

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

One hundredth Legislative Day

Thursday, April 16, 2009

- 1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Laryssa Myers, Kristin Palyo, Johnny
6 Stoughton, Timber Trail, Castle Pines North.
7
8 The roll was called with the following result:
9
10 Present--51.
11 Excused--Representative(s) Casso, Court, Hulinghorst, Kagan,
12 Labuda, Lambert, Massey, McCann, McFadyen, Miklosi,
13 Murray, Nikkel, Pace, Todd--14.
14 Present after roll call--Representative(s) Casso, Court,
15 Hulinghorst, Kagan, Labuda, Lambert, Massey, McCann,
16 McFadyen, Miklosi, Murray, Nikkel, Pace, Todd.
17
18 The Speaker declared a quorum present.
19
20
21 On motion of Representative Schafer, the reading of the journal of
22 April 15, 2009, was declared dispensed with and approved as corrected
23 by the Chief Clerk.
24
25
26

CONSENT GRANTED TO CONFERENCE COMMITTEE

27
28
29 Representative Kerr A., moved that the First Conference Committee on
30 **HB09-1057** be granted permission to go beyond the scope of the
31 difference between the House and the Senate. The motion was passed by
32 the following roll call vote:
33

	YES	55	NO	9	EXCUSED	1	ABSENT	0
35	Acree	N	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hulinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kagan	E	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
42	Court	Y	King S.	Y	Murray	N	Stephens	Y
43	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y

1	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
2	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
3	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
4	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
5	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
6	Gardner C.	N	Massey	Y	Rice	N	Waller	Y
7	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
8							Speaker	Y

THIRD READING OF BILLS--FINAL PASSAGE

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

SB09-061 by Senator(s) Carroll M.; also Representative(s) Primavera--Concerning the qualifications of health care professionals who review claims for medical treatment under insurance policies.

Laid over until April 17, retaining place on Calendar.

HB09-1338 by Representative(s) Casso; also Senator(s) Bacon--Concerning modifications to state insurance laws to comply with recently enacted federal laws.

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
35	Acree	Y	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	Y	Kagan	E	McNulty	Y	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
41	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
42	Court	Y	King S.	Y	Murray	Y	Stephens	Y
43	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
44	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
46	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
48	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
49	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
50	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
51							Speaker	Y

Co-sponsor(s) added: Representative(s) Kerr J., Pommer

52
53
54
55

1 **HB09-1332** by Representative(s) Marostica, Ferrandino, Pommer; also
 2 Senator(s) White, Keller, Tapia--Concerning the repeal of
 3 provisions requiring a cumulative economic analysis of
 4 state air quality control measures every five years.

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
12	Acree	Y	Green	Y	McCann	Y	Roberts	Y
13	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
14	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
15	Baumgardner	Y	Kagan	E	McNulty	Y	Schafer S.	Y
16	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
18	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
19	Court	Y	King S.	Y	Murray	Y	Stephens	Y
20	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
21	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
22	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
23	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
24	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
25	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
26	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
27	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Frangas

30
 31
 32 **HB09-1339** by Representative(s) Green, Frangas; also Senator(s)
 33 Boyd--Concerning a change in the definition of "clinical
 34 social work practice" to mean the same as "social work
 35 practice".

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kagan	E	McNulty	Y	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
49	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
50	Court	Y	King S.	Y	Murray	Y	Stephens	Y
51	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
52	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Acree, Apuan, Hullinghorst, Kerr J.,
5 Labuda, Todd, Vigil

6
7 **HB09-1067** by Representative(s) Pommer; also Senator(s) White--
8 Concerning the establishment of an incentive for the
9 donation of water rights to the Colorado water
10 conservation board for use as instream flow rights.

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

17	YES	56	NO	8	EXCUSED	1	ABSENT	0
18	Acree	N	Green	Y	McCann	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
20	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
21	Baumgardner	Y	Kagan	E	McNulty	Y	Schafer S.	Y
22	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
23	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
24	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
25	Court	Y	King S.	Y	Murray	Y	Stephens	Y
26	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
27	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
28	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
29	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
30	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
31	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
32	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
33	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Hullinghorst, Kefalas,
36 Merrifield, Vigil, Gardner C.

37
38
39 **HB09-1288** by Representative(s) Nikkel, Acree, Apuan, Bradford,
40 Casso, Court, Frangas, Gardner B., Gardner C., Green,
41 Kerr J., King S., Lambert, Liston, Massey, May,
42 McKinley, McNulty, Merrifield, Murray, Priola,
43 Sonnenberg, Stephens, Summers, Swalm, Tipton, Vigil;
44 also Senator(s) Kopp, Brophy, Harvey, Kester, Lundberg,
45 Mitchell, Penry, Renfroe, Scheffel, Schultheis, Spence--
46 Concerning the creation of a searchable database web site
47 related to state finances, and, in connection therewith,
48 enacting the "Colorado Taxpayer Transparency Act", and
49 making an appropriation.

50
51 The question being "Shall the bill pass?".
52 A roll call vote was taken. As shown by the following recorded vote, a
53 majority of those elected to the House voted in the affirmative and the bill
54 was declared **passed**.

55

1 **SB09-261** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Ferrandino, Pommer, Marostica--Concerning the use of
 3 moneys in the supplemental old age pension health and
 4 medical care fund to pay for services received by certain
 5 persons in the state medicaid program, and making an
 6 appropriation therefor.
 7

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

	YES	50	NO	15	EXCUSED	0	ABSENT	0
14	Acree	N	Green	Y	McCann	Y	Roberts	Y
15	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
16	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
17	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
18	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
19	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
20	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
21	Court	Y	King S.	N	Murray	Y	Stephens	Y
22	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
23	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
24	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
25	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
26	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
27	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
28	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
29	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
30							Speaker	Y

31 Co-sponsor(s) added: Representative(s) Schafer S.
 32

33 **SB09-262** by Senator(s) White, Keller, Tapia; also Representative(s)
 34 Marostica, Ferrandino, Pommer--Concerning the funding
 35 source for state costs of the breast and cervical cancer
 36 prevention and treatment program, and making an
 37 appropriation therefor.
 38

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

	YES	57	NO	8	EXCUSED	0	ABSENT	0
45	Acree	Y	Green	Y	McCann	Y	Roberts	Y
46	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
47	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
48	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
49	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
50	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
51	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
52	Court	Y	King S.	N	Murray	N	Stephens	Y
53	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
54	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
55	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
56	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y

1	Gagliardi	Y	Looper	N	Primavera	N	Vaad	N
2	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
3	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
4	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Court, Todd, Vigil

7
8 **SB09-263** by Senator(s) White, Keller, Tapia; also Representative(s)
9 Pommer, Ferrandino, Marostica--Concerning payments to
10 medicaid nursing facility providers, and making an
11 appropriation in connection therewith.

12
13 As shown by the following roll call vote, a majority of all members
14 elected to the House voted in the affirmative, and Representative Kerr A.,
15 was given permission to offer a Third Reading amendment:

17	YES	65	NO	0	EXCUSED	0	ABSENT	0
18	Acree	Y	Green	Y	McCann	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
20	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
21	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
22	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
23	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
24	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
25	Court	Y	King S.	Y	Murray	Y	Stephens	Y
26	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
27	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
28	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
29	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
30	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
31	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
32	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
33	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
34							Speaker	Y

35
36 **Third Reading amendment No. 1**, by Representative Kerr A.

37
38 Amend revised bill, page 8, strike line 9 and substitute the following:

39
40 "(9) (b) (I) IF THE GENERAL ASSEMBLY INCREASES";

41
42 line 12, strike "section shall be limited to an annual increase of three
43 percent." and substitute "section, EXCEPT FOR CHANGES IN THE NUMBER
44 OF PATIENT DAYS, THE ANNUAL INCREASE shall ~~be limited to an annual~~
45 ~~increase of three percent~~ NOT EXCEED THE AVERAGE INCREASE IN THE
46 REIMBURSEMENT RATE PAID TO OTHER LONG-TERM CARE MEDICAID
47 PROVIDERS. IF IN ANY YEAR THE AVERAGE REIMBURSEMENT RATE PAID TO
48 OTHER LONG-TERM CARE MEDICAID PROVIDERS IS DECREASED, NOTHING
49 IN THIS PARAGRAPH (b) SHALL BE INTERPRETED TO REQUIRE THE GENERAL
50 ASSEMBLY TO REDUCE THE GENERAL FUND SHARE OF THE AGGREGATE
51 STATEWIDE AVERAGE OF THE PER DIEM RATE."

52
53 Page 10, strike lines 7 through 10 and substitute the following:

54
55 "(II) FOR THE FISCAL YEAR COMMENCING JULY 1, 2008, THE
56 GENERAL FUND SHARE OF THE AGGREGATE STATEWIDE AVERAGE OF THE

1 PER DIEM RATE SHALL BE LIMITED TO A THREE-PERCENT INCREASE FROM
2 THE PRIOR FISCAL YEAR.";

3
4 line 11, strike "2011." and substitute "2010."

5
6 The amendment was declared **lost** by the following roll call vote:

	YES	21	NO	44	EXCUSED	0	ABSENT	0
9 Acree	N		Green	Y	McCann	Y	Roberts	N
10 Apuan	Y		Hullinghorst	Y	McFadyen	N	Ryden	Y
11 Balmer	N		Judd	Y	McKinley	N	Scanlan	N
12 Baumgardner	N		Kagan	N	McNulty	N	Schafer S.	Y
13 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
14 Bradford	N		Kerr A.	Y	Middleton	N	Sonnenberg	N
15 Casso	N		Kerr J.	N	Miklosi	N	Soper	N
16 Court	N		King S.	N	Murray	N	Stephens	N
17 Curry	N		Labuda	N	Nikkel	N	Summers	Y
18 Ferrandino	N		Lambert	N	Pace	N	Swalm	Y
19 Fischer	Y		Levy	N	Peniston	N	Tipton	N
20 Frangas	Y		Liston	N	Pommer	N	Todd	Y
21 Gagliardi	N		Looper	N	Primavera	Y	Vaad	N
22 Gardner B.	Y		Marostica	N	Priola	N	Vigil	Y
23 Gardner C.	N		Massey	N	Rice	N	Waller	N
24 Gerou	N		May	N	Riesberg	N	Weissmann	Y
25							Speaker	N

26
27 The question being, "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative, and the
30 bill was declared **passed**.

	YES	59	NO	6	EXCUSED	0	ABSENT	0
33 Acree	Y		Green	Y	McCann	Y	Roberts	Y
34 Apuan	Y		Hullinghorst	Y	McFadyen	Y	Ryden	Y
35 Balmer	Y		Judd	Y	McKinley	Y	Scanlan	Y
36 Baumgardner	N		Kagan	Y	McNulty	N	Schafer S.	Y
37 Benefield	Y		Kefalas	Y	Merrifield	Y	Solano	Y
38 Bradford	Y		Kerr A.	Y	Middleton	Y	Sonnenberg	N
39 Casso	Y		Kerr J.	Y	Miklosi	Y	Soper	Y
40 Court	Y		King S.	Y	Murray	Y	Stephens	Y
41 Curry	Y		Labuda	Y	Nikkel	N	Summers	Y
42 Ferrandino	Y		Lambert	N	Pace	Y	Swalm	Y
43 Fischer	Y		Levy	Y	Peniston	Y	Tipton	Y
44 Frangas	Y		Liston	Y	Pommer	Y	Todd	Y
45 Gagliardi	Y		Looper	Y	Primavera	Y	Vaad	Y
46 Gardner B.	Y		Marostica	Y	Priola	Y	Vigil	Y
47 Gardner C.	N		Massey	Y	Rice	Y	Waller	Y
48 Gerou	Y		May	Y	Riesberg	Y	Weissmann	Y
49							Speaker	Y

50 Co-sponsor(s) added: Representative(s) Kerr J.

51
52 **SB09-264** by Senator(s) Keller, Tapia, White; also Representative(s)
53 Pommer, Ferrandino, Marostica--Concerning the increased
54 moneys received due to the federal "American Recovery
55 and Reinvestment Act of 2009", and making
56 appropriations therefor.

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

	YES	51	NO	14	EXCUSED	0	ABSENT	0
7	Acree	Y	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
11	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
12	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
13	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
14	Court	Y	King S.	N	Murray	Y	Stephens	Y
15	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
16	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
17	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
18	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
19	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
20	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
21	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
22	Gerou	Y	May	N	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Frangas, Todd

25
 26 **SB09-265** by Senator(s) White, Keller, Tapia; also Representative(s)
 27 Pommer, Ferrandino, Marostica--Concerning the timing of
 28 payments made under public medical assistance programs,
 29 and making appropriations therefor.

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

	YES	60	NO	5	EXCUSED	0	ABSENT	0
37	Acree	Y	Green	Y	McCann	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
40	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
41	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
42	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
43	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
44	Court	Y	King S.	Y	Murray	Y	Stephens	Y
45	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
46	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
47	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
48	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
49	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
50	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
51	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
53							Speaker	Y

54
 55 **SB09-267** by Senator(s) Tapia, Keller, White; also Representative(s)
 56 Ferrandino, Pommer, Marostica--Concerning the

1 percentage of costs that a county department of social
 2 services pays for a child who is placed in a residential
 3 child care facility by the county department, and making
 4 an appropriation in connection therewith.

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

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

29
 30
 31 **SB09-268** by Senator(s) Tapia, Keller, White; also Representative(s)
 32 Pommer, Ferrandino, Marostica--Concerning clarifying
 33 the appointment of state-paid professionals in cases
 34 involving children, and making an appropriation in
 35 connection therewith.

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

	YES	62	NO	2	EXCUSED	1	ABSENT	0
43	Acree	Y	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
50	Court	Y	King S.	Y	Murray	Y	Stephens	Y
51	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	E	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y

1	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4 Representative Liston excused from voting under House Rule 21(c).

5 Co-sponsor(s) added: Representative(s) Looper

6
7 **SB09-270** by Senator(s) Tapia, Keller, White; also Representative(s)
8 Marostica, Ferrandino, Pommer--Concerning the crediting
9 to the general fund of earnings generated during specified
10 fiscal years from the deposit and investment of cash funds
11 that receive revenues from the constitutionally imposed
12 taxes on cigarettes and tobacco products.

13
14 The question being "Shall the bill pass?".

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

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

36
37 Co-sponsor(s) added: Representative(s) Merrifield

38
39 **SB09-272** by Senator(s) White, Keller, Tapia; also Representative(s)
40 Marostica, Ferrandino, Pommer--Concerning the Colorado
41 high cost support mechanism, and, in connection
42 therewith, transferring to the state treasurer moneys
43 administered under the direction of the public utilities
44 commission for the support of universal basic telephone
45 service in high cost areas of the state.

46
47 The question being "Shall the bill pass?".

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

51	YES	39	NO	26	EXCUSED	0	ABSENT	0
52	Acree	N	Green	Y	McCann	Y	Roberts	N
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y

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

14
 15 **SB09-274** by Senator(s) Keller, Tapia, White; also Representative(s)
 16 Pommer, Ferrandino, Marostica--Concerning the financing
 17 of the division of motor vehicles in the department of
 18 revenue, and, in connection therewith, authorizing
 19 appropriations from the highway users tax fund to the
 20 division of motor vehicles in the fiscal years 2008-09 and
 21 2009-10, crediting during fiscal year 2009-10 the fees
 22 relating to driver's licenses and identification cards that
 23 would otherwise be allocated to the highway users tax
 24 fund to the licensing services cash fund, modifying
 25 appropriations made to the division of motor vehicles in
 26 the fiscal year 2008-09 long appropriations bill, and
 27 making an appropriation.
 28

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

	YES	40	NO	25	EXCUSED	0	ABSENT	0
35	Acree	N	Green	Y	McCann	Y	Roberts	Y
36	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
37	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
38	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
39	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
40	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
41	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
42	Court	Y	King S.	N	Murray	N	Stephens	N
43	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
44	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
45	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
46	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
47	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
48	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
49	Gardner C.	N	Massey	Y	Rice	N	Waller	N
50	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
51							Speaker	Y

52
 53 **SB09-275** by Senator(s) Tapia, Keller, White; also Representative(s)
 54 Ferrandino, Pommer, Marostica--Concerning the
 55 temporary elimination of the ability of any vendor to retain
 56 any amount of state sales tax revenues to compensate for

1 the vendor's expenses incurred in the collection and
 2 remittance of the tax revenues to the state, and making an
 3 appropriation in connection therewith.
 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	38	NO	27	EXCUSED	0	ABSENT	0
11	Acree	N	Green	Y	McCann	Y	Roberts	N
12	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
13	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
14	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
15	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
16	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
17	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
18	Court	Y	King S.	N	Murray	N	Stephens	N
19	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
20	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
21	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
22	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
23	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
24	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
25	Gardner C.	N	Massey	N	Rice	Y	Waller	N
26	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28
 29 **SB09-277** by Senator(s) Tapia, Keller, White; also Representative(s)
 30 Marostica, Ferrandino, Pommer--Concerning the general
 31 fund reserve required for the 2009-10 state fiscal year.
 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

	YES	62	NO	3	EXCUSED	0	ABSENT	0
39	Acree	Y	Green	Y	McCann	Y	Roberts	Y
40	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
41	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
42	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
43	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
44	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
45	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
46	Court	Y	King S.	Y	Murray	Y	Stephens	Y
47	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
48	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
49	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
50	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
51	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
52	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
53	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
54	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
55							Speaker	Y

56

1 **SB09-278** by Senator(s) Tapia, Keller, White; also Representative(s)
 2 Ferrandino, Pommer, Marostica--Concerning the
 3 augmentation of the general fund during specified fiscal
 4 years with revenue that would otherwise be transferred to
 5 fund the capital construction needs of the state.
 6

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

	YES	42	NO	23	EXCUSED	0	ABSENT	0
13	Acree	N	Green	Y	McCann	Y	Roberts	N
14	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
15	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
17	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
18	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
19	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
20	Court	Y	King S.	N	Murray	Y	Stephens	N
21	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
22	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
23	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
24	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
25	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
26	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
27	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
28	Gerou	N	May	Y	Riesberg	Y	Weissmann	Y
29							Speaker	Y

30
 31
 32 **SB09-280** by Senator(s) Keller, Tapia, White; also Representative(s)
 33 Pommer, Ferrandino, Marostica--Concerning funding for
 34 capital construction, and making supplemental
 35 appropriations in connection therewith.
 36

37 The question being "Shall the bill pass?".
 38 A roll call vote was taken. As shown by the following recorded vote, a
 39 majority of those elected to the House voted in the affirmative and the bill
 40 was declared **passed**.
 41

	YES	49	NO	16	EXCUSED	0	ABSENT	0
43	Acree	N	Green	Y	McCann	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
49	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
50	Court	Y	King S.	N	Murray	Y	Stephens	Y
51	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
52	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
53	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
54	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
56	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y

1	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
2	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
3							Speaker	Y

4
 5 **HB09-1202** by Representative(s) Todd, Benefield, Middleton, Ryden;
 6 also Senator(s) Foster--Concerning the regulation of
 7 persons who provide for the final disposition of dead
 8 human bodies in the normal course of business, and
 9 making an appropriation in connection therewith.

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

34 Co-sponsor(s) added: Representative(s) Green

35
 36 **HB09-1330** by Representative(s) Curry; also Senator(s) Isgar--
 37 Concerning fees assessed on certain feeding operations
 38 under the "Colorado Water Quality Control Act", and
 39 making an appropriation in connection therewith.

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

46	YES	41	NO	24	EXCUSED	0	ABSENT	0
47	Acree	N	Green	Y	McCann	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
49	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
50	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
51	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
52	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
53	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
54	Court	Y	King S.	Y	Murray	N	Stephens	N
55	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
56	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N

1	Fischer	Y	Levy	N	Peniston	Y	Tipton	N
2	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
3	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
4	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
5	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
6	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
7							Speaker	Y

8 Co-sponsor(s) added: Representative(s) Fischer, Hullinghorst, Labuda,
9 Merrifield

10

11 **HB09-1274** by Representative(s) Weissmann; also Senator(s) Carroll
12 M., Groff--Concerning capital crimes, and making an
13 appropriation in connection therewith.

14

15 Laid over until later in the day, retaining place on Calendar.

16

17

18

19

MESSAGE(S) FROM THE SENATE

20

21 The Senate has adopted and transmits herewith: SJR09-038 and
22 SJR09-043.

23

24

25

INTRODUCTION AND CONSIDERATION OF RESOLUTIONS

26

27 On motion of Representative Weissmann, the rules were suspended and
28 the following resolutions were given immediate consideration.

29

30 **SJR09-038** by Senator(s) Romer; also Representative(s) Looper--
31 Concerning the recognition of organ and tissue donors
32 through the observation of "Donate Life Colorado Month".

33

34 (Printed and placed in member's file).

35

36 On motion of Representative Looper, the resolution was read at length
37 and **adopted** by **viva voce** vote.

38

39 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,
40 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, Ferrandino,
41 Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
42 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
43 Levy, Liston, Marostica, Massey, May, McCann, McFadyen, McKinley,
44 McNulty, Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston,
45 Pommer, Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer
46 S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd,
47 Vaad, Vigil, Waller, Weissmann, Speaker

48

49 **SJR09-043** by Senator(s) Hudak, Bacon, Foster, Gibbs, Groff, Heath,
50 Hodge, Newell, Sandoval, Schwartz, Shaffer B., Veiga,
51 Williams; also Representative(s) Todd, Merrifield,
52 Baumgardner, Benefield, Casso, Kagan, Kerr A., Massey,
53 Middleton, Miklosi, Murray, Peniston, Priola, Scanlan,
54 Schafer S., Solano, Summers--Concerning the recognition
55 of public education and public school teachers in
56 Colorado.

1 (Printed and placed in member's file).

2

3 On motion of Representative Todd, the resolution was read at length and
4 **adopted** by the following roll call vote:

5

	YES	62	NO	1	EXCUSED	2	ABSENT	0
7	Acree	Y	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
10	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
11	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
12	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
13	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
14	Court	Y	King S.	Y	Murray	Y	Stephens	Y
15	Curry	Y	Labuda	Y	Nikkel	Y	Summers	E
16	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	E
17	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
18	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
19	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
20	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
21	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
22	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Balmer, Bradford, Court, Curry,
25 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou, Green,
26 Hullinghorst, Judd, Kefalas, Kerr J., Labuda, Liston, Looper, Marostica, May,
27 McFadyen, Nikkel, Pace, Primavera, Rice, Riesberg, Roberts, Ryden,
28 Sonnenberg, Soper, Tipton, Vaad, Weissmann, Speaker

29

30

31

32

CHANGE IN SPONSORSHIP

33

34 The Speaker announced the following change in sponsorship:

35 SB09-121--Representative Marostica to replace Representative May as
36 prime sponsor.

37

38

39

House in recess. House reconvened.

40

41

42 On motion of Representative Weissmann, **SB09-259** was added to the
43 Special Orders Calendar on Thursday, April 16, 2009.

44

45

46 On motion of Representative Labuda, the House resolved itself into
47 Committee of the Whole for consideration of Special Orders and she was
48 called to the Chair to act as Chairman.

49

50

SPECIAL ORDERS--SECOND READING OF BILLS

51

52

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

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

3
4 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,
5 Pommer, Scanlan, Weissmann--Concerning the creation of
6 a state rainy day account, and, in connection therewith,
7 specifying the manner in which the account is to be funded
8 and the circumstances in which moneys may be expended
9 from the account.

10

11 Laid over until April 17, retaining place on Calendar.

12

13 **HB09-1081** by Representative(s) Looper; also Senator(s) Morse--
14 Concerning an increase in the length of the statute of
15 limitations for vehicular homicide.

16

17 Laid over until April 17, retaining place on Calendar.

18

19 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,
20 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,
21 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,
22 Heath, Romer, Shaffer B.--Concerning energy efficiency
23 programs implemented by cooperative electric
24 associations.

25

26 Laid over until April 17, retaining place on Calendar.

27

28 **SB09-269** by Senator(s) White, Keller, Tapia; also Representative(s)
29 Ferrandino, Pommer, Marostica--Concerning adjustment
30 of the allocation of tobacco litigation settlement moneys
31 received by the state during specified fiscal years, and, in
32 connection therewith, requiring settlement moneys that are
33 disputed payments and settlement moneys in excess of a
34 specified amount to be credited to the general fund,
35 requiring a portion of the moneys so credited to be
36 transferred to the children's basic health plan trust and the
37 nurse home visitor program fund, delaying mandated
38 growth in the percentage of settlement moneys allocated
39 for the Colorado nurse home visitor program by one fiscal
40 year, and making appropriations.

41

42 Amendment No. 1, by Representative(s) Ferrandino.

43

44 Amend reengrossed bill, page 3, line 3, after "moneys", insert "AND, FOR
45 THE 2010-11 FISCAL YEAR AND FOR EACH FISCAL YEAR THEREAFTER ONLY,
46 FIFTY-FIVE MILLION DOLLARS OF OTHER SETTLEMENT MONEYS,";

47

48 line 4, strike "state:" and substitute "state AND EXCEPT THAT, ON JUNE 30,
49 2010, THE STATE TREASURER SHALL TRANSFER FIFTY-FIVE MILLION
50 DOLLARS FROM THE TOBACCO LITIGATION SETTLEMENT CASH FUND
51 CREATED IN SECTION 24-22-115 (1) (a) TO THE GENERAL FUND:".

52

53 Page 6, after line 9, insert the following:

54

55 "(7) NOTWITHSTANDING ANY LIMITATION ON THE AMOUNT OF
56 ADVANCES SET FORTH IN SECTION 24-75-203 (2), THE CONTROLLER MAY

1 AUTHORIZE AN ADVANCE WITHOUT INTEREST IN ANY AMOUNT TO BE MADE
2 TO ANY DEPARTMENT, INSTITUTION, OR AGENCY OF STATE GOVERNMENT
3 TO PROVIDE IT WITH WORKING CAPITAL FOR THE OPERATION OF TOBACCO
4 SETTLEMENT PROGRAMS TO WHICH SETTLEMENT MONEYS ARE ALLOCATED
5 PURSUANT TO THIS SECTION."

6

7 Amendment No. 2, by Representative(s) May.

8

9 Amend reengrossed bill, page 5, strike lines 13 and 14 and substitute the
10 following:

11

12 "(b) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION:

13

14 (I) OF THE SETTLEMENT PAYMENTS RECEIVED IN ANY GIVEN
15 FISCAL YEAR FROM FISCAL YEAR 2008-09 THROUGH FISCAL YEAR
16 2016-17";

17

18 line 17, after "IN", insert "THE";

19

20 line 18, strike "2008-09";

21

22 line 21, strike "FISCAL YEAR 2009-10" and substitute "THE NEXT FISCAL
23 YEAR";

24

25 strike line 22 and substitute the following:

26

27 "SUBSECTIONS (1) AND (1.5) OF THIS SECTION.

28

29 (II) OF THE SETTLEMENT PAYMENTS RECEIVED IN FISCAL YEAR
30 2017-18 OR IN ANY GIVEN SUBSEQUENT FISCAL YEAR, ONE HUNDRED
31 MILLION DOLLARS SHALL BE ALLOCATED AMONG SETTLEMENT PROGRAMS
32 IN THE NEXT FISCAL YEAR AS SPECIFIED IN SUBSECTIONS (1) AND (1.5) OF
33 THIS SECTION.

34

35 (III) ANY SETTLEMENT";

36

37 line 26, after "(b).", add "ANY SETTLEMENT PAYMENTS RECEIVED IN
38 FISCAL YEAR 2009-10 OR IN ANY GIVEN SUBSEQUENT FISCAL YEAR THAT
39 ARE NOT DISPUTED PAYMENTS AND ARE NOT TO BE ALLOCATED AMONG
40 TOBACCO PROGRAMS PURSUANT TO THIS PARAGRAPH (b) SHALL BE
41 TRANSFERRED TO THE GENERAL FUND UPON RECEIPT."

42

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

45

46 **SB09-271** by Senator(s) Tapia, Keller, White; also Representative(s)
47 Ferrandino, Pommer, Marostica--Concerning the use of
48 tobacco revenues generated under section 21 of article X
49 of the state constitution in a state fiscal emergency, and
50 making an appropriation therefor.

51

52 Amendment No. 1, Appropriations Report, dated April 14, 2009, and
53 placed in member's bill file; Report also printed in House Journal,
54 April 15, pages 1194.

55

1 Amendment No. 2, by Representative(s) Ferrandino.

2

3 Amend reengrossed bill, page 2, before line 2, insert the following:

4

5 "SECTION 1. 24-22-117 (2) (b), Colorado Revised Statutes, is
6 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

7

8 **24-22-117. Tobacco tax cash fund - accounts - creation -**
9 **repeal.** (2) There are hereby created in the state treasury the following
10 funds:

11

12 (2) (b) (III) (A) NOTWITHSTANDING THE PROVISIONS OF
13 SUBPARAGRAPH (II) OF THIS PARAGRAPH (b), AND PURSUANT TO THE
14 DECLARATION OF A STATE FISCAL EMERGENCY AS DESCRIBED IN
15 PARAGRAPH (b) OF SUBSECTION (6) OF THIS SECTION, FOR THE 2009-10
16 FISCAL YEAR, UP TO FIFTEEN MILLION DOLLARS OF THE MONEYS IN THE
17 PRIMARY CARE FUND MAY BE APPROPRIATED FOR ANY HEALTH-RELATED
18 PURPOSE AND TO SERVE POPULATIONS ENROLLED IN THE CHILDREN'S BASIC
19 HEALTH PLAN AND THE COLORADO MEDICAL ASSISTANCE PROGRAM AT
20 THE PROGRAMS' RESPECTIVE LEVELS OF ENROLLMENT AS OF JANUARY 1,
21 2005.

22

23 (B) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE JULY 1,
24 2011."

25

26 Renumber succeeding sections accordingly.

27

28 Page 4, line 19, strike "for medical services";

29

30 line 20, strike "premiums,";

31

32 line 22, after "appropriation", insert "for medical services premiums" and
33 strike "twenty" and substitute "thirty-five";

34

35 line 23, strike "\$20,000,000)." and substitute "\$35,000,000).";

36

37 line 24, strike "twenty" and substitute "thirty-five";

38

39 line 25, strike "\$20,000,000)." and substitute "\$35,000,000).";

40

41 line 27, strike "and".

42

43 Page 5, line 3, strike "Statutes." and substitute "Statutes, and fifteen
44 million dollars (\$15,000,000) shall be from the primary care fund created
45 in section 24-22-117 (2) (b) (I), Colorado Revised Statutes.";

46

47 before line 4, insert the following:

48

49 "(c) The cash fund appropriation for the indigent care program,
50 primary care fund program, is decreased by fifteen million (\$15,000,000).
51 Said sum, shall be from the primary care fund created in section
52 24-22-117 (2) (b) (I), C.R.S."

53

54 As amended, ordered revised and placed on the Calendar for Third
55 Reading and Final Passage.

56

1 **SB09-279** by Senator(s) Tapia, Keller, White; also Representative(s)
2 Pommer, Ferrandino, Marostica--Concerning the
3 augmentation of the general fund through transfers of
4 certain moneys.

5
6 Amendment No. 1, by Representative(s) Pommer.

7
8 Amend reengrossed bill, page 4, after line 16, insert the following:

9
10 "SECTION 6. 23-3.1-206.9 (2), Colorado Revised Statutes, is
11 amended to read:

12
13 **23-3.1-206.9. Colorado collegeinvest scholarship program -**
14 **administration - fund - policies.** (2) (a) The Colorado collegeinvest
15 scholarship trust fund, which is hereby created, shall consist of moneys
16 deposited into the fund by the authority, any moneys appropriated to the
17 fund by the general assembly, and any gifts, grants, and donations
18 received by the authority for the Colorado collegeinvest scholarship
19 program. Moneys deposited into the Colorado collegeinvest scholarship
20 trust fund shall be deemed to be trust funds and shall be administered by
21 the authority and shall be used for the direct and indirect costs of
22 implementing and administering, including marketing, the Colorado
23 collegeinvest scholarship program. Annual expenditures on direct
24 marketing shall not exceed five percent of the annual revenue of the trust.
25 Any unexpended and unencumbered moneys remaining in the Colorado
26 collegeinvest scholarship trust fund at the end of a fiscal year shall remain
27 in the fund and shall not be credited or transferred to the general fund or
28 to any other fund. Any moneys appropriated by the general assembly to
29 the Colorado collegeinvest scholarship trust fund shall be subject to
30 annual appropriation.

31
32 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF
33 THIS SUBSECTION (2) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS
34 PARAGRAPH (b), OF MONEYS CREDITED TO THE COLORADO
35 COLLEGEINVEST SCHOLARSHIP TRUST FUND OTHER THAN MONEYS
36 TRANSFERRED FROM THE STUDENT LOAN GUARANTEE FUND CREATED IN
37 SECTION 23-3.1-107 (1) (a), THE STATE TREASURER SHALL DEDUCT
38 FIFTEEN MILLION DOLLARS FROM THE COLORADO COLLEGEINVEST
39 SCHOLARSHIP TRUST FUND AND TRANSFER SUCH SUM TO THE GENERAL
40 FUND."

41
42 Renumber succeeding sections accordingly.

43
44 Page 9, after line 7, insert the following:

45 "SECTION 13. 24-49.7-106 (3), Colorado Revised Statutes, is
46 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

47
48 **24-49.7-106. Colorado travel and tourism promotion fund -**
49 **Colorado travel and tourism additional source fund - creation -**
50 **nature of funds.** (3) (c) NOTWITHSTANDING THE PROVISIONS OF
51 PARAGRAPH (a) OF THIS SUBSECTION (3) TO THE CONTRARY, ON THE
52 EFFECTIVE DATE OF THIS PARAGRAPH (c) THE STATE TREASURER SHALL
53 DEDUCT FIVE MILLION DOLLARS OF THE MONEYS CREDITED TO THE
54 COLORADO TRAVEL AND TOURISM PROMOTION FUND PURSUANT TO
55 SECTION 38-13-116.7 (3) (a) (III) (A), C.R.S., FOR THE PROMOTION OF
56 AGRITOURISM, AND TRANSFER SUCH SUM TO THE GENERAL FUND."

1 Renumber succeeding sections accordingly.

2

3 Page 12, strike lines 1 and 2 and substitute the following:

4

5 "CONTRARY, ON THE EFFECTIVE DATE OF THIS SUBSECTION (2.6), THE
6 STATE";

7

8 line 3, strike "FIFTY" and substitute "SEVENTY-FIVE";

9

10 strike lines 5 through 9 and substitute the following:

11

12 "GENERAL FUND."

13

14 Page 13, line 4, strike "EIGHT" and substitute "FORTY-THREE";

15

16 line 22, strike "SEVEN" and substitute "TWENTY-SEVEN".

17

18 Page 16, line 10, strike "23" and substitute "25";

19

20 line 12, strike "24" and substitute "26".

21

22 Amendment No. 2, by Representative(s) Marostica.

23

24 Amend reengrossed bill, page 10, strike lines 20 through 27 and substitute
25 the following:

26

27 "SECTION 16. 24-32-717 (1), Colorado Revised Statutes, is
28 amended to read:

29

30 **24-32-717. Home investment trust fund - short-term loans.**

31 (1) (a) For the purpose of meeting the federal matching fund
32 requirements of Title II of the federal "National Housing Act", the
33 division shall establish a home investment trust fund which shall be
34 created and administered pursuant to the provisions of 24 CFR part 92,
35 as may be amended from time to time. The division shall pay into such
36 fund any moneys made available by the state or federal government for
37 the purpose of making loans as provided in this section. Any moneys in
38 such fund at the end of any fiscal year shall not revert to the general fund.

39

40 (b) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF THIS
41 SUBSECTION (1) TO THE CONTRARY, ON THE EFFECTIVE DATE OF THIS
42 PARAGRAPH (b), THE STATE TREASURER SHALL DEDUCT ONE MILLION TWO
43 HUNDRED EIGHTY-FOUR THOUSAND DOLLARS FROM THE HOME
44 INVESTMENT TRUST FUND AND TRANSFER SUCH SUM TO THE GENERAL
45 FUND."

46

47 As amended, ordered revised and placed on the Calendar for Third
48 Reading and Final Passage.

49

50 **SB09-259** by Senator(s) Keller, Tapia, White; also Representative(s)
51 Pommer, Ferrandino, Marostica--Concerning the provision
52 for payment of the expenses of the executive, legislative,
53 and judicial departments of the state of Colorado, and of
54 its agencies and institutions, for and during the fiscal year
55 beginning July 1, 2009, except as otherwise noted.

56

1 Amendment No. 1, by Representative(s) Pommer, Ferrandino, Marostica,
2 Carroll, Weissmann.

3

4 Amend reengrossed bill, page 57, line 6, after "Constitution." insert the
5 following:

6

7 "Of the amount from the State Education Fund, \$152,061,455 will be
8 received from the Education Stabilization Fund of the American
9 Recovery and Reinvestment Act (ARRA) of 2009 pursuant to Title XIV,
10 Sec. 14002 "State Uses of Funds" which will be utilized to support
11 necessary formulaic funding increases."

12

13 Page 128, line 3, in the ITEM & SUBTOTAL column, strike
14 "261,942,888" and substitute "264,107,382" and, in the GENERAL
15 FUND column, strike "261,942,888" and substitute "264,107,382".

16

17 Adjust affected totals accordingly.

18

19 Page 128, line 9, in the ITEM & SUBTOTAL column, strike
20 "22,027,611" and substitute "23,070,687", in the REAPPROPRIATED
21 FUNDS column, strike "11,545,486^b" and substitute "12,149,322^b", and,
22 in the FEDERAL FUNDS column, strike "2,019,887^c" and substitute
23 "2,459,127^c";

24

25 line 14, strike "\$8,889,406" and substitute "\$9,493,242";

26

27 line 15, after "received", insert "from the Education Stabilization Fund".

28

29 Page 129, line 3, in the ITEM & SUBTOTAL column, strike
30 "50,524,646" and substitute "52,237,814", in the REAPPROPRIATED
31 FUNDS column, strike "18,962,512^b" and substitute "19,888,392^b", and,
32 in the FEDERAL FUNDS column, strike "3,329,927^c" and substitute
33 "4,117,215^c";

34

35 line 8, strike "\$9,947,752" and substitute "\$10,873,632";

36

37 line 9, after "received", insert "from the Education Stabilization Fund".

38

39 Page 129, line 13, in the ITEM & SUBTOTAL column, strike
40 "112,842,755" and substitute "116,267,146", in the REAPPROPRIATED
41 FUNDS column, strike "37,903,510^b" and substitute "39,778,568^b", and,
42 in the FEDERAL FUNDS column, strike "8,385,511^c" and substitute
43 "9,934,844^c".

44

45 Page 130, line 3, strike "\$3,325,510" and substitute "\$5,200,568";

46

47 line 4, after "received", insert "from the Education Stabilization Fund".

48

49 Page 130, line 7, in the ITEM & SUBTOTAL column, strike
50 "20,660,060" and substitute "21,529,464", in the REAPPROPRIATED
51 FUNDS column, strike "9,623,158^b" and substitute "9,892,147^b", and, in
52 the FEDERAL FUNDS column, strike "1,680,455^c" and substitute
53 "2,280,870^c";

54

55 line 12, strike "\$6,701,878" and substitute "\$6,970,867";

56

- 1 line 13, after "received" insert "from the Education Stabilization Fund".
2
- 3 Page 131, line 3, in the ITEM & SUBTOTAL column, strike
4 "379,019,008" and substitute "389,266,321", in the REAPPROPRIATED
5 FUNDS column, strike "113,594,279^b" and substitute "113,790,028^b",
6 and, in the FEDERAL FUNDS column, strike "23,219,920^c" and
7 substitute "33,271,484^c";
8
- 9 line 8, strike "\$71,900,079" and substitute "\$72,095,828";
10
- 11 line 12, after "received", insert "from the Education Stabilization Fund".
12
- 13 Page 131, line 15, in the ITEM & SUBTOTAL column, strike
14 "39,398,157" and substitute "40,290,538", in the REAPPROPRIATED
15 FUNDS column, strike "9,925,482^b" and substitute "8,805,822^b", and, in
16 the FEDERAL FUNDS column, strike "1,966,467^c" and substitute
17 "3,978,508^c".
18
- 19 Page 132, line 5, strike "\$5,171,202" and substitute "\$4,051,542";
20
- 21 line 9, after "received", insert "from the Education Stabilization Fund".
22
- 23 Page 132, line 12, in the ITEM & SUBTOTAL column, strike
24 "835,717,784" and substitute "850,646,194", in the REAPPROPRIATED
25 FUNDS column, strike "165,895,403^b" and substitute "159,761,513^b",
26 and, in the FEDERAL FUNDS column, strike "28,933,167^c" and
27 substitute "49,995,467^c".
28
- 29 Page 133, line 4, strike "\$106,185,992" and substitute "\$100,052,102";
30
- 31 line 8, after "received", insert "from the Education Stabilization Fund".
32
- 33 Page 133, line 12, in the ITEM & SUBTOTAL column, strike
34 "90,445,930" and substitute "92,110,121", in the REAPPROPRIATED
35 FUNDS column, strike "18,420,406^b" and substitute "18,793,625^b", and,
36 in the FEDERAL FUNDS column, strike "3,152,789^c" and substitute
37 "4,443,761^c".
38
- 39 Page 134, line 2, strike "\$12,894,046" and substitute "\$13,267,265";
40
- 41 line 3, after "received", insert "from the Education Stabilization Fund".
42
- 43 Page 134, line 6, in the ITEM & SUBTOTAL column, strike
44 "99,991,046" and substitute "103,141,988", in the REAPPROPRIATED
45 FUNDS column, strike "34,876,782^b" and substitute "35,176,878^b", and,
46 in the FEDERAL FUNDS column, strike "6,058,587^c" and substitute
47 "8,909,433^c";
48
- 49 line 11, strike "\$19,121,862" and substitute "\$19,421,958";
50
- 51 line 12, after "received", insert "from the Education Stabilization Fund".
52
- 53 Page 135, line 5, in the ITEM & SUBTOTAL column, strike
54 "311,106,316" and substitute "321,238,103", in the REAPPROPRIATED
55 FUNDS column, strike "113,645,561^b" and substitute "118,520,778^b",
56 and, in the FEDERAL FUNDS column, strike "20,043,435^c" and

1 substitute "25,300,005^c";
2
3 line 10, strike "\$16,997,921" and substitute "\$21,873,138";
4
5 line 13, after "received" insert "from the Education Stabilization Fund".
6
7 Adjust affected totals accordingly.
8
9 Page 136, line 6, in the TOTAL column, strike "14,774,712" and
10 substitute "15,909,577", in the GENERAL FUND column, strike
11 "12,580,784" and substitute "12,621,254", and, in the FEDERAL FUNDS
12 column, strike "2,193,928^a" and substitute "3,288,323^a";
13
14 line 8, after "received", insert "from the Education Stabilization Fund".
15
16 Adjust affected totals accordingly.
17
18 Page 137, line 8, in the ITEM & SUBTOTAL column, strike
19 "10,415,912" and substitute "11,215,986", in the GENERAL FUND
20 column, strike "8,869,204" and substitute "8,518,968", and, in the
21 FEDERAL FUNDS column, strike "1,546,708" and substitute
22 "2,697,018";
23
24 line 10, after "received", insert "from the Education Stabilization Fund".
25
26 Adjust affected totals accordingly.
27
28 Page 544, line 12, strike "\$2,760.00" and substitute "\$2,760.00
29 \$2,040.00";
30
31 line 13, in the ITEM & SUBTOTAL column, strike "343,214,280" and
32 substitute "343,214,280";
33
34 after line 13, in the ITEM & SUBTOTAL column, insert "253,680,120".
35
36 Page 545, line 5, strike "\$1,380.00" and substitute "\$1,380.00 \$1,020.00";
37
38 line 6, strike "hours" and substitute "~~hours~~ HOURS^{19a}" and, in the ITEM &
39 SUBTOTAL column, strike "1,104,000" and substitute "~~1,104,000~~";
40
41 after line 6, in the ITEM & SUBTOTAL column, insert "816,000";
42
43 line 7, in the ITEM & SUBTOTAL column, strike "344,318,280" and
44 substitute "344,318,280";
45
46 line 8, in the ITEM & SUBTOTAL column, insert "254,496,120" and, in
47 the GENERAL FUND column, strike "343,518,280" and substitute
48 "253,696,120";
49
50 after line 10, insert the following:
51
52
53
54
55

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND
	\$	\$	\$
1			
2			
3			
4			
5	"(B) Fee-for-service Contracts		
6	with State Institutions	306,588,826	306,588,826
7		280,427,234	280,427,234
8		650,907,106	
9		534,923,354".	
10			
11	Page 545, line 14, in the REAPPROPRIATED FUNDS column, strike		
12	"14,050,598 ^b " and substitute "14,050,598 ^b ";		
13			
14	line 15, in the REAPPROPRIATED FUNDS column, insert		
15	"12,149,322 ^b " and, in the FEDERAL FUNDS column, strike "557,851 ^c		
16	and substitute "2,459,127 ^c ".		
17			
18	Page 546, line 4, strike "\$3,806,040" and substitute "\$3,806,040		
19	\$2,813,160";		
20			
21	line 5, strike "\$10,244,558" and substitute "\$10,244,558 \$9,336,162";		
22			
23	line 9, in the REAPPROPRIATED FUNDS column, strike "23,082,286 ^b "		
24	and substitute "23,082,286 ^b ";		
25			
26	line 10, in the REAPPROPRIATED FUNDS column, insert		
27	"19,888,392 ^b " and, in the FEDERAL FUNDS column, strike "923,321 ^c "		
28	and substitute "4,117,215 ^c ".		
29			
30	line 14, strike "\$12,226,800" and substitute "\$12,226,800 \$9,037,200";		
31			
32	line 15, strike "\$10,855,486" and substitute "\$10,855,486 \$10,851,192".		
33			
34	Page 547, line 5, in the REAPPROPRIATED FUNDS column, strike		
35	"46,811,147 ^b " and substitute "46,811,147 ^b ";		
36			
37	line 6, in the ITEM & SUBTOTAL column, strike "102,866,467" and		
38	substitute "102,884,467", in the REAPPROPRIATED FUNDS column,		
39	insert "39,727,568 ^b ", and, in the FEDERAL FUNDS column, strike		
40	"2,833,265 ^c " and substitute "9,934,844 ^c ";		
41			
42	line 10, strike "\$43,917,120" and substitute "\$43,917,120 \$32,460,480";		
43			
44	line 11, strike "\$2,894,027" and substitute "\$2,894,027 \$7,267,088";		
45			
46	line 15, in the REAPPROPRIATED FUNDS column, strike		
47	"11,709,831 ^b " and substitute "11,709,831 ^b ".		
48			
49	Page 548, line 1, in the REAPPROPRIATED FUNDS column, insert		
50	"9,892,147 ^b " and, in the FEDERAL FUNDS column, strike "463,186 ^c "		
51	and substitute "2,280,870 ^c ";		
52			
53	line 5, strike "\$4,002,000" and substitute "\$4,002,000 \$2,958,000";		
54			
55	line 6, strike "\$7,707,831" and substitute "\$7,707,831 \$6,934,147";		
56			

1 line 11, in the REAPPROPRIATED FUNDS column, strike
2 "~~139,624,326~~^b" and substitute "~~139,624,326~~^b";
3
4 line 12, in the ITEM & SUBTOTAL column, strike "364,374,938" and
5 substitute "364,382,402", in the REAPPROPRIATED FUNDS column,
6 insert "113,768,880^b", and, in the FEDERAL FUNDS column, strike
7 "7,408,574^c" and substitute "33,271,484^c".
8
9 Page 549, line 1, strike "\$53,836,560" and substitute "~~53,836,560~~
10 \$39,792,240";
11
12 line 2, strike "\$85,617,766" and substitute "~~85,617,766~~ \$73,806,640";
13
14 line 9, in the REAPPROPRIATED FUNDS column, strike "12,170,926^b"
15 and substitute "~~12,170,926~~^b";
16
17 line 10, in the REAPPROPRIATED FUNDS column, insert "8,805,822^b"
18 and, in the FEDERAL FUNDS column, strike "613,404^c" and substitute
19 "3,978,508^c".
20
21 Page 550, line 1, strike "\$7,087,680" and substitute "~~7,087,680~~
22 \$5,238,720";
23
24 line 2, strike "\$5,035,246" and substitute "~~5,035,246~~ \$3,519,102";
25
26 line 10, in the REAPPROPRIATED FUNDS column, strike
27 "~~201,758,950~~^b" and substitute "~~201,758,950~~^b";
28
29 line 11, in the REAPPROPRIATED FUNDS column, insert
30 "159,761,513^b" and, in the FEDERAL FUNDS column, strike
31 "7,998,030^c" and substitute "49,995,467^c".
32
33 Page 551, line 1, strike "\$77,525,640" and substitute "~~77,525,640~~
34 \$57,301,560";
35
36 line 2, strike "\$123,575,779" and substitute "~~123,575,779~~
37 \$101,802,422";
38
39 line 10, in the REAPPROPRIATED FUNDS column, strike
40 "~~22,387,257~~^b" and substitute "~~22,387,257~~^b";
41
42 line 11, in the REAPPROPRIATED FUNDS column, insert
43 "18,793,625^b" and, in the FEDERAL FUNDS column, strike "850,129^c"
44 and substitute "4,443,761^c";
45
46 line 15, strike "\$7,429,920" and substitute "~~7,429,920~~ \$5,491,680";
47
48 line 16, strike "\$14,957,337" and substitute "~~14,957,337~~ \$13,301,945".
49
50 Page 552, line 4, in the REAPPROPRIATED FUNDS column, strike
51 "~~42,425,773~~^b" and substitute "~~42,425,773~~^b";
52
53 line 5, in the REAPPROPRIATED FUNDS column, insert "35,176,878^b"
54 and, in the FEDERAL FUNDS column, strike "1,660,538^c" and
55 substitute "8,909,433^c";
56

1 line 9, strike "\$21,804,000" and substitute "~~\$21,804,000~~ \$16,116,000";
 2
 3 line 10, strike "\$20,621,773" and substitute "~~\$20,621,773~~ \$19,060,878".
 4
 5 Page 553, line 5, in the REAPPROPRIATED FUNDS column, strike
 6 "~~138,157,543^b~~" and substitute "~~138,157,543^b~~";
 7
 8 line 6, in the ITEM & SUBTOTAL column, strike "293,121,944" and
 9 substitute "293,122,664", in the REAPPROPRIATED FUNDS column,
 10 insert "118,518,738^b", and, in the FEDERAL FUNDS column, strike
 11 "5,660,480^c" and substitute "25,300,005^c";
 12
 13 line 10, strike "\$111,578,520" and substitute "~~\$111,578,520~~
 14 \$82,471,080";
 15
 16 line 11, strike "\$25,079,023" and substitute "~~\$25,079,023~~ \$34,547,658".
 17
 18 Page 554, line 2, strike "1,850,887,118" and substitute "1,850,913,302";
 19
 20 line 8, in the GENERAL FUND column, strike "15,285,433" and
 21 substitute "~~15,285,433~~";
 22
 23 line 9, in the GENERAL FUND column, insert "12,601,934" and, in the
 24 FEDERAL FUNDS column, strike "604,824^a" and substitute
 25 "3,288,323^a";
 26
 27 line 15, in the GENERAL FUND column, strike "10,776,148" and
 28 substitute "~~10,776,148~~".
 29
 30 Page 555, line 1, in the GENERAL FUND column, insert "8,505,528"
 31 and, in the FEDERAL FUNDS column, strike "426,398^a" and substitute
 32 "2,697,018^a";
 33
 34 line 9, in the REAPPROPRIATED FUNDS column, strike
 35 "\$697,602,250" and substitute "~~\$697,602,250~~"
 36
 37 line 10, in the TOTAL column, strike "\$2,755,014,869" and substitute
 38 "\$2,639,057,301", in the GENERAL FUND column, strike
 39 "\$781,537,483" and substitute "\$660,599,612", in the
 40 REAPPROPRIATED FUNDS column, insert "\$581,906,498", and, in
 41 the FEDERAL FUNDS column, strike "\$50,230,113" and substitute
 42 "\$170,906,168".
 43

44 Page 555, after line 12, insert the following:

45
 46 **"FOOTNOTES** -- The following statements are referenced to the
 47 numbered footnotes throughout section 2.
 48

49 19a DEPARTMENT OF HIGHER EDUCATION, COLLEGE OPPORTUNITY
 50 FUND PROGRAM, STIPENDS, STIPENDS FOR AN ESTIMATED 800
 51 ELIGIBLE FULL-TIME EQUIVALENT STUDENTS ATTENDING
 52 PARTICIPATING PRIVATE INSTITUTIONS AT \$1,020 PER 30 CREDIT
 53 HOURS -- IN ADDITION TO THESE FUNDS, THE GENERAL
 54 ASSEMBLY ANTICIPATES THAT \$288,000 FEDERAL FUNDS WILL
 55 BE PROVIDED FOR FINANCIAL AID FOR STUDENTS ATTENDING
 56 PARTICIPATING PRIVATE INSTITUTIONS FROM THE GOVERNOR

1 SERVICES FUND CREATED BY THE AMERICAN REINVESTMENT
2 AND RECOVERY ACT OF 2009."

3
4 Page 595, after line 9, insert the following:

5
6 **"SECTION 21.** Section 2 of chapter 235, Session Laws of
7 Colorado 2008, is amended to read:

8
9 Section 2. **Appropriation - adjustments to the 2008 long bill.**

10 (2) In addition to any other appropriation, there is hereby appropriated,
11 to the department of higher education, for the fiscal year beginning July
12 1, 2008, the following:

13
14 (a) Out of any moneys in the general fund not otherwise
15 appropriated, for allocation to the college opportunity fund created in
16 section 23-18-202 (1) (a), Colorado Revised Statutes, the sum of
17 ~~seventy-one thousand seven hundred sixty dollars (\$71,760)~~, FIFTY-THREE
18 THOUSAND FORTY DOLLARS (\$53,040), or so much thereof as may be
19 necessary, for stipends for an estimated 26.0 full-time equivalent students
20 attending state-operated institutions.

21
22 (b) To the trustees of metropolitan state college of Denver, the
23 sum of ~~one hundred forty-four thousand eight hundred twenty-five dollars~~
24 ~~(\$144,825)~~, ONE HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED
25 TWENTY-FIVE DOLLARS (\$126,825), or so much thereof as may be
26 necessary, to provide educational services to students. Of said sum,
27 ~~sixty-nine thousand dollars (\$69,000)~~ FIFTY-ONE THOUSAND DOLLARS
28 (\$51,000), shall be from reappropriated funds received from the
29 appropriation made in subsection (2) (a) of this section for student
30 stipends, and seventy-five thousand eight hundred twenty-five dollars
31 (\$75,825) cash funds shall be from the students' share of tuition.

32
33 (c) To the state board for community colleges and occupational
34 education state system, the sum of ~~five thousand seventy-five dollars~~
35 ~~(\$5,075)~~, FOUR THOUSAND THREE HUNDRED FIFTY-FIVE DOLLARS
36 (\$4,355), or so much thereof as may be necessary, to provide educational
37 services to students. Of said sum, ~~two thousand seven hundred sixty~~
38 ~~dollars (\$2,760)~~ TWO THOUSAND FORTY DOLLARS (\$2,040) shall be from
39 reappropriated funds received from the appropriation made in subsection
40 (2) (a) of this section for student stipends, and two thousand three
41 hundred fifteen dollars (\$2,315) cash funds shall be from the students'
42 share of tuition.

43
44 **SECTION 22.** Section 2 of chapter 351, Session Laws of
45 Colorado 2008, is amended to read:

46
47 Section 2. **Appropriation - adjustments to the 2008 long bill.**

48 (1) In addition to any other appropriation, there is hereby appropriated,
49 out of any moneys in the general fund not otherwise appropriated, to the
50 department of higher education, for allocation to the college opportunity
51 fund program, for student stipend payments, for the fiscal year beginning
52 July 1, 2008, the sum of ~~twenty-eight thousand six hundred twelve dollars~~
53 ~~(\$28,612)~~, TWENTY-ONE THOUSAND ONE HUNDRED FORTY-EIGHT DOLLARS
54 (\$21,148), or so much thereof as may be necessary, for the
55 implementation of this act.

56

1 (2) For the implementation of this act, the reappropriated funds
 2 appropriation to the department of higher education, governing boards,
 3 from student stipend payments, for the fiscal year beginning July 1, 2008,
 4 shall be increased by ~~twenty-eight thousand six hundred twelve dollars~~
 5 ~~(\$28,612)~~. TWENTY-ONE THOUSAND ONE HUNDRED FORTY-EIGHT DOLLARS
 6 (\$21,148). Said sum shall be from the appropriation made in subsection
 7 (1) of this section."

8
 9 Renumber succeeding section accordingly.

10
 11 Page 448, line 9, strike "**BUDGETS**" and substitute "**BUDGETS**^{48a}";
 12
 13 after line 13, insert the following:

14
 15 "**FOOTNOTES** -- The following statements are referenced to the
 16 numbered footnotes throughout section 2.

17
 18 48a Grand Totals -- Operating Budgets -- It is the intent of the
 19 General Assembly that all state employees take eight
 20 furlough days in FY 2009-10. The reductions to account
 21 for furlough days shall be allocated among state agencies
 22 as reflected in the following table.
 23

	<u>General</u>	<u>Cash</u>	<u>Reappropriated</u>	<u>Federal</u>	<u>Total</u>
<u>Department</u>	<u>Fund</u>	<u>Funds</u>	<u>Funds</u>	<u>Funds</u>	<u>Funds</u>
24 Agriculture	(\$123,002)	(\$311,016)	(\$20,558)	(\$37,018)	(\$491,594)
25 Corrections	(2,155,648)	(30,499)	(42,033)	(766)	(2,228,946)
26 Education	(477,025)	(75,108)	(84,156)	(298,870)	(935,159)
27 Governor	(298,012)	(72,350)	(260,136)	(197,038)	(827,536)
28 Health Care Policy					
29 and Financing	(221,856)	(17,340)	(30,392)	(255,552)	(525,140)
30 Higher Education	0	(202,490)	(28,878)	(36,146)	(267,514)
31 Human Services	(1,853,408)	(384,703)	(676,533)	(571,124)	(3,485,768)
32 Judicial Branch	(7,439,763)	(268,026)	(79,467)	(86,543)	(7,873,799)
33 Law	(353,881)	(214,966)	(1,163,796)	(50,305)	(1,782,948)
34 Legislature	(601,450)	(1,469)	0	0	(602,919)
35 Labor and					
36 Employment	(5,285)	(630,358)	(14,203)	(1,319,628)	(1,969,474)
37 Local Affairs	(112,783)	(54,077)	(104,409)	(86,186)	(357,455)
38 Military and					
39 Veterans Affairs	(72,170)	(2,048)	0	(121,740)	(195,958)
40 Natural Resources	(640,873)	(1,896,196)	(151,563)	(319,675)	(3,008,307)
41 Personnel and					
42 Administration	(123,509)	(15,175)	(538,245)	0	(676,929)
43 Public Health and					
44 Environment	(166,850)	(771,665)	(305,173)	(1,339,528)	(2,583,216)
45 Public Safety	(161,966)	(666,049)	(69,085)	(63,865)	(960,965)
46 Regulatory					
47 Agencies	(38,406)	(831,227)	(221,529)	(22,961)	(1,114,123)
48 Revenue	(1,211,080)	(1,113,979)	(32,403)	(40,247)	(2,397,709)
49 State	0	(205,095)	(6,489)	(9,132)	(220,716)
50 Transportation	0	(338,536)	0	(149,010)	(487,546)
51 Treasury	<u>(940)</u>	<u>(52,362)</u>	<u>0</u>	<u>0</u>	<u>(53,302)</u>

<u>Department</u>	<u>General Fund</u>	<u>Cash Funds</u>	<u>Reappropriated Funds</u>	<u>Federal Funds</u>	<u>Total Funds</u>
1 Reduction to Long					
2 Bill Operating					
3 Total	(\$16,057,907)	(\$8,154,734)	(\$3,829,048)	(\$5,005,334)	(\$33,047,023)

4
5 These reductions are to be distributed among the appropriations to each
6 respective department."

7
8 Amendment No. 2, by Representative(s) Murray, Acree, May, Pommer,
9 Ferrandino, Marostica.

10
11 Amend reengrossed bill, page 13, strike lines 9 and 10;

12
13 line 11, in the ITEM & SUBTOTAL column, strike "82,577" and
14 substitute "50,454" and, in the GENERAL FUND column, strike
15 "32,123".

16
17 Adjust affected totals accordingly.

18
19 Page 63, line 9, in the ITEM & SUBTOTAL column, strike "150,000"
20 and substitute "75,000" and, in the GENERAL FUND column, strike
21 "75,000";

22
23 line 10, in the GENERAL FUND column, strike "(0.8 FTE)".

24
25 Adjust affected totals accordingly.

26
27 Page 67, line 13, in the ITEM & SUBTOTAL column, strike "1,379,796"
28 and substitute "379,796" and, in the GENERAL FUND column, strike
29 "1,359,796" and substitute "359,796".

30
31 Adjust affected totals accordingly.

32
33 Page 99, line 6, in the ITEM & SUBTOTAL column, strike "3,780,427"
34 and substitute "3,573,001", in the GENERAL FUND column, strike
35 "1,856,700(M)" and substitute "1,752,987(M)", and, in the FEDERAL
36 FUNDS column, strike "1,890,213" and substitute "1,786,500".

37
38 Adjust affected totals accordingly.

39
40 Page 100, line 2, in the ITEM & SUBTOTAL column, strike "4,681,355"
41 and substitute "4,576,355", in the GENERAL FUND column, strike
42 "1,385,398(M)" and substitute "1,359,148(M)", and, in the FEDERAL
43 FUNDS column, strike "3,241,008" and substitute "3,162,258".

44
45 Adjust affected totals accordingly.

46
47 Page 101, line 6, strike "\$21,774.02" and substitute "\$21,773.83" and, in
48 the ITEM & SUBTOTAL column, strike "834,641,581" and substitute
49 "834,634,555";

50
51 line 12, strike "\$18,045.45" and substitute "\$18,044.86" and, in the ITEM
52 & SUBTOTAL column, strike "118,089,436" and substitute
53 "118,085,551".

54

1 Page 102, line 7, strike "\$1,308.54" and substitute "\$1,308.53" and, in the
2 ITEM & SUBTOTAL column, strike "20,957,630" and substitute
3 "20,957,373";
4
5 line 12, strike "\$14,370.19" and substitute "\$14,369.53", and in the ITEM
6 & SUBTOTAL column, strike "756,288,880" and substitute
7 "756,254,173".
8
9 Page, 103, line 4, strike "\$3,899.69" and substitute "\$3,899.43" and, in
10 the ITEM & SUBTOTAL column, strike "211,035,847" and substitute
11 "211,021,286";
12
13 line 7, strike "\$9,104.64" and substitute "\$9,104.03" and, in the ITEM &
14 SUBTOTAL column, strike "61,456,316" and substitute "61,452,191";
15
16 line 11, strike "\$22,420.07" and substitute "\$22,418.36" and, in the ITEM
17 & SUBTOTAL column, strike "7,196,841" and substitute "7,196,294";
18
19 line 15, strike "\$2,802.21" and substitute "\$2,802.11" and, in the ITEM
20 & SUBTOTAL column, strike "40,435,894" and substitute "40,434,433";
21
22 Page 104, line 3, strike "\$1,783.80" and substitute "\$1,783.69" and, in the
23 ITEM & SUBTOTAL column, strike "459,072,234" and substitute
24 "459,044,431";
25
26 line 6, strike "\$3,984.81" and substitute "\$3,984.57" and, in the ITEM &
27 SUBTOTAL column, strike "74,460,141" and substitute "74,455,595";
28
29 line 9, strike "\$14,911.85" and substitute "\$14,910.81" and, in the ITEM
30 & SUBTOTAL column, strike "59,006,195" and substitute "59,002,058";
31
32 line 10, in the TOTAL column, strike "2,642,640,995" and substitute
33 "2,642,537,940", in the GENERAL FUND column, strike
34 "1,182,272,166(M)" and substitute "1,182,229,592(M)", in the CASH
35 FUNDS column strike "132,541,979^a" and substitute "132,533,025^a", and,
36 in the FEDERAL FUNDS column, strike "1,325,080,521" and substitute
37 "1,325,028,994".
38
39 Adjust affected totals accordingly.
40
41 Page 105, line 1, strike "\$86,107,065(H)" and substitute
42 "\$86,098,111(H)".
43
44 Page 101, line 6, strike "\$21,774.02" and substitute "\$21,547.75" and, in
45 the ITEM & SUBTOTAL column, strike "834,641,581" and substitute
46 "825,968,326";
47
48 line 12, strike "\$18,045.45" and substitute "\$17,676.23" and, in the ITEM
49 & SUBTOTAL column, strike "118,089,436" and substitute
50 "115,673,266".
51
52 Page 102, line 7, strike "\$1,308.54" and substitute "\$1,304.74" and, in the
53 ITEM & SUBTOTAL column, strike "20,957,630" and substitute
54 "20,896,650";
55
56 line 12, strike "\$14,370.19" and substitute "\$13,997.03" and, in the ITEM

1 & SUBTOTAL column, strike "756,288,880" and substitute
2 "736,649,838".
3
4 Page 103, line 4, strike "\$3,899.69" and substitute "\$3,770.30" and, in the
5 ITEM & SUBTOTAL column, strike "211,035,847" and substitute
6 "204,033,683";
7
8 line 7, strike "\$9,104.64" and substitute "\$8,800.07" and, in the ITEM &
9 SUBTOTAL column, strike "61,456,316" and substitute "59,400,463";
10
11 line 15, strike "\$2,802.21" and substitute "\$2,759.24" and, in the ITEM
12 & SUBTOTAL column, strike "40,435,894" and substitute "39,815,876".
13
14 Page 104, line 3, strike "\$1,783.80" and substitute "\$1,733.88" and, in the
15 ITEM & SUBTOTAL column, strike "459,072,234" and substitute
16 "446,223,711";
17
18 line 6, strike "\$3,984.81" and substitute "\$3,878.88" and, in the ITEM &
19 SUBTOTAL column, strike "74,460,141" and substitute "72,480,819";
20
21 line 9, strike "\$14,911.85" and substitute "\$14,262.95" and, in the ITEM
22 & SUBTOTAL column, strike "59,006,195" and substitute "56,438,510";
23
24 line 10, in the TOTAL column, strike "2,642,640,995" and substitute
25 "2,584,777,983", in the GENERAL FUND column, strike
26 "1,182,272,166(M)" and substitute "1,154,444,719(M)", in the CASH
27 FUNDS column strike "132,541,979^a" and substitute "132,147,453^a", and,
28 in the FEDERAL FUNDS column strike "1,325,080,521" and substitute
29 "1,295,439,482".
30
31 Adjust affected totals accordingly.
32
33 Page 105, line 1, strike "\$86,107,065(H)" and substitute
34 "\$85,712,539(H)".
35
36 Page 123, line 3, in the ITEM & SUBTOTAL column, strike "2,839,581"
37 and substitute "2,129,686" and, in the REAPPROPRIATED FUNDS
38 column, strike "2,295,260^b" and substitute "1,585,365^b";
39
40 line 4, in the REAPPROPRIATED FUNDS column, strike "(27.5 FTE)"
41 and substitute "(20.6 FTE)".
42
43 Adjust affected totals accordingly.
44
45 Page 128, line 3, in the GENERAL FUND column, strike "261,942,888"
46 and substitute "261,232,993" and, in the REAPPROPRIATED FUNDS
47 column, insert "709,895^a";
48
49 after line 3, insert the following:
50
51 ^a This amount shall be from statewide and departmental indirect cost
52 recoveries."
53
54 Adjust affected totals accordingly.
55
56 Page 207, line 3, in the GENERAL FUND column, strike "3,974,210"

1 and substitute "4,060,460" and, in the REAPPROPRIATED FUNDS
2 column, strike "1,412,162^b" and substitute "1,325,912^b".

3
4 Page 208, line 8, in the ITEM & SUBTOTAL column, strike "1,328,909"
5 and substitute "1,242,659" and, in the CASH FUNDS column, strike
6 "1,328,909^a" and substitute "1,242,659^a".

7
8 Adjust affected totals accordingly.

9
10 Page 210, line 4, in the ITEM & SUBTOTAL column, strike "914,425"
11 and substitute "828,175" and, in the GENERAL FUND column, strike
12 "875,185" and substitute "788,935".

13
14 Adjust affected totals accordingly.

15
16 Page 211, line 14, in the ITEM & SUBTOTAL column, strike
17 "4,733,563" and substitute "3,549,025" and, in the CASH FUNDS
18 column, strike "1,184,538^a";

19
20 line 15, in the CASH FUNDS column, strike "(15.0 FTE)".

21
22 Page 212, line 1, in the ITEM & SUBTOTAL column, strike "398,840"
23 and substitute "227,604" and, in the CASH FUNDS column, strike
24 "221,236^a" and substitute "50,000^a";

25
26 strike line 2;

27
28 line 9, in the ITEM & SUBTOTAL column, strike "5,079,195" and
29 substitute "3,961,486" and, in the CASH FUNDS column, strike
30 "3,726,101^a" and substitute "2,608,392^a".

31
32 Adjust affected totals accordingly.

33
34 Amendment No. 3, by Representative(s) Pommer, Ferrandino, Marostica.

35
36 Amend reengrossed bill, page 128, line 3, in the ITEM & SUBTOTAL
37 column, strike "261,942,888" and substitute "261,135,648" and, in the
38 GENERAL FUND column, strike "261,942,888" and substitute
39 "261,135,648".

40
41 Adjust affected totals accordingly.

42
43 Page 136, line 6, in the TOTAL column, strike "14,774,712" and
44 substitute "14,755,392" and, in the GENERAL FUND column, strike
45 "12,580,784" and substitute "12,561,464".

46
47 Page 137, line 8, in the ITEM & SUBTOTAL column, strike
48 "10,415,912" and substitute "10,402,472" and, in the GENERAL FUND
49 column, strike "8,869,204" and substitute "8,855,764".

50
51 Adjust affected totals accordingly.

52
53 Page 372, line 10, in the ITEM & SUBTOTAL column, strike
54 "2,869,206" and substitute "3,709,206" and, in the GENERAL FUND
55 column, strike "1,631,143" and substitute "2,471,143";

56

1 line 11, in the GENERAL FUND column, strike "(23.5 FTE)" and
2 substitute "(37.5 FTE)".

3

4 Adjust affected totals accordingly.

5

6 Amendment No. 4, by Representative(s) Pommer, Ferrandino, Marostica.

7

8 Amend reengrossed bill, page 247, strike lines 12 through 14;

9

10 line 15, in the TOTAL column, strike "1,436,500" and substitute
11 "1,380,500" and, in the CASH FUNDS column, strike "56,000^b".

12

13 Page 248, strike line 4.

14

15 Adjust affected totals accordingly.

16

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

19

20

21 **SB09-276** by Senator(s) White, Keller, Tapia; also Representative(s)
22 Pommer, Ferrandino, Marostica--Concerning the property
23 tax exemptions for qualifying seniors and disabled
24 veterans, and, in connection therewith, lowering for
25 specified property tax years the maximum amount of actual
26 value of the primary owner-occupied residence of a
27 qualifying senior or a qualifying disabled veteran that is
28 partly exempt from property taxation, and making an
29 appropriation in connection therewith.

30

31 Amendment No. 1, by Representative(s) Balmer.

32

33 Amend reengrossed bill, page 2, line 2, strike "portions to 39-3-203 (1)
34 and (1.5)";

35

36 line 3 strike "(a), Colorado Revised Statutes, are" and substitute "portion
37 to 39-3-203 (1), Colorado Revised Statutes, is";

38

39 strike lines 17 through 22.

40

41 Page 3, strike lines 1 through 6;

42

43 strike line 13 and substitute the following:

44

45 "ninety million four hundred thousand dollars (\$90,400,000)."

46

47 Page 1, line 101, strike "EXEMPTIONS" and substitute "EXEMPTION";

48

49 line 102, strike "SENIORS AND DISABLED VETERANS," and substitute
50 "SENIORS,";

51

52 line 103, strike "SPECIFIED PROPERTY TAX YEARS" and substitute "A
53 SPECIFIED PROPERTY TAX YEAR";

54

55

1 line 105, strike "OR A";

2

3 line 106, strike "QUALIFYING DISABLED VETERAN".

4

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

7

8

9

10 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

11

12 Passed Second Reading: **SB09-269 amended, 271 amended,**
13 **279 amended, 259 amended, 276 amended.**

14

15 Laid over until date indicated retaining place on Calendar: **HB09-1269,**
16 **1081, 1323--April 17, 2009.**

17

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

22

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

41

42

43

44

45 **CONSIDERATION OF RESOLUTION(S)**

46

47 **SJR09-035** by Senator(s) White, Keller, Tapia; also Representative(s)
48 Marostica, Ferrandino, Pommer--Concerning the
49 declaration of a state fiscal emergency pursuant to Section
50 21 (7) of Article X of the state constitution.

51

52 (Printed and placed in members file)

53

54 On motion of Representative Marostica, the resolution was **adopted** by
55 the following roll call vote:

	YES	50	NO	13	EXCUSED	2	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
5	Baumgardner	N	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	Y	Stephens	E
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
15	Gardner B.	Y	Marostica	Y	Priola	N	Vigil	Y
16	Gardner C.	E	Massey	N	Rice	Y	Waller	N
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Apuan, Green, Kerr A., Labuda,
 20 Merrifield, Ryden, Scanlan, Soper, Todd

21
 22
 23
 24 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
 25 **on SB09-013**

26
 27 This Report Amends the Rerevised Bill.

28
 29 To the President of the Senate and the
 30 Speaker of the House of Representatives:

31
 32 Your first conference committee appointed on SB09-013,
 33 concerning the extension of civil immunity to persons engaged in
 34 emergency response activities, has met and reports that it has agreed upon
 35 the following:

36
 37 1. That the Senate accede to the House amendments made to the
 38 bill, as the amendments appear in the rerevised bill.

39
 40 2. That, under the authority granted the committee to consider
 41 matters not at issue between the two houses, the following amendments
 42 be recommended:

43
 44 Amend rerevised bill, page 2, line 8, strike "**definition.**" and substitute
 45 "**definition - legislative declaration.**".

46
 47 Page 3, after line 13, insert the following:

48
 49 "(5) THE GENERAL ASSEMBLY INTENDS THAT THE PROVISIONS OF
 50 THIS SECTION AND OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT",
 51 ARTICLE 10 OF TITLE 24, C.R.S., BE READ TOGETHER AND HARMONIZED.
 52 IF ANY PROVISION OF THIS SECTION IS CONSTRUED TO CONFLICT WITH A
 53 PROVISION OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", THE
 54 PROVISION THAT GRANTS THE GREATEST IMMUNITY SHALL PREVAIL.";

55

1 line 16, strike "**definitions.**" and substitute "**definitions - legislative**
2 **declaration.**".

3
4 Page 4, after line 25, insert the following:

5 "(3) THE GENERAL ASSEMBLY INTENDS THAT THE PROVISIONS OF
6 THIS SECTION AND OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT",
7 ARTICLE 10 OF TITLE 24, C.R.S., BE READ TOGETHER AND HARMONIZED.
8 IF ANY PROVISION OF THIS SECTION IS CONSTRUED TO CONFLICT WITH A
9 PROVISION OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT", THE
10 PROVISION THAT GRANTS THE GREATEST IMMUNITY SHALL PREVAIL."

11
12 Page 5, line 1, after "(1.7)", insert "(a)";

13
14 after line 14, insert the following:

15 "(b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION
16 (1.7), A PLAINTIFF MAY SUE AND RECOVER CIVIL DAMAGES FROM A PERSON
17 OR ENTITY SPECIFIED IN SAID PARAGRAPH (a) BASED UPON A NEGLIGENT
18 ACT OR OMISSION INVOLVING THE OPERATION OF A MOTOR VEHICLE;
19 EXCEPT THAT THE AMOUNT RECOVERED FROM SUCH PERSON OR ENTITY
20 SHALL NOT EXCEED THE LIMITS OF APPLICABLE INSURANCE COVERAGE
21 MAINTAINED BY OR ON BEHALF OF SUCH PERSON OR ENTITY WITH RESPECT
22 TO THE NEGLIGENT OPERATION OF A MOTOR VEHICLE IN SUCH
23 CIRCUMSTANCES. HOWEVER, NOTHING IN THIS SECTION SHALL BE
24 CONSTRUED TO LIMIT THE RIGHT OF A PLAINTIFF TO RECOVER FROM A
25 POLICY OF UNINSURED OR UNDERINSURED MOTORIST COVERAGE
26 AVAILABLE TO THE PLAINTIFF AS A RESULT OF A MOTOR VEHICLE
27 ACCIDENT.

28
29 (c) THE GENERAL ASSEMBLY INTENDS THAT THE PROVISIONS OF
30 THIS SUBSECTION (1.7) AND OF THE "COLORADO GOVERNMENTAL
31 IMMUNITY ACT", ARTICLE 10 OF TITLE 24, C.R.S., BE READ TOGETHER AND
32 HARMONIZED. IF ANY PROVISION OF THIS SUBSECTION (1.7) IS CONSTRUED
33 TO CONFLICT WITH A PROVISION OF THE "COLORADO GOVERNMENTAL
34 IMMUNITY ACT", THE PROVISION THAT GRANTS THE GREATEST IMMUNITY
35 SHALL PREVAIL."

36
37 Respectfully submitted,

38 Senate Committee:	House Committee:
39 (signed)	(signed)
40 Dan Gibbs	Claire Levy
41 Gail Schwartz	Steve King
42 Mike Kopp	Joe Miklosi

43
44
45
46 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**
47 **on SB09-101**

48
49 This Report Amends the Rerevised Bill.

50
51 To the President of the Senate and the
52 Speaker of the House of Representatives:

53
54 Your first conference committee appointed on SB09-101,
55 concerning the requirement for the creation of an independent historic
56 preservation commission by any city receiving moneys from the state

1 historical fund for historic preservation purposes when the city is not a
 2 certified local government, and, in connection therewith, establishing the
 3 composition and operation of such a commission, has met and reports that
 4 it has agreed upon the following:

5
 6 1. That the Senate accede to the House amendments made to the
 7 bill, as the amendments appear in the rerevised bill.

8
 9 2. That, under the authority granted the committee to consider
 10 matters not at issue between the two houses, the following amendment be
 11 recommended:

12
 13 Amend rerevised bill, page 2, line 18, strike "(4.5);" and substitute "(4.5),
 14 AND THAT THE CITY'S HISTORIC PRESERVATION COMMISSION REVIEW AND
 15 RECOMMEND GRANT AWARDS TO THE GOVERNING BODY;".

16
 17 Respectfully submitted,

18 Senate Committee:
 19 (signed)
 20 Al White
 21 Lois Tochtrop
 22 John P. Morse

House Committee:
 (signed)
 Claire Levy
 Karen Middleton
 Jim Kerr

23
 24
 25
 26 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

27
 28 **STATE, VETERANS, & MILITARY AFFAIRS**

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

31
 32 **HB09-1333** be referred favorably to the Committee on Appropriations.

33
 34
 35 **HJR09-1015** be postponed indefinitely.

36
 37
 38
 39 **PRINTING REPORT**

40
 41 The Chief Clerk reports the following bills have been correctly printed:
 42 **HB09-1347, 1348, 1349.**

43
 44
 45
 46 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

47
 48 The Speaker has signed: **HB09-1293.**

49
 50
 51 **DELIVERY OF BILLS TO GOVERNOR**

52
 53 The Chief Clerk of the House of Representatives reports the following
 54 bills have been delivered to the Office of the Governor: **HB09-1053,**
 55 **1200, 1220, 1229, 1293, 1294, 1296, 1301** at 12:42 p.m. on April 16,
 56 2009.

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

2
3 The Senate has passed on Third Reading and transmitted to the Revisor
4 of Statutes:

- 5
6 SB09-235 amended as printed in Senate Journal, March 26, 2009,
7 page 865, April 14, 2009, pages 1063-1064, and
8 April 16, 2009,
9 SB09-180 amended as printed in Senate Journal, April 14, 2009,
10 pages 1056-1059, and April 16, 2009,
11 SB09-245 amended as printed in Senate Journal, April 9, 2009,
12 page 1006,
13 SB09-135 amended as printed in Senate Journal, April 9, 2009
14 page 1006,
15 SB09-163 amended as printed in Senate Journal, April 15, 2009,
16 page 1088.

17
18 The Senate voted to concur in House amendments to SB09-176 and
19 repassed the bill as so amended.

20
21 The Senate has voted not to concur in House Amendments to SB09-094,
22 and requests that a Conference Committee be appointed. The President
23 appointed Senators Williams-Chair, Gibbs and Spence, as members of the
24 First Conference Committee on SB09-094 on the part of the Senate. The
25 bill is transmitted herewith.

26
27 The Senate has granted permission to the First Conference Committee on
28 HB09-1057 to go beyond the scope of differences between the two
29 houses.

30
31 The Senate has postponed indefinitely HB09-1314. The bill is returned
32 herewith.

33
34
35
36 **MESSAGE(S) FROM THE REVISOR**

37
38 We herewith transmit:
39 Without comment, as amended, SB09-235, 180, 245, and 135.
40 With comment, as amended, SB09-163.

41
42
43
44 **APPOINTMENTS TO CONFERENCE COMMITTEES**

45
46 Pursuant to a request from the Senate, the Speaker appointed House
47 conferees to the First Conference Committees as follows:

48
49 **SB09-094**--Representatives Levy, Chairman, Fischer, and Priola.

50
51
52
53 House in recess. House reconvened.
54
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56

INTRODUCTION OF BILLS
First Reading

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

SB09-135 by Senator(s) Penry; also Representative(s) Miklosi--
Concerning information collection regarding parole decisions.

Committee on Judiciary

SB09-163 by Senator(s) Hudak and King K.; also Representative(s) Middleton and Massey--Concerning the education accountability system, and making an appropriation therefor.

Committee on Education

SB09-180 by Senator(s) Tochtrop, Carroll M.; also Representative(s) Casso--Concerning collective bargaining by employees of public safety agencies.

Committee on State, Veterans, & Military Affairs

SB09-235 by Senator(s) Gibbs and Isgar; also Representative(s) Merrifield--Concerning certain fees charged by the division of wildlife, and making an appropriation in connection therewith.

Committee on Agriculture, Livestock, & Natural Resources

SB09-245 by Senator(s) Sandoval; also Representative(s) Schafer S.--Concerning changes to conform to portions of federal Public Law 110-351 relating to kinship.

Committee on Judiciary

INTRODUCTION OF CONCURRENT RESOLUTIONS

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

HCR09-1003 by Representative(s) Lambert; also Senator(s) King K.--Submitting to the registered electors of the state of Colorado an amendment to section 2 of article XVIII of the constitution of the state of Colorado, concerning the regulation of games of chance by an authority specified by the general assembly.

Committee on Finance

HCR09-1004 by Representative(s) Lambert; also Senator(s) Kopp--Submitting to the registered electors of the state of Colorado an amendment to section 3 of article VIII of the constitution of the state of Colorado, concerning the declaration of a disaster emergency that substantially affects the ability of the state government to operate in the city and county of Denver, and, in connection therewith,

1 requiring the general assembly to meet and allowing the
 2 general assembly to enact a statute to designate a
 3 temporary location for the seat of government.
 4 Committee on State, Veterans, & Military Affairs

5
6
7
8 **INTRODUCTION OF RESOLUTIONS**
9

10 The following resolutions were read by title and laid over one day under
 11 the rules:

12
 13 **HJR09-1019** by Representative(s) Kerr J., Summers, Acree, Apuan,
 14 Balmer, Baumgardner, Benefield, Bradford, Casso,
 15 Ferrandino, Frangas, Gagliardi, Gardner B., Gardner C.,
 16 Gerou, Green, Kagan, Kefalas, Kerr A., King S., Lambert,
 17 Liston, Looper, Marostica, Massey, May, McCann,
 18 McFadyen, McNulty, Merrifield, Middleton, Miklosi,
 19 Nikkel, Pace, Peniston, Primavera, Priola, Roberts,
 20 Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens,
 21 Todd, Vaad, Vigil, Waller, Weissmann; also Senator(s)
 22 Kopp, Boyd, Brophy, Carroll M., Gibbs, Heath, Kester,
 23 King K., Lundberg, Morse, Penry, Renfroe, Romer,
 24 Scheffel, Schultheis, Spence, White--Concerning
 25 Columbine High School triumph over tragedy 1999-2009.
 26

27 **HJR09-1021** by Representative(s) Benefield, Gagliardi, Gerou, Ryden,
 28 Todd; also Senator(s) Hudak, Sandoval--Concerning
 29 support of telecommuting by the state of Colorado.
 30

31
 32 The following resolutions were read by title and referred to the
 33 committees indicated:

34
 35 **HJR09-1020** by Representative(s) Middleton, Todd, Massey,
 36 Ferrandino, Benefield, Kerr A., Merrifield, Peniston,
 37 Pommer, Scanlan, Solano--Concerning the creation of an
 38 interim committee to study the financing of public schools.
 39 Committee on Education

40
 41 **HJR09-1022** by Representative(s) Frangas, Acree, Ferrandino,
 42 Gagliardi, Gerou, Green, Kerr J., Labuda, Looper, Pace,
 43 Primavera, Soper, Swalm, Todd; also Senator(s) Sandoval,
 44 Bacon, Heath, Tochtrop--Concerning the creation of a task
 45 force to study ways to maintain safety and quality of life
 46 for consumers utilizing home care placement agencies.

47 Committee on Health and Human Services

48
 49 **HJR09-1023** by Representative(s) Gardner B.; also Senator(s) Morse--
 50 Concerning the Ground-based Midcourse Defense System.

51 Committee on State, Veterans, & Military Affairs

52
 53 **HJR09-1024** by Representative(s) Sonnenberg--Concerning the actions
 54 of other states in subjecting Colorado-based interstate
 55 motor carriers to an unreasonable income tax.

56 Committee on Transportation & Energy

1 **HJR09-1025** by Representative(s) Schafer S., Apuan, Benefield,
2 Massey, Murray, Priola; also Senator(s) Bacon--
3 Concerning the creation of an interim committee to study
4 ways to improve the safety of school communities.
5 Committee on Education

6
7 **HJR09-1026** by Representative(s) Acree, Todd, Kerr J.; also Senator(s)
8 Newell--Concerning the creation of an interim committee
9 to address the home- and community-based services
10 waivers waiting list for children with developmental
11 disabilities.
12 Committee on Health and Human Services

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14
15
16 **LAY OVER OF CALENDAR ITEM(S)**

17
18 On motion of Representative Weissmann, the following item(s) on the
19 Calendar were laid over until April 17, retaining place on Calendar:

- 20
21 Consideration of Third Reading--**HB09-1274**.
22 Consideration of General Orders--**SB09-281, 251**.
23 Consideration of Conference Committee Report(s)--**SB09-148,**
24 **HB09-1281**.
25 Consideration of Resolution(s)--**HJR09-1014, 1016, 1018, SJR09-034**.
26 Consideration of Memorial(s)--**SJM09-002**.

27
28
29
30 On motion of Representative Weissmann, the House adjourned until
31 9:00 a.m., April 17, 2009.

32
33
34 Approved:
35 TERRANCE D. CARROLL,
36 Speaker

36 Attest:
37 MARILYN EDDINS,
38 Chief Clerk

