

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

Seventy-sixth Legislative Day

Monday, March 28, 2011

1 Prayer by Pastor Rich Derbyshire, Mission Hills Church, Littleton.

2

3 The Speaker *Pro tempore* called the House to order at 9:00 a.m.

4

5 Pledge of Allegiance led by Josie Brady, Maddie Grossman, and Maya  
6 Bravo from William Roberts Elementary, Denver.

7

8 The roll was called with the following result:

9

10 Present--65.

11

12 The Speaker declared a quorum present.

13

14

15 On motion of Representative Jones, the reading of the journal of  
16 March 25, 2011, was declared dispensed with and approved as corrected  
17 by the Chief Clerk.

18

19

20 On motion of Representative Gardner B., 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

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

25

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 **HB11-1116** by Representative(s) Szabo, Beezley, Bradford, Brown,  
36 Liston, Ramirez, Stephens, Swerdfeger--Concerning the  
37 provision of waste services within the boundaries of local  
38 government entities.

39

40 (Previously amended as printed in House Journal, March 17, page 663.)

41

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

1 **HB11-1286** by Representative(s) Sonnenberg and Becker,  
2 Baumgardner, Brown, Coram, DelGrosso, Fischer,  
3 Hullinghorst, Joshi, McKinley, McNulty, Pace, Priola,  
4 Ramirez, Scott, Swalm, Wilson; also Senator(s) Schwartz,  
5 Brophy, Giron, Grantham, Guzman, Hodge, Jahn,  
6 Renfroe, Tochtrop--Concerning the state engineer's rule-  
7 making authority in the case of dewatering of geologic  
8 formations by withdrawing nontributary ground water to  
9 facilitate the mining of minerals.

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

13  
14 **SB11-084** by Senator(s) Boyd; also Representative(s) Summers--  
15 Concerning the employment of physicians at long-term  
16 care facilities.

17  
18 Amendment No. 1, Health & Environment Report, dated  
19 March 10, 2011, and placed in member's bill file; Report also printed in  
20 House Journal, March 23, page 736.

21  
22 As amended, ordered revised and placed on the Calendar for Third  
23 Reading and Final Passage.

24  
25 **HB11-1269** by Representative(s) Miklosi, Gardner D.; also Senator(s)  
26 Tochtrop, Carroll--Concerning the limits on uncommitted  
27 reserves in cash funds.

28  
29 Amendment No. 1, Finance Report, dated March 23, 2011, and placed  
30 in member's bill file; Report also printed in House Journal, March 24,  
31 page 744.

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

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36  
37 **SB11-081** by Senator(s) White, Jahn, Roberts, Spence; also  
38 Representative(s) McCann--Concerning the voluntary  
39 contribution designation benefiting the 9Health Fair fund  
40 that appears on the state individual income tax return  
41 forms, and, in connection therewith, extending the period  
42 for the contribution designation.

43  
44 Amendment No. 1, Finance Report, dated March 23, 2011, and placed  
45 in member's bill file; Report also printed in House Journal, March 24,  
46 page 744.

47  
48 As amended, ordered revised and placed on the Calendar for Third  
49 Reading and Final Passage.

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51  
52 **SB11-115** by Senator(s) Carroll; also Representative(s) Miklosi--  
53 Concerning the authority of the state auditor to audit state  
54 governmental entities.

55  
56

1 Amendment No. 1, Finance Report, dated March 23, 2011, and placed  
2 in member's bill file; Report also printed in House Journal, March 24,  
3 page 745.

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

7  
8 **SB11-165** by Senator(s) Guzman; also Representative(s) Kerr A.--  
9 Concerning the "Colorado Uniform Estate Tax  
10 Apportionment Act".

11  
12 Amendment No. 1, by Representative(s) DelGrosso.

13  
14 Amend reengrossed bill, page 16, after line 3, insert:

15  
16 **"15-12-1415. Prohibition against Colorado estate tax.** THE  
17 STATE OF COLORADO SHALL NOT IMPLEMENT ANY ESTATE TAX IN  
18 ADDITION TO THE FEDERAL ESTATE TAX."

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

22  
23 **SB11-175** by Senator(s) Carroll; also Representative(s) Levy--  
24 Concerning enactment of the insurable interest  
25 amendments to the uniform trust code.

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

29  
30 **SB11-110** by Senator(s) Nicholson; also Representative(s) Coram--  
31 Concerning a requirement that certain boards of county  
32 commissioners develop an open burning permit system for  
33 the purpose of safely disposing of slash.

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

37  
38 On motion of Representative Waller, the remainder of the General Orders  
39 Calendar (**HB11-1005**) was laid over until March 29, retaining place on  
40 Calendar.

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43  
44 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

45  
46 Passed Second Reading: **HB11-1116 amended, 1286, SB11-084**  
47 **amended, HB11-1269 amended, SB11-081 amended, 115 amended,**  
48 **165 amended, 175, 110.**

49  
50 Laid over until date indicated retaining place on Calendar: **HB11-1005--**  
51 **March 29, 2011.**

52  
53 The Chairman moved the adoption of the Committee of the Whole  
54 Report. As shown by the following roll call vote, a majority of those  
55 elected to the House voted in the affirmative, and the Report was  
56 **adopted.**

	YES	65	NO	0	EXCUSED	0	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	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	Y	Levy	Y	Schafer S.	Y	Wilson	Y
18							Speaker	Y
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House in recess. House reconvened.

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## REPORT(S) OF COMMITTEE(S) OF REFERENCE

### HEALTH & ENVIRONMENT

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

**This CORRECTED COMMITTEE REPORT replaces the house committee report dated March 24 (as printed in the House Journal page 762).**

**HB11-1283** be referred favorably to the Committee on Appropriations.

## SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB11-1111, 1178, 1180, 1236.**

## MESSAGE(S) FROM THE SENATE

The Senate has postponed indefinitely HB11-1082. The bill is returned herewith.

The Senate voted to recede from its position and discharge the Conference Committee on SB11-007. The Senate voted to concur in House amendments and repassed the bill as amended.

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**INTRODUCTION OF MEMORIAL**

The following memorial was read by title and laid over until March 31, 2011 under the rules:

**HM11-1001** by Representative(s) Pace, Swerdfeger, Vigil, Massey--  
Memorializing former Representative Thomas T. Farley.

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**LAY OVER OF CALENDAR ITEM(S)**

On motion of Representative Waller, the following item(s) on the Calendar (was)were laid over until March 29, retaining place on Calendar:

Consideration of Third Reading--**HB11-1146**.

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On motion of Representative Brown, the House adjourned until 9:00 a.m., March 29, 2011.

Approved:  
FRANK McNULTY,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk

