HOUSE JOURNAL

SIXTY-SIXTH GENERAL ASSEMBLY

STATE OF COLORADO

Second Regular Session

Eightieth Legislative Day Friday, March 28, 2008

Prayer by Father Tom Carzon, Holy Ghost Church, Denver.

The Speaker called the House to order at 9:00 a.m.

Pledge of Allegiance led by Marisa and Gianna Weissmann; Louisville Elementary; Louisville Recreation Center.

The roll was called with the following result:

Present--61.
Excused--Representatives Gallegos, Liston, Middleton, Vaad--4.
Present after roll call--Representatives Liston, Vaad.

The Speaker declared a quorum present.

On motion of Representative Roberts, the reading of the journal of March 27, 2008, was declared dispensed with and approved as corrected by the Chief Clerk.

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

HB08-1300 by Representative(s) Buescher, Pommer, White; also Senator(s) Keller, Morse, Johnson--Concerning a supplemental appropriation to the department of state.

(Amended as printed in Senate Journal, March 17, pages 589.)

Representative Buescher moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	51	NO	10	EXCUSED	04	ABSENT	00
Balmer	Y	Gardner C	N	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	N	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	N
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y

Casso	Y	Kerr J	N	McNulty	N	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	N	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	E
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	N
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	N	Rice	Y	Witwer	N
						Speaker	Y

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

YES	51	NO	10	EXCUSED	04	ABSENT	00
Balmer	N	Gardner C	N	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	N
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	N	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	N
Fischer	Y	Lambert	N	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	E
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	N	Primavera	Y	White	Y
Gardner B	Y	Lundberg	N	Rice	Y	Witwer	N
						Speaker	Y

HB08-1275 by Representative(s) Carroll T.; also Senator(s) Isgar--Concerning certain organizations that incorrectly filed the annual report required to maintain property tax-exempt status.

(Amended as printed in Senate Journal, March 18, pages 597.)

Representative Carroll T moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	61	NO	00	EXCUSED	04	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y

Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	E
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	61	NO	00	EXCUSED	04	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	E
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

Co-sponsors added: Representatives King, Stafford, Stephens.

HB08-1121 by Representative(s) Marostica; also Senator(s) Takis--Concerning changes in Colorado law to comply with federal requirements for the administration of a commercial driver's license under the federal "Motor Carrier Safety Improvement Act of 1999", and, in connection therewith, broadening the scope of a conviction for a vehicle offense, prohibiting diversion programs for holders of a commercial driver's license, deleting redundant language, ensuring that conviction notices are provided in a timely manner, and limiting a commercial driver's license permit to one year.

(Amended as printed in Senate Journal, March 18, pages 597.)

Representative Marostica moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	60	NO	01	EXCUSED	04	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y

Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	E
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	58	NO	03	EXCUSED	04	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	N	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	E
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	N
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

Co-sponsors added: Representatives Labuda, Stafford.

HB08-1260 by Representative(s) Hodge; also Senator(s) Penry--Concerning the regulation of manufactured homes.

(Amended as printed in Senate Journal, March 18, pages 598.)

Representative Hodge moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	61	NO	01	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y

Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	60	NO	02	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	N	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

Co-sponsor added: Representative Stafford.

HB08-1099 by Representative(s) McNulty; also Senator(s) Tochtrop--Concerning modifications to environmental control provisions, and, in connection therewith, authorizing the water quality control commission, instead of the state board of health, to hear drinking water penalty appeals; modifying the procedures for water discharge permit applications; and authorizing the solid and hazardous waste commission, instead of the state board of health, to adopt rules regarding, and set the bond amount for, waste tire haulers.

(Amended as printed in Senate Journal, March 20, page 623.)

Representative McNulty moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	62	NO	00	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y

Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	62	NO	00	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

Co-sponsor added: Representative Todd.

HB08-1144 by Representative(s) Roberts and Frangas, Gagliardi, McGihon; also Senator(s) Cadman--Concerning the continuation of the "Health Care Credentials Uniform Application Act".

(Amended as printed in Senate Journal, March 20, page 623.)

Representative Roberts moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	61	NO	01	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y

Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	61	NO	01	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

Co-sponsors added: Representatives Garza-Hicks, Kefalas, Summers.

HB08-1193 by Representative(s) Levy; also Senator(s) Shaffer--Concerning prohibiting a judge from presiding over a case in which a judge of the same court is a party.

(Amended as printed in Senate Journal, March 20, page 624.)

Representative Levy moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	52	NO	10	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	N
Borodkin	Y	Green	Y	Marshall	Y	Rose	N
Bruce	Y	Hodge	N	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y

Butcher	Y	Judd	Y	McFadyen	N	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	N	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	N	Liston	E	Pommer	Y	Weissmann	N
Gallegos	E	Looper	N	Primavera	N	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	N
						Speaker	Y

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

YES	60	NO	02	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	N
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	N	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

HB08-1016 by Representative(s) Solano, Stafford; also Senator(s) Boyd, Windels--Concerning juvenile justice procedures for juveniles who may benefit from mental health services.

(Amended as printed in Senate Journal, March 20, pages 626-627.)

Representative Solano moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	61	NO	01	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y

Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	55	NO	07	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	N	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	N	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	N	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	N
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	N	Lundberg	N	Rice	Y	Witwer	Y
						Speaker	Y

Co-sponsors added: Representatives Kefalas, Rose.

HB08-1076 by Representative(s) Ferrandino; also Senator(s) Gordon--Concerning fees for copies of criminal justice records.

(Amended as printed in Senate Journal, March 20, page 627.)

Representative Ferrandino moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	61	NO	01	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	N
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y

Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	E	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	62	NO	01	EXCUSED	02	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	N
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

Co-sponsosr added: Representatives Looper, Stafford.

HB08-1195 by Representative(s) Mitchell V.; also Senator(s) Taylor--Concerning the return of a release of a deed of trust after recording.

Laid over until March 31, retaining place on Calendar.

HB08-1138 by Representative(s) Borodkin; also Senator(s) Isgar--Concerning the authority of the department of revenue to assess penalties against professional tax return preparers who understate tax liabilities.

(Amended as printed in Senate Journal, March 20, page 627.)

Representative Borodkin moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	46	NO	17	EXCUSED	02	ABSENT	00
Balmer	Y	Gardner C	N	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	N	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	N
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y

Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	N
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	N	McNulty	N	Stephens	N
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	N
Fischer	Y	Lambert	N	Mitchell	N	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	N
Gagliardi	Y	Liston	N	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	N	Primavera	Y	White	Y
Gardner B	N	Lundberg	N	Rice	Y	Witwer	N
						Speaker	Y

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

YES	40	NO	23	EXCUSED	02	ABSENT	00
Balmer	N	Gardner C	N	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	N	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	N
Bruce	N	Hodge	Y	Massey	N	Scanlan	Y
Buescher	Y	Jahn	Y	May	N	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	N
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	N	Stafford	N
Casso	Y	Kerr J	N	McNulty	N	Stephens	N
Curry	Y	King	Y	Merrifield	Y	Summers	N
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	N
Fischer	Y	Lambert	N	Mitchell	N	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	N
Gagliardi	Y	Liston	N	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	N	Primavera	Y	White	Y
Gardner B	N	Lundberg	N	Rice	Y	Witwer	N
						Speaker	Y

HB08-1002 by Representative(s) King, Buescher; also Senator(s) Bacon, Penry--Concerning the authority of certain institutions of higher education to invest moneys.

(Amended as printed in Senate Journal, March 20, pages 628-629.)

Representative King moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	62	NO	01	EXCUSED	02	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y

Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	59	NO	04	EXCUSED	02	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	N	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	N	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	N
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

Co-sponsors added: Representatives Labuda, Rose, Stephens, Summers.

HB08-1212 by Representative(s) Carroll M.; also Senator(s) Tapia--Concerning the continuation of the real estate commission, and, in connection therewith, repealing the requirement for group errors and omissions insurance, authorizing service of process by mail, repealing the licensure of real estate salespersons, modifying continuing education requirements, altering the membership of the commission, repealing the licensing reciprocity requirement, expanding the grounds for discipline, authorizing name-based criminal history background checks, requiring fines to be deposited in the general fund, and altering the hiring authority for employees of the division of real estate.

(Amended as printed in Senate Journal, March 25, page 667.)

Representative Carroll M, moved that the House **concur** in Senate amendments. The motion was declared **passed** by the following roll call vote:

YES	61	NO	01	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	E	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

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

YES	58	NO	04	EXCUSED	03	ABSENT	00
Balmer	Y	Gardner C	N	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	N
Bruce	N	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	N	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	E	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

Representative Mitchell excused from voting under House Rule 21(c).
Co-sponsor added: Representative Stafford.

On motion of Representative Levy, the House resolved itself into Committee of the Whole for consideration of General Orders, and she was called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

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

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

On motion of Representative Carroll T, **HCR08-1001, HB08-1182, SB08-102, 089, HB08-1345, 1357** was laid over until March 31, retaining place on Calendar.

HB08-1123 by Representative(s) Stafford; also Senator(s) Johnson--Concerning the regulation of persons who provide for the final disposition of dead human bodies in the course of business.

Amendment No. 1, Business Affairs & Labor Report, dated February 4, 2008, and placed in member's bill file; Report also printed in House Journal, February 5, pages 257-285.

Amendment No. 2, Appropriations Report, dated March 14, 2008, and placed in member's bill file; Report also printed in House Journal, March 14, pages 860-863.

Amendment No. 3, by Representative Mitchell.

Amend the Business Affairs and Labor Committee Report, dated February 4, 2008, page 5, before line 15, insert the following:

"(5) PRIOR TO PROVIDING FUNERAL GOODS OR SERVICES, A FUNERAL ESTABLISHMENT SHALL NOTIFY A POTENTIAL CUSTOMER OF EACH TRADE NAME UNDER WHICH THE FUNERAL ESTABLISHMENT DOES BUSINESS OR OF ANY OTHER FUNERAL ESTABLISHMENTS, OR TRADE NAMES THEREOF, THAT IS OWNED BY, THAT OWNS, OR THAT IS UNDER COMMON OWNERSHIP WITH THE FUNERAL ESTABLISHMENT IF SUCH TRADE NAMES OR FUNERAL ESTABLISHMENTS ARE WITHIN THIRTY MILES OF THE PROVIDER FUNERAL ESTABLISHMENT.".

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

HB08-1278 by Representative(s) Summers and White, Kerr J., Looper, McNulty; also Senator(s) Tochtrop--Concerning the exercise of the power of eminent domain by the regional transportation district.

Rereferred to the Committee on Appropriations.

HB08-1161 by Representative(s) Kefalas and Fischer, Butcher, Carroll M., Frangas, Gagliardi, Green, Levy, McFadyen, McKinley, Primavera, Riesberg, Solano, Soper, Weissmann; also Senator(s) Johnson, Bacon--Concerning an increase in the regulatory authority of the mined land

reclamation board over mining, and, in connection therewith, ensuring the protection of ground water and public health.

Amendment No. 1, Agriculture, Livestock, & Natural Resources Report, dated February 20, 2008, and placed in member's bill file; Report also printed in House Journal, February 20, pages 490-496.

Amendment No. 2, Appropriations Report, dated March 14, 2008, and placed in member's bill file; Report also printed in House Journal, March 14, page 864. (Appropriations amendment passed on March 24th)

Amendment No. 3, by Representative Kefalas.

Amend the Agriculture, Livestock, and Natural Resources Committee Report, dated February 20, 2008, page 1, line 15, strike "PRODUCED" and substitute "DEVELOPED".

Page 2 of the committee report, line 14, strike "RECOVERY" and substitute "DEVELOPMENT OR EXTRACTION";

line 20, strike "underground and in situ mining." and substitute "underground and SURFACE MINING, in situ mining, AND IN SITU LEACH MINING.".

Page 4 of the committee report, strike line 9 and substitute the following: "A BASELINE SITE CHARACTERIZATION AND A PLAN FOR ONGOING";

line 11, after the period, insert "PRIOR TO SUBMITTING AN APPLICATION, THE PROSPECTIVE APPLICANT SHALL CONFER WITH THE OFFICE CONCERNING THE BASELINE CHARACTERIZATION AND PLAN FOR ONGOING MONITORING OF THE AFFECTED LAND AND AFFECTED SURFACE AND GROUND WATER.";

line 15, after the first "APPLICANT", insert "OR PROSPECTIVE APPLICANT" and, after "THE", insert "PROSPECTIVE";

line 16, after the second "THE", insert "BOARD OR THE OFFICE AND THE";

line 19, after "THE", insert "PROSPECTIVE";

line 20, after "THE", insert "PROSPECTIVE";

line 21, after the first "THE", insert "PROSPECTIVE";

line 23, after the first "THE", insert "PROSPECTIVE";

line 24, strike "IS" and substitute "WILL BE";

line 26, after "THE", insert "PROSPECTIVE";

line 28, strike "THE APPLICANT" and substitute "PRIOR TO SUBMITTING AN APPLICATION, A PROSPECTIVE APPLICANT FOR IN SITU LEACH MINING".

Page 5 of the committee report, line 2, strike "RESTORATION" and substitute "RECLAMATION";

line 4, strike "PLAN," and substitute "PLAN FOR IN SITU LEACH MINING,";

line 6, strike "RECORD." and substitute "RECORD REGARDLESS OF WHETHER SUCH ACTIVITIES ARE CONDUCTED PURSUANT TO A NOTICE OF INTENT TO CONDUCT PROSPECTING OPERATIONS UNDER SECTION 34-32-113.".

Page 6 of the committee report, line 14, strike "RESTORE" and substitute "RECLAIM";

strike lines 15 through 19 and substitute the following:

"WATER FOR ALL WATER QUALITY PARAMETERS TO EITHER OF THE FOLLOWING:

(I) PREMINING BASELINE WATER QUALITY OR BETTER, AS ESTABLISHED BY THE BASELINE SITE CHARACTERIZATION CONDUCTED PURSUANT TO SECTION 34-32-112.5 (5); OR

(II) THAT QUALITY WHICH MEETS THE STATEWIDE RADIOACTIVE MATERIALS STANDARDS AND THE MOST STRINGENT CRITERIA SET FORTH IN".

Page 8 of the committee report, line 28, strike "RESTORE" and substitute "RECLAIM";

strike lines 30 through 33 and substitute the following:

"EITHER OF THE FOLLOWING:

(I) PREMINING BASELINE WATER QUALITY OR BETTER AS ESTABLISHED BY THE BASELINE SITE CHARACTERIZATION CONDUCTED PURSUANT TO SECTION 34-32-112.5 (5); OR

(II) THAT QUALITY WHICH MEETS THE STATEWIDE RADIOACTIVE MATERIALS STANDARDS AND THE MOST STRINGENT CRITERIA";

line 37, strike "RESTORATION" and substitute "RECLAMATION".

Page 9 of the committee report, strike lines 24 and 25 and substitute the following:
"applications currently filed or filed on or after the effective date of this act and to mining operations currently permitted or permitted on or after the effective date of this act.".

<u>Amendment No. 4</u>, by Representative Kefalas.

Amend, Amendment No. 3 by Representative Kefalas, printed in House Journal, March 28 page 1035, strike line 24, and substitute the following:

"underground ~~and~~ MINING, in situ mining, AND IN SITU LEACH".

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

On motion of Representative Carroll T, the remainder of the General Orders Calendar (**HB08-1345, SB08-027, HB08-1358, 1084, SB08-019, 088, 159, 128, 151, 129, 150**) was laid over until March 31, retaining place on Calendar.

AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT

Representatives McNulty and Sonnenberg moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in referring HB08-1278 to the Appropriations Committee to show that **HB08-1278** was laid over until March 31, 2008.

The amendment was declared **lost** by the following roll call vote:

YES	28	NO	35	EXCUSED	02	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	N	Riesberg	N
Benefield	N	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	N	Green	Y	Marshall	N	Rose	Y
Bruce	Y	Hodge	N	Massey	Y	Scanlan	N
Buescher	N	Jahn	N	May	Y	Solano	N
Butcher	N	Judd	N	McFadyen	N	Sonnenberg	Y
Carroll M	N	Kefalas	N	McGihon	N	Soper	N
Carroll T	N	Kerr A	N	McKinley	Y	Stafford	N
Casso	N	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	N	King	Y	Merrifield	N	Summers	Y
Ferrandino	N	Labuda	Y	Middleton	E	Swalm	Y
Fischer	N	Lambert	Y	Mitchell	Y	Todd	N
Frangas	N	Levy	N	Peniston	N	Vaad	Y
Gagliardi	N	Liston	Y	Pommer	N	Weissmann	N
Gallegos	E	Looper	Y	Primavera	N	White	Y
Gardner B	Y	Lundberg	Y	Rice	N	Witwer	Y
						Speaker	N

Representative McNulty moved to amend the Report of the Committee of the Whole to reverse the action taken by the Committee in adopting Amendment No.3, by Representative Kefalas (printed in House Journal March 28, page 1035, lines 13 through 56 and page 1036, lines 4 through 44) to HB08-1161, to show that said amendment lost; to reverse the action taken by the Committee in not adopting the following McNulty amendment, to HB08-1161, to show that said amendment passed, and that **HB08-1161**, as amended, passed.

Amend the Agriculture, Livestock, and Natural Resources Committee Report, dated February 20, 2008, page 1, strike lines 3 through 6 and substitute the following:

"**SECTION 1.** 34-32-103, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:";

strike lines 9 through 18.

Page 2, strike lines 1 through 7;

strike lines 14 through 35.

Strike pages 3 through 8.

Page 9, strike lines 1 through 22 and substitute the following:

"**SECTION 2.** 34-32-112, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

34-32-112. Application for reclamation permit - changes in permits - fees - notice - moratorium - report. (11) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, THE BOARD SHALL NOT ISSUE PERMITS FOR IN SITU LEACH MINING UNTIL MARCH 1, 2009. THE BOARD SHALL REPORT TO THE GENERAL ASSEMBLY BY JANUARY 1, 2009, REGARDING LEGISLATIVE OR REGULATORY CHANGES, IF ANY, THAT ARE NEEDED TO PROTECT PUBLIC HEALTH, EFFECTIVELY RECLAIM AFFECTED LAND, AND PROTECT EXISTING USES OF AFFECTED GROUND WATER FROM IN SITU LEACH MINING OPERATIONS.".

Renumber succeeding sections accordingly.

The amendment was declared **lost** by the following roll call vote:

YES	24	NO	39	EXCUSED	02	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	N	Riesberg	N
Benefield	N	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	N	Green	N	Marshall	N	Rose	Y
Bruce	Y	Hodge	N	Massey	Y	Scanlan	N
Buescher	N	Jahn	N	May	N	Solano	N
Butcher	N	Judd	N	McFadyen	N	Sonnenberg	Y
Carroll M	N	Kefalas	N	McGihon	N	Soper	N
Carroll T	N	Kerr A	N	McKinley	N	Stafford	N
Casso	N	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	N	King	Y	Merrifield	N	Summers	Y
Ferrandino	N	Labuda	N	Middleton	E	Swalm	Y
Fischer	N	Lambert	Y	Mitchell	Y	Todd	N
Frangas	N	Levy	N	Peniston	N	Vaad	Y
Gagliardi	N	Liston	Y	Pommer	N	Weissmann	N
Gallegos	E	Looper	Y	Primavera	N	White	Y
Gardner B	Y	Lundberg	Y	Rice	N	Witwer	Y
						Speaker	N

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

Passed Second Reading: **HB08-1123 amended, 1161 amended**.

Laid over until date indicated retaining place on Calendar: **HCR08-1001, HB08-1182, SB08-102, 089, HB08-1345, SB08-027, HB08-1358, 1084, SB08-019, 088, 159, 128, 151, HB08-1357, SB08-129, 150**--March 31, 2008.

Rereferred to Committee indicated: **HB08-1278**--Appropriations.

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

YES	63	NO	00	EXCUSED	02	ABSENT	00
Balmer	Y	Gardner C	Y	Madden	Y	Riesberg	Y
Benefield	Y	Garza-Hicks	Y	Marostica	Y	Roberts	Y
Borodkin	Y	Green	Y	Marshall	Y	Rose	Y
Bruce	Y	Hodge	Y	Massey	Y	Scanlan	Y
Buescher	Y	Jahn	Y	May	Y	Solano	Y
Butcher	Y	Judd	Y	McFadyen	Y	Sonnenberg	Y
Carroll M	Y	Kefalas	Y	McGihon	Y	Soper	Y
Carroll T	Y	Kerr A	Y	McKinley	Y	Stafford	Y
Casso	Y	Kerr J	Y	McNulty	Y	Stephens	Y
Curry	Y	King	Y	Merrifield	Y	Summers	Y
Ferrandino	Y	Labuda	Y	Middleton	E	Swalm	Y
Fischer	Y	Lambert	Y	Mitchell	Y	Todd	Y
Frangas	Y	Levy	Y	Peniston	Y	Vaad	Y
Gagliardi	Y	Liston	Y	Pommer	Y	Weissmann	Y
Gallegos	E	Looper	Y	Primavera	Y	White	Y
Gardner B	Y	Lundberg	Y	Rice	Y	Witwer	Y
						Speaker	Y

House in recess. House reconvened.

