

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

Twenty-seventh Legislative Day

Monday, February 2, 2009

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
 2
 3 The Speaker *Pro Tempore* called the House to order at 10:00 a.m.
 4
 5 Pledge of Allegiance led by Aeris Finger and Jessika Petsch, Kendrick
 6 Lakes Elementary, Lakewood.
 7
 8 The roll was called with the following result:
 9
 10 Present--63.
 11 Excused--Representatives T. Carroll, King--2.

12
 13 The Speaker declared a quorum present.

14 _____
 15
 16 On motion of Representative Bradford, the reading of the journal of
 17 January 30, 2009, was declared dispensed with and approved as corrected
 18 by the Chief Clerk.
 19 _____
 20
 21

THIRD READING OF BILLS--FINAL PASSAGE

22
 23
 24 The following bills were considered on Third Reading. The titles were
 25 publicly read. Reading of the bill at length was dispensed with by
 26 unanimous consent.

27
 28 **HB09-1025** by Representative(s) Riesberg, Frangas, Green, Massey;
 29 also Senator(s) Boyd, Kopp, Morse--Concerning
 30 requirements for individuals who collect data on hospital-
 31 acquired infection rates.
 32

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

37
 38

	YES	62	NO	0	EXCUSED	2	ABSENT	1
39	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
41	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	-
43	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y

1	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
2	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
3	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
4	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
5	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
6	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
7	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
8	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
9	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
10	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
11	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
12							Speaker	E

13 Co-sponsor(s) added: Representative(s) Acree, Curry, Gerou, Kefalas, Kerr J.,
14 Labuda, Lambert, McGihon, Nikkel, Priola, Swalm, Todd

15
16 **HB09-1037** by Representative(s) Tipton; also Senator(s) Isgar--
17 Concerning the reclassification of Montrose county for
18 county court purposes.

19
20 The question being "Shall the bill pass?".

21 A roll call vote was taken. As shown by the following recorded vote, a
22 majority of those elected to the House voted in the affirmative and the bill
23 was declared **passed**.

24	YES	62	NO	1	EXCUSED	2	ABSENT	0
25								
26	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
27	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
28	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
29	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
30	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
31	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
32	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
33	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
34	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
35	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
36	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
37	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
38	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
39	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
40	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
41	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
42							Speaker	E

43 Co-sponsor(s) added: Representative(s) Balmer, Bradford, Gardner B., Gerou,
44 McNulty, Pace, Priola, Roberts, Waller

45
46 **HB09-1044** by Representative(s) Roberts; also Senator(s) Morse--
47 Concerning expungement of records relating to a criminal
48 matter for which a juvenile is sentenced as a juvenile after
49 being charged by the direct filing of charges in a district
50 court.

51
52 The question being "Shall the bill pass?".

53 A roll call vote was taken. As shown by the following recorded vote, a
54 majority of those elected to the House voted in the affirmative and the bill
55 was declared **passed**.

56

	YES	58	NO	5	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
16	Gardner C.	N	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Apuan, Court, Curry, Ferrandino,
20 Gardner B., Green, Kerr A., Labuda, Levy, Looper, McFadyen, McGihon,
21 Middleton, Pace, Priola, Ryden, Schafer S., Solano, Stephens, Todd, Waller

22
23 **HB09-1122** by Representative(s) Roberts, Levy, Merrifield; also
24 Senator(s) Morse--Concerning increasing the age of
25 persons eligible for sentencing to the youthful offender
26 system.

27
28 The question being "Shall the bill pass?".
29 A roll call vote was taken. As shown by the following recorded vote, a
30 majority of those elected to the House voted in the affirmative and the bill
31 was declared **passed**.

	YES	58	NO	5	EXCUSED	2	ABSENT	0
34	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
35	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
36	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
37	Baumgardner	Y	Kefalas	Y	McNulty	N	Schafer S.	Y
38	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
39	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
40	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
41	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
42	Curry	Y	Lambert	N	Nikkel	Y	Summers	N
43	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
44	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
45	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
46	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
47	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
48	Gardner C.	N	May	Y	Rice	Y	Waller	Y
49	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
50							Speaker	E

51 Co-sponsor(s) added: Representative(s) Apuan, Court, Curry, Ferrandino,
52 Fischer, Green, Kerr A., Labuda, Massey, McGihon, Nikkel, Pace, Priola,
53 Ryden, Solano, Tipton, Todd, Waller

54
55

1 **HB09-1034** by Representative(s) Liston; also Senator(s) Gibbs--
 2 Concerning authorization for a regional transportation
 3 authority to impose property tax.
 4

5 The question being "Shall the bill pass?".
 6 A roll call vote was taken. As shown by the following recorded vote, a
 7 majority of those elected to the House voted in the affirmative and the bill
 8 was declared **passed**.
 9

	YES	52	NO	11	EXCUSED	2	ABSENT	0
11	Acree	N	Green	N	McFadyen	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
14	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
15	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
16	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
17	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
18	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
19	Curry	Y	Lambert	N	Nikkel	N	Summers	N
20	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
21	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
23	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
25	Gardner C.	N	May	Y	Rice	Y	Waller	Y
26	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
27							Speaker	E

28 Co-sponsor(s) added: Representative(s) Fischer, Frangas, May, Ryden,
 29 Stephens
 30

31
 32 **HB09-1089** by Representative(s) Primavera; also Senator(s) Spence--
 33 Concerning the filing requirements for liens that secure a
 34 debt upon a vehicle.
 35

36 The question being "Shall the bill pass?".
 37 A roll call vote was taken. As shown by the following recorded vote, a
 38 majority of those elected to the House voted in the affirmative and the bill
 39 was declared **passed**.
 40

	YES	63	NO	0	EXCUSED	2	ABSENT	0
42	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
43	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
44	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
45	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
46	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
47	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
48	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
49	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
50	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
51	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
52	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
53	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
54	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
55	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
56	Gardner C.	Y	May	Y	Rice	Y	Waller	Y

1	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
2							Speaker	E

3 Co-sponsor(s) added: Representative(s) Fischer, McFadyen, Merrifield, Priola

4
 5 **HB09-1012** by Representative(s) Rice and Stephens, Curry, Massey,
 6 Swalm; also Senator(s) Mitchell and Newell--Concerning
 7 incentives provided by health insurance carriers to
 8 encourage voluntary participation in programs to promote
 9 health.

10
 11 The question being "Shall the bill pass?".
 12 A roll call vote was taken. As shown by the following recorded vote, a
 13 majority of those elected to the House voted in the affirmative and the bill
 14 was declared **passed**.

16	YES	63	NO	0	EXCUSED	2	ABSENT	0
17	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
19	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
20	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
21	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
22	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
23	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
24	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
25	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
26	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
27	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
28	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
29	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
30	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
31	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
32	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
33							Speaker	E

34 Co-sponsor(s) added: Representative(s) Apuan, Bradford, Court, Fischer,
 35 Frangas, Gardner B., Gardner C., Hullinghorst, Kerr A., Labuda, Lambert,
 36 Looper, May, McCann, McGihon, Nikkel, Pace, Priola, Riesberg, Roberts,
 37 Ryden, Schafer S., Solano, Summers, Todd

38
 39 **HB09-1102** by Representative(s) Acree, Kerr J., Ryden; also Senator(s)
 40 Scheffel, Newell--Concerning the study of the portability
 41 of health insurance after a policyholder is separated from
 42 employment.

43
 44 The question being "Shall the bill pass?".
 45 A roll call vote was taken. As shown by the following recorded vote, a
 46 majority of those elected to the House voted in the affirmative and the bill
 47 was declared **passed**.

49	YES	63	NO	0	EXCUSED	2	ABSENT	0
50	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
56	Casso	Y	King S.	E	Miklosi	Y	Soper	Y

1	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
2	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
3	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
4	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
5	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
6	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
7	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
8	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
9	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
10							Speaker	E

11 Co-sponsor(s) added: Representative(s) Apuan, Bradford, Court, Frangas,
 12 Gagliardi, Gardner B., Gardner C., Gerou, Green, Hullinghorst, Kerr A.,
 13 Labuda, Looper, Marostica, May, McGihon, Middleton, Nikkel, Pommer,
 14 Primavera, Riesberg, Schafer S., Solano, Summers, Swalm, Tipton, Todd

15
 16
 17
 18 On motion of Representative Riesberg, the House resolved itself into
 19 Committee of the Whole for consideration of General Orders, and he was
 20 called to the Chair to act as Chairman.

21 22 23 24 **GENERAL ORDERS--SECOND READING OF BILLS**

25
 26 The Committee of the Whole having risen, the Chairman reported the
 27 titles of the following bills had been read (reading at length had been
 28 dispensed with by unanimous consent), the bills considered and action
 29 taken thereon as follows:

30
 31 (Amendments to the committee amendment are to the printed committee
 32 report which was printed and placed in the members' bill file.)

33
 34 **HB09-1019** by Representative(s) Peniston; also Senator(s) Foster--
 35 Concerning cat identification.

36
 37 Laid over until February 6, retaining place on Calendar.

38
 39 **HB09-1018** by Representative(s) Bradford--Concerning the removal of
 40 obsolete language in statutory provisions implementing the
 41 statewide voter registration and election system for
 42 purposes of compliance with the federal "Help America
 43 Vote Act" .

44
 45 Laid over until February 3, retaining place on Calendar.

46
 47 **HB09-1078** by Representative(s) Ryden; also Senator(s) Hodge--
 48 Concerning training for foster parents in regard to
 49 individualized education programs.

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

53
 54 **HB09-1082** by Representative(s) Peniston; also Senator(s) Tochtrop--
 55 Concerning recording of public meetings of school district
 56 boards of education.

- 1 Amendment No. 1, Education Report, dated January 26, 2009, and placed
2 in member's bill file; Report also printed in House Journal, January 27,
3 page 135.
4
- 5 As amended, ordered engrossed and placed on the Calendar for Third
6 Reading and Final Passage.
7
- 8 **HB09-1099** by Representative(s) Roberts and Kerr A., Massey,
9 Merrifield; also Senator(s) Penry and Romer--Concerning
10 the Colorado youth advisory council.
11
- 12 Ordered engrossed and placed on the Calendar for Third Reading and
13 Final Passage.
14
- 15 **HB09-1161** by Representative(s) Baumgardner, Bradford, Gardner C.,
16 King S., Looper, May, McNulty, Murray, Tipton; also
17 Senator(s) Gibbs, White--Concerning a reduction in the
18 time to provide written documentation supporting an oil
19 and gas valuation statement.
20
- 21 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,
22 dated January 27, 2009, and placed in member's bill file; Report also
23 printed in House Journal, January 28, page 149.
24
- 25 As amended, ordered engrossed and placed on the Calendar for Third
26 Reading and Final Passage.
27
- 28 **HB09-1052** by Representative(s) Waller; also Senator(s) Heath--
29 Concerning limitations on the solicitation of donated items
30 that will be sold for profit.
31
- 32 Amendment No. 1, Business Affairs & Labor Report, dated
33 January 27, 2009, and placed in member's bill file; Report also printed in
34 House Journal, January 28, page 149.
35
- 36 As amended, ordered engrossed and placed on the Calendar for Third
37 Reading and Final Passage.
38
- 39 **HB09-1091** by Representative(s) Soper and Court, McGihon,
40 Merrifield, Todd; also Senator(s) Romer, Schwartz--
41 Concerning a requirement that carbon monoxide alarms be
42 installed in residential properties.
43
- 44 Amendment No. 1, Business Affairs & Labor Report, dated
45 January 27, 2009, and placed in member's bill file; Report also printed in
46 House Journal, January 28, pages 151-153.
47
- 48 As amended, ordered engrossed and placed on the Calendar for Third
49 Reading and Final Passage.
50
- 51
- 52 **HB09-1101** by Representative(s) Benefield, Todd, Apuan, Ferrandino,
53 Kefalas, Merrifield, Murray, Stephens; also Senator(s)
54 Veiga, Hudak--Concerning the administration of sales tax
55 collections by the department of revenue.
56

1 Amendment No. 1, Finance Report, dated January 27, 2009, and placed
2 in member's bill file; Report also printed in House Journal, January 28,
3 pages 155-156.

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

7
8 **HB09-1007** by Representative(s) Frangas, Hullinghorst; also
9 Senator(s) Newell, Boyd--Concerning improving child
10 protection efforts by adding domestic violence experts to
11 interagency oversight groups in the collaborative
12 management program.

13
14 Ordered engrossed and placed on the Calendar for Third Reading and
15 Final Passage.

16
17 **HB09-1056** by Representative(s) McCann; also Senator(s) Kopp--
18 Concerning increased penalty authority for the department
19 of public health and environment for violations of solid
20 waste disposal laws.

21
22 Ordered engrossed and placed on the Calendar for Third Reading and
23 Final Passage.

24
25 **HB09-1116** by Representative(s) Frangas, Ferrandino, Kefalas, Pace,
26 Pommer, Primavera, Schafer S.; also Senator(s) Hudak,
27 Bacon, Hodge, Sandoval, Tapia, Tochtrop, Williams--
28 Concerning the inclusion of general fund moneys in the
29 children's dental plan cash fund for the children's dental
30 assistance program.

31
32 Referred to the Committee on Appropriations.

33
34 **HB09-1005** by Representative(s) Marostica; also Senator(s) Veiga,
35 White--Concerning the authority of a special district to
36 establish special improvement districts within the
37 boundaries of the special district.

