

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

Twenty-seventh Legislative Day

Monday, February 7, 2011

1 Prayer by Pastors Nathan and Jennifer Soule-Hill, Family of Christ
2 Presbyterian Church, Greeley.

3
4 The Speaker called the House to order at 10:00 a.m.

5
6 Pledge of Allegiance led by Jaime Felton from Loveland High School.

7
8 The roll was called with the following result:

9
10 Present--64.

11 Excused--Representative(s) Bradford--1.

12 Present after roll call--Representative(s) Bradford.

13
14 The Speaker declared a quorum present.

15 _____
16
17 On motion of Representative Conti, the reading of the journal of
18 February 4, 2011, was declared dispensed with and approved as corrected
19 by the Chief Clerk.

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

26 _____
27
28 **GENERAL ORDERS--SECOND READING OF BILLS**

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

34
35 (Amendments to the committee amendment are to the printed committee
36 report which was printed and placed in the members' bill file.)

37
38 **HB11-1110** by Representative(s) Acree, Balmer, Holbert, Massey,
39 Murray, Solano; also Senator(s) Harvey, Carroll, Renfroe-
40 -Concerning the rights of members of nonprofit
41 corporations in which residency is a qualification for
42 membership.

43

1 Amendment No. 1, Economic & Business Development Report, dated
2 February 1, 2011, and placed in member's bill file; Report also printed in
3 House Journal, February 2, page 136.

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

7
8 **HB11-1074** by Representative(s) Gerou, Tyler, Becker, Kerr J.,
9 Schafer S., Summers; also Senator(s) Jahn, Heath, Hodge,
10 Hudak, Spence--Concerning Colorado school of mines
11 funding of financial aid.

12
13 Amendment No. 1, Education Report, dated February 2, 2011, and
14 placed in member's bill file; Report also printed in House Journal,
15 February 3, pages 150-151.

16
17 As amended, ordered engrossed and placed on the Calendar for Third
18 Reading and Final Passage.

19
20 **HB11-1128** by Representative(s) Riesberg; also Senator(s)
21 Williams S.--Concerning the protection from discovery in
22 a civil lawsuit against a state-regulated professional of
23 documents resulting from a complaint about the
24 professional that are held by the board that regulates the
25 professional.

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

29
30 **HB11-1031** by Representative(s) Miklosi; also Senator Foster--
31 Concerning the creation of creative districts, and, in
32 connection therewith, authorizing specified local
33 governments to designate a portion of their territory as a
34 creative district subject to certification by the creative
35 industries division within the Colorado office of economic
36 development.

37
38 Amendment No. 1, Local Government Report, dated February 2, 2011,
39 and placed in member's bill file; Report also printed in House Journal,
40 February 3, page 153.

41
42 As amended, ordered engrossed and placed on the Calendar for Third
43 Reading and Final Passage.

44
45 **HB11-1087** by Representative(s) Vigil; also Senator Giron--
46 Concerning reimbursement to county governments for
47 charges incurred in pest control operations undertaken by
48 the county.

49
50 Ordered engrossed and placed on the Calendar for Third Reading and
51 Final Passage.

52
53 On motion of Representative Stephens, the remainder of the General
54 Orders Calendar (**HB11-1007, 1030, 1058, 1072, 1054, 1092**) was laid
55 over until February 8, retaining place on Calendar.

56

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

2
3 Passed Second Reading: **HB11-1110 amended, 1074 amended, 1128,**
4 **1031 amended, 1087.**

5
6 Laid over until date indicated retaining place on Calendar: **HB11-1007,**
7 **1030, 1058, 1072, 1054, 1092**--February 8, 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	64	NO	0	EXCUSED	1	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	Y
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 **ECONOMIC & BUSINESS DEVELOPMENT**

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

40
41 **HB11-1115** 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 3, line 17, after the period add "PUBLIC ENTITY
46 OCCUPANCY AND USE DOES NOT INCLUDE OPENING A PORTION OF A
47 HIGHWAY OR BRIDGE IMPROVEMENT PROJECT TO TRAFFIC PRIOR TO
48 COMPLETION OF THE FINAL CONFIGURATION."

49
50 Page 3, strike lines 19 through 21 and substitute "PAID BY PARAGRAPH (c)
51 OF THIS SUBSECTION (1) UNTIL A COMPREHENSIVE LIST OF ITEMS TO BE
52 COMPLETED OR CORRECTED IS APPROVED BY THE PUBLIC ENTITY. A
53 PUBLIC ENTITY MAY WITHHOLD TWICE THE AMOUNT OF".

54
55 Page 3, line 23, after "DAYS" insert "OR THE NEXT SCHEDULED MONTHLY
56 PAYMENT".

MESSAGE(S) FROM THE SENATE1
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The Senate adheres to its position on HJR11-1007. The resolution is returned herewith.

The Senate has adopted and returns herewith: HJR11-1009.

The Senate has passed on Third Reading and transmits to the Revisor of Statutes: SB11-076.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB11-076.

**INTRODUCTION OF BILLS
First Reading**

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

HB11-1222 by Representative(s) Conti, Acree, Kerr J., Ramirez, Scott, Swalm, Swerdfeger; also Senator(s) Tochtrop, Harvey, Grantham, Renfroe--Concerning an increase in the accountability to the public of the members of the public utilities commission, and, in connection therewith, decreasing the length of terms of commission membership, limiting commission members to two terms, and subjecting commission members to retention voting by the electors of the state.

Committee on Transportation

HB11-1223 by Representative(s) Scott, Balmer, Baumgardner, Brown, Conti, Kerr J., Ramirez; also Senator(s) King S.--Concerning the composition of the Colorado oil and gas conservation commission, and, in connection therewith, reducing the size of the commission, increasing the proportion of industry representation, and specifying the type of experience required for certain industry members.

Committee on Agriculture, Livestock, & Natural Resources

HB11-1224 by Representative(s) Joshi--Concerning the repeal of the low-income telephone assistance program.

Committee on Transportation

HB11-1225 by Representative(s) Pabon, Court, Duran, Hullinghorst, McCann, Miklosi--Concerning legal actions addressing breaches of data security that involve personal information.

Committee on Judiciary

- 1 **HB11-1226** by Representative(s) Conti, Acree, Brown, Kerr J., Scott,
2 Summers--Concerning the information provided on a
3 disabled veteran's property tax exemption application
4 form.
5 Committee on State, Veterans, & Military Affairs
6
- 7 **HB11-1227** by Representative(s) Peniston, Casso, Court, Duran,
8 Fields, Fischer, Gardner D., Hamner, Hullinghorst, Jones,
9 Kagan, Kefalas, Kerr A., Labuda, Lee, Levy, McCann,
10 McKinley, Miklosi, Pabon, Pace, Riesberg, Ryden,
11 Schafer S., Solano, Soper, Todd, Tyler, Vigil, Williams
12 A., Wilson; also Senator(s) Newell and Hudak--
13 Concerning a supplemental appropriation to the
14 department of education to pay the costs of the start smart
15 nutrition program.
16 Committee on Education
17
- 18 **HB11-1228** by Representative(s) Solano, Vigil, Massey; also
19 Senator(s) Schwartz, White--Concerning measures to
20 promote economic development through the use of
21 distributed renewable energy generation, and, in
22 connection therewith, authorizing an independent study of
23 the potential for job creation and preservation and other
24 benefits available from adoption of incentives for
25 distributed renewable energy generation.
26 Committee on Agriculture, Livestock, & Natural Resources
27
- 28 **HB11-1229** by Representative(s) Court, Acree, Hullinghorst, Kagan,
29 Levy, Liston, Miklosi, Pabon, Todd, Tyler; also Senator(s)
30 Carroll--Concerning requirements affecting the creation
31 of issue committees under Colorado law governing
32 campaign finance.
33 Committee on State, Veterans, & Military Affairs
34
- 35 **HB11-1230** by Representative(s) Duran--Concerning the consolidation
36 of state programs that distribute federal moneys to persons
37 needing assistance in obtaining housing into the division
38 of housing within the department of local affairs.
39 Committee on State, Veterans, & Military Affairs
40
- 41 **HB11-1231** by Representative(s) Fischer, Ryden, Vaad; also
42 Senator(s) Brophy, Hodge--Concerning the authorization
43 of a study of the South Platte river alluvial aquifer.
44 Committee on Agriculture, Livestock, & Natural Resources
45
- 46 **HB11-1232** by Representative(s) Court, Duran, McCann, Pabon; also
47 Senator(s) Carroll--Concerning the administration of
48 trusts with court-appointed fiduciaries.
49 Committee on Judiciary
50
- 51 **HB11-1233** by Representative(s) Williams A.--Concerning the
52 creation of preferences for certain bidders in state
53 contracting.
54 Committee on Economic and Business Development
55

- 1 **HB11-1234** by Representative(s) Vaad; also Senator(s) Spence and
2 Williams S.--Concerning the creation of a taxicab license
3 plate for motor vehicles authorized to provide taxicab
4 services.
5 Committee on Transportation
6
- 7 **HB11-1235** by Representative(s) Wilson, Solano; also Senator(s)
8 Bacon--Concerning the promotion of regional tourism by
9 the Colorado tourism office.
10 Committee on Local Government
11
- 12 **HB11-1236** by Representative(s) Todd, Court, Fields, McCann,
13 McKinley, Miklosi--Concerning a repeal of the
14 requirement that a certain number of group special license
15 plates be issued.
16 Committee on Transportation
17
- 18 **HB11-1237** by Representative(s) Swerdfeger--Concerning the creation
19 of the chargeable quarters and billeting cash fund.
20 Committee on State, Veterans, & Military Affairs
21
- 22 **HB11-1238** by Representative(s) Duran--Concerning the creation of
23 job quality standards for businesses that receive certain
24 forms of state assistance.
25 Committee on Economic and Business Development
26
- 27 **HB11-1239** by Representative(s) Nikkel, Waller; also Senator(s)
28 Roberts--Concerning a requirement to include additional
29 information in fiscal notes for certain bills related to
30 criminal offenses.
31 Committee on Judiciary
32
- 33 **HB11-1240** by Representative(s) Swalm, Balmer, Baumgardner,
34 Becker, Beezley, Brown, Conti, Coram, DelGrosso,
35 Gardner B., Holbert, Joshi, Kerr J., Liston, Looper, Priola,
36 Ramirez, Scott, Sonnenberg, Soper, Swerdfeger, Szabo;
37 also Senator(s) Cadman, King K., Tochtrop, Grantham,
38 White--Concerning measures to reduce the cost to
39 consumers of reductions in greenhouse gas emissions by
40 public utilities.
41 Committee on Agriculture, Livestock, & Natural Resources
42
- 43 **HB11-1241** by Representative(s) DelGrosso--Concerning the
44 circumstances in which a nonprofit housing provider that
45 sells low-cost housing to low-income applicants who
46 assist in the construction of the housing is entitled to the
47 property tax exemption for property used strictly for
48 charitable purposes.
49 Committee on Finance
50
- 51 **HB11-1242** by Representative(s) Ferrandino--Concerning the
52 provision of integrated health care services pursuant to the
53 Colorado medical assistance program.
54 Committee on Health and Environment
55

1 **HB11-1243** by Representative(s) Pace and Massey; also Senator(s)
2 Tochtrop--Concerning the use of funding derived from the
3 state-supervised lottery to stimulate economic
4 development, and, in connection therewith, authorizing
5 the lottery commission to create one or more keno games
6 and establishing a grant program, funded by keno
7 proceeds, to reverse the offshoring of Colorado jobs to
8 foreign countries.
9 Committee on State, Veterans, & Military Affairs

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13 **INTRODUCTION OF RESOLUTION**

14
15 The following resolution was read by title and laid over one day under
16 the rules:

17
18 **HR11-1005** by Representative(s) Stephens--Concerning changes to the
19 rules of the House of Representatives.

20
21
22 House in recess. House reconvened.

23
24
25
26 **INTRODUCTION OF BILLS**
27 **First Reading**

28
29 The following bills were read by title and referred to the committees
30 indicated:

31
32 **HB11-1244** by Representative(s) Fischer, Gardner D., Hulinghorst,
33 Kefalas, Kerr A., Pabon, Ryden, Solano, Tyler, Wilson;
34 also Senator(s) Newell and Schwartz, Steadman--
35 Concerning the recycling of consumer electronic devices,
36 and, in connection therewith, requiring video display
37 device manufacturers to register with the department of
38 public health and environment, implement recycling
39 programs, and file periodic reports; requiring recyclers of
40 electronic devices to be certified by the department of
41 public health and environment; and incrementally banning
42 the disposal of covered electronic devices in landfills
43 within a specified time.
44 Committee on Health and Environment

45
46 **HB11-1245** by Representative(s) Kefalas; also Senator(s) Aguilar--
47 Concerning payment reforms for the creation of patient-
48 centered medical homes for adults.
49 Committee on State, Veterans, & Military Affairs

50
51 **HB11-1246** by Representative(s) Todd; also Senator(s) Spence--
52 Concerning a local government's authority to assess a fee
53 to be used for roads used to haul solid wastes to the local
54 government's solid wastes disposal facility.
55 Committee on Local Government

56

1 **HB11-1247** by Representative(s) Pabon, Court, Duran, Gardner D.,
2 Vigil; also Senator(s) Schwartz--Concerning
3 implementation of a deposit beverage container program.
4 Committee on State, Veterans, & Military Affairs

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8 On motion of Representative Waller, the House adjourned until
9 9:00 a.m., February 8, 2011.

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Approved:
FRANK McNULTY,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk