

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

Forty-ninth Legislative Day

Tuesday, February 24, 2009

1 Prayer by Bishop Aurther Tafoya, Catholic Diocese of Pueblo.  
2  
3 The Speaker called the House to order at 9:00 a.m.  
4  
5 Pledge of Allegiance led by Sean Cooney and Bryce Myers, Colorado  
6 Virtual Academy.  
7  
8 The roll was called with the following result:  
9  
10 Present--64.  
11 Excused--Representative(s) Pommer--1.  
12 Present after roll call--Representative(s) Pommer.  
13

14 The Speaker declared a quorum present.  
15  
16

17 On motion of Representative Hullinghorst, the reading of the journal of  
18 February 23, 2009, was declared dispensed with and approved as  
19 corrected by the Chief Clerk.  
20  
21

**THIRD READING OF BILLS--FINAL PASSAGE**

24 The following bills were considered on Third Reading. The titles were  
25 publicly read. Reading of the bill at length was dispensed with by  
26 unanimous consent.  
27  
28

29 **HB09-1076** by Representative(s) Pace; also Senator(s) Tochtrop--  
30 Concerning remuneration resulting from an employee's  
31 separation from employment for the purpose of  
32 calculating the postponement of unemployment insurance  
33 benefits.  
34

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

	YES	44	NO	21	EXCUSED	0	ABSENT	0
41	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
42	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
43	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y

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

15 Co-sponsor(s) added: Representative(s) Apuan, Casso, Frangas, Hullinghorst,  
 16 Labuda, McGihon, Priola, Rice, Ryden, Soper, Vigil

17  
 18 **HB09-1135** by Representative(s) Judd; also Senator(s) White--  
 19 Concerning the adjustment of fees imposed by counties in  
 20 the state.

21  
 22 The question being "Shall the bill pass?".  
 23 A roll call vote was taken. As shown by the following recorded vote, less  
 24 than a majority of those elected to the House voted in the affirmative and  
 25 the bill was declared **lost**.

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

45  
 46  
 47 **HB09-1254** by Representative(s) Judd, Rice; also Senator(s) Harvey--  
 48 Concerning additional consumer protections relating to  
 49 like-kind exchanges facilitated by exchange facilitators.

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**.

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Ryden

20  
 21 **HB09-1186** by Representative(s) Levy; also Senator(s) M. Carroll--  
 22 Concerning the delivery of a mail-in ballot to the  
 23 designated election official by the elector.  
 24

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

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

48 Co-sponsor(s) added: Representative(s) Apuan, Court, Kerr A., Labuda,  
 49 McGihon, Middleton, Ryden, Todd

50  
 51  
 52 **HB09-1236** by Representative(s) Primavera, Casso, Peniston; also  
 53 Senator(s) Hodge--Concerning the distance at which an  
 54 operator of a motor vehicle shall stop when a school bus  
 55 signals a stop.  
 56

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

24 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Green, Labuda,  
 25 Merrifield, Middleton, Priola, Ryden, Schafer S., Solano

26  
 27 **HB09-1214** by Representative(s) Benefield, Massey, Middleton,  
 28 Miklosi, Scanlan, Schafer S., Summers, Todd; also  
 29 Senator(s) Bacon--Concerning education data reporting  
 30 requirements.

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
38	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
39	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
40	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
41	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
42	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
43	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
44	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
45	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
46	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
47	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
48	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
49	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
50	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
51	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
52	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
53	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
54							Speaker	Y

55 Co-sponsor(s) added: Representative(s) Green, Merrifield, Ryden

56

1 **HB09-1264** by Representative(s) Benefield, Apuan, Court, Gardner B.,  
 2 Kerr A., Levy, McCann, Miklosi, Pace, Roberts, Ryden,  
 3 Solano; also Senator(s) Hudak--Concerning the costs  
 4 associated with college-level academic programs for state  
 5 inmates.  
 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	65	NO	0	EXCUSED	0	ABSENT	0
13	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
14	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
15	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
16	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
17	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
18	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
19	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
20	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
21	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
22	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
23	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
24	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
25	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
26	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
27	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
28	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Kerr J., Massey, Merrifield, Schafer S.,  
 31 Summers, Todd  
 32

33 **HB09-1190** by Representative(s) Levy; also Senator(s) Mitchell--  
 34 Concerning the enactment of the "Uniform Unsworn  
 35 Foreign Declarations Act".  
 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	47	NO	18	EXCUSED	0	ABSENT	0
43	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
44	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
45	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
46	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
47	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
48	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
49	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
50	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
51	Curry	Y	Lambert	N	Nikkel	N	Summers	N
52	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
53	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
54	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
55	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	Y
56	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N

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

4 Co-sponsor(s) added: Representative(s) Gardner B., McGihon, Ryden, Todd

5  
6 **HB09-1260** by Representative(s) Ferrandino; also Senator(s) Veiga--  
7 Concerning designated beneficiary agreements.

8  
9 The question being "Shall the bill pass?".

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

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

32 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Court,  
33 Fischer, Frangas, Green, Hullinghorst, Judd, Kefalas, Kerr A., Labuda, Levy,  
34 McCann, McGihon, Merrifield, Middleton, Miklosi, Primavera, Ryden,  
35 Scanlan, Schafer S., Todd, Weissmann, Speaker

36  
37 **HB09-1249** by Representative(s) Pommer, Ferrandino, Marostica; also  
38 Senator(s) White, Keller, Tapia--Concerning the  
39 consolidation of certain cash funds created for the  
40 department of agriculture.

41  
42 The question being "Shall the bill pass?".

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

47	YES	65	NO	0	EXCUSED	0	ABSENT	0
48	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
49	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
50	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
51	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
52	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
53	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
54	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
55	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
56	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y

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

9 Co-sponsor(s) added: Representative(s) Curry, Nikkel, Priola, Ryden, Stephens

10  
11 **HB09-1108** by Representative(s) Kerr A.; also Senator(s) Boyd--  
12 Concerning the failure of an employer's bank to honor an  
13 employee's paycheck upon presentment.  
14

15 The question being "Shall the bill pass?".

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

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

38 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Gagliardi,  
39 Hullinghorst, Labuda, Ryden, Soper, Todd

40  
41  
42 **HB09-1224** by Representative(s) Schafer S., McGihon, Labuda,  
43 Frangas, Ryden, Green, Ferrandino, Court, Hullinghorst,  
44 Kefalas, Middleton, Peniston, Solano, Todd, Vigil; also  
45 Senator(s) Carroll M., Hodge--Concerning a prohibition  
46 on the consideration of gender in setting rates for  
47 individual health benefits plans, and in connection  
48 therewith, directing the Health Care Task Force during the  
49 2009 interim to study issues related to such prohibition.

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

	YES	49	NO	16	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	N	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
12	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
13	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	N	Primavera	Y	Vaad	N
15	Gardner B.	N	Massey	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	May	Y	Rice	Y	Waller	N
17	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Fischer, Gagliardi, Kerr A., Massey,  
20 McCann, McFadyen, Merrifield, Pommer, Primavera, Priola

21  
22 **HB09-1217** by Representative(s) Murray; also Senator(s) Scheffel--  
23 Concerning the creation of local improvement districts for  
24 the purpose of improving public utilities.

25  
26 The question being "Shall the bill pass?".

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
31								
32	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McGihon	Y	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
36	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
38	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
39	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
40	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
41	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
42	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
43	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
44	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
45	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
46	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
47	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Gardner B., Gerou, Kerr J., Labuda,  
50 Liston, Marostica, Massey, McNulty, Priola

51  
52 **HB09-1220** by Representative(s) Scanlan; also Senator(s) Gibbs--  
53 Concerning an amendment to the "Colorado Common  
54 Interest Ownership Act" to permit a unit owner to  
55 prescribe specified conditions in connection with the use  
56 of such owner's property that promote affordable housing.



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

24 Co-sponsor(s) added: Representative(s) Apuan, Kerr A., Ryden, Todd

25  
 26 **HB09-1218** by Representative(s) Soper, Marostica; also Senator(s)  
 27 Bacon--Concerning capital lease agreements entered into  
 28 by the state.

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

	YES	58	NO	7	EXCUSED	0	ABSENT	0
36	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
37	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
38	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
39	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
40	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
41	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
42	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
43	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
44	Curry	Y	Lambert	N	Nikkel	Y	Summers	Y
45	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
46	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
47	Frangas	Y	Looper	N	Pommer	N	Todd	Y
48	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
49	Gardner B.	Y	Massey	Y	Priola	N	Vigil	Y
50	Gardner C.	N	May	Y	Rice	Y	Waller	Y
51	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	N
52							Speaker	Y

53 Co-sponsor(s) added: Representative(s) Todd

54  
 55

1 **HB09-1229** by Representative(s) Kerr J., Miklosi, Primavera; also  
 2 Senator(s) Isgar, Tochtrop--Concerning the designation of  
 3 auxiliary facilities of institutions of higher education as  
 4 enterprises.

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	62	NO	3	EXCUSED	0	ABSENT	0
12	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
13	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
14	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
15	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
16	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
18	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
19	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
20	Curry	Y	Lambert	Y	Nikkel	N	Summers	Y
21	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
22	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
23	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
24	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
25	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
26	Gardner C.	N	May	Y	Rice	Y	Waller	Y
27	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Middleton, Priola, Ryden, Stephens,  
 30 Todd

31  
 32 **SB09-211** by Senator(s) Keller, Tapia, White; also Representative(s)  
 33 Ferrandino, Pommer, Marostica--Concerning a delay in  
 34 the expansion of eligibility for the children's basic health  
 35 plan, and making modifications to an appropriation  
 36 therefor.

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

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

1	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
2	Gardner C.	N	May	Y	Rice	Y	Waller	Y
3	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Ryden, Todd

6  
 7 **SB09-213** by Senator(s) Tapia, Keller, White; also Representative(s)  
 8 Pommer, Ferrandino, Marostica--Concerning  
 9 appropriations for the alternative teacher compensation  
 10 plan grant program.

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

35 Co-sponsor(s) added: Representative(s) Acree, Merrifield

36  
 37 **SB09-215** by Senator(s) Keller, Tapia, White; also Representative(s)  
 38 Pommer, Ferrandino, Marostica--Concerning  
 39 modifications to appropriations to achieve a reduction in  
 40 the state expenditures for the financing of public schools.

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

47	YES	37	NO	28	EXCUSED	0	ABSENT	0
48	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
49	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
50	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
51	Baumgardner	N	Kefalas	N	McNulty	N	Schafer S.	Y
52	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
53	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
54	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
55	Court	N	Labuda	Y	Murray	N	Stephens	N
56	Curry	Y	Lambert	N	Nikkel	N	Summers	N

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

9  
10 **SB09-212** by Senator(s) White, Keller, Tapia; also Representative(s)  
11 Pommer, Ferrandino, Marostica--Concerning a temporary  
12 limitation on the maximum amount of state sales and use  
13 tax revenues that may be retained by a retail vendor to  
14 compensate for the vendor's expenses incurred in the  
15 collection and remittance of the tax revenues to the state.

16  
17 As shown by the following roll call vote, a majority of all members  
18 elected to the House voted in the affirmative, and Representative Pommer  
19 was given permission to offer a Third Reading amendment:

21	YES	59	NO	6	EXCUSED	0	ABSENT	0
22	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
23	Apuan	N	Hullinghorst	Y	McGihon	Y	Ryden	Y
24	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
25	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
26	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
27	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	Y
28	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
29	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
30	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
31	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
32	Fischer	Y	Liston	Y	Peniston	Y	Tipton	N
33	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
34	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
35	Gardner B.	N	Massey	Y	Priola	Y	Vigil	N
36	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
37	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
38							Speaker	Y

39  
40 **Third Reading amendment No. 1**, by Representative Pommer.

41  
42 Amend revised bill, page 2, line 6, after "VENDOR" insert "THAT IS  
43 ALLOWED TO FILE ON A LESS FREQUENT BASIS THAN MONTHLY PURSUANT  
44 TO SECTION 39-26-109";

45  
46 line 8, strike "THE" and substitute "AN";

47  
48 line 9, strike "PER VENDOR WHOSE MONTHLY TAX" and substitute "ALL  
49 SALES REPORTED ON ANY RETURN";

50  
51 strike line 10;

52  
53 line 11, strike "JULY 1," and substitute "DECEMBER 31,".

54  
55 The amendment was declared **passed** by the following roll call vote:

56

	YES	65	NO	0	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y
19								

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

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

43 Co-sponsor(s) added: Representative(s) Labuda

46 **SB09-204** by Senator(s) White, Keller, Tapia; also Representative(s)  
 47 Ferrandino, Pommer, Marostica--Concerning changes to  
 48 the designation of funds constituting the state emergency  
 49 reserve for state fiscal year 2008-09.

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

	YES	44	NO	21	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
7	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	N	Stephens	N
10	Curry	Y	Lambert	N	Nikkel	N	Summers	N
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
12	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
13	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
14	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	N
15	Gardner B.	N	Massey	Y	Priola	N	Vigil	Y
16	Gardner C.	N	May	Y	Rice	Y	Waller	N
17	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y
19								

20 **SB09-206** by Senator(s) Keller, Tapia, White; also Representative(s)  
 21 Pommer, Ferrandino, Marostica--Concerning the repeal of  
 22 the waiting list navigator pilot program, and repealing an  
 23 appropriation therefor.  
 24

25 As shown by the following roll call vote, a majority of all members  
 26 elected to the House voted in the affirmative, and Representative Murray  
 27 was given permission to offer a Third Reading amendment:  
 28

	YES	61	NO	4	EXCUSED	0	ABSENT	0
30	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
31	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
32	Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y
33	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
34	Benefield	N	Kerr A.	Y	Merrifield	Y	Solano	Y
35	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
36	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
37	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
38	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
39	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
40	Fischer	N	Liston	Y	Peniston	Y	Tipton	Y
41	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
42	Gagliardi	N	Marostica	Y	Primavera	Y	Vaad	Y
43	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
44	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
45	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
46							Speaker	Y
47								

48 **Third Reading amendment No. 1**, by Representative Murray.  
 49

50 Amend revised bill, page 2, strike lines 3 through 13.  
 51

52 Renumber succeeding section accordingly.  
 53

54 Page 1, strike line 102 and substitute the following:  
 55

56 **"PROGRAM."**

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

	YES	30	NO	35	EXCUSED	0	ABSENT	0
4	Acree	Y	Green	N	McFadyen	N	Roberts	Y
5	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
6	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
7	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
8	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
9	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
10	Casso	N	King S.	Y	Miklosi	N	Soper	Y
11	Court	N	Labuda	N	Murray	Y	Stephens	Y
12	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
13	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
14	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
15	Frangas	N	Looper	Y	Pommer	N	Todd	N
16	Gagliardi	N	Marostica	N	Primavera	N	Vaad	Y
17	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
18	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
19	Gerou	Y	McCann	N	Riesberg	N	Weissmann	N
20							Speaker	N

21  
22 The question being, "Shall the bill pass?".  
23 A roll call vote was taken. As shown by the following recorded vote, a  
24 majority of those elected to the House voted in the affirmative, and the  
25 bill was declared **passed**.

	YES	42	NO	23	EXCUSED	0	ABSENT	0
28	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
29	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
30	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
31	Baumgardner	N	Kefalas	Y	McNulty	N	Schafer S.	Y
32	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
33	Bradford	N	Kerr J.	Y	Middleton	Y	Sonnenberg	N
34	Casso	Y	King S.	N	Miklosi	Y	Soper	N
35	Court	N	Labuda	Y	Murray	N	Stephens	N
36	Curry	Y	Lambert	Y	Nikkel	N	Summers	N
37	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	N
38	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
39	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
40	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
41	Gardner B.	N	Massey	Y	Priola	N	Vigil	Y
42	Gardner C.	N	May	N	Rice	Y	Waller	N
43	Gerou	N	McCann	Y	Riesberg	Y	Weissmann	Y
44							Speaker	Y

45  
46 **SB09-207** by Senator(s) White, Keller, Tapia; also Representative(s)  
47 Marostica, Ferrandino, Pommer--Concerning delaying  
48 implementation of the child welfare and mental health  
49 services pilot program, and repealing an appropriation  
50 therefor.

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

56

	YES	57	NO	8	EXCUSED	0	ABSENT	0
1								
2	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
3	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
5	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
7	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
9	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
10	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
13	Frangas	N	Looper	Y	Pommer	Y	Todd	N
14	Gagliardi	N	Marostica	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
16	Gardner C.	N	May	Y	Rice	Y	Waller	Y
17	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
18							Speaker	Y

19  
20 **SB09-208** by Senator(s) Tapia, Keller, White; also Representative(s)  
21 Pommer, Ferrandino, Marostica--Concerning the  
22 augmentation of the general fund through transfers of  
23 certain moneys in the 2008-09 fiscal year.  
24

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

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

48 Co-sponsor(s) added: Representative(s) Hullinghorst  
49

50 **SB09-217** by Senator(s) White, Keller, Tapia; also Representative(s)  
51 Ferrandino, Pommer, Marostica--Concerning the reduction  
52 of moneys transferred to certain funds from the portion of  
53 limited gaming fund moneys that would otherwise be  
54 transferred to the general fund after the transfer to the  
55 local government limited gaming impact fund.  
56



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

24 Co-sponsor(s) added: Representative(s) Ryden

25  
 26 **SB09-185** by Senator(s) Keller, Tapia, White; also Representative(s)  
 27 Pommer, Ferrandino, Marostica--Concerning a  
 28 supplemental appropriation to the department of  
 29 education.

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

54 Co-sponsor(s) added: Representative(s) Acree, Schafer S.

55

1 **SB09-195** by Senator(s) Keller, Tapia, White; also Representative(s)  
 2 Pommer, Ferrandino, Marostica--Concerning a  
 3 supplemental appropriation to the department of natural  
 4 resources.

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**.

10

	YES	61	NO	4	EXCUSED	0	ABSENT	0
12	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
13	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
14	Balmer	Y	Judd	Y	McKinley	N	Scanlan	Y
15	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
16	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	N
18	Casso	Y	King S.	N	Miklosi	Y	Soper	Y
19	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
20	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
21	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
22	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
23	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
24	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
25	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
26	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
27	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
28							Speaker	Y

29

30

31 **SB09-210** by Senator(s) Tapia, Keller, White; also Representative(s)  
 32 Ferrandino, Pommer, Marostica--Concerning transfers for  
 33 health programs from the tobacco litigation funds, and, in  
 34 connection therewith, making modifications to  
 35 appropriations.

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

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

4 Co-sponsor(s) added: Representative(s) Acree

5

6

7 On motion of Representative Fischer, the House resolved itself into  
8 Committee of the Whole for consideration of Special Orders, and he was  
9 called to the Chair to act as Chairman.

10

11

## 12 SPECIAL ORDERS--SECOND READING OF BILLS

13

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

18

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

21

22 **SB09-209** by Senator(s) White, Keller, Tapia; also Representative(s)  
23 Marostica, Ferrandino, Pommer--Concerning the repeal of  
24 the inmate assistance demonstration grant program, and  
25 repealing an appropriation therefor.

26

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

29

30 **SB09-214** by Senator(s) Tapia, Keller, White; also Representative(s)  
31 Pommer, Ferrandino, Marostica--Concerning  
32 appropriations for the quality teacher program created in  
33 2008.

34

35 Ordered revised and placed on the Calendar for Third Reading and Final  
36 Passage.

37

38 **SB09-216** by Senator(s) Tapia, Keller, White; also Representative(s)  
39 Pommer, Ferrandino, Marostica--Concerning increases in  
40 the fees paid to the division of water resources in the  
41 department of natural resources, and, in connection  
42 therewith, modifying appropriations made to the division  
43 of water resources in the fiscal year 2008-09 long  
44 appropriations bill.

45

46 Referred to the Committee on Agriculture, Livestock, & Natural  
47 Resources.

48

49 **SB09-218** by Senator(s) White, Keller, Tapia; also Representative(s)  
50 Ferrandino, Pommer, Marostica--Concerning an increase  
51 in the amount of moneys appropriated from the state  
52 general fund to the controlled maintenance trust fund for  
53 the fiscal year beginning July 1, 2007.

54

55 Ordered revised and placed on the Calendar for Third Reading and Final  
56 Passage.

- 1 **SB09-183** by Senator(s) Keller, Tapia, White; also Representative(s)  
2 Pommer, Ferrandino, Marostica--Concerning a  
3 supplemental appropriation to the department of  
4 agriculture.  
5  
6 Ordered revised and placed on the Calendar for Third Reading and Final  
7 Passage.  
8  
9 **SB09-184** by Senator(s) Keller, Tapia, White; also Representative(s)  
10 Pommer, Ferrandino, Marostica--Concerning a  
11 supplemental appropriation to the department of  
12 corrections.  
13  
14 Ordered revised and placed on the Calendar for Third Reading and Final  
15 Passage.  
16  
17 **SB09-186** by Senator(s) Keller, Tapia, White; also Representative(s)  
18 Pommer, Ferrandino, Marostica--Concerning a  
19 supplemental appropriation to the offices of the governor,  
20 lieutenant governor, and state planning and budgeting.  
21  
22 Ordered revised and placed on the Calendar for Third Reading and Final  
23 Passage.  
24  
25 **SB09-187** by Senator(s) Keller, Tapia, White; also Representative(s)  
26 Pommer, Ferrandino, Marostica--Concerning a  
27 supplemental appropriation to the department of health  
28 care policy and financing.  
29  
30 Ordered revised and placed on the Calendar for Third Reading and Final  
31 Passage.  
32  
33 **SB09-188** by Senator(s) Keller, Tapia, White; also Representative(s)  
34 Pommer, Ferrandino, Marostica--Concerning a  
35 supplemental appropriation to the department of higher  
36 education.  
37  
38 Ordered revised and placed on the Calendar for Third Reading and Final  
39 Passage.  
40  
41 **SB09-189** by Senator(s) Keller, Tapia, White; also Representative(s)  
42 Pommer, Ferrandino, Marostica--Concerning a  
43 supplemental appropriation to the department of human  
44 services.  
45  
46 Ordered revised and placed on the Calendar for Third Reading and Final  
47 Passage.  
48  
49 **SB09-190** by Senator(s) Keller, Tapia, White; also Representative(s)  
50 Pommer, Ferrandino, Marostica--Concerning a  
51 supplemental appropriation to the judicial department.  
52  
53 Ordered revised and placed on the Calendar for Third Reading and Final  
54 Passage.  
55

- 1 **SB09-191** by Senator(s) Keller, Tapia, White; also Representative(s)  
2 Pommer, Ferrandino, Marostica--Concerning a  
3 supplemental appropriation to the department of labor and  
4 employment.  
5  
6 Ordered revised and placed on the Calendar for Third Reading and Final  
7 Passage.  
8  
9 **SB09-192** by Senator(s) Keller, Tapia, White; also Representative(s)  
10 Pommer, Ferrandino, Marostica--Concerning a  
11 supplemental appropriation to the department of law.  
12  
13 Ordered revised and placed on the Calendar for Third Reading and Final  
14 Passage.  
15  
16 **SB09-193** by Senator(s) Keller, Tapia, White; also Representative(s)  
17 Pommer, Ferrandino, Marostica--Concerning a  
18 supplemental appropriation to the department of local  
19 affairs.  
20  
21 Ordered revised and placed on the Calendar for Third Reading and Final  
22 Passage.  
23  
24 **SB09-194** by Senator(s) Keller, Tapia, White; also Representative(s)  
25 Pommer, Ferrandino, Marostica--Concerning a  
26 supplemental appropriation to the department of military  
27 and veterans affairs.  
28  
29 Ordered revised and placed on the Calendar for Third Reading and Final  
30 Passage.  
31  
32 **SB09-196** by Senator(s) Keller, Tapia, White; also Representative(s)  
33 Pommer, Ferrandino, Marostica--Concerning a  
34 supplemental appropriation to the department of personnel  
35 and administration.  
36  
37 Ordered revised and placed on the Calendar for Third Reading and Final  
38 Passage.  
39  
40 **SB09-197** by Senator(s) Keller, Tapia, White; also Representative(s)  
41 Pommer, Ferrandino, Marostica--Concerning a  
42 supplemental appropriation to the department of public  
43 health and environment.  
44  
45 Ordered revised and placed on the Calendar for Third Reading and Final  
46 Passage.  
47  
48 **SB09-198** by Senator(s) Keller, Tapia, White; also Representative(s)  
49 Pommer, Ferrandino, Marostica--Concerning a  
50 supplemental appropriation to the department of public  
51 safety.  
52  
53 Ordered revised and placed on the Calendar for Third Reading and Final  
54 Passage.  
55  
56

1 **SB09-199** by Senator(s) Keller, Tapia, White; also Representative(s)  
 2 Pommer, Ferrandino, Marostica--Concerning a  
 3 supplemental appropriation to the department of regulatory  
 4 agencies.  
 5

6 Ordered revised and placed on the Calendar for Third Reading and Final  
 7 Passage.  
 8

9 **SB09-200** by Senator(s) Keller, Tapia, White; also Representative(s)  
 10 Pommer, Ferrandino, Marostica--Concerning a  
 11 supplemental appropriation to the department of revenue.  
 12

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

16 **SB09-201** by Senator(s) Keller, Tapia, White; also Representative(s)  
 17 Pommer, Ferrandino, Marostica--Concerning a  
 18 supplemental appropriation to the department of state.  
 19

20 Ordered revised and placed on the Calendar for Third Reading and Final  
 21 Passage.  
 22

23 **SB09-202** by Senator(s) Keller, Tapia, White; also Representative(s)  
 24 Pommer, Ferrandino, Marostica--Concerning a supple-  
 25 mental appropriation to the department of transportation.  
 26

27 Ordered revised and placed on the Calendar for Third Reading and Final  
 28 Passage.  
 29

30 **SB09-203** by Senator(s) Keller, Tapia, White; also Representative(s)  
 31 Pommer, Ferrandino, Marostica--Concerning a supple-  
 32 mental appropriation to the department of the treasury.  
 33

34 Ordered revised and placed on the Calendar for Third Reading and Final  
 35 Passage.  
 36

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37  
 38  
 39 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

40  
 41 Passed Second Reading: **SB09-209, 214, 218, 183, 184, 186, 187, 188,**  
 42 **189, 190, 191, 192, 193, 194, 196, 197, 198, 199, 200, 201, 202, 203.**  
 43

44 Referred to Committee indicated: **SB09-216-Agriculture, Livestock, &**  
 45 **Natural Resources.**  
 46

47 The Chairman moved the adoption of the Committee of the Whole  
 48 Report. As shown by the following roll call vote, a majority of those  
 49 elected to the House voted in the affirmative, and the Report was  
 50 **adopted.**  
 51

	YES	64	NO	0	EXCUSED	0	ABSENT	1
53	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y

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

14

15

16

17

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

21

22

23

### GENERAL ORDERS--SECOND READING OF BILLS

24

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

29

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

32

33 **HB09-1233** by Representative(s) Vigil; also Senator(s) Schwartz--  
34 Concerning the recognition of acequias, and, in connection  
35 therewith, authorizing acequia water districts.

36

37 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
38 dated February 18, 2009, and placed in member's bill file; Report also  
39 printed in House Journal, February 19, pages 430-432.

40

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

43

44 **SB09-001** by Senator(s) Gibbs and Penry, Kopp; also  
45 Representative(s) Scanlan and King S.--Concerning the  
46 establishment of community wildfire protection plans by  
47 county governments.

48

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

51

52 **HB09-1061** by Representative(s) McGihon; also Senator(s) Tochtrop--  
53 Concerning required health care disclosures involving  
54 insurance carrier business relationships with intermediary  
55 entities.

56

1 Amendment No. 1, Business Affairs & Labor Report, dated  
2 February 11, 2009, and placed in member's bill file; Report also printed  
3 in House Journal, February 12, pages 313-314.

4

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

7

8 **HB09-1253** by Representative(s) Pace, Apuan, Levy, McKinley,  
9 Miklosi, Vigil; also Senator(s) Tapia--Concerning  
10 processes for involuntary mental health treatment for  
11 defendants committed under title 16, Colorado Revised  
12 Statutes.

13

14 Amendment No. 1, Judiciary Report, dated February 16, 2009, and placed  
15 in member's bill file; Report also printed in House Journal, February 17,  
16 pages 381-383.

17

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

20

21 **HB09-1200** by Representative(s) Stephens, King S., Liston, Waller;  
22 also Senator(s) Scheffel, King K., Kopp--Concerning a  
23 requirement that the staff of the legislative council  
24 consider certain factors relating to counties in the local  
25 government impact section of a fiscal note.

26

27 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
28 February 17, 2009, and placed in member's bill file; Report also printed  
29 in House Journal, February 18, pages 405-406.

30

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

33

34 **HB09-1216** by Representative(s) Murray; also Senator(s) Newell--  
35 Concerning voting by electors, and, in connection  
36 therewith, amending the election code to reflect changes  
37 brought about by the implementation of the statewide  
38 voter registration system and permanent mail-in voting.

39

40 Amendment No. 1, State, Veterans, & Military Affairs Report, dated  
41 February 12, 2009, and placed in member's bill file; Report also printed  
42 in House Journal, February 13, pages 341-342.

43

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

46

47 **HB09-1001** by Representative(s) Rice, Balmer, Liston, McFadyen,  
48 Solano; also Senator(s) Heath, Mitchell, Scheffel,  
49 Schwartz, Veiga--Concerning the creation of an income  
50 tax credit to incentivize Colorado job growth.

51

52 Amendment No. 1, Business Affairs & Labor Report, dated  
53 January 28, 2009, and placed in member's bill file; Report also printed in  
54 House Journal, January 29, pages 166-168.

55



1 Amendment No. 2, by Representative C. Gardner.

2

3 Amend the Business Affairs and Labor Committee Report, dated January  
4 28, 2009, page 3, line 6, strike "TEN" and substitute "FIVE".

5

6 Amendment No. 3, by Representative Ferrandino.

7

8 Amend printed bill, page 2, line 18, strike "2019." and substitute "2018.".

9

10 Page 3, line 11, strike "2020," and substitute "2015,".

11

12 Page 8, line 24, strike "2020," and substitute "2019,".

13

14 Page 9, line 19, strike "2031." and substitute "2025.".

15

16 Amendment No. 4, by Representative Frangas.

17

18 Amend printed bill, page 3, line 5, after "TOURISM,", insert "FILM AND  
19 TELEVISION PRODUCTION,".

20

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

23

24

25 A motion by Representative Weissmann that the Committee rise, report  
26 progress and beg leave to sit again at 1:30 p.m., was adopted by  
27 unanimous consent. (General Orders continued on page 514.)

28

29

30

31

---

House reconvened.

32

33 The Committee of the Whole reported it had risen, reported progress and  
34 would sit again at 1:30 p.m.

35

36

37

38

39

## REPORTS OF COMMITTEES OF REFERENCE

40

### APPROPRIATIONS

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

44

45 HB09-1064 be amended as follows, and as so amended, be referred to  
46 the Committee of the Whole with favorable  
47 recommendation:

48

49 Amend the State, Veterans, & Military Affairs Committee Report, dated  
50 January 27, 2009, page 1, line 7, strike "7." and substitute "7 and  
51 substitute the following:

52

53 "(d) IN THE EVENT THE TASK FORCE DOES NOT RECEIVE MONEYS  
54 ALLOCATED TO THE LEGISLATIVE COUNCIL FOR LEGISLATIVE STUDIES  
55 FROM APPROPRIATIONS MADE BY THE GENERAL ASSEMBLY PURSUANT TO  
56 PARAGRAPH (b) OF THIS SUBSECTION (5) AND THERE ARE INSUFFICIENT

1 MONEYS RECEIVED BY THE LEGISLATIVE COUNCIL THROUGH GIFTS,  
2 GRANTS, AND DONATIONS PURSUANT TO PARAGRAPH (c) OF THIS  
3 SUBSECTION (5) TO CARRY OUT THE DUTIES OF THE TASK FORCE PURSUANT  
4 TO THIS SECTION, THE TASK FORCE SHALL NOT MEET DURING THE INTERIM  
5 UNTIL SUCH TIME AS SUFFICIENT MONEYS BECOME AVAILABLE."."

6

7

8

9

10 **EDUCATION**

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

13

14 **HB09-1225** be postponed indefinitely.

15

16

17 **HB09-1267** be amended as follows, and as so amended, be referred to  
18 the Committee on Appropriations with favorable  
19 recommendation:

20

21 Amend printed bill, page 3, line 23, strike "**prohibited.**" and substitute  
22 "**prohibited.** (1)";

23

24 line 24, strike "INCLUDE A" and substitute "INCLUDE:";

25

26 strike lines 25 through 27 and substitute the following:

27

28 "(a) A PROHIBITION AGAINST THE AWARDED OF ANY FINANCIAL  
29 ASSISTANCE PURSUANT TO THIS ARTICLE TO A STUDENT WHO IS PURSUING  
30 A PROFESSIONAL DEGREE IN THEOLOGY; EXCEPT THAT THE PROHIBITION  
31 DESCRIBED IN THIS SECTION SHALL NOT APPLY TO FINANCIAL ASSISTANCE  
32 THAT IS AWARDED TO A STUDENT FROM A FEDERAL PROGRAM, INCLUDING  
33 BUT NOT LIMITED TO TITLE IV OF THE FEDERAL "HIGHER EDUCATION ACT  
34 OF 1965", 20 U.S.C. SEC. 1070, AS AMENDED; AND

35

36 (b) A REQUIREMENT THAT AN INSTITUTION OR NONPUBLIC  
37 INSTITUTION OF HIGHER EDUCATION THAT SEEKS TO AWARD FINANCIAL  
38 ASSISTANCE TO A STUDENT PURSUANT TO THIS ARTICLE CERTIFY THAT THE  
39 STUDENT IS NOT PURSUING A PROFESSIONAL DEGREE IN THEOLOGY."

40

41 Page 4, line 22, strike "**prohibited.**" and substitute "**prohibited.** (1)";

42

43 line 23, strike "INCLUDE A PROHIBITION" and substitute "INCLUDE:";

44

45 strike lines 24 through 26 and substitute the following:

46

47 "(a) A PROHIBITION AGAINST THE AWARDED OF ANY FINANCIAL  
48 ASSISTANCE PURSUANT TO THIS ARTICLE TO A STUDENT WHO IS PURSUING  
49 A PROFESSIONAL DEGREE IN THEOLOGY; EXCEPT THAT THE PROHIBITION  
50 DESCRIBED IN THIS SECTION SHALL NOT APPLY TO FINANCIAL ASSISTANCE  
51 THAT IS AWARDED TO A STUDENT FROM A FEDERAL PROGRAM, INCLUDING  
52 BUT NOT LIMITED TO TITLE IV OF THE FEDERAL "HIGHER EDUCATION ACT  
53 OF 1965", 20 U.S.C. SEC. 1070, AS AMENDED; AND

54

55 (b) A REQUIREMENT THAT AN INSTITUTION OR NONPUBLIC  
56 INSTITUTION OF HIGHER EDUCATION THAT SEEKS TO AWARD FINANCIAL

1 ASSISTANCE TO A STUDENT PURSUANT TO THIS ARTICLE CERTIFY THAT THE  
2 STUDENT IS NOT PURSUING A PROFESSIONAL DEGREE IN THEOLOGY."

3

4 Page 6, line 2, strike "INCLUDE A PROHIBITION" and substitute "INCLUDE:";

5

6 strike lines 3 and 4 and substitute the following:

7

8 "(a) A PROHIBITION AGAINST THE AWARDED OF ANY FINANCIAL  
9 ASSISTANCE PURSUANT TO THIS ARTICLE TO A STUDENT WHO IS PURSUING  
10 A PROFESSIONAL DEGREE IN THEOLOGY; EXCEPT THAT THE PROHIBITION  
11 DESCRIBED IN THIS SECTION SHALL NOT APPLY TO FINANCIAL ASSISTANCE  
12 THAT IS AWARDED TO A STUDENT FROM A FEDERAL PROGRAM, INCLUDING  
13 BUT NOT LIMITED TO TITLE IV OF THE FEDERAL "HIGHER EDUCATION ACT  
14 OF 1965", 20 U.S.C. SEC. 1070, AS AMENDED; AND

15

16 (b) A REQUIREMENT THAT A NONPUBLIC INSTITUTION OF HIGHER  
17 EDUCATION THAT SEEKS TO AWARD FINANCIAL ASSISTANCE TO A STUDENT  
18 PURSUANT TO THIS ARTICLE CERTIFY THAT THE STUDENT IS NOT PURSUING  
19 A PROFESSIONAL DEGREE IN THEOLOGY."

20

21

22

23 **HB09-1285** be amended as follows, and as so amended, be referred to  
24 the Committee of the Whole with favorable  
25 recommendation:

26

27 Amend printed bill, page 3, line 9, strike "AT LEAST THIRTEEN MEMBER AS  
28 PROVIDED" and substitute "THE MEMBERS SPECIFIED";

29

30 after line 24, insert the following:

31

32 "(c) THE CHIEF INFORMATION OFFICER SHALL SERVE AS AN EX  
33 OFFICIO MEMBER AND CHAIR OF THE ADVISORY BOARD."

34

35 Reletter succeeding paragraph accordingly.

36

37 Page 3, strike lines 25 and 26 and substitute the following:

38

39 "(d) (I) THE REMAINING MEMBERSHIP OF THE ADVISORY BOARD  
40 SHALL CONSIST OF A PERSON FROM EACH OF THE FOLLOWING  
41 DEPARTMENTS WHO IS"

42

43 Page 4, strike lines 2 and 3 and substitute the following:

44

45 "AND WHO IS SELECTED BY THE HEAD OF THE MEMBER'S RESPECTIVE  
46 DEPARTMENT TO PARTICIPATE ON THE ADVISORY BOARD AT THE  
47 INVITATION OF THE CHIEF INFORMATION OFFICER:";

48

49 line 14, strike "(c)," and substitute "(d),";

50

51 line 17, strike "APPOINT TO THE ADVISORY BOARD" and substitute  
52 "SELECT";

53

54 line 19, strike "(I)." and substitute "(I) TO PARTICIPATE ON THE ADVISORY  
55 BOARD AT THE INVITATION OF THE CHIEF INFORMATION OFFICER."

56

1 Page 5, strike lines 5 through 10 and substitute the following:

2

3 "FIRST MEETING OF THE ADVISORY BOARD AND SCHEDULE SUCCEEDING  
4 MEETINGS OF THE";

5

6 line 13, strike "(c)" and substitute "(b)".

7

8 Page 7, line 23, strike "APPOINTED" and substitute "SELECTED";

9

10 line 25, strike "APPOINTED" and substitute "SELECTED";

11

12 line 27, strike "APPOINTED" and substitute "SELECTED".

13

14

15

16 **SB09-032** be amended as follows, and as so amended, be referred to  
17 the Committee of the Whole with favorable  
18 recommendation:

19

20 Amend reengrossed bill, page 4, line 12, strike "**appropriations.**" and  
21 substitute "**appropriations - report.**".

22

23 Page 5, after line 19, insert the following:

24

25 "(4) ON OR BEFORE JANUARY 10, 2011, AND ON OR BEFORE  
26 JANUARY 10 EACH YEAR THEREAFTER, THE INSTITUTE SHALL PREPARE AND  
27 SUBMIT A REPORT TO THE EDUCATION COMMITTEES OF THE HOUSE OF  
28 REPRESENTATIVES AND THE SENATE, OR ANY SUCCESSOR COMMITTEES,  
29 CONCERNING THE ACTIVITIES OF THE INSTITUTE IN THE PREVIOUS  
30 CALENDAR YEAR. THE REPORT SHALL INCLUDE, AT A MINIMUM,  
31 INFORMATION CONCERNING THE EFFORTS OF THE INSTITUTE TO FULFILL ITS  
32 PURPOSES AS DESCRIBED IN SUBSECTION (2) OF THIS SECTION."

33

34

35

36 **SB09-043** be referred favorably to the Committee on Appropriations.

37

38

39

40

41 **HEALTH & HUMAN SERVICES**

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

44

45 **HB09-1282** be referred favorably to the Committee on Appropriations.

46

47

48 **SB09-055** be referred to the Committee of the Whole with favorable  
49 recommendation.

50

51

52 **SB09-079** be referred to the Committee of the Whole with favorable  
53 recommendation.

54

55

56

1 **JUDICIARY**

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

4  
5 **HB09-1144** The committee returns herewith HB09-1144 and reports  
6 that said bill has been considered on its merits and voted  
7 upon by the committee in accordance with House Rules,  
8 that the deadline applicable to committees under Joint  
9 Rule 23 (a) (1) has passed, that final action has not been  
10 taken by this committee within said deadline, and that the  
11 Committee on Delayed Bills has not waived said deadline.  
12 Pursuant to Joint Rule 23 (a) (3) (A), said bill is deemed to  
13 be postponed indefinitely.

14  
15  
16 **HB09-1274** be amended as follows, and as so amended, be referred to  
17 the Committee on Appropriations with favorable  
18 recommendation:

19  
20 Amend printed bill, page 2, line 17, after the period, add "NOTHING IN  
21 THIS SECTION SHALL COMMUTE OR ALTER THE SENTENCE OF A DEFENDANT  
22 CONVICTED BEFORE THE EFFECTIVE DATE OF THIS PART 9."  
23

24 Page 19, strike lines 21 through 27 and substitute the following:

25 **"SECTION 23. Appropriation.** In addition to any other  
26 appropriation, there is hereby appropriated, out of any moneys in the  
27 general fund not otherwise appropriated, for the fiscal year beginning July  
28 1, 2009, the sum of \_\_\_\_\_ dollars (\$ ) and \_\_\_\_\_ FTE, or so much  
29 thereof as may be necessary, for the implementation of this act. Of such  
30 sum, \_\_\_\_\_ dollars (\$ ) and \_\_\_\_\_ FTE, or so much thereof as may be  
31 necessary, is appropriated to the department of public safety, cold case  
32 homicide team, for investigation and administrative services, for the  
33 implementation of section 24-33.5-425, Colorado Revised Statutes;  
34 \_\_\_\_\_ dollars (\$ ) and 2.0 FTE, or so much thereof as may be necessary,  
35 is appropriated to the department of law for defense of any capital appeals  
36 ongoing on the effective date of this act and to assist district attorneys in  
37 the prosecution of cold cases."  
38

39 Page 20, strike line 1.  
40  
41  
42

43 **HB09-1283** be referred to the Committee of the Whole with favorable  
44 recommendation.  
45  
46  
47

---

48 **MESSAGE FROM THE SENATE**  
49

50 The Senate has passed on Third Reading and transmitted to the Revisor  
51 of Statutes: SB09-088, and SB09-173.  
52  
53  
54  
55

---

**MESSAGE FROM THE REVISOR**

1  
2  
3 We herewith transmit:  
4 Without comment, SB09-088 and 173.

5  
6  
7 House in recess. House reconvened.  
8  
9

**RECALL OF SB09-212**

10  
11  
12 Representative Weissmann moved for recall of **SB09-212** for purpose of  
13 reconsideration. The motion passed by unanimous consent. The bill was  
14 ordered recalled.

15  
16  
17 On motion of Representative Levy, the House resolved itself into  
18 Committee of the Whole for continuation of consideration of General  
19 Orders, and she returned to the Chair to act as Chairman.  
20  
21

**GENERAL ORDERS--SECOND READING OF BILLS**

(Continued from page 509)

22  
23  
24  
25  
26 **HB09-1053** by Representative(s) Balmer; also Senator(s) Romer--  
27 Concerning the regulation of financial institutions under  
28 the authority of the banking board.  
29

30 Amendment No. 1, Business Affairs & Labor Report, dated  
31 January 27, 2009, and placed in member's bill file; Report also printed in  
32 House Journal, January 28, pages 149-151.  
33

34 Amendment No. 2, Appropriations Report, dated February 20, 2009, and  
35 placed in member's bill file; Report also printed in House Journal,  
36 February 20, page 454.  
37

38 As amended, ordered engrossed and placed on the Calendar for Third  
39 Reading and Final Passage.  
40

41 **HB09-1100** by Representative(s) Benefield, Merrifield, Todd; also  
42 Senator(s) Tochtrop, Hudak--Concerning the creation of  
43 an "Alive at Twenty-five" special license plate.  
44

45 Amendment No. 1, Appropriations Report, dated February 20, 2009, and  
46 placed in member's bill file; Report also printed in House Journal,  
47 February 20, pages 454-455.  
48

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

52 **HB09-1110** by Representative(s) Scanlan; also Senator(s) Gibbs--  
53 Concerning information required to be provided to the  
54 county assessor in connection with any advertisement for  
55 the rental of furnished residential real property within the  
56 state.

1 Amendment No. 1, Local Government Report, dated February 3, 2009,  
2 and placed in member's bill file; Report also printed in House Journal,  
3 February 4, pages 249-250.

4

5 Amendment No. 2, by Representative Scanlan.

6

7 Amend the Local Government Committee Report, dated February 3,  
8 2009, page 1, line 17, after "ASSESSOR", insert "MADE NO MORE THAN  
9 TWICE DURING ANY YEAR".

10

11 Page 2, line 3, strike "COUNTY:" and substitute "COUNTY MADE NO MORE  
12 THAN TWICE DURING ANY YEAR:".

13

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

16

17 **HB09-1116** by Representative(s) Frangas, Ferrandino, Kefalas, Pace,  
18 Pommer, Primavera, Schafer S.; also Senator(s) Hudak,  
19 Bacon, Hodge, Sandoval, Tapia, Tochtrop, Williams--  
20 Concerning the inclusion of general fund moneys in the  
21 children's dental plan cash fund for the children's dental  
22 assistance program.

23

24 Amendment No. 1, Health & Human Services Report, dated  
25 January 26, 2009, and placed in member's bill file; Report also printed in  
26 House Journal, January 28, page 157.

27

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

30

31 **SB09-086** by Senator(s) Tapia, Hudak, Keller, King K., Kopp,  
32 Romer, Spence, White, Bacon, Brophy, Groff, Isgar,  
33 Kester, Newell, Penry, Schwartz, Tochtrop; also  
34 Representative(s) Marostica, Acree, Baumgardner,  
35 Benefield, Ferrandino, Kerr A., Massey, Murray, Pommer,  
36 Roberts, Stephens, Summers, Todd, Curry, Fischer,  
37 Gardner B., Gardner C., Kefalas, Looper, Middleton, Pace,  
38 Sonnenberg--Concerning the creation of an online  
39 university to be known as Colorado state university -  
40 global campus.

41

42 Ordered revised and placed on the Calendar for Third Reading and Final  
43 Passage.

44

45 **HB09-1191** by Representative(s) McCann; also Senator(s) Boyd--  
46 Concerning liens of the department of health care policy  
47 and financing against claims against third parties.

48

49 Amendment No. 1, Health & Human Services Report, dated  
50 February 19, 2009, and placed in member's bill file; Report also printed  
51 in House Journal, February 20, page 462.

52

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

55

1 **HB09-1252** by Representative(s) Roberts, Massey, Vigil; also  
2 Senator(s) Isgar--Concerning the expansion of the "Local  
3 Access to Health Care Pilot Program Act" to allow  
4 creation of a pilot program in the San Luis valley.  
5

6 Ordered engrossed and placed on the Calendar for Third Reading and  
7 Final Passage.  
8

9 **HB09-1227** by Representative(s) Frangas; also Senator(s) Hudak--  
10 Concerning the protection of neighborhoods from negative  
11 impacts associated with rental properties.  
12

13 Amendment No. 1, Judiciary Report, dated February 16, 2009, and placed  
14 in member's bill file; Report also printed in House Journal, February 20,  
15 page 464.  
16

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

20 **HB09-1262** by Representative(s) Casso; also Senator(s) Morse--  
21 Concerning the issuance of a summons instead of an arrest  
22 warrant in certain circumstances.  
23

24 Ordered engrossed and placed on the Calendar for Third Reading and  
25 Final Passage.  
26

27 **HB09-1263** by Representative(s) Casso; also Senator(s) Carroll M.--  
28 Concerning time computation while an inmate is  
29 incarcerated in a county jail.  
30

31 Ordered engrossed and placed on the Calendar for Third Reading and  
32 Final Passage.  
33

34 **HB09-1281** by Representative(s) Labuda, Baumgardner, Casso,  
35 Frangas, Hullinghorst, Marostica, Murray, Schafer S.,  
36 Soper, Tipton; also Senator(s) Carroll M. and Newell--  
37 Concerning representation on state boards by persons with  
38 disabilities.  
39

40 Amendment No. 1, by Representative Labuda.  
41 Amend printed bill, page 2, line 10, after "DISABILITY,", insert "AS  
42 DEFINED IN SECTION 24-45.5-102 (2),".  
43

44 Page 3, line 8, after "DISABILITY,", insert "AS DEFINED IN SECTION 24-  
45 45.5-102 (2), C.R.S.,";  
46

47 line 19, after "DISABILITY,", insert "AS DEFINED IN SECTION 24-45.5-102  
48 (2), C.R.S.,".  
49

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

53 **HB09-1234** by Representative(s) Kerr J. and Solano; also Senator(s)  
54 Tochtrop--Concerning the immediate suspension of the  
55 driver's license of a person who fails to appear for a  
56 license suspension hearing.



1 Amendment No. 1, Transportation & Energy Report, dated  
2 February 19, 2009, and placed in member's bill file; Report also printed  
3 in House Journal, February 20, pages 466-467.

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

7  
8 **HB09-1085** by Representative(s) Rice; also Senator(s) Heath--  
9 Concerning the regulation of mortgage loan originators,  
10 and, in connection therewith, modifying the "Mortgage  
11 Broker Licensing Act" to conform to the federal "Secure  
12 and Fair Enforcement for Mortgage Licensing Act of  
13 2008" and exempting certain financial institutions from the  
14 list of prohibited practices under the act.

15  
16 Amendment No. 1, Business Affairs & Labor Report, dated  
17 January 28, 2009, and placed in member's bill file; Report also printed in  
18 House Journal, January 29, pages 168-170.

19  
20 Amendment No. 2, Appropriations Report, dated February 20, 2009, and  
21 placed in member's bill file; Report also printed in House Journal,  
22 February 20, page 454.

23  
24 Amendment No. 3, by Representative Rice.

25  
26 Amend printed bill, page 5, after line 19, insert the following:

27  
28 "(5) "MORTGAGE LENDER" MEANS A LENDER WHO IS IN THE  
29 BUSINESS OF MAKING RESIDENTIAL MORTGAGE LOANS IF:

30  
31 (a) THE LENDER IS THE PAYEE ON THE PROMISSORY NOTE  
32 EVIDENCING THE LOAN; AND

33  
34 (b) THE LOAN PROCEEDS ARE OBTAINED BY THE LENDER FROM ITS  
35 OWN FUNDS OR FROM A LINE OF CREDIT MADE AVAILABLE TO THE LENDER  
36 FROM A BANK OR OTHER ENTITY WHO REGULARLY LOANS MONEY TO  
37 LENDERS FOR THE PURPOSE OF FUNDING MORTGAGE LOANS.";

38  
39 line 20, strike "(5)" and substitute "~~(5)~~ (6)".

40  
41 Page 6, line 5, before "LENDER", insert "MORTGAGE";

42  
43 strike line 9;

44  
45 line 10, strike "LOAN." and substitute "LOAN; OR";

46  
47 strike lines 11 through 18 and substitute the following:

48  
49 "(V) A PERSON THAT ONLY PERFORMS THE SERVICES AND  
50 ACTIVITIES OF A MANUFACTURED HOME DEALER, AS DEFINED IN SECTION  
51 24-32-3302, C.R.S., UNLESS THE PERSON IS COMPENSATED BY A  
52 MORTGAGE LENDER OR A MORTGAGE LOAN ORIGINATOR.

53  
54 ~~(6) "Mortgage lender" means a lender who is in the business of~~  
55 ~~making residential mortgage loans if:~~

56

1           ~~(a) The lender is the payee on the promissory note evidencing the~~  
2 ~~loan, and~~

3  
4           ~~(b) The loan proceeds are obtained by the lender from its own~~  
5 ~~funds or from a line of credit made available to the lender from a bank or~~  
6 ~~other entity who regularly loans money to lenders for the purpose of~~  
7 ~~funding mortgage loans."~~

8  
9 As amended, ordered engrossed and placed on the Calendar for Third  
10 Reading and Final Passage.

11  
12 **HB09-1180** by Representative(s) King S.; also Senator(s) Brophy--  
13 Concerning allowing valid Colorado concealed handgun  
14 permits to satisfy background check requirements for  
15 transfers of firearms.

16  
17 Amendment No. 1, Judiciary Report, dated February 16, 2009, and placed  
18 in member's bill file; Report also printed in House Journal, February 20,  
19 page 463.

20  
21 Amendment No. 2, by Representative King S.

22  
23 Amend the Judiciary Committee Report, dated February 16, 2009, page  
24 1, after line 3, insert the following:

25  
26 "Page 3, strike lines 9 and 10 and substitute the following:

27  
28           "(a.5) ASSERTS ON THE PERMIT APPLICATION THAT HE OR SHE IS:

29  
30           (I) A LEGAL CITIZEN OF THE UNITED STATES; OR

31  
32           (II) A LEGAL ALIEN AND SUBMITS THE FOLLOWING  
33 INFORMATION".

34  
35 As amended, ordered engrossed and placed on the Calendar for Third  
36 Reading and Final Passage.

37  
38 **SB09-108** by Senator(s) Gibbs; also Representative(s) Rice--  
39 Concerning the improvement of the transportation system  
40 of the state, and, in connection therewith, providing  
41 additional sources of funding for transportation and  
42 modifying the transportation planning process.

43  
44 Amendment No. 1, Transportation & Energy Report, dated  
45 February 17, 2009, and placed in member's bill file; Report also printed  
46 in House Journal, February 19, pages 424-430.

47  
48 Amendment No. 2, Appropriations Report, dated February 20, 2009, and  
49 placed in member's bill file; Report also printed in House Journal,  
50 February 20, pages 455-456.

51  
52 Amendment No. 3, by Representative Ferrandino.

53  
54 Amend the Appropriations Committee Report, dated February 20, 2009,  
55 page 2, strike line 2 and substitute the following:

56

1 "line 25, strike "DATE, "." and substitute "DATE,";

2

3 line 21, strike "AND (VI)" and substitute "(VI), AND (VII)".";

4

5 after line 3 of the Appropriations Committee Report, insert the following:

6

7 ""(VII) THE MAXIMUM AMOUNT OF THE BRIDGE SAFETY  
8 SURCHARGE THAT MAY BE IMPOSED PURSUANT TO SUBPARAGRAPH (I) OF  
9 THIS PARAGRAPH (g) SHALL BE, AS ALSO SPECIFIED IN SUBPARAGRAPH (V)  
10 OF THIS PARAGRAPH (g), FIFTY PERCENT OF THE AMOUNT SPECIFIED IN SAID  
11 SUBPARAGRAPH (I) FOR THE FISCAL YEAR 2009-10, AND SEVENTY-FIVE  
12 PERCENT OF SAID AMOUNT FOR THE FISCAL YEAR 2010-11.";

13

14 line 4 of the Appropriations Committee Report, strike ""(VII)" and  
15 substitute "(VIII)".

16

17 Renumber succeeding subparagraph.

18

19 Amendment No. 4, by Representative Judd.

20

21 Amend the Transportation & Energy Committee Report, dated February  
22 17, 2009, page 7, after line 5, insert the following:

23

24 ""(4) WHEN DETERMINING WHETHER TO UNDERTAKE AND  
25 COMPLETE A SURFACE TRANSPORTATION INFRASTRUCTURE PROJECT TO BE  
26 FUNDED, IN WHOLE OR IN PART, THROUGH THE IMPOSITION OF ANY USER  
27 FEE, THE TRANSPORTATION ENTERPRISE SHALL CONSIDER WHETHER THE  
28 COMPLETION OF THE PROJECT WILL HELP TO RECONNECT OR REINTEGRATE  
29 ANY LOCAL GOVERNMENT OR OTHER COMMUNITY THAT HAS BEEN  
30 DISCONNECTED OR DIVIDED BY EXISTING TRANSPORTATION  
31 INFRASTRUCTURE.";

32

33 line 6, strike ""(4)" and substitute "(5)".

34

35 Amendment No. 5, by Representative Kerr A.

36

37 Amend the Transportation & Energy Committee Report, dated February  
38 17, 2009, page 7, after line 21, insert the following:

39

40 "after line 7, insert the following:

41 **"SECTION 3.** 1-5-407 (5), Colorado Revised Statutes, is  
42 amended to read:

43

44 **1-5-407. Form of ballots.** (5) Whenever the approval of a ballot  
45 issue or ballot question is submitted to the vote of the people, the ballot  
46 issue or question shall be printed upon the ballot following the lists of  
47 candidates. EXCEPT AS OTHERWISE PROVIDED IN SECTION 32-9-119.3 (2),  
48 C.R.S., constitutional issues shall be printed first, followed by statewide  
49 issues and questions, county issues and questions, municipal issues and  
50 questions, school district issues and questions, ballot issues and questions  
51 for other political subdivisions which are in more than one county, and  
52 then ballot issues and questions for other political subdivisions which are  
53 wholly within a county. The measures in each category shall be placed  
54 in the following order: Measures to increase taxes; measures to retain  
55 revenues in excess of a district's fiscal year spending limit; measures to  
56 increase debt; citizen petitions; and referred measures.

1           **SECTION 4.** The introductory portion to 32-9-119 (2) (a),  
2 Colorado Revised Statutes, is amended to read:

3  
4           **32-9-119. Additional powers of district.** (2) (a) To provide  
5 revenue to finance the operations of the district, to defray the cost of  
6 construction of capital improvements and acquisition of capital  
7 equipment, and to pay the interest and principal on securities of the  
8 district, the board, for and on behalf of the district after approval by  
9 election held pursuant to articles 1 to 13 of title 1, C.R.S., AND, WITH  
10 RESPECT TO ANY TAX RATE INCREASE THAT TAKES EFFECT ON OR AFTER  
11 THE EFFECTIVE DATE OF THIS PARAGRAPH (a), AS AMENDED, IN  
12 ACCORDANCE WITH SECTION 32-9-119.3, shall have the power to levy  
13 uniformly throughout the district a sales tax at ~~the A rate of six-tenths of~~  
14 ~~one percent, or at the rate of one~~ NOT TO EXCEED ONE AND ONE-HALF  
15 percent if approved by the eligible electors of the district in accordance  
16 with section 32-9-119.4, upon every transaction or other incident with  
17 respect to which a sales tax is now levied by the state, pursuant to the  
18 provisions of article 26 of title 39, C.R.S.; except that:

19  
20           **SECTION 5.** 32-9-119.3, Colorado Revised Statutes, is  
21 RECREATED AND REENACTED, WITH AMENDMENTS, to read:

22  
23           **32-9-119.3. Elections for sales tax rate increase.** (1) THE  
24 BOARD, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 20 (4) OF  
25 ARTICLE X OF THE STATE CONSTITUTION, MAY SUBMIT TO THE REGISTERED  
26 ELECTORS OF THE DISTRICT ONE OR MORE BALLOT QUESTIONS TO INCREASE  
27 THE RATE OF THE SALES TAX LEVIED BY THE DISTRICT PURSUANT TO  
28 SECTION 32-9-119 (2) (a) TO A RATE NOT TO EXCEED ONE AND ONE-HALF  
29 PERCENT, WITH OR WITHOUT AN ACCOMPANYING INCREASE IN DISTRICT  
30 DEBT, FOR SUCH PURPOSES AUTHORIZED BY THIS ARTICLE AS MAY BE  
31 SPECIFIED IN ANY SUCH BALLOT QUESTION.

32  
33           (2) A BALLOT QUESTION SUBMITTED PURSUANT TO SUBSECTION (1)  
34 OF THIS SECTION SHALL BE SUBMITTED AT A GENERAL ELECTION OR AN  
35 ELECTION HELD ON THE FIRST TUESDAY OF NOVEMBER IN AN ODD-  
36 NUMBERED YEAR THAT IS CONDUCTED IN ACCORDANCE WITH THE  
37 "UNIFORM ELECTION CODE OF 1992", ARTICLES 1 TO 13 OF TITLE 1, C.R.S.  
38 THE SECRETARY OF STATE SHALL DETERMINE THE IDENTIFYING  
39 NUMBERING OR LETTERING OF SUCH A BALLOT QUESTION, AND THE  
40 QUESTION SHALL BE PRINTED UPON THE BALLOT IMMEDIATELY FOLLOWING  
41 ANY STATEWIDE ISSUES AND QUESTIONS.

42  
43           (3) IF A MAJORITY OF THE REGISTERED ELECTORS VOTING ON A  
44 BALLOT QUESTION SUBMITTED PURSUANT TO SUBSECTION (1) OF THIS  
45 SECTION VOTE AFFIRMATIVELY ON THE QUESTION, THE RATE OF THE SALES  
46 TAX LEVIED BY THE DISTRICT PURSUANT TO SECTION 32-9-119 (2) (a)  
47 SHALL BE INCREASED TO THE RATE SPECIFIED IN THE BALLOT QUESTION  
48 AND APPROVED BY THE REGISTERED ELECTORS.

49  
50           (4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE  
51 ABILITY OF THE DISTRICT TO SEEK THE APPROVAL OF THE REGISTERED  
52 ELECTORS OF THE DISTRICT REGARDING ANY OTHER MATTER FOR WHICH  
53 SUCH APPROVAL MAY BE SOUGHT.";"

54  
55 Renumber succeeding sections accordingly.

56

1 Page 9, after line 16, insert the following:

2

3 **"SECTION 20.** 43-4-605 (1) (j) (I), Colorado Revised Statutes,  
4 is amended to read:

5

6 **43-4-605. Powers of the authority - inclusion or exclusion of**  
7 **property - determination of regional transportation system alignment**  
8 **- fund created.** (1) In addition to any other powers granted to the  
9 authority pursuant to this part 6, the authority has the following powers:

10

11 (j) (I) Subject to the provisions of section 43-4-612, to levy, in all  
12 or any designated portion of the members of the combination, a sales or  
13 use tax, or both, at a rate not to exceed one AND ONE-HALF percent upon  
14 every transaction or other incident with respect to which a sales or use tax  
15 is levied by the state; except that, on and after January 1, 2006, if the  
16 authority includes territory that is within the regional transportation  
17 district created and existing pursuant to article 9 of title 32, C.R.S., a  
18 designated portion of the members of the combination in which a new tax  
19 is levied shall be composed of entire territories of members of the  
20 combination so that the rate of tax imposed pursuant to this part 6 within  
21 the territory of any single member of the combination is uniform and  
22 except that the authority shall not levy a sales or use tax on any  
23 transaction or other incident occurring in any territory located outside the  
24 boundaries of the authority and within the boundaries of a municipality  
25 as the boundaries of the municipality exist on the date the authority is  
26 created without the consent of the governing body of the municipality or  
27 outside the boundaries of the authority and within the unincorporated  
28 boundaries of a county as the unincorporated boundaries exist on the date  
29 the authority is created without the consent of the governing body of the  
30 county. Subject to the provisions of section 43-4-612, the authority may  
31 elect to levy any such sales or use tax at different rates in different  
32 designated portions of the members of the combination; except that, on  
33 and after January 1, 2006, if the authority includes territory that is within  
34 the regional transportation district, a designated portion of the members  
35 of the combination in which a new tax is levied shall be composed of  
36 entire territories of members of the combination so that the rate of tax  
37 imposed pursuant to this part 6 within the territory of any single member  
38 of the combination is uniform. If the authority so elects, it shall submit  
39 a single ballot question that lists all of the different rates to the registered  
40 electors of all designated portions of the members of the combination in  
41 which the proposed sales or use tax is to be levied. The tax imposed  
42 pursuant to this paragraph (j) is in addition to any other sales or use tax  
43 imposed pursuant to law. If a member of the combination is located  
44 within more than one authority, the sales or use tax, or both, authorized  
45 by this paragraph (j) shall not exceed one percent upon every transaction  
46 or other incident with respect to which a sales or use tax is levied by the  
47 state. The executive director of the department of revenue shall collect,  
48 administer, and enforce the sales or use tax, to the extent feasible, in the  
49 manner provided in section 29-2-106, C.R.S. The director shall make  
50 monthly distributions of the tax collections to the authority, which shall  
51 apply the proceeds solely to the financing, construction, operation, or  
52 maintenance of regional transportation systems. The department shall  
53 retain an amount not to exceed the net incremental cost of the collection,  
54 administration, and enforcement and shall transmit the amount to the state  
55 treasurer, who shall credit the same to the regional transportation  
56 authority sales tax fund, which fund is hereby created. The amounts so

1 retained are hereby appropriated annually from the fund to the department  
2 to the extent necessary for the department's collection, administration, and  
3 enforcement of the provisions of this part 6. Any moneys remaining in  
4 the fund attributable to taxes collected in the prior fiscal year shall be  
5 transmitted to the authority; except that, prior to the transmission to the  
6 authority of such moneys, any moneys appropriated from the general fund  
7 to the department for the collection, administration, and enforcement of  
8 the tax for the prior fiscal year shall be repaid.";

9  
10 line 17, strike ""SECTION 17." and substitute "SECTION 21.";

11  
12 line 20, strike "5" and substitute "8".

13  
14 Amendment No. 6, by Representative Kerr A.

15  
16 Amend Amendment No. 5, by Representative Kerr A., printed in House  
17 Journal page 521, strike lines 1 through 56.

18  
19 Page 522 strike lines 1 through 10.

20  
21 line 12, before "line", insert "Page 9,".

22  
23 Amendment No. 7, by Representative Kerr A.

24  
25 Amend Amendment No. 5, by Representative Kerr A., printed in House  
26 Journal page 520, line 14, strike "NOT TO EXCEED ONE AND ONE-HALF";

27  
28 line 15, strike "percent" and substitute "percent";

29  
30 line 16, after "~~32-9-119.4~~.", insert "THAT MAY BE APPROVED BY THE  
31 BOARD".

32  
33 Amendment No. 8, by Representatives Levy and Pace.

34  
35 Amend reengrossed bill, page 68, after line 13, insert the following:

36  
37 **"43-4-811. Transit and rail division - funding for local transit**  
38 **grants.** (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, FOR  
39 STATE FISCAL YEAR 2009-10 AND FOR EACH SUCCEEDING STATE FISCAL  
40 YEAR THE ALLOCATION OF THE SURCHARGES, FEES, AND FINES IMPOSED  
41 AND CREDITED TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION  
42 43-4-201 (1) (a) PURSUANT TO SECTION 43-4-804 (1) AND ALLOCATED TO  
43 THE STATE HIGHWAY FUND, COUNTIES, AND MUNICIPALITIES AS SPECIFIED  
44 IN SECTION 43-4-205 (6.3) SHALL BE MODIFIED AS FOLLOWS:

45  
46 (a) THE ALLOCATION TO THE STATE HIGHWAY FUND SHALL BE  
47 INCREASED BY FIVE MILLION DOLLARS.

48  
49 (b) THE ALLOCATION TO COUNTIES SHALL BE REDUCED BY TWO  
50 MILLION SEVEN HUNDRED FIFTY THOUSAND DOLLARS.

51  
52 (c) THE ALLOCATION TO MUNICIPALITIES SHALL BE REDUCED BY  
53 TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS.

54  
55 (2) FOR STATE FISCAL YEAR 2009-10 AND FOR EACH SUCCEEDING  
56 STATE FISCAL YEAR, FIVE MILLION DOLLARS OF THE MONEYS ALLOCATED

1 TO THE STATE HIGHWAY FUND PURSUANT TO SECTION 43-4-205 (6.3)  
2 SHALL BE CREDITED TO THE STATE TRANSIT AND RAIL FUND, WHICH IS  
3 HEREBY CREATED IN THE STATE TREASURY, AND USED BY THE STATE  
4 TRANSIT AND RAIL DIVISION CREATED IN SECTION 43-1-117.5 (1), ENACTED  
5 BY SENATE BILL 09-094, ENACTED IN 2009, AND USED TO PROVIDE  
6 GRANTS TO LOCAL GOVERNMENTS FOR LOCAL TRANSIT PROJECTS."

7  
8 Amendment No. 9, by Representative Gardner C.

9 Amend Amendment No.8, by Representatives Levy and Pace, printed in  
10 House Journal page 523, line 6, strike "PROJECTS." and substitute  
11 "PROJECTS; EXCEPT THAT NO FUNDS SHALL BE USED FOR THE  
12 CONDEMNATION OF LAND FOR THE PURPOSE OF RELOCATING A RAIL  
13 CORRIDOR OR RAIL LINE.".

14  
15 Amendment No. 10, by Representatives Levy and Pace.

16  
17 Amend reengrossed bill, page 68, after line 13, insert the following:

18  
19 **"43-4-811. Use of user fees for transit - legislative declaration.**

20 (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE  
21 TRANSPORTATION ENTERPRISE, A PUBLIC HIGHWAY AUTHORITY CREATED  
22 AND EXISTING PURSUANT TO PART 5 OF THIS ARTICLE, A REGIONAL  
23 TRANSPORTATION AUTHORITY CREATED AND EXISTING PURSUANT TO PART  
24 6 OF THIS ARTICLE, OR ANY OTHER ENTITY THAT, AS OF THE EFFECTIVE  
25 DATE OF THIS SECTION, IS IMPOSING A USER FEE OR TOLL FOR THE  
26 PRIVILEGE OF TRAVELING ON ANY HIGHWAY SEGMENT OR HIGHWAY LANES  
27 MAY USE REVENUES GENERATED BY THE USER FEE OR TOLL FOR TRANSIT-  
28 RELATED PROJECTS THAT RELATE TO THE MAINTENANCE OR SUPERVISION  
29 OF THE HIGHWAY SEGMENT OR HIGHWAY LANES ON WHICH THE USER FEE  
30 OR TOLL IS IMPOSED.

31  
32 (2) THE GENERAL ASSEMBLY HEREBY FINDS AND DECLARES THAT  
33 THE FUNDING OF TRANSIT-RELATED PROJECTS AUTHORIZED BY  
34 SUBSECTION (1) OF THIS SECTION CONSTITUTES MAINTENANCE AND  
35 SUPERVISION OF STATE HIGHWAYS BECAUSE IT WILL HELP TO REDUCE  
36 TRAFFIC ON STATE HIGHWAYS AND THEREBY REDUCE WEAR AND TEAR ON  
37 STATE HIGHWAYS AND BRIDGES AND INCREASE THEIR RELIABILITY,  
38 SAFETY, AND EXPECTED USEFUL LIFE."

39  
40 Amendment No. 11, by Representative Pommer.

41  
42 Amend reengrossed bill, page 68, after line 13, insert the following:

43  
44 **"43-4-811. Transportation deficit report - annual reporting  
45 requirement.** NO LATER THAN JUNE 30, 2009, AND NO LATER THAN  
46 MARCH 1 OF ANY FISCAL YEAR IN WHICH ROAD OR BRIDGE SAFETY  
47 SURCHARGES ARE IMPOSED PURSUANT TO SECTION 43-4-804 (1) (a) OR 43-  
48 4-805 (5) (g), THE DEPARTMENT SHALL PREPARE AND PRESENT TO THE  
49 TRANSPORTATION AND ENERGY COMMITTEE OF THE HOUSE OF  
50 REPRESENTATIVES AND THE TRANSPORTATION COMMITTEE OF THE  
51 SENATE, OR ANY SUCCESSOR COMMITTEES, A TRANSPORTATION DEFICIT  
52 REPORT THAT SEPARATELY ADDRESSES THE GOALS OF REPAIRING  
53 DEFICIENT HIGHWAYS AND BRIDGES, AS EVIDENCED BY A C OR D RATING,  
54 SUSTAINING EXISTING TRANSPORTATION SYSTEM PERFORMANCE LEVELS,  
55 AND ACHIEVING THE CORRIDOR VISIONS DESCRIBED BY REGIONAL  
56 TRANSPORTATION PLANS AND PUBLIC PREFERENCES. FOR EACH GOAL, THE

1 REPORT SHALL INCLUDE A LISTING OF THE ANNUAL COSTS FOR EACH OF  
2 THE NEXT TEN FISCAL YEARS OF ACHIEVING THE GOAL; THE ANNUAL  
3 INCREASE AND RATE OF INCREASE OF THE COSTS; THE FACTORS  
4 CONTRIBUTING TO THE COSTS, INCLUDING, BUT NOT LIMITED TO, THE RATE  
5 AND GEOGRAPHIC DISTRIBUTION OF POPULATION GROWTH, VEHICLE SIZE  
6 AND WEIGHT, LAND USE POLICIES, AND WORK PATTERNS; METHODS OF  
7 REDUCING THE IMPACT OF THE COST FACTORS, INCLUDING, BUT NOT  
8 LIMITED TO, LAND USE POLICY CHANGES, INCREASED USE OF TRANSIT,  
9 TELECOMMUTING, AND PEAK TRANSPORTATION SYSTEM DEMAND  
10 REDUCTION PRACTICES AND ECONOMIC INCENTIVES; AND A COMPARISON  
11 OF THE COSTS OF MITIGATING THE COST FACTORS AND THE COSTS OF  
12 ACHIEVING THE GOAL BY REPAIRING, UPGRADING, OR EXPANDING THE  
13 TRANSPORTATION SYSTEM. THE REPORT SHALL EXPLAIN WHY ANY COST  
14 ESTIMATE FOR A GOAL DIFFERS BY MORE THAN FIVE PERCENT FROM ANY  
15 DEPARTMENT ESTIMATE OF SUCH COSTS PUBLISHED BEFORE THE EFFECTIVE  
16 DATE OF THIS SECTION. THE DEPARTMENT SHALL PUBLISH THE REPORT ON  
17 ITS WEB SITE IN A FORMAT THAT CAN BE DOWNLOADED."

18

19 Amendment No. 12, by Representative Vaad.

20

21 Amend Amendment No. 11, by Representative Pommer, printed in House  
22 Journal page 524, line 16, strike "SECTION." and substitute "SECTION, AND  
23 SHALL SEPARATELY ACCOUNT FOR COST OVERRUNS OTHER THAN  
24 OVERRUNS ATTRIBUTABLE INCREASES IN THE COLORADO CONSTRUCTION  
25 COST INDEX."

26

27 Amendment No. 13, by Representative Sonnenberg.

28

29 Amend reengrossed bill, page 70, strike lines 14 through 27.

30

31 Page 71, strike 1 through 13 and substitute the following:

32

33 "SECTION 5. 42-4-508 (1) (b), Colorado Revised Statutes, is  
34 amended to read:

35

36 **42-4-508. Gross weight of vehicles and loads.** (1) Except as  
37 provided in subsection (1.5) of this section, no vehicle or combination of  
38 vehicles shall be moved or operated on any highway or bridge when the  
39 gross weight thereof exceeds the limits specified below:

40

41 (b) Subject to the limitations prescribed in section 42-4-507, the  
42 maximum gross weight of any vehicle or combination of vehicles shall  
43 not exceed that determined by the formula  $W$  equals  $1,000(L + 40)$ ,  $W$   
44 = the gross weight in pounds,  $L$  = the length in feet between the centers  
45 of the first and last axles of such vehicle or combination of vehicles, but  
46 in computation of this formula no gross vehicle weight shall exceed  
47 ~~eighty-five~~ NINETY-TWO thousand pounds. For the purposes of this  
48 section, where a combination of vehicles is used, no vehicle shall carry  
49 a gross weight of less than ten percent of the overall gross weight of the  
50 combination of vehicles; except that these limitations shall not apply to  
51 specialized trailers of fixed public utilities whose axles may carry less  
52 than ten percent of the weight of the combination. The limitations  
53 provided in this section shall be strictly construed and enforced."

54

55 Renumber succeeding sections accordingly.

56



1 Amendment No. 14, by Representative Sonnenberg.

2

3 Amend reengrossed bill, page 70 strike lines 14 through 27.

4

5 Page 71, strike lines 1 through 13 and substitute the following:

6 "SECTION 6. 42-4-510 (5), Colorado Revised Statutes, is  
7 amended to read:

8

9 **42-4-510. Permits for excess size and weight and for**  
10 **manufactured homes - rules.** (5) The department of transportation, the  
11 motor carrier services division of the department of revenue, or the  
12 Colorado state patrol shall, unless such action will jeopardize distribution  
13 of federal highway funds to the state, authorize the operation or  
14 movement of a vehicle or combination of vehicles on the interstate  
15 highway system of Colorado at a maximum weight of ~~eighty-five~~ NINETY-  
16 TWO thousand pounds."

17

18 Renumber succeeding sections accordingly.

19

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

22

23 **HB09-1247** by Representative(s) Apuan--Concerning enactment of the  
24 "Homebuyers' Energy Right-To-Know Act" requiring  
25 disclosure of an existing home's energy usage in  
26 connection with the sale of the home.

27

28 Laid over until March 6, retaining place on Calendar.

29

30

### 31 **AMENDMENTS TO THE COMMITTEE OF THE WHOLE REPORT**

32

33 Representative(s) McNulty, Baumgardner, Gardner C., Looper,  
34 Sonnenberg, and Tipton moved to amend the Report of the Committee of  
35 the Whole to reverse the action taken by the Committee in not adopting  
36 the following McNulty amendment, to SB09-108, to show that said  
37 amendment passed, and that **SB09-108**, as amended, passed.

38

39 Amend the Transportation & Energy Committee Report, dated February  
40 17, 2009, page 9, strike line 5 and substitute the following:

41

42 ""SECTION 12. 43-1-105, Colorado Revised Statutes, is  
43 amended BY THE ADDITION OF A NEW SUBSECTION to read:

44

45 **43-1-105. Powers and duties of the executive director -**  
46 **prohibition on vehicle miles traveled funding system research.**

47 (6) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE EXECUTIVE  
48 DIRECTOR SHALL HAVE NO POWER TO RESEARCH, DESIGN, OR IMPLEMENT  
49 OR PROVIDE ANY FINANCIAL OR HUMAN RESOURCES OF THE DEPARTMENT  
50 TO ANY OTHER PERSON FOR THE RESEARCH, DESIGN, OR IMPLEMENTATION  
51 OF ANY VEHICLE MILES TRAVELED BASED TRANSPORTATION FUNDING  
52 ALTERNATIVE TO ALL OR ANY COMPONENT OF THE TRANSPORTATION  
53 FUNDING SYSTEM OF THE STATE IN PLACE AS OF THE EFFECTIVE DATE OF  
54 THIS SUBSECTION (6).

55

56 **SECTION 13.** 43-1-1402 (3), Colorado Revised Statutes, is".

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

	YES	27	NO	38	EXCUSED	0	ABSENT	0
4	Acree	Y	Green	N	McFadyen	N	Roberts	Y
5	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
6	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
7	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
8	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
9	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
10	Casso	N	King S.	Y	Miklosi	N	Soper	N
11	Court	N	Labuda	N	Murray	Y	Stephens	Y
12	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
13	Ferrandino	N	Levy	N	Pace	Y	Swalm	N
14	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
15	Frangas	N	Looper	Y	Pommer	N	Todd	N
16	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	N
17	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
18	Gardner C.	Y	May	Y	Rice	N	Waller	Y
19	Gerou	Y	McCann	N	Riesberg	N	Weissmann	N
20							Speaker	N

21  
22 Representative(s) Casso moved to amend the Report of the Committee of  
23 the Whole to reverse the action taken by the Committee in not adopting  
24 the following Casso amendment, to SB09-108, to show that said  
25 amendment passed, and that **SB09-108**, as amended, passed.

26  
27 Amend the Transportation & Energy Committee Report, dated February  
28 17, 2009, page 7, after line 1, insert the following:

29  
30 "Page 56, line 7, strike "**limitations.**" and substitute "**prohibition on**  
31 **tolling of existing toll-free lanes.**".";

32  
33 strike lines 4 through 14 of the committee report and substitute the  
34 following:

35  
36 "Page 66, strike lines 4 through 15.

37  
38 Reletter succeeding paragraphs accordingly.

39  
40 Page 66, after line 22, insert the following:

41  
42 "(4) A TOLL HIGHWAY OPERATED BY THE TRANSPORTATION  
43 ENTERPRISE OR OPERATED BY ANY PARTNER OF THE ENTERPRISE UNDER  
44 THE TERMS OF A PUBLIC-PRIVATE PARTNERSHIP MAY NOT ELIMINATE A  
45 PREVIOUSLY EXISTING HIGHWAY SEGMENT OR PREVIOUSLY EXISTING  
46 HIGHWAY LANES THAT HAVE SERVED VEHICULAR TRAFFIC ON A TOLL-FREE  
47 BASIS EXCEPT PURSUANT TO SECTION 42-4-1012, C.R.S.". "

48  
49 The amendment was declared **lost** by the following roll call vote:

	YES	31	NO	34	EXCUSED	0	ABSENT	0
52	Acree	Y	Green	N	McFadyen	N	Roberts	Y
53	Apuan	N	Hullinghorst	N	McGihon	N	Ryden	N
54	Balmer	Y	Judd	N	McKinley	Y	Scanlan	N
55	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
56	Benefield	N	Kerr A.	N	Merrifield	N	Solano	Y

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

13  
 14 Representative(s) Lambert, Kerr J., Nikkel, and McNulty moved to  
 15 amend the Report of the Committee of the Whole to reverse the action  
 16 taken by the Committee in not adopting the following Lambert  
 17 amendment, to SB09-108, to show that said amendment passed, and that  
 18 **SB09-108**, as amended, passed.

19  
 20 Amend the Transportation & Energy Committee Report, page 7, line 20,  
 21 strike "3." and substitute "3 and substitute the following:

22  
 23 "(6) A CONTRACTOR THAT RECEIVES MONEYS FROM THE BRIDGE  
 24 ENTERPRISE, THE TRANSPORTATION ENTERPRISE, OR A PERSON THAT IS A  
 25 PARTNER OF THE TRANSPORTATION ENTERPRISE UNDER THE TERMS OF A  
 26 PUBLIC-PRIVATE PARTNERSHIP SHALL USE THE FEDERAL E-VERIFY  
 27 PROGRAM TO DETERMINE WHETHER INDIVIDUALS IT HIRES ARE UNITED  
 28 STATES CITIZENS OR LEGAL IMMIGRANTS AUTHORIZED TO WORK IN THE  
 29 UNITED STATES. THE BRIDGE ENTERPRISE, THE TRANSPORTATION  
 30 ENTERPRISE, OR A PARTNER OF THE TRANSPORTATION ENTERPRISE SHALL  
 31 ONLY CONTRACT WITH A CONTRACTOR THAT HAS ENTERED INTO A  
 32 MEMORANDUM OF UNDERSTANDING THAT PROVIDES THE TERMS OF  
 33 AGREEMENT BETWEEN THE CONTRACTOR, THE UNITED STATES SOCIAL  
 34 SECURITY ADMINISTRATION, AND THE UNITED STATES CITIZENSHIP AND  
 35 IMMIGRATION SERVICES IN THE DEPARTMENT OF HOMELAND SECURITY HAS  
 36 AGREED IN WRITING TO USE THE FEDERAL E-VERIFY PROGRAM TO VERIFY  
 37 THE LEGAL EMPLOYABILITY OF ALL NEWLY HIRED EMPLOYEES AS OF THE  
 38 DATE OF THE CONTRACT AND TO REQUIRE ALL SUBCONTRACTORS OVER  
 39 WHICH THEY HAVE CONTRACTS TO AGREE TO USE THE FEDERAL E-VERIFY  
 40 PROGRAM FOR NEWLY HIRED EMPLOYEES. A VIOLATION BY A  
 41 CONTRACTOR OR ITS SUBCONTRACTOR OF AN AGREEMENT TO USE THE  
 42 FEDERAL E-VERIFY PROGRAM SHALL BE CAUSE FOR IMMEDIATE  
 43 TERMINATION OF A CONTRACT BETWEEN THE CONTRACTOR AND THE  
 44 BRIDGE ENTERPRISE, THE TRANSPORTATION ENTERPRISE, OR A PARTNER OF  
 45 THE TRANSPORTATION ENTERPRISE. CONFORMING LANGUAGE SHALL  
 46 APPEAR IN EACH WRITTEN CONTRACT."."

47  
 48 The amendment was declared **lost** by the following roll call vote:

50	YES	29	NO	36	EXCUSED	0	ABSENT	0
51	Acree	Y	Green	N	McFadyen	N	Roberts	Y
52	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
53	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
54	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
55	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
56	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y

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

12  
13 Representative(s) Gardner C. moved to amend the Report of the  
14 Committee of the Whole to reverse the action taken by the Committee in  
15 not adopting the following Gardner C. amendment, to SB09-108, to show  
16 that said amendment passed, and that **SB09-108**, as amended, passed.

17  
18 Amend reengrossed bill, page 15, strike lines 20 through 22.

19  
20 Renumber succeeding subparagraphs accordingly.

21  
22 Page 16, strike lines 18 through 27.

23  
24 Strike page 17.

25  
26 Page 18, strike lines 1 through 21.

27  
28 Reletter succeeding paragraphs accordingly.

29  
30 Page 69, line 16, strike "(d)," and substitute "(c),".

31  
32 Page 70, line 13, strike "(e)," and substitute "(d),".

33  
34 Page 72, line 3, strike "(d)," and substitute "(c),".

35  
36 The amendment was declared **lost** by the following roll call vote:

	YES	30	NO	35	EXCUSED	0	ABSENT	0
39	Acree	Y	Green	N	McFadyen	N	Roberts	Y
40	Apuan	Y	Hullinghorst	N	McGihon	N	Ryden	N
41	Balmer	Y	Judd	N	McKinley	N	Scanlan	N
42	Baumgardner	Y	Kefalas	N	McNulty	Y	Schafer S.	N
43	Benefield	N	Kerr A.	N	Merrifield	N	Solano	N
44	Bradford	Y	Kerr J.	Y	Middleton	N	Sonnenberg	Y
45	Casso	N	King S.	Y	Miklosi	N	Soper	N
46	Court	N	Labuda	N	Murray	Y	Stephens	Y
47	Curry	N	Lambert	Y	Nikkel	Y	Summers	Y
48	Ferrandino	N	Levy	N	Pace	N	Swalm	Y
49	Fischer	N	Liston	Y	Peniston	N	Tipton	Y
50	Frangas	Y	Looper	Y	Pommer	N	Todd	N
51	Gagliardi	N	Marostica	Y	Primavera	N	Vaad	Y
52	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N
53	Gardner C.	Y	May	Y	Rice	N	Waller	Y
54	Gerou	Y	McCann	N	Riesberg	Y	Weissmann	N
55							Speaker	N

56

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

2  
3 Passed Second Reading: **HB09-1233 amended, SB09-001, HB09-**  
4 **1061 amended, 1253 amended, 1200 amended, 1216 amended,**  
5 **1001 amended, 1053 amended, 1100 amended, 1110 amended,**  
6 **1116 amended, SB09-086, HB09-1191 amended, 1252, 1227 amended,**  
7 **1262, 1263, 1281 amended, 1234 amended, 1085 amended,**  
8 **1180 amended, SB09-108 amended.**

9  
10 Laid over until date indicated retaining place on Calendar: **HB09-1247--**  
11 **March 6, 2009.**

12  
13 The Chairman moved the adoption of the Committee of the Whole  
14 Report. As shown by the following roll call vote, a majority of those  
15 elected to the House voted in the affirmative, and the Report was  
16 **adopted.**

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

36  
37  
38  
39  
40       **MESSAGE FROM THE SENATE**

41  
42 In response to the request of the House for the recall of SB09-212, the bill  
43 is transmitted herewith.

44  
45  
46  
47  
48       **RECONSIDERATION OF SB09-212**

49  
50 Having voted on the prevailing side, Representative Weissmann moved  
51 for reconsideration of the last House action (Third reading, February 24,  
52 page 496). As shown by the following recorded vote, a two-thirds  
53 majority of those elected to the House voted in the affirmative and the  
54 motion was declared **passed.**

55

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

20 Representative Weissmann moved for reconsideration of the passage of  
 21 the third reading amendment by Representative Pommer on **SB09-212**. As  
 22 shown by the following recorded vote, a two-thirds majority of those  
 23 elected to the House voted in the affirmative and the motion was declared  
 24 **passed**.

	YES	61	NO	3	EXCUSED	1	ABSENT	0
26								
27	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
28	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
29	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
30	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
31	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
32	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	Y
33	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
34	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
35	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
36	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	E
37	Fischer	Y	Liston	N	Peniston	Y	Tipton	Y
38	Frangas	Y	Looper	Y	Pommer	Y	Todd	Y
39	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
40	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
41	Gardner C.	Y	May	Y	Rice	Y	Waller	Y
42	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
43							Speaker	Y
44								

45 As shown by the following roll call vote, a majority of all members  
 46 elected to the House voted in the affirmative, and Representative Pommer  
 47 was given permission to offer a Third Reading amendment:

	YES	62	NO	2	EXCUSED	1	ABSENT	0
49								
50	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	Y
56	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y

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

11

12 **Third Reading amendment No. 1**, by Representative Pommer.

13

14 Amend revised bill, page 2, line 6, after "VENDOR", insert "THAT IS NOT  
15 ALLOWED TO FILE ON A LESS FREQUENT BASIS THAN MONTHLY PURSUANT  
16 TO SECTION 39-26-109";

17

18 line 8, strike "THE" and substitute "AN";

19

20 line 9, strike "PER VENDOR WHOSE MONTHLY TAX" and substitute "ALL  
21 SALES TAX REPORTED ON ANY RETURN";

22

23 strike line 10;

24

25 line 11, strike "JULY 1," and substitute "DECEMBER 31,".

26

27 Page 3, after line 11, insert the following:

28

29 **"SECTION 3. Appropriation.** In addition to any other  
30 appropriation, there is hereby appropriated, to the department of revenue,  
31 for the fiscal year beginning July 1, 2008, the sum of one hundred forty  
32 thousand two hundred seven dollars (\$140,207) and 1.2 FTE, or so much  
33 thereof as may be necessary, for the implementation of this act. Of said  
34 sum, one hundred thirty-nine thousand eight hundred ninety-eight dollars  
35 (\$139,898) shall be from the general fund, and three hundred nine dollars  
36 (\$309) shall be from the Colorado state titling and registration account  
37 created in section 42-1-211 (2), Colorado Revised Statutes.".

38

39 Renumber succeeding section accordingly.

40

41 Page 1, line 105, strike "STATE." and substitute "STATE, AND MAKING AN  
42 APPROPRIATION IN CONNECTION THEREWITH.".

43

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

45

46	YES	50	NO	14	EXCUSED	1	ABSENT	0
47	Acree	N	Green	Y	McFadyen	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McGihon	N	Ryden	Y
49	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
50	Baumgardner	N	Kefalas	N	McNulty	N	Schafer S.	Y
51	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	Y
52	Bradford	Y	Kerr J.	N	Middleton	Y	Sonnenberg	N
53	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
54	Court	Y	Labuda	N	Murray	N	Stephens	Y
55	Curry	Y	Lambert	N	Nikkel	N	Summers	Y
56	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	E

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

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

14	YES	37	NO	27	EXCUSED	1	ABSENT	0
15	Acree	N	Green	Y	McFadyen	Y	Roberts	N
16	Apuan	N	Hullinghorst	Y	McGihon	Y	Ryden	Y
17	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
18	Baumgardner	N	Kefalas	N	McNulty	N	Schafer S.	Y
19	Benefield	Y	Kerr A.	Y	Merrifield	Y	Solano	N
20	Bradford	N	Kerr J.	N	Middleton	Y	Sonnenberg	N
21	Casso	Y	King S.	Y	Miklosi	Y	Soper	Y
22	Court	Y	Labuda	Y	Murray	N	Stephens	N
23	Curry	Y	Lambert	N	Nikkel	N	Summers	N
24	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	E
25	Fischer	Y	Liston	N	Peniston	Y	Tipton	N
26	Frangas	Y	Looper	N	Pommer	Y	Todd	Y
27	Gagliardi	Y	Marostica	Y	Primavera	N	Vaad	N
28	Gardner B.	N	Massey	N	Priola	N	Vigil	Y
29	Gardner C.	N	May	Y	Rice	Y	Waller	N
30	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
31							Speaker	Y

### 35 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

37 The Speaker has signed: **SB09-211, 213**.

### 41 INTRODUCTION OF BILLS 42 First Reading

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

47 **HB09-1292** by Representative(s) McGihon, Labuda, Levy; also  
48 Senator(s) Veiga, Morse, Schwartz--Concerning  
49 implementation of recommendations of the committee on  
50 legal services in connection with legislative review of  
51 rules and regulations of state agencies.

52 Committee on Legal Services

54 **SB09-126** by Senator(s) Newell, Hodge, Spence, Tochtrop; also  
55 Representative(s) Apuan, Gagliardi, Swalm--Concerning  
56 the voluntary contribution designation benefiting the



1 multiple sclerosis fund that appears on the state individual  
2 income tax return forms, and, in connection therewith,  
3 extending the period for the contribution designation.

4 Committee on Finance

5

6

7

8 On motion of Representative Weissmann, the following bill(s) will be  
9 calendared for March 2, 2009: HB09-1064, 1285, SB09-032, 055, 079,  
10 HB09-1283.

11

12

13

14

**LAY OVER OF CALENDAR ITEMS**

15

16 On motion of Representative Weissmann, the following items on the  
17 Calendar were laid over until February 25, retaining place on Calendar:

18

19 Consideration of Resolution--**SJR09-014**.

20 Consideration of Senate Amendments--**HB09-1002, 1091**.

21

22

23

24 On motion of Representative Weissmann, the House adjourned until  
25 9:00 a.m., February 25, 2009.

26

27

28

29

Approved:  
TERRANCE D. CARROLL,  
Speaker

30

31

32

Attest:  
MARILYN EDDINS,  
Chief Clerk