

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

Fifty-seventh Legislative Day

Wednesday, March 9, 2011

1 The Speaker *Pro Tempore* called the House to order at 9:00 a.m.
2
3 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
4 Church, Denver.
5
6 Pledge of Allegiance led by Hayley Buckman, Michael Eldridge, David
7 Humiston, Sierra Ridge from Strasburg High School.
8
9 The roll was called with the following result:

10
11 Present--64.
12 Excused--Representative(s) Bradford--1.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative Gardner D., the reading of the journal of
18 March 8, 2011, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

THIRD READING OF BILL(S)--FINAL PASSAGE

22
23
24
25 The following bill(s) was(were) considered on Third Reading. The
26 title(s) was(were) publicly read. Reading of the bill at length was
27 dispensed with by unanimous consent.

28
29 **HB11-1138** by Representative(s) Gardner B., Barker, Casso, Waller;
30 also Senator(s) Morse, Bacon, Boyd, Jahn, King S.--
31 Concerning the sex offender management board, and
32 making an appropriation therefor.
33

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

	YES	62	NO	2	EXCUSED	1	ABSENT	0
39	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
40	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
41	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
42	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
43	Becker	Y	Hamner	Y	McKinley	N	Stephens	Y

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

13
14 **Third Reading amendment No. 1**, by Representative Gardner B.

15
16 Amend engrossed bill, page 27, line 1, strike "(h)," and substitute "(i),".

17
18 The amendment was declared **passed** by the following roll call vote:

20	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	E	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	Y	Levy	Y	Schafer S.	Y	Wilson	Y
37							Speaker	Y

38
39 The question being, "Shall the bill, as amended, pass?"

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

44	YES	64	NO	0	EXCUSED	1	ABSENT	0
45	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
46	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
47	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
48	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
49	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
50	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
51	Bradford	E	Hullinghorst	Y	Murray	Y	Swalm	Y
52	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
53	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
54	Conti	Y	Kagan	Y	Pace	Y	Todd	Y
55	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
56	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y

1	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
2	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
3	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
4	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Hamner, Kefalas,
7 Labuda, Massey, Miklosi, Nikkel, Pace, Priola, Ramirez, Scott.

8
9 **SB11-002** by Senator(s) Carroll, Mitchell, Tochtrop; also
10 Representative(s) Kerr J., Miklosi--Concerning the low-
11 income telephone assistance program.

12
13 The question being "Shall the bill 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 bill
16 was declared **passed**.

17	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Acree	Y	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	Y
22	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
23	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
24	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
25	Bradford	E	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	Y	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) Duran, Fields, Gardner D., Kagan,
37 Labuda, Pabon, Solano, Summers, Todd, Williams A., Wilson

38
39 **SB11-093** by Senator(s) King S., Giron, Newell, Nicholson; also
40 Representative(s) Vaad--Concerning the continuation of
41 the interagency task force on drunk driving.

42
43 The question being "Shall the bill 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 bill
46 was declared **passed**.

47	YES	64	NO	0	EXCUSED	1	ABSENT	0
49	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
50	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
51	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
52	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
53	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
54	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
55	Bradford	E	Hullinghorst	Y	Murray	Y	Swalm	Y
56	Brown	Y	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	Y	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	Y	Waller	Y
7	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
8	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
9							Speaker	Y

10 Co-sponsor(s) added: Representative(s) Barker, Coram, Fields, Fischer,
11 Hamner, Labuda, Looper, Schafer S., Todd, Wilson.

12
13 On motion of Representative Stephens, consideration on Third Reading
14 of **HB11-1055, 1065** was laid over until March 10, retaining place on
15 Calendar.

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17
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19 **CONSIDERATION OF SENATE AMENDMENTS**
20 **TO HOUSE BILL(S)**

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

29
30 (Amended as printed in Senate Journal, March 4, page 378.)

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

36	YES	63	NO	1	EXCUSED	1	ABSENT	0
37	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
38	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
39	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
40	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
41	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y
42	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
43	Bradford	E	Hullinghorst	Y	Murray	Y	Swalm	Y
44	Brown	Y	Jones	Y	Nikkel	Y	Swerdfeger	Y
45	Casso	Y	Joshi	Y	Pabon	Y	Szabo	Y
46	Conti	N	Kagan	Y	Pace	Y	Todd	Y
47	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
48	Court	Y	Kerr A.	Y	Priola	Y	Vaad	Y
49	DelGrosso	Y	Kerr J.	Y	Ramirez	Y	Vigil	Y
50	Duran	Y	Labuda	Y	Riesberg	Y	Waller	Y
51	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
52	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
53							Speaker	Y

54
55 The question being, "Shall the bill, as amended, pass?"

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative, and the
2 bill, as amended, was declared **repassed**.

	YES	35	NO	29	EXCUSED	1	ABSENT	0
5	Acree	N	Fischer	Y	Liston	N	Scott	N
6	Balmer	N	Gardner B.	N	Looper	N	Solano	Y
7	Barker	N	Gardner D.	Y	Massey	Y	Sonnenberg	N
8	Baumgardner	N	Gerou	N	McCann	Y	Soper	Y
9	Becker	N	Hamner	Y	McKinley	Y	Stephens	N
10	Beezley	N	Holbert	N	Miklosi	Y	Summers	N
11	Bradford	E	Hullinghorst	Y	Murray	N	Swalm	N
12	Brown	N	Jones	Y	Nikkel	N	Swerdfeger	Y
13	Casso	Y	Joshi	N	Pabon	Y	Szabo	N
14	Conti	N	Kagan	Y	Pace	Y	Todd	Y
15	Coram	Y	Kefalas	Y	Peniston	Y	Tyler	Y
16	Court	Y	Kerr A.	Y	Priola	N	Vaad	N
17	DelGrosso	N	Kerr J.	N	Ramirez	N	Vigil	Y
18	Duran	Y	Labuda	Y	Riesberg	Y	Waller	N
19	Ferrandino	Y	Lee	Y	Ryden	Y	Williams A.	Y
20	Fields	Y	Levy	Y	Schafer S.	Y	Wilson	Y
21							Speaker	N

22 Co-sponsor(s) added: Representative(s) Court, Hullinghorst, Pabon.

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

28 **HEALTH & ENVIRONMENT**

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

31
32 **SB11-040** be amended as follows, and as so amended, be referred to
33 the Committee of the Whole with favorable
34 recommendation:

35
36 Amend reengrossed bill, page 4, line 7, strike "MEANS" and substitute
37 "NECESSITY".

38
39 Page 4, line 27, after "PERSONNEL" insert "SHALL NOTIFY THE ATHLETE'S
40 PARENT OR LEGAL GUARDIAN AND".

41
42 Page 5, strike lines 8 through 16 and substitute:

43
44 "(b) AFTER A CONCUSSED ATHLETE HAS BEEN EVALUATED AND
45 RECEIVED CLEARANCE TO RETURN TO PLAY FROM A HEALTH CARE
46 PROVIDER, AN ORGANIZATION OR ASSOCIATION OF WHICH A SCHOOL OR
47 SCHOOL DISTRICT IS A MEMBER, A PRIVATE OR PUBLIC SCHOOL, A PRIVATE
48 CLUB, A PUBLIC RECREATION FACILITY, OR AN ATHLETIC LEAGUE MAY
49 ALLOW A REGISTERED ATHLETIC TRAINER WITH SPECIFIC KNOWLEDGE OF
50 THE ATHLETE'S CONDITION TO MANAGE THE ATHLETE'S GRADUATED
51 RETURN TO PLAY.

52
53
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55

- 1 **JUDICIARY**
- 2 After consideration on the merits, the Committee recommends the
- 3 following:
- 4
- 5 **SB11-007** be referred to the Committee of the Whole with favorable
- 6 recommendation.
- 7
- 8
- 9 **SB11-096** be referred to the Committee of the Whole with favorable
- 10 recommendation.

11

12

13

14 **PRINTING REPORT**

15

16 The Chief Clerk reports the following bills have been correctly printed:

17 **HB11-1278, 1279, 1280.**

18

19

20

21 **SIGNING OF BILLS--RESOLUTIONS--MEMORIALS**

22

23 The Speaker has signed: **SB11-136, 137, 141, 142, 144 and 164.**

24

25

26

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

28

29 The Senate has passed on Third Reading and returns herewith:

30 **HB11-1117, HB11-1030, HB11-1148, HB11-1202, and HB11-1085.**

31

32 The Senate has passed on Third Reading and transmits to the Revisor of

33 Statutes: **SB11-165, and SB11-175.**

34

35 **HB11-1074** amended in General Orders as printed in Senate Journal,

36 March 7, 2011, page 395.

37

38

39 The Senate has postponed indefinitely **HB11-1003**. The bill is returned

40 herewith.

41

42

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44 **MESSAGE(S) FROM THE REVISOR**

45

46 Without comment, **SB11-165 and 175.**

47 Without comment, as amended, **HB11-1074.**

INTRODUCTION OF BILL
First Reading

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The following bill was read by title and referred to the committee indicated:

HB11-1281 by Representative(s) Joshi; also Senator(s) Boyd--
Concerning health care professional loan forgiveness
programs administered by the primary care office in the
department of public health and environment.
Committee on Health and Environment

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Stephens, the following item(s) on the Calendar (was)were laid over until March 10, retaining place on Calendar:

Consideration of General Orders--**HB11-1160, 1119, 1168, 1116, 1123, 1121 amended, 1146, 1248, SB11-034, 010, HB11-1106.**
Consideration of Resolution(s)--**SJR11-022.**

On motion of Representative Stephens, the House adjourned until 9:00 a.m., March 10, 2011.

Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