REPORTS OF COMMITTEE OF REFERENCE

STATE, VETERANS, & MILITARY AFFAIRS

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

HB08-1364 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 4, strike lines 15 through 18;

line 20, strike "JULY" and substitute "SEPTEMBER".

Page 5, strike lines 6 through 19.

Renumber succeeding C.R.S. sections accordingly.

Page 7, after line 7, insert the following:

"(4) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE INTERDEPARTMENTAL DATA PROTOCOL SHALL NOT NULLIFY ANY MEMORANDA OF UNDERSTANDING EXISTING AS OF JANUARY 1, 2008, BETWEEN OR AMONG STATE AGENCIES CONCERNING DATA SHARING OR ANY OTHER DATA SHARING PRACTICES EXISTING BETWEEN OR AMONG STATE AGENCIES AS OF JANUARY 1, 2008.

(5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, THE INTERDEPARTMENTAL DATA PROTOCOL SHALL NOT PROHIBIT THE RELEASE TO OR SHARING OF DATA WITH NONGOVERNMENTAL ENTITIES OR INDIVIDUALS IF THE RELEASE OR SHARING IS OTHERWISE REQUIRED, PERMITTED, OR ALLOWED BY THE

PROVISIONS OF PART 2 OF ARTICLE 72 OF THIS TITLE OR OTHER STATE OR FEDERAL LAW, OR IF THE RELEASE OR SHARING OCCURS PURSUANT TO CONTRACT OR OTHER AGREEMENT WITH A STATE AGENCY.";

line 19, strike "**evaluation of**";

line 20, strike "**resources - report.** (1)" and substitute "**report.**";

strike lines 23 through 27 and substitute the following:

"ANY SUCCESSOR COMMITTEES, A REPORT ON OR BEFORE MARCH 1, 2009, CONCERNING DEVELOPMENT AND IMPLEMENTATION OF THE INTERDEPARTMENTAL DATA PROTOCOL.".

Page 8, strike lines 1 through 3.

Page 10, line 17, strike "FACILITY" and substitute "PROGRAM".

Page 11, line 1, strike "FACILITY" and substitute "PROGRAM";

strike lines 8 through 10 and substitute the following:

"**SECTION 7. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 6, 2008, if adjournment sine die is on May 7, 2008); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.".

HB08-1371 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 2, strike lines 20 through 25.

Page 3, strike lines 1 through 3, and substitute the following:

"**SECTION 3.** Section 1 of House Bill 08-1361, enacted at the Second Regular Session of the Sixty-sixth General Assembly, is amended to read:

Section 1. **Appropriation.** In addition to any other appropriation, there is hereby appropriated, to the legislative department of the state of Colorado, the sum of thirty-three million one hundred eighty-eight thousand nine hundred fifty-eight dollars ($33,188,958), or so much thereof as may be necessary, of which amount thirty-two million two hundred eleven thousand nine hundred twenty-eight dollars ($32,211,928) shall be out of any moneys in the general fund not otherwise appropriated, one hundred seventy-seven thousand thirty dollars ($177,030) shall be from cash funds, and eight hundred thousand dollars ($800,000) shall be from reappropriated funds, for payment of the expenses of the legislative

department for the fiscal year beginning July 1, 2008, to be allocated as follows:

House of representatives and senate	~~$ 12,992,311~~ ~~1/~~ $ 12,970,487 1/ (76.75 FTE)
State auditor	7,902,919 2/ (73.0 FTE)
Joint budget committee	1,492,526 (16.0 FTE)
Legislative council	~~5,077,695~~ 5,099,519 (55.2 FTE)
Committee on legal services	5,240,064 3/ (56.1 FTE)
PERA Amortization Equalization Disbursement	332,921
PERA Supplemental Amortization Equalization Disbursement	150,522
Total legislative department	$33,188,958

1/ Of this amount, $90,000 is appropriated out of cash funds generated by the sale of bill boxes and legislative directories, $3,816 is appropriated out of cash funds in the methamphetamine abuse prevention, intervention, and treatment cash fund created in section 18-18.5-105 (1) (a), Colorado Revised Statutes, and ~~$12,898,495~~ $12,876,671 is appropriated out of the general fund.

2/ Of this amount, $7,019,705 is appropriated out of the general fund, $800,000 is appropriated out of reappropriated funds received from various departments for audits, and $83,214 is appropriated out of cash funds received pursuant to section 2-3-113 (7), Colorado Revised Statutes.

3/ In addition, it is anticipated that, during the 2008-09 fiscal year, the tax levy on civil actions provided for in section 2-5-119, Colorado Revised Statutes, will return approximately $330,000 to the general fund to offset expenses of the revision of statutes by the office of legislative legal services.

SECTION 4. Effective date. (1) Except as otherwise provided in subsection (2) of this section, this act shall take effect upon passage.

(2) Section 3 of this act shall take effect only if the director of research of the legislative council files written notice with the staff director of the joint budget committee and the state controller no later than October 1, 2008, that the legislative council print shop is the successful bidder for legislative printing as authorized in this act.".

Renumber succeeding section accordingly.

Page 1, strike lines 103 and 104, and substitute the following:

"**PRINTING, AND PROVIDING FOR THE FUNDING THEREOF.**".

PRINTING REPORT

The Chief Clerk reports the following bill has been correctly printed: **HB08-1379**.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HB08-1073, 1196, 1252, 1361**.

DELIVERY OF BILLS TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bills have been delivered to the Office of the Governor: **HB08-1209, 1276, 1361** at 9:34 a.m. on March 28, 2008.

MESSAGES FROM THE SENATE

The Senate has adopted and returns herewith: HJR08-1017.

The Senate has passed on Third Reading and returns herewith HB08-1128, HB08-1229, HB08-1116, HB08-1363.

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

HB08-1265 amended as printed in Senate Journal, March 26, 2008, page 685,
HB08-1135 amended as printed in Senate Journal, March 26, 2008, pages 685-686,
HB08-1173 amended as printed in Senate Journal, March 26, 2008, page 686, and on Third Reading, March 28, 2008, 2008, as printed in Senate Journal,
HB08-1180 amended as printed in Senate Journal, March 26, 2008, page 686,
HB08-1236 amended as printed in Senate Journal, March 26, 2008, page 686.

The Senate has laid HB08-1259 over to May 10th, 2008. The bill is returned herewith.

The Senate voted to dissolve the First Conference Committee on SB08-036 and to adhere to its position on SB08-036.

The Senate voted to concur in House amendments to SB08-059, SB08-122, SB08-022, SB08-032, and repassed the bills as amended.

MESSAGE FROM THE REVISOR

We herewith transmit:
Without comment, as amended, HB08-1135, 1173, 1180, 1236, and 1265.

MESSAGE FROM THE GOVERNOR

I certify I received the following on the 27th day of March, 2008, at 3:07 p.m. The original is on file in the records of the House of Representatives of the General Assembly.

Marilyn Eddins,
Chief Clerk of the House

March 26, 2008

To the Honorable
House of Representatives
Sixty-sixth General Assembly
Second Regular Session
Denver, CO 80203

Ladies and Gentlemen:

I have the honor to inform you that I have approved and filed with the Secretary of State the following act:

HB08-1014 CONCERNING A REQUIREMENT TO TRANSFER A WELL PERMIT UPON CONVEYANCE OF RESIDENTIAL REAL PROPERTY.

Approved March 26, 2008 at 3:10 p.m.

HB08-1098 CONCERNING THE REPEAL OF FEES IMPOSED ON THE AUTHORIZATION TO USE PARKING PRIVILEGES OF PERSONS WITH DISABILITIES.

Approved March 26, 2008 at 3:11 p.m.

HB08-1160 CONCERNING NET METERING FOR CUSTOMER-GENERATORS OF ELECTRIC UTILITIES.

Approved March 26, 2008 at 2:55 p.m.

HB08-1174 CONCERNING THE ENACTMENT OF THE "UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT".

Approved March 26, 2008 at 3:12 p.m.

HB08-1185 CONCERNING THE MANDATORY STERILIZATION OF SPECIFIED PET ANIMALS RELEASED TO PROSPECTIVE OWNERS FROM CERTAIN PET ANIMAL FACILITIES.

Approved March 26, 2008 at 3:13 p.m.

HB08-1201 CONCERNING ADMINISTRATIVE POWERS FOR PROGRAMS PROVIDING FINANCIAL SUPPORT TO STUDENTS.

Approved March 26, 2008 at 3:14 p.m.

HB08-1213 CONCERNING THE CONTINUATION OF THE REGULATION OF INSURANCE PRODUCERS BY THE DIVISION OF INSURANCE, AND, IN CONNECTION THEREWITH, CONTINUING THE FUNCTIONS OF THE DIVISION OF INSURANCE RELATED TO THE LICENSING OF INSURANCE PRODUCERS UNTIL JULY 1, 2019; ALLOWING INSURANCE PRODUCERS TO OBTAIN NEW CROP HAIL LINES OF AUTHORITY; ELIMINATING THE REQUIREMENT THAT THE COMMISSIONER OF INSURANCE REJECT THE REGISTRATION OF ANY INSURANCE PRODUCER WHOSE NAME IS SIMILAR TO THAT OF ANOTHER REGISTERED INSURANCE PRODUCER; AND PRECLUDING AN INSURANCE PRODUCER WHOSE LICENSE HAS BEEN REVOKED OR SURRENDERED TO AVOID DISCIPLINE FROM APPLYING FOR A NEW LICENSE FOR TWO YEARS AFTER THE REVOCATION OR SURRENDER.

Approved March 26, 2008 at 3:16 p.m.

HB08-1215 CONCERNING CONTINUATION OF THE AUTHORITY OF MUNICIPALITIES TO CONTRACT WITH COMMUNITY HEALTH CARE PROVIDERS.

Approved March 26, 2008 at 3:17 p.m.

HB08-1247 CONCERNING PROCEDURES FOR THE DETERMINATION OF WHETHER A SEX OFFENDER IS A SEXUALLY VIOLENT PREDATOR.

Approved March 26, 2008 at 3:18 p.m.

HB08-1305 CONCERNING THE TRANSFER OF THE RESPONSIBILITIES FOR THE ADMINISTRATION OF THE ENTERPRISE ZONE PROGRAM FROM THE DEPARTMENT OF LOCAL AFFAIRS TO THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT.

Approved March 26, 2008 at 3:22 p.m.

HB08-1307 CONCERNING INTERIM ASSISTANCE FOR EXPENSES INCURRED BY A PERSON SEEKING SUPPLEMENTAL SECURITY INCOME BENEFITS.

Approved March 26, 2008 at 3:23 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

INTRODUCTION OF BILLS
First Reading

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

HB08-1380 by Representative(s) Jahn, Rice, Massey, Liston, Buescher, Carroll T., Casso, Frangas, Gagliardi, Gardner B., Gardner C., Kerr J., Labuda, Marostica, Marshall, McFadyen, McNulty, Riesberg, Romanoff, Scanlan, Stafford, Todd; also Senator(s) Shaffer, Boyd, Kester, McElhany, Tapia--Concerning the method for attributing net income to Colorado for purposes of calculating the state income tax.
Committee on Finance

HB08-1381 by Representative(s) Frangas, Casso--Concerning measures to prevent the loss of a mortgagor's equity in real property used as collateral for a loan.
Committee on Business Affairs and Labor

HB08-1382 by Representative(s) Carroll T.; also Senator(s) Shaffer--Concerning criminal procedural matters.
Committee on Judiciary

INTRODUCTION OF RESOLUTION

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

HJR08-1019 by Representative(s) Kefalas, Carroll T., Butcher, Casso, Ferrandino, Fischer, Frangas, Gagliardi, Gallegos, Green, Benefield, Borodkin, Carroll M., Hodge, Jahn, Levy, Madden, Marshall, McGihon, McKinley, Merrifield, Peniston, Riesberg, Solano, Soper, Todd, Weissmann; also Senator(s) Sandoval--Concerning recognition of "César Chávez Day".

LAY OVER OF CALENDAR ITEMS

On motion of Representative Ferrandino, the following items on the Calendar were laid over until March 31, retaining place on Calendar:

Consideration of Conference Committee Report--**SB08-138**.
Consideration of Resolutions--**HJR08-1014, SJR08-014, HR08-1007, HJR08-1016, SJR08-015, HJR08-1018**.
Consideration of Memorial--**SJM08-001**.
Consideration of Senate Amendments---**HB08-1334, 1336, 1221, 1159, 1203, 1019, 1104, 1003, 1228, 1207, 1280, 1186**.

On motion of Representative Ferrandino, the House adjourned until 10:00 a.m., March 31, 2008.

Approved:
ANDREW ROMANOFF,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk