2010-11 AND 2011-12 state fiscal year YEARS,
29 except".

30
31 Page 3, line 9, strike "(1.7)." and substitute "(1.7); EXCEPT THAT, IF ANY
32 SUCH EMPLOYER DESIGNATES ALTERNATIVE EMPLOYER AND MEMBER
33 CONTRIBUTION RATES PURSUANT TO PARAGRAPH (g) OF THIS SUBSECTION
34 (1.7), THE EMPLOYER AND MEMBER CONTRIBUTION RATES SHALL BE
35 CALCULATED PURSUANT TO SUCH DESIGNATION.".

36
37 Page 3, after line 9 insert:

38
39 "(g) (I) FOR THE CALENDAR YEAR BEGINNING JANUARY 1, 2012,
40 AND FOR EACH CALENDAR YEAR THEREAFTER, EACH EMPLOYER IN THE
41 SCHOOL OR LOCAL GOVERNMENT DIVISION OF THE ASSOCIATION AND THE
42 DENVER PUBLIC SCHOOLS DIVISION OF THE ASSOCIATION MAY DESIGNATE
43 ALTERNATIVE EMPLOYER AND MEMBER CONTRIBUTION RATES TO THE
44 RATES SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (1.7) SO LONG AS:

45
46 (A) THE TOTAL OF THE EMPLOYER AND MEMBER CONTRIBUTIONS
47 MADE TO THE ASSOCIATION ON BEHALF OF EACH EMPLOYEE PURSUANT TO
48 THIS PARAGRAPH (g) EQUALS THE TOTAL OF THE EMPLOYER AND MEMBER
49 CONTRIBUTIONS THAT WOULD BE MADE PURSUANT TO PARAGRAPH (a) OF
50 THIS SUBSECTION (1.7); AND

51
52 (B) THE INCREASE IN THE MEMBER CONTRIBUTION DELIVERED TO
53 THE ASSOCIATION AND THE CORRESPONDING DECREASE IN THE EMPLOYER
54 CONTRIBUTION DELIVERED TO THE ASSOCIATION IS NOT GREATER THAN
55 TWO AND ONE-HALF PERCENT.

56

1 (II) THE DESIGNATION OF ALTERNATIVE EMPLOYER AND MEMBER
2 CONTRIBUTION RATES PURSUANT TO SUBPARAGRAPH (I) OF THIS
3 PARAGRAPH (g) SHALL BE MADE BY A VOTE OF THE GOVERNING BODY OF
4 THE EMPLOYER AT AN OFFICIAL MEETING OF THE GOVERNING BODY THAT
5 IS OPEN TO THE PUBLIC. THE GOVERNING BODY MAY VOTE TO ALTER THE
6 EMPLOYER AND MEMBER CONTRIBUTION RATES FOR ONE YEAR OR FOR
7 MULTIPLE YEARS.

8
9 (III) AN EMPLOYER THAT DESIGNATES ALTERNATIVE EMPLOYER
10 AND MEMBER CONTRIBUTION RATES FOR ANY CALENDAR YEAR PURSUANT
11 TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (g) SHALL NOTIFY THE
12 ASSOCIATION ANNUALLY, IN A TIME AND MANNER TO BE DETERMINED BY
13 THE ASSOCIATION, OF THE EMPLOYER AND MEMBER CONTRIBUTION RATES
14 FOR THE APPLICABLE CALENDAR YEAR. AN EMPLOYER IS REQUIRED TO
15 PROVIDE SUCH ANNUAL NOTICE TO THE ASSOCIATION EVEN IF THE
16 EMPLOYER DESIGNATES ALTERNATIVE EMPLOYER AND MEMBER
17 CONTRIBUTION RATES FOR MULTIPLE YEARS PURSUANT TO SUBPARAGRAPH
18 (II) OF THIS PARAGRAPH (g). THE ASSOCIATION MAY REQUIRE AN
19 EMPLOYER TO SUBMIT ANY ADDITIONAL INFORMATION OR
20 DOCUMENTATION ALONG WITH THE NOTICE REQUIRED PURSUANT TO THIS
21 SUBPARAGRAPH (III) THAT IS REASONABLY REQUIRED FOR THE
22 IMPLEMENTATION AND ADMINISTRATION OF THIS PARAGRAPH (g).".

23
24
25
26
27 **TRANSPORTATION**

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

30
31 **SB11-003** be referred favorably to the Committee on Appropriations.

32
33
34 **SB11-037** be amended as follows, and as so amended, be referred to
35 the Committee on Appropriations with favorable
36 recommendation:

37
38 Amend reengrossed bill, page 3, strike line 8 and substitute "BETWEEN
39 SEPTEMBER 16, 1940, AND JULY 25, 1947.".

40

41

42

43 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

44

45 The Speaker has signed: **HB11-1053, 1074, 1089, 1122, 1144, 1161,**
46 **1176, 1187; HJR11-1008, 1011.**

47

48

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52 **MESSAGE(S) FROM THE SENATE**

53

54 The Senate has passed on Third Reading and returns herewith:
55 HB11-1260.

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

3
4 SB11-183 amended as printed in Senate Journal, March 16, 2011,
5 page 466.
6

7
8 Upon announcement of President Shaffer, Senator Jahn was removed as
9 a prime sponsor on HB11-1271.
10

11
12 The Senate voted to concur in House Amendments to SB11-012, and
13 repassed the bill as amended.

14 The Senate voted to concur in House Amendments to SB11-040, and
15 repassed the bill as amended.
16

17
18 The Senate has postponed indefinitely HB11-1007. The bill is returned
19 herewith.
20

21 22 23 MESSAGE(S) FROM THE REVISOR

24 We herewith transmit:
25 Without comment, as amended, SB11-183.
26
27

28 29 30 INTRODUCTION OF BILLS

31 First Reading

32
33 The following bills were read by title and referred to the committees
34 indicated:
35

36 **HB11-1284** by Representative(s) Liston and Duran, Balmer, Beezley,
37 Casso, Looper, Massey, Miklosi, Priola, Ramirez,
38 Stephens, Swalm; also Senator(s) Cadman, Nicholson--
39 Concerning the regulation of alcohol beverages.
40 Committee on Economic and Business Development
41

42 **HB11-1285** by Representative(s) Stephens and Ferrandino, Becker,
43 Holbert, Kerr J., Massey, Scott, Summers; also Senator(s)
44 Boyd, Foster, Hodge, Jahn, Nicholson, Roberts--
45 Concerning the authority to implement a managed care
46 system for long-term care services under the "Colorado
47 Medical Assistance Act".
48 Committee on Health and Environment
49

50 **HB11-1286** by Representative(s) Sonnenberg and Becker,
51 Baumgardner, Brown, Coram, DelGrosso, Fischer,
52 Hullinghorst, Joshi, McKinley, McNulty, Pace, Priola,
53 Ramirez, Scott, Swalm, Wilson; also Senator(s) Schwartz,
54 Brophy, Giron, Grantham, Guzman, Hodge, Jahn, Renfroe,
55 Tochtrop--Concerning the state engineer's rule-making
56 authority in the case of dewatering of geologic formations

1 by withdrawing nontributary ground water to facilitate the
2 mining of minerals.

3 Committee on Agriculture, Livestock, & Natural Resources
4

5 **SB11-045** by Senator(s) Johnston; also Representative(s) Levy--
6 Concerning a streamlined process for securing
7 governmental approval for the siting of electric
8 transmission facilities, and, in connection therewith,
9 creating a task force.

10 Committee on Transportation

11 Committee on Legislative Council
12

13 **SB11-069** by Senator(s) Hudak, Bacon, Guzman; also
14 Representative(s) Massey--Concerning educational
15 management organizations.

16 Committee on State, Veterans, & Military Affairs
17

18 **SB11-090** by Senator(s) Schwartz, Giron, Guzman; also
19 Representative(s) Baumgardner--Concerning the
20 continuation of the issuance of permits for weather
21 modification operations, and, in connection therewith,
22 implementing a sunset review recommendation of the
23 department of regulatory agencies and continuing
24 indefinitely the "Weather Modification Act of 1972".

25 Committee on Agriculture, Livestock, & Natural Resources
26

27 **SB11-091** by Senator(s) Brophy, Guzman, Jahn; also
28 Representative(s) McKinley--Concerning continuation of
29 the state board of veterinary medicine, and, in connection
30 therewith, implementing the recommendations contained
31 in the sunset review of the board and its functions, and
32 making an appropriation.

33 Committee on Agriculture, Livestock, & Natural Resources
34

35 **SB11-170** by Senator(s) Aguilar; also Representative(s) Ferrandino--
36 Concerning the limit on the growth of the general fund
37 share of rates for reimbursing nursing home providers
38 under the "Colorado Medical Assistance Act".

39 Committee on Health and Environment
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LAY OVER OF CALENDAR ITEM(S)

45 On motion of Representative Stephens, the following item(s) on the
46 Calendar (was)were laid over until March 18, retaining place on
47 Calendar:

49 Consideration of General Orders--**HB11-1146, 1140, SB11-083.**

50 Consideration of Senate Amendment(s)--**HB11-1016, 1069, 1118, 1079,**
51 **1083, 1151.**

52

53

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55

1 On motion of Representative Stephens, the House adjourned until
2 9:00 a.m., March 18, 2011.

3

4

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6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
FRANK McNULTY,
Speaker