38
39 Ordered engrossed and placed on the Calendar for Third Reading and
40 Final Passage.

41
42 **HB09-1079** by Representative(s) Vaad, Marostica--Concerning
43 annexing adjacent municipalities to existing junior college
44 districts.

45
46 Amendment No. 1, Local Government Report, dated January 27, 2009,
47 and placed in member's bill file; Report also printed in House Journal,
48 January 28, pages 157-158.

49
50 As amended, ordered engrossed and placed on the Calendar for Third
51 Reading and Final Passage.

52
53 **HB09-1148** by Representative(s) Schafer S.; also Senator(s) Schwartz-
54 -Concerning the authority of the department of revenue to
55 provide information about severance tax taxpayers to the
56 department of local affairs.

1 Amendment No. 1, Local Government Report, dated January 27, 2009,
2 and placed in member's bill file; Report also printed in House Journal,
3 January 28, page 158.

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

7
8 **HB09-1045** by Representative(s) Casso; also Senator(s) Gibbs--
9 Concerning recognition of September 11 as an optional
10 state holiday.

11
12 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
13 January 27, 2009, and placed in member's bill file; Report also printed in
14 House Journal, January 28, page 158.

15
16 As amended, ordered engrossed and placed on the Calendar for Third
17 Reading and Final Passage.

18
19 **HB09-1041** by Representative(s) Gerou; also Senator(s) Gibbs--
20 Concerning a fire protection district board's authority to fix
21 fees for emergency medical services.

22
23 Ordered engrossed and placed on the Calendar for Third Reading and
24 Final Passage.

25
26 **HB09-1083** by Representative(s) McFadyen, Pace; also Senator(s)
27 Tapia, Penry--Concerning the authority of the state to enter
28 into lease-purchase agreements for commercial space for
29 the department of personnel in Pueblo county, Colorado.

30
31 Ordered engrossed and placed on the Calendar for Third Reading and
32 Final Passage.

33
34 **HB09-1088** by Representative(s) Balmer, Benefield, Looper, Todd;
35 also Senator(s) Newell--Concerning certification of public
36 benefit nonprofit entities as local public procurement
37 units.

38
39 Laid over until February 4, retaining place on Calendar.

40
41 **HB09-1024** by Representative(s) McNulty, Kerr J., Primavera; also
42 Senator(s) Tochtrop, Isgar, Schultheis--Concerning the
43 application of specified audit reporting requirements
44 within the Colorado local government audit law to certain
45 entities that are otherwise not required to comply with the
46 requirements.

47
48 Amendment No. 1, Local Government Report, dated January 27, 2009,
49 and placed in member's bill file; Report also printed in House Journal,
50 January 28, page 157.

51
52 As amended, ordered engrossed and placed on the Calendar for Third
53 Reading and Final Passage.

54
55
56

1 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

2

3 Representative Balmer and Nikkel moved to amend the Report of the
4 Committee of the Whole to reverse the action taken by the Committee in
5 not adopting the following Balmer and Nikkel amendment, to
6 **HB09-1091**, to show that said amendment passed, and that HB09-1091,
7 as amended, passed.

8

9 Amend printed bill, page 8, after line 4, insert the following:

10

11 **"38-45-105. Carbon monoxide alarms in state residential**
12 **properties.** ON AND AFTER JULY 1, 2010, ALL DORMITORIES, LIVING
13 HALLS, OR APARTMENTS OF A STATE COLLEGE OR UNIVERSITY AS DEFINED
14 IN SECTION 23-2-102 (5), C.R.S., SHALL HAVE A CARBON MONOXIDE
15 ALARM INSTALLED WITHIN TEN FEET OF THE ENTRANCE TO EACH ROOM
16 LAWFULLY USED FOR SLEEPING PURPOSES OR IN A LOCATION AS SPECIFIED
17 IN ANY BUILDING CODE ADOPTED BY THE STATE OR ANY LOCAL
18 GOVERNMENT ENTITY. SUCH CARBON MONOXIDE ALARMS SHALL BE
19 MAINTAINED BY THE STATE COLLEGE OR UNIVERSITY IN ACCORDANCE
20 WITH THE MANUFACTURER'S PUBLISHED INSTRUCTIONS."

21

22 Renumber succeeding C.R.S. sections accordingly.

23

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

25

	YES	26	NO	36	EXCUSED	3	ABSENT	0
27	Acree	Y	Green	N	McFadyen	N	Roberts	Y
28	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
29	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
30	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
31	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
32	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
33	Casso	N	King S.	E	Miklosi	N	Soper	N
34	Court	N	Labuda	N	Murray	Y	Stephens	Y
35	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
36	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
37	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
38	Frangas	N	Looper	Y	Pommer	N	Todd	N
39	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
40	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
41	Gardner C.	Y	May	Y	Rice	E	Waller	Y
42	Gerou	Y	McCann	N	Riesberg	N	Weissmann	N
43							Speaker	E

44

45

46 Representatives Liston, Balmer, and McNulty moved to amend the Report
47 of the Committee of the Whole to reverse the action taken by the
48 Committee in not adopting the following Liston amendment, to
49 **HB09-1091**, to show that said amendment passed, and that HB09-1091,
50 as amended, passed.

51

52 Amend printed bill, page 8, after line 4, insert the following:

53

54 **"38-45-105. Carbon monoxide alarms in state residential**
55 **properties.** ON AND AFTER JULY 1, 2009, ANY STATE NURSING HOME AS
56 DEFINED IN SECTION 26-12-102 (4), C.R.S., SHALL HAVE A CARBON

1 MONOXIDE ALARM INSTALLED WITHIN TEN FEET OF THE ENTRANCE TO
 2 EACH ROOM LAWFULLY USED FOR SLEEPING PURPOSES OR IN A LOCATION
 3 AS SPECIFIED IN ANY BUILDING CODE ADOPTED BY THE STATE OR ANY
 4 LOCAL GOVERNMENT ENTITY. SUCH CARBON MONOXIDE ALARMS SHALL
 5 BE MAINTAINED BY THE NURSING HOMES IN ACCORDANCE WITH THE
 6 MANUFACTURER'S PUBLISHED INSTRUCTIONS.".

7
 8 Renumber succeeding C.R.S. sections accordingly.

9
 10 The amendment was declared **lost** by the following roll call vote:

	YES	27	NO	36	EXCUSED	2	ABSENT	0
13	Acree	Y	Green	N	McFadyen	N	Roberts	Y
14	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
15	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
16	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
17	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
18	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
19	Casso	N	King S.	E	Miklosi	N	Soper	N
20	Court	N	Labuda	N	Murray	Y	Stephens	Y
21	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
22	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
23	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
24	Frangas	N	Looper	Y	Pommer	N	Todd	N
25	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
26	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
27	Gardner C.	Y	May	Y	Rice	N	Waller	Y
28	Gerou	Y	McCann	N	Riesberg	N	Weissmann	N
29							Speaker	E

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 31
 32
 33 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

34
 35 Passed Second Reading: **HB09-1078, 1082 amended, 1099,**
 36 **1161 amended, 1052 amended, 1091 amended, 1101 amended, 1007,**
 37 **1056, 1005, 1079 amended, 1148 amended, 1045 amended, 1041, 1083,**
 38 **1024 amended.**

39
 40 Laid over until date indicated retaining place on Calendar:

41 **HB09-1019**--February 6, 2009.

42 **HB09-1018**--February 3, 2009.

43 **HB09-1088**--February 4, 2009.

44
 45 Referred to Committee indicated: **HB09-1116**--Appropriations.

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

	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

1	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
2	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
3	Casso	Y	King S.	E	Miklosi	Y	Soper	Y
4	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
5	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
6	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
7	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
8	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
9	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
10	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
11	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
12	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
13							Speaker	E

PRINTING REPORT

19 The Chief Clerk reports the following bills have been correctly printed:
 20 **HB09-1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225,**
 21 **1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236,**
 22 **1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247,**
 23 **1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256.**

MESSAGE FROM THE SENATE

29 The Senate has passed on Third Reading and transmitted to the Revisor
 30 of Statutes: SB09-059, SB09-017, SB09-007, SB09-038, SB09-084.

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

35 SB09-043 amended as printed in Senate Journal, January 30, 2009,
 36 page 137,

37 SB09-040 amended as printed in Senate Journal, January 30, 2009,
 38 page 138,

39 SB09-050 amended as printed in Senate Journal, January 30, 2009,
 40 page 138,

41 SB09-047 amended as printed in Senate Journal, January 30, 2009,
 42 page 138.

MESSAGE FROM THE REVISOR

48 We herewith transmit:

49 Without comment, SB09-059, 017, 007, 038 and 084.

50 Without comment, as amended, SB09-043, 040, 050 and 047.

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LAY OVER OF CALENDAR ITEM

On motion of Representative Weissmann, the following item on the Calendar was laid over until February 3, retaining place on Calendar:

Consideration of Resolution--**HJR09-1004.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 3, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk