

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

Twenty-second Legislative Day Wednesday, February 2, 2011

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.
3
4 The Speaker called the House to order at 9:00 a.m.
5
6 Pledge of Allegiance led by Kirk, Addie, Jeremiah, Merry Chaves, Home
7 Schooled, Colorado Springs.
8
9 The roll was called with the following result:
10
11 Present--64.
12 Absent--Representative(s) Miklosi--1.
13 Present after roll call--Representative(s) Miklosi.
14
15 The Speaker declared a quorum present.
16
17
18 On motion of Representative Brown, the reading of the journal of
19 February 1, 2011, was declared dispensed with and approved as corrected
20 by the Chief Clerk.
21
22
23
24
25 On motion of Representative Baumgardner, the House resolved itself into
26 Committee of the Whole for consideration of General Orders, and he was
27 called to the Chair to act as Chairman.
28
29
30 **GENERAL ORDERS--SECOND READING OF BILLS**
31
32 The Committee of the Whole having risen, the Chairman reported the
33 titles of the following bills had been read (reading at length had been
34 dispensed with by unanimous consent), the bills considered and action
35 taken thereon as follows:
36
37 (Amendments to the committee amendment are to the printed committee
38 report which was printed and placed in the members' bill file.)
39
40 **HB11-1044** by Representative(s) Holbert; also Senator(s) Renfroe--
41 Concerning the procedure for the review of a proposal to
42 regulate an unregulated profession or occupation.
43

1 Amendment No. 1, Economic & Business Development Report, dated
2 January 27, 2011, and placed in member's bill file; Report also printed in
3 House Journal, January 28, pages 112-113.

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

7
8
9 **HB11-1050** by Representative(s) Soper--Concerning boiler inspection
10 regulation by the division of oil and public safety.

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

14
15
16 **HB11-1102** by Representative(s) Summers; also Senator(s) Newell--
17 Concerning portability of fingerprint-based criminal
18 history records checks for employees of separately
19 licensed child care facilities owned by a single parent
20 entity.

21
22 Amendment No. 1, by Representative(s) Priola.

23
24 Strike the Economic and Business Development Committee Report,
25 dated January 27, 2011, and substitute:

26
27 "Amend printed bill, page 3, line 4, strike "SINGLE PARENT".

28
29 Page 3, line 5, strike "ENTITY," and substitute "COMMON OWNERSHIP
30 GROUP OR SCHOOL DISTRICT,".

31
32 Page 3, line 6, strike "PARENT ENTITY" and substitute "COMMON
33 OWNERSHIP GROUP OR SCHOOL DISTRICT".

34
35 Page 3, line 10, strike "PARENT ENTITY." and substitute "COMMON
36 OWNERSHIP GROUP OR SCHOOL DISTRICT.".

37
38 Page 3, line 11, strike "PARENT" and substitute "COMMON OWNERSHIP
39 GROUP OR SCHOOL DISTRICT".

40
41 Page 3, line 12, strike "ENTITY".

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

45
46
47 **HB11-1028** by Representative(s) Liston, Bradford, Levy, Massey,
48 McCann, Murray, Peniston, Schafer S., Todd; also
49 Senator(s) Johnston and Newell--Concerning the
50 voluntary contribution designation benefiting the
51 Alzheimer's Association fund that appears on the state
52 individual income tax return forms, and, in connection
53 therewith, extending the period for the contribution
54 designation.

55
56

1 Amendment No. 1, Finance Report, dated January 26, 2011, and placed
2 in member's bill file; Report also printed in House Journal, January 28,
3 page 114.

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

7
8 **HB11-1037** by Representative(s) Ryden and Fields; also Senator(s)
9 Carroll--Concerning the voluntary contribution
10 designation benefiting the military family relief fund that
11 appears on the state individual income tax return forms,
12 and, in connection therewith, extending the period for the
13 contribution designation.

14
15 Amendment No. 1, Finance Report, dated January 26, 2011, and placed
16 in member's bill file; Report also printed in House Journal, January 28,
17 page 114.

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

21
22 **HB11-1016** by Representative(s) Summers; also Senator(s) Boyd--
23 Concerning the regulation of tobacco.

24
25 Amendment No. 1, Health & Environment Report, dated
26 January 27, 2011, and placed in member's bill file; Report also printed in
27 House Journal, January 28, pages 114-115.

28
29 As amended, ordered engrossed and placed on the Calendar for Third
30 Reading and Final Passage.

31
32 On motion of Representative Stephens, the remainder of the General
33 Orders Calendar (**HB11-1007, 1030, 1058, 1051, 1080**) was laid over
34 until February 3, retaining place on Calendar.

35
36
37
38 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

39
40 Passed Second Reading: **HB11-1044 amended, 1050, 1102 amended,**
41 **1028 amended, 1037 amended, 1016 amended.**

42
43 Laid over until date indicated retaining place on Calendar: **HB11-1007,**
44 **1030, 1058, 1051, 1080**--February 3, 2011.

45
46 The Chairman moved the adoption of the Committee of the Whole
47 Report. As shown by the following roll call vote, a majority of those
48 elected to the House voted in the affirmative, and the Report was
49 **adopted.**

50
51

	YES	65	NO	0	EXCUSED	0	ABSENT	0
52	Acree	Y	Fischer	Y	Liston	Y	Scott	Y
53	Balmer	Y	Gardner B.	Y	Looper	Y	Solano	Y
54	Barker	Y	Gardner D.	Y	Massey	Y	Sonnenberg	Y
55	Baumgardner	Y	Gerou	Y	McCann	Y	Soper	Y
56	Becker	Y	Hamner	Y	McKinley	Y	Stephens	Y

1	Beezley	Y	Holbert	Y	Miklosi	Y	Summers	Y
2	Bradford	Y	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.	Y	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
15
16
17 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

18
19 **ECONOMIC & BUSINESS DEVELOPMENT**

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

22
23 **HB11-1101** be referred favorably to the Committee on Appropriations.

24
25
26 **HB11-1110** be amended as follows, and as so amended, be referred to
27 the Committee of the Whole with favorable
28 recommendation:

29
30 Amend printed bill, page 3, strike lines 4 and 5 and substitute:

31
32 "(33.5) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
33 THIS SUBSECTION (33.5), "RESIDENTIAL NONPROFIT CORPORATION" MEANS
34 A NONPROFIT CORPORATION THAT HAS RESIDENTIAL MEMBERS.

35
36 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION
37 (33.5), "RESIDENTIAL NONPROFIT CORPORATION" DOES NOT INCLUDE:

38
39 (I) A UNIT OWNERS' ASSOCIATION OR ANY OTHER ENTITY SUBJECT
40 TO THE "COLORADO COMMON INTEREST OWNERSHIP ACT", ARTICLE 33.3
41 OF TITLE 38, C.R.S., REGARDLESS OF WHETHER IT WAS FORMED BEFORE,
42 ON, OR AFTER JULY 1, 1992;

43
44 (II) A NURSING CARE FACILITY LICENSED BY THE DEPARTMENT OF
45 PUBLIC HEALTH AND ENVIRONMENT UNDER SECTION 25-3-101, C.R.S.;

46
47 (III) AN ASSISTED LIVING RESIDENCE LICENSED UNDER SECTION
48 25-3-101, C.R.S.;

49
50 (IV) A LIFE CARE INSTITUTION REGULATED UNDER ARTICLE 13 OF
51 TITLE 12, C.R.S.; OR

52
53 (V) A CONTINUING CARE RETIREMENT COMMUNITY REGULATED
54 UNDER _____."

PRINTING REPORT

The Chief Clerk reports the following bills have been correctly printed:
HB11-1159, 1160, 1161, 1162, 1163.

MESSAGE(S) FROM THE SENATE

In response to the request of the House for a Conference Committee on HJR11-1007, the President appoints Senators Johnston, Chair, Morse, and Brophy as conferees on the First Conference Committee on HJR11-1007.

The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB11-020.

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

SB11-028 As amended in General Orders as printed in Senate Journal, January 28, 2011, pages 72.

MESSAGE(S) FROM THE REVISOR

We herewith transmit:
Without comment, SB11-020.
Without comment, as amended, SB11-028.

**INTRODUCTION OF BILLS
First Reading**

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

HB11-1164 by Representative(s) Priola and Fields, Ryden, Schafer S., Summers, Todd, Balmer, Beezley, Gerou, Kerr A., Levy, Liston, Peniston, Solano, Williams A.; also Senator(s) Boyd--Concerning the designation of the presiding officer of the university of Colorado hospital authority's board of directors.

Committee on Education

HB11-1165 by Representative(s) Soper; also Senator(s) Nicholson--Concerning an increase in the compensation that county treasurers can receive for collecting certain water district assessments.

Committee on Local Government

HB11-1166 by Representative(s) Murray; also Senator(s) Aguilar--Concerning the creation of a type 1 diabetes special license plate.

Committee on Transportation

- 1 **HB11-1167** by Representative(s) Ferrandino, Lee, Levy; also
 2 Senator(s) Nicholson, Steadman--Concerning the petition
 3 process for the sealing of certain drug offense records.
 4 Committee on Judiciary
 5
- 6 **HB11-1168** by Representative(s) Murray; also Senator(s) Spence--
 7 Concerning equalizing the amount of the Colorado
 8 opportunity fund stipend for students attending state
 9 institutions of higher education and students attending
 10 participating private institutions of higher education.
 11 Committee on Education
 12
- 13 **SB11-024** by Senator(s) King K.; also Representative(s) Looer--
 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 Committee on State, Veterans, & Military Affairs
 22
- 23 **SB11-029** by Senator(s) Hudak; also Representative(s) Summers--
 24 Concerning certain annual reports of the state board of
 25 land commissioners.
 26 Committee on Education
 27

INTRODUCTION OF RESOLUTION

31
 32 The following resolution was read by title and referred to the committee
 33 indicated:
 34

- 35 **SJR11-007** by Senator(s) Newell, Aguilar, Bacon, Carroll, Foster,
 36 Morse, Schwartz, Roberts, Boyd, Giron, Guzman, Hodge,
 37 Jahn, Johnston, King S., Kopp, Nicholson, Renfroe,
 38 Steadman, Tochtrop, Williams S.; also Representative(s)
 39 McCann, Summers, Liston, Acree, Kerr J., Solano--
 40 Concerning measures to improve the efficiency of
 41 Colorado state government.
 42 Committee on State, Veterans, & Military Affairs
 43

LAY OVER OF CALENDAR ITEM(S)

44
 45
 46
 47
 48
 49 On motion of Representative Stephens, the following item(s) on the
 50 Calendar (was)were laid over until February 3, retaining place on
 51 Calendar:
 52

- 53 Consideration of Resolution(s)--**HJR11-1008**.
 54
 55
 56
-

1 On motion of Representative Stephens, the House adjourned until
2 9:00 a.m., February 3, 2011.

3

4

5

6

7 Attest:

8 MARILYN EDDINS,

9 Chief Clerk

Approved:
FRANK McNULTY,
Speaker

