

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

Seventy-third Legislative Day

Friday, March 20, 2009

1 Prayer by Pastor Mark Phillips, Berean Bible Church, Haxtun.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Parker Goff-Chrisbens, Westerly Creek
6 School, Denver.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Summers--1.
12 Present after roll call--Representative(s) Summers.

13
14 The Speaker declared a quorum present.
15
16

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

THIRD READING OF BILLS--FINAL PASSAGE

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

28
29 **SB09-030** by Senator(s) Keller; also Representative(s) Schafer S.--
30 Concerning the "Child Mental Health Treatment Act".
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
35 bill was declared **passed**.
36

	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

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

12 Co-sponsor(s) added: Representative(s) Apuan, Casso, Court, Fischer, Frangas,
 13 Gerou, Green, Hullinghorst, Kefalas, Labuda, McGihon, Merrifield, Nikkel,
 14 Primavera, Priola, Ryden, Solano, Todd, Vigil

15
 16 **SB09-179** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
 17 Concerning communicable disease control.

18
 19 The question being "Shall the bill pass?".
 20 A roll call vote was taken. As shown by the following recorded vote, a
 21 majority of those elected to the House voted in the affirmative and the bill
 22 was declared **passed**.

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

42 Co-sponsor(s) added: Representative(s) Apuan, Court, Fischer, Frangas, Gerou,
 43 Green, Kefalas, Kerr A., Kerr J., Labuda, Massey, McGihon, Merrifield, Priola,
 44 Roberts, Ryden, Schafer S., Solano, Todd, Vigil

45
 46 **SB09-069** by Senator(s) Boyd; also Representative(s) McCann--
 47 Concerning court-appointed parenting coordinators.

48
 49 Laid over until March 23, retaining place on Calendar.

50
 51 **SB09-097** by Senator(s) Cadman; also Representative(s) Pace--
 52 Concerning clarifying changes to provisions pertaining to
 53 institutional peace officers.

54
 55 The question being "Shall the bill pass?".
 56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill
2 was declared **passed**.

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

22 Co-sponsor(s) added: Representative(s) King S., Vigil

23
24 **SB09-035** by Senator(s) Renfroe; also Representative(s) Sonnenberg-
25 -Concerning a penalty for a violation of certain proscribed
26 acts for government officials.

27
28 The question being "Shall the bill pass?".

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

	YES	57	NO	8	EXCUSED	0	ABSENT	0
34 Acree	Y	Green	Y	McFadyen	Y	Roberts	Y	
35 Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	N	
36 Balmer	Y	Judd	N	McKinley	Y	Scanlan	Y	
37 Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y	
38 Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	Y	
39 Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y	
40 Casso	Y	King S.	Y	Miklosi	Y	Soper	Y	
41 Court	N	Labuda	N	Murray	Y	Stephens	Y	
42 Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y	
43 Ferrandino	Y	Levy	N	Pace	N	Swalm	Y	
44 Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y	
45 Frangas	Y	Looper	Y	Pommer	Y	Todd	Y	
46 Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y	
47 Gardner B.	Y	Massey	Y	Priola	Y	Vigil	N	
48 Gardner C.	Y	May	Y	Rice	Y	Waller	Y	
49 Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y	
50						Speaker	Y	

51 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Gardner B.,
52 Kerr J., King S., Stephens

53
54
55
56

1 On motion of Representative Kefalas, the House resolved itself into
2 Committee of the Whole for consideration of General Orders, and he was
3 called to the Chair to act as Chairman.

4

5

6

GENERAL ORDERS--SECOND READING OF BILLS

7

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

12

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

15

16 **HB09-1284** by Representative(s) Levy--Concerning corridor capacity
17 strategic planning to foster transportation efficiency.

18

19 Laid over until March 23, retaining place on Calendar.

20

21 **HB09-1176** by Representative(s) Green; also Senator(s) Williams--
22 Concerning the driving privilege of minor drivers.

23

24 Amendment No. 1, Transportation & Energy Report, dated
25 March 10, 2009, and placed in member's bill file; Report also printed in
26 House Journal, March 11, pages 680-685.

27

28 As amended, laid over until March 23, retaining place on Calendar.

29

30 **HB09-1015** by Representative(s) Murray, Marostica; also Senator(s)
31 Hodge--Concerning certain actions taken by the
32 designated election official in conducting primary
33 elections.

34

35 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
36 March 10, 2009, and placed in member's bill file; Report also printed in
37 House Journal, March 11, pages 688-693.

38

39 Amendment No. 2, by Representative(s) Murray.
40 Amend the State, Veterans, & Military Affairs Committee Report, dated
41 March 10, 2009, page 2, line 4, after "ELECTION.", insert "FOR PURPOSES
42 OF OTHER APPLICABLE LAW, SUCH NOMINEE SHALL BE DEEMED A
43 CANDIDATE IN AND THE WINNER OF THE PRIMARY ELECTION.".

44

45 Page 3, line 35, strike "POST CARD".

46

47 Page 4, line 5, strike "POST CARD";

48

49 line 8, strike "POST CARD";

50

51 line 11, strike "POST CARD".

52

53 Page 6, line 15, after "TO", insert "NO FEWER THAN".

54

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

1 **HB09-1063** by Representative(s) Summers; also Senator(s) Penry--
2 Concerning granting in-state student status to a child who
3 moves to Colorado during the child's senior year of high
4 school as the result of the child's legal guardian taking a
5 job in the state.
6

7 Ordered engrossed and placed on the Calendar for Third Reading and
8 Final Passage.
9

10 **HB09-1086** by Representative(s) McGihon, Green, Frangas; also
11 Senator(s) Boyd--Concerning continuing professional
12 competency of certain mental health professionals.
13

14 Amendment No. 1, Health & Human Services Report, dated
15 January 29, 2009, and placed in member's bill file; Report also printed in
16 House Journal, January 30, pages 183-184.
17

18 Amendment No. 2, Appropriations Report, dated March 6, 2009, and
19 placed in member's bill file; Report also printed in House Journal,
20 March 6, page 634.
21

22 Amendment No. 3, by Representative(s) McGihon.
23

24 Amend printed bill, page 3, line 2, strike "**rules.**" and substitute "**rules -**
25 **repeal.**";
26

27 before line 24, insert the following:
28

29 "(c) THE BOARD SHALL ESTABLISH THAT A LICENSED CLINICAL
30 SOCIAL WORKER OR LICENSED SOCIAL WORKER IS DEEMED TO SATISFY THE
31 CONTINUING COMPETENCY REQUIREMENTS OF THIS SECTION IF THE
32 LICENSED CLINICAL SOCIAL WORKER OR LICENSED SOCIAL WORKER MEETS
33 THE CONTINUED PROFESSIONAL COMPETENCE REQUIREMENTS OF ONE OF
34 THE FOLLOWING ENTITIES:
35

36 (I) A STATE DEPARTMENT, INCLUDING CONTINUED PROFESSIONAL
37 COMPETENCE REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
38 ARRANGEMENT WITH A PROVIDER;
39

40 (II) AN ACCREDITING BODY RECOGNIZED BY THE BOARD; OR
41

42 (III) AN ENTITY APPROVED BY THE BOARD."
43

44 line 24, strike "(c)" and substitute "(d) (I)".
45

46 Page 4, after line 1, insert the following:
47

48 "(II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
49 LICENSED CLINICAL SOCIAL WORKERS OR LICENSED SOCIAL WORKERS WHO
50 ARE LICENSED PURSUANT TO THIS PART 4, AND NOTHING IN THIS SECTION
51 SHALL BE CONSTRUED TO REQUIRE A PERSON WHO EMPLOYS OR
52 CONTRACTS WITH A LICENSED CLINICAL SOCIAL WORKER OR LICENSED
53 SOCIAL WORKER TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION."
54

55 line 2, after "(2)", insert "(a)";
56

1 after line 11, insert the following:

2

3 "(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
4 SUBSECTION (2), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
5 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
6 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
7 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED
8 CLINICAL SOCIAL WORKER OR LICENSED SOCIAL WORKER.";

9

10 after line 18, insert the following:

11

12 "(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.";

13

14 line 22, strike "**rules.**" and substitute "**rules - repeal.**".

15

16 Page 5, before line 15, insert the following:

17

18 "(c) THE BOARD SHALL ESTABLISH THAT A LICENSED MARRIAGE
19 AND FAMILY THERAPIST IS DEEMED TO SATISFY THE CONTINUING
20 COMPETENCY REQUIREMENTS OF THIS SECTION IF THE LICENSED MARRIAGE
21 AND FAMILY THERAPIST MEETS THE CONTINUED PROFESSIONAL
22 COMPETENCE REQUIREMENTS OF ONE OF THE FOLLOWING ENTITIES:

23

24 (I) A STATE DEPARTMENT, INCLUDING CONTINUED PROFESSIONAL
25 COMPETENCE REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
26 ARRANGEMENT WITH A PROVIDER;

27

28 (II) AN ACCREDITING BODY RECOGNIZED BY THE BOARD; OR

29

30 (III) AN ENTITY APPROVED BY THE BOARD.";

31

32 line 15, strike "(c)" and substitute "(d) (I)";

33

34 after line 18, insert the following:

35

36 "(II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
37 MARRIAGE AND FAMILY THERAPISTS WHO ARE LICENSED PURSUANT TO
38 THIS PART 5, AND NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
39 REQUIRE A PERSON WHO EMPLOYS OR CONTRACTS WITH A LICENSED
40 MARRIAGE AND FAMILY THERAPIST TO COMPLY WITH THE REQUIREMENTS
41 OF THIS SECTION.";

42

43 line 19, after "(2)", insert "(a)";

44

45 after line 27, insert the following:

46

47 "(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
48 SUBSECTION (2), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
49 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
50 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
51 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED
52 MARRIAGE AND FAMILY THERAPIST.".

53

54 Page 6, after line 6, insert the following:

55

56 "(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.";

1 line 10, strike "**rules.**" and substitute "**rules - repeal.**".

2

3 Page 7, before line 2, insert the following:

4

5 "(c) THE BOARD SHALL ESTABLISH THAT A LICENSED
6 PROFESSIONAL COUNSELOR IS DEEMED TO SATISFY THE CONTINUING
7 COMPETENCY REQUIREMENTS OF THIS SECTION IF THE LICENSED
8 PROFESSIONAL COUNSELOR MEETS THE CONTINUED PROFESSIONAL
9 COMPETENCE REQUIREMENTS OF ONE OF THE FOLLOWING ENTITIES:

10

11 (I) A STATE DEPARTMENT, INCLUDING CONTINUED PROFESSIONAL
12 COMPETENCE REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
13 ARRANGEMENT WITH A PROVIDER;

14

15 (II) AN ACCREDITING BODY RECOGNIZED BY THE BOARD; OR

16

17 (III) AN ENTITY APPROVED BY THE BOARD.";

18

19 line 2, strike "(c)" and substitute "(d) (I)";

20

21 after line 5, insert the following:

22

23 "(II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
24 PROFESSIONAL COUNSELORS WHO ARE LICENSED PURSUANT TO THIS PART
25 6, AND NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE A
26 PERSON WHO EMPLOYS OR CONTRACTS WITH A LICENSED PROFESSIONAL
27 COUNSELOR TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION.";

28

29 line 6, after "(2)", insert "(a)";

30

31 after line 14, insert the following:

32

33 "(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
34 SUBSECTION (2), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
35 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
36 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
37 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED
38 PROFESSIONAL COUNSELOR.";

39

40 after line 20, insert the following:

41

42 "(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.";

43

44 line 25, strike "**rules.**" and substitute "**rules - repeal.**".

45

46 Page 8, before line 18, insert the following:

47 "(c) THE DIRECTOR SHALL ESTABLISH THAT A LICENSED OR LEVEL
48 II OR LEVEL III CERTIFIED ADDICTION COUNSELOR IS DEEMED TO SATISFY
49 THE CONTINUING COMPETENCY REQUIREMENTS OF THIS SECTION IF THE
50 LICENSED OR LEVEL II OR LEVEL III CERTIFIED ADDICTION COUNSELOR
51 MEETS THE CONTINUED PROFESSIONAL COMPETENCE REQUIREMENTS OF
52 ONE OF THE FOLLOWING ENTITIES:

53

54 (I) A STATE DEPARTMENT, INCLUDING CONTINUED PROFESSIONAL
55 COMPETENCE REQUIREMENTS IMPOSED THROUGH A CONTRACTUAL
56 ARRANGEMENT WITH A PROVIDER;

1 (II) AN ACCREDITING BODY RECOGNIZED BY THE DIRECTOR; OR

2

3 (III) AN ENTITY APPROVED BY THE DIRECTOR.";

4

5 line 18, strike "(c)" and substitute "(d) (I)";

6

7 after line 22, insert the following:

8

9 "(II) THE REQUIREMENTS OF THIS SECTION APPLY TO INDIVIDUAL
10 ADDICTION COUNSELORS WHO ARE LICENSED OR LEVEL II OR LEVEL III
11 CERTIFIED PURSUANT TO THIS PART 8, AND NOTHING IN THIS SECTION
12 SHALL BE CONSTRUED TO REQUIRE A PERSON WHO EMPLOYS OR
13 CONTRACTS WITH A LICENSED OR LEVEL II OR LEVEL III CERTIFIED
14 ADDICTION COUNSELOR TO COMPLY WITH THE REQUIREMENTS OF THIS
15 SECTION.";

16

17 line 23, after "(2)", insert "(a)".

18

19 Page 9, after line 4, insert the following:

20

21 "(b) SUBJECT TO THE REQUIREMENTS OF PARAGRAPH (a) OF THIS
22 SUBSECTION (2), NOTHING IN THIS SECTION SHALL BE CONSTRUED TO
23 RESTRICT THE DISCOVERY OF INFORMATION OR DOCUMENTS THAT ARE
24 OTHERWISE DISCOVERABLE UNDER THE COLORADO RULES OF CIVIL
25 PROCEDURE IN CONNECTION WITH A CIVIL ACTION AGAINST A LICENSED OR
26 CERTIFIED ADDICTION COUNSELOR.";

27

28 after line 11, insert the following:

29

30 "(4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2014.".

31

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

34

35 **HB09-1130** by Representative(s) Gardner B.; also Senator(s) Isgar--
36 Concerning the collection of sales taxes by a county
37 government.

38

39 Amendment No. 1, Local Government Report, dated January 29, 2009,
40 and placed in member's bill file; Report also printed in House Journal,
41 January 30, page 187-189.

42

43 Amendment No. 2, Appropriations Report, dated March 13, 2009, and
44 placed in member's bill file; Report also printed in House Journal,
45 March 13, page 721.

46

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

49

50 **HB09-1133** by Representative(s) Sonnenberg, Marostica, Todd; also
51 Senator(s) Kester--Concerning setting the amounts of
52 license plate fees.

53

54 Amendment No. 1, Transportation & Energy Report, dated
55 February 5, 2009, and placed in member's bill file; Report also printed in
56 House Journal, February 6, page 284.

1 Amendment No. 2, Appropriations Report, dated March 13, 2009, and
2 placed in member's bill file; Report also printed in House Journal,
3 March 13, page 721.

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

7
8 **HB09-1137** by Representative(s) Judd; also Senator(s) Newell--
9 Concerning intercepts, and, in connection therewith,
10 intercepting gambling winnings to pay outstanding
11 criminal court obligations, restitution, and delinquent taxes
12 and requiring the department of revenue to provide
13 specified information to state agencies in conjunction with
14 intercepts of tax refunds.

15
16 Rereferred to the Committee on Judiciary.

17
18 **HB09-1160** by Representative(s) Miklosi; also Senator(s) Bacon--
19 Concerning the ability of a qualified elector to submit
20 voter information via the secure web site of the secretary
21 of state.

22
23 Amendment No. 1, State, Veterans, & Military Affairs Report, dated
24 February 16, 2009, and placed in member's bill file; Report also printed
25 in House Journal, February 16, pages 358-361.

26
27 Amendment No. 2, Appropriations Report, dated March 13, 2009, and
28 placed in member's bill file; Report also printed in House Journal,
29 March 13, pages 724-725.

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

33
34 **HB09-1175** by Representative(s) Curry; also Senator(s) Williams--
35 Concerning the regulation of naturopathic doctors.

36
37 Amendment No. 1, Health & Human Services Report, dated
38 February 12, 2009, and placed in member's bill file; Report also printed
39 in House Journal, February 13, pages 333-335.

40
41 Amendment No. 2, Appropriations Report, dated March 13, 2009, and
42 placed in member's bill file; Report also printed in House Journal,
43 March 13, page 725.

44
45 Amendment No. 3, by Representative(s) Curry.

46
47 Amend the Health and Human Services Committee Report, dated
48 February 12, 2009, page 4, strike lines 11 and 12 and substitute the
49 following:

50
51 "Page 27, line 16, after "ARTICLE", insert "AND WHO EITHER IS ELIGIBLE
52 TO REGISTER PURSUANT TO SECTION 12-37.7-105 OR WHO HOLDS HIMSELF
53 OR HERSELF OUT TO THE PUBLIC AS A NATUROPATHIC DOCTOR";";

54
55 strike line 16 and substitute the following:

56

1 "12-37.7-105 UNLESS SUCH PERSON:
2

3 (a) HOLDS HIMSELF OR HERSELF OUT TO THE PUBLIC AS A
4 NATUROPATHIC DOCTOR; OR
5

6 (b) PRACTICES OR OFFERS OR ATTEMPTS TO PRACTICE
7 NATUROPATHIC MEDICINE WITHOUT AN ACTIVE REGISTRATION PURSUANT
8 TO THIS ARTICLE."."
9

10 Amendment No. 4, by Representative(s) Curry.

11 Amend printed bill, page 8, line 2, strike "AND";

12 line 5, strike "12-37.7-112." and substitute "12-37.7-112; AND";

13
14 after line 5, insert the following:
15

16
17
18 "(f) IN FORCE PROFESSIONAL LIABILITY INSURANCE AS REQUIRED
19 BY THE DIRECTOR PURSUANT TO SECTION 12-37.7-108 (2). PROFESSIONAL
20 LIABILITY INSURANCE REQUIRED BY THIS PARAGRAPH (f) SHALL COVER
21 ALL ACTS WITHIN THE SCOPE OF NATUROPATHIC MEDICINE."
22

23 Page 13, after line 14, insert the following:
24

25 "(2) THE DIRECTOR SHALL REQUIRE NATUROPATHIC DOCTORS TO
26 CARRY LIABILITY INSURANCE IN AN AMOUNT OF NOT MORE THAN THREE
27 HUNDRED THOUSAND DOLLARS PER CLAIM AND NOT LESS THAN ONE
28 HUNDRED THOUSAND DOLLARS PER CLAIM."
29

30 Page 17, strike line 23 and substitute the following:
31

32 "(b) (I) THE";
33

34 line 24, strike "THIS ARTICLE, THE".
35

36 Page 28, line 18, strike "4," and substitute "5,".
37

38 Amendment No. 5, by Representative(s) Curry.
39

40 Amend printed bill, page 5, line 14, strike "AND";
41

42 strike line 16 and substitute the following:
43

44 "INSURANCE;
45

46 (d) TRADITIONAL NATUROPATHS, TO OBTAIN INPUT REGARDING
47 ALTERNATIVE CARE PRACTICES; AND
48

49 (e) CONSUMERS, TO OBTAIN INPUT REGARDING CONSUMER
50 PROTECTIONS AND CHOICES."
51

52 Page 7, line 22, after "NATUROPATHIC", insert "MEDICAL".
53

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

56 (For change in action, see Amendments to Report, page 811.)

1 **HB09-1205** by Representative(s) Looper and Balmer, Apuan,
2 Baumgardner, Casso, Kerr J., Labuda, Lambert, McNulty,
3 Murray, Priola, Soper, Swalm, Todd, Vaad; also
4 Senator(s) Williams, Bacon, Boyd, Gibbs, Schultheis--
5 Concerning voting by members of the armed forces
6 serving outside the United States.

7
8 Laid over until March 23, retaining place on Calendar.

9
10 **HB09-1222** by Representative(s) Ferrandino, Pommer, Marostica; also
11 Senator(s) Keller, Tapia, White--Concerning the
12 administration of appropriated moneys.

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

16
17 **HB09-1244** by Representative(s) Casso, Looper, McNulty, Primavera,
18 Vaad; also Senator(s) Kopp--Concerning the exemption of
19 property carriers by motor vehicle from regulation by the
20 public utilities commission.

21
22 Amendment No. 1, Appropriations Report, dated March 13, 2009, and
23 placed in member's bill file; Report also printed in House Journal,
24 March 13, page 726.

25
26 Amendment No. 2, by Representative(s) Casso.

27
28 Amend printed bill, page 2, after line 5, insert the following:

29
30 "SECTION 2. 42-4-235 (4) (a), Colorado Revised Statutes, is
31 amended to read:

32
33 **42-4-235. Minimum standards for commercial vehicles -**
34 **repeal.** (4) (a) The department shall adopt rules ~~and regulations~~ for the
35 operation of all commercial vehicles. In adopting such rules, ~~and~~
36 ~~regulations~~; the department shall use as general guidelines the standards
37 contained in the current rules and regulations of the United States
38 department of transportation relating to safety regulations, qualifications
39 of drivers, driving of motor vehicles, parts and accessories, notification
40 and reporting of accidents, hours of service of drivers, inspection, repair,
41 and maintenance of motor vehicles, FINANCIAL RESPONSIBILITY,
42 INSURANCE, and employee safety and health standards. On and after
43 September 1, 2003, all commercial vehicle safety inspections conducted
44 to determine compliance with rules ~~and regulations~~ promulgated by the
45 department pursuant to this paragraph (a) shall be performed by an
46 enforcement official, as defined in section 42-20-103 (2), who has been
47 certified by the commercial vehicle safety alliance, or any successor
48 organization thereto, to perform level I inspections."

49
50 Renumber succeeding section accordingly.

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

54
55 **HB09-1309** by Representative(s) Pace; also Senator(s) Tochtrop--
56 Concerning inspection of boilers.

1 Amendment No. 1, Business Affairs & Labor Report, dated
2 March 17, 2009, and placed in member's bill file; Report also printed in
3 House Journal, March 18, page 778.

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

7
8 **HB09-1301** by Representative(s) Judd; also Senator(s) Sandoval--
9 Concerning moneys continuously appropriated from the
10 unclaimed property trust fund to the state treasurer for
11 payment of contract auditor services.

12
13 Amendment No. 1, Finance Report, dated March 17, 2009, and placed in
14 member's bill file; Report also printed in House Journal, March 18, pages
15 769-770.

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

19
20 **HB09-1230** by Representative(s) Summers; also Senator(s) Tapia--
21 Concerning the registration of motor vehicles.

22
23 Amendment No. 1, Transportation & Energy Report, dated
24 March 17, 2009, and placed in member's bill file; Report also printed in
25 House Journal, March 18, pages 779-780.

26
27 Amendment No. 2, by Representative(s) Summers.

28
29 Amend the Transportation & Energy Committee Report, dated March 17,
30 2009, page 1, line 7, strike "**harmless - rules.**" and substitute
31 "**harmless.**".

32
33 Page 2, line 7, after "THE", insert "HOLD HARMLESS";

34
35 strike lines 8 through 11 and substitute "39-26-105.4 SHALL APPLY TO
36 ANY".

37
38 Page 3, line 23, strike "registered" and substitute "purchased".

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

42
43 **SB09-066** by Senator(s) Tochtrop, Isgar, Schultheis; also
44 Representative(s) Primavera--Concerning the
45 consolidation of public employee retirement plans under
46 the public employees' retirement association, and making
47 an appropriation in connection therewith.

48
49 Ordered revised and placed on the Calendar for Third Reading and Final
50 Passage.

51
52
53 **SB09-147** by Senator(s) Hodge, Brophy; also Representative(s)
54 Priola, Gardner C.--Concerning the authorization of
55 substitute water supply plans for the replacement of out-
56 of-priority depletions caused by historic diversions from

1 wells included in decreed augmentation plans entered by
2 the water court for water division 1.

3
4 Ordered revised and placed on the Calendar for Third Reading and Final
5 Passage.

6
7 **SB09-225** by Senator(s) Boyd; also Representative(s) McGihon--
8 Concerning the definition of contraceptive.

9
10 Amendment No. 1, Health & Human Services Report, dated
11 March 16, 2009, and placed in member's bill file; Report also printed in
12 House Journal, March 17, page 763.

13
14 As amended, ordered revised and placed on the Calendar for Third
15 Reading and Final Passage.

16
17
18 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

19
20 Representative(s) Curry, Kefalas, and McGihon moved to amend the
21 Report of the Committee of the Whole to reverse the action taken by the
22 Committee in adopting Amendment No. 5 (printed in House Journal page
23 808, lines 38-52) by Representative Curry, to HB09-1175, to show that
24 said amendment lost, and that **HB09-1175**, as amended, passed.

25
26 The amendment was declared **passed** by the following roll call vote:

27
28

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

46
47

48 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

49
50 Passed Second Reading: **HB09-1015 amended, 1063, 1086 amended,**
51 **1130 amended, 1133 amended, 1160 amended, 1175 amended, 1222,**
52 **1244 amended, 1309 amended, 1301 amended, 1230 amended,**
53 **SB09-066, 147, 225 amended.**

54
55 Laid over until date indicated retaining place on Calendar: **HB09-1284,**
56 **1176 amended, 1205--March 23, 2009.**

1 Rereferred to Committee indicated: **HB09-1137**--Judiciary.

2

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

7

8

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

26

27

28

29 On motion of Representative Weissmann, **SB09-139** was made Special
30 Orders on Friday, March 20, 2009, at 1:07 p.m.

31

32

33 The hour of 1:07 p.m, having arrived, on motion of Representative May,
34 the House resolved itself into Committee of the Whole for consideration
35 of Special Orders and he was called to the Chair to act as Chairman.

36

37

38 **SPECIAL ORDERS--SECOND READING OF BILL(S)**

39

40 The Committee of the Whole having risen, the Chairman reported the title
41 of the following bill has been read (reading at length had been dispensed
42 with by unanimous consent), the bill considered and action taken thereon
43 as follows:

44

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

47

48 **SB09-139** by Senator(s) Shaffer B.; also Representative(s) McGihon-
49 -Concerning the adoption of recent changes to the
50 "Uniform Principal and Income Act" proposed by the
51 national conference of commissioners on uniform state
52 laws.

53

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

56

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

2
3 Passed Second Reading: **SB09-139**.

4
5 The Chairman moved the adoption of the Committee of the Whole
6 Report. As shown by the following roll call vote, a majority of those
7 elected to the House voted in the affirmative, and the Report was
8 **adopted**.

9

	YES	61	NO	1	EXCUSED	3	ABSENT	0
11	Acree	Y	Green	Y	McFadyen	Y	Roberts	Y
12	Apuan	Y	Hullinghorst	Y	McGihon	Y	Ryden	Y
13	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
14	Baumgardner	Y	Kefalas	Y	McNulty	Y	Schafer S.	Y
15	Benefield	Y	Kerr A.	Y	Merrifield	N	Solano	Y
16	Bradford	Y	Kerr J.	Y	Middleton	Y	Sonnenberg	Y
17	Casso	Y	King S.	Y	Miklosi	E	Soper	Y
18	Court	Y	Labuda	Y	Murray	Y	Stephens	Y
19	Curry	Y	Lambert	Y	Nikkel	Y	Summers	Y
20	Ferrandino	Y	Levy	Y	Pace	Y	Swalm	Y
21	Fischer	Y	Liston	Y	Peniston	Y	Tipton	Y
22	Frangas	Y	Looper	Y	Pommer	Y	Todd	E
23	Gagliardi	Y	Marostica	Y	Primavera	Y	Vaad	Y
24	Gardner B.	Y	Massey	Y	Priola	Y	Vigil	Y
25	Gardner C.	Y	May	Y	Rice	E	Waller	Y
26	Gerou	Y	McCann	Y	Riesberg	Y	Weissmann	Y
27							Speaker	Y

28
29
30
31 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

32
33 **APPROPRIATIONS**

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

36
37 **HB09-1120** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40
41 Amend printed bill, page 4, strike lines 2 through 27.

42
43 Strike pages 5 through 7.

44
45 Page 8, strike lines 1 through 12.

46
47 Renumber succeeding sections accordingly.

48
49 Page 1, line 102, strike "SERVANTS, AND MAKING AN APPROPRIATION IN
50 CONNECTION THEREWITH." and substitute "SERVANTS."

51
52
53
54 **HB09-1196** be amended as follows, and as so amended, be referred to
55 the Committee of the Whole with favorable
56 recommendation:

1 Amend printed bill, page 10, after line 15, insert the following:

2

3 **"SECTION 3. Appropriation.** In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 nursing home penalty cash fund created in section 25.5-6-205, Colorado
6 Revised Statutes, not otherwise appropriated, to the department of health
7 care policy and financing, for the fiscal year beginning July 1, 2009, the
8 sum of two hundred thousand dollars (\$200,000) cash funds, or so much
9 thereof as may be necessary, for the implementation of this act."

10

11 Renumber succeeding section accordingly.

12

13 Page 1, line 103, strike "CARE." and substitute "CARE, AND MAKING AN
14 APPROPRIATION THEREFOR."

15

16

17

18 **HB09-1213** be amended as follows, and as so amended, be referred to
19 the Committee of the Whole with favorable
20 recommendation:

21

22 Amend the Local Government Committee report, dated February 12,
23 2009, page 1, line 3, strike ""THE FUND";" and substitute ""THE
24 COLORADO AFFORDABLE HOUSING CONSTRUCTION GRANTS AND LOAN
25 PROGRAM";";

26

27 strike line 6 and substitute the following:

28

29 "Page 3, line 4, after "FUND." add "THE MONEYS IN THE FUND ARE HEREBY
30 CONTINUOUSLY APPROPRIATED TO THE DIVISION FOR THE PURPOSES OF
31 THIS SECTION.";

32

33 line 5, after "(2)", insert "(a)";".

34

35

36

37 **HB09-1243** be amended as follows, and as so amended, be referred to
38 the Committee of the Whole with favorable
39 recommendation:

40

41 Amend printed bill, page 33, after line 14, insert the following:

42

43 **"SECTION 8. Appropriation.** In addition to any other
44 appropriation, there is hereby appropriated, out of any moneys in the
45 student re-engagement grant program fund created in section 22-14-109
46 (4) (a), Colorado Revised Statutes, not otherwise appropriated, to the
47 department of education, assistance to public schools, grant programs,
48 distributions, and other assistance, professional development and
49 instructional support, for the fiscal year beginning July 1, 2009, the sum
50 of one hundred fifty-seven thousand seven hundred seventy-two dollars
51 (\$157,772) and 2.0 FTE, or so much thereof as may be necessary, for the
52 implementation of this act."

52

53 Renumber succeeding section accordingly.

54

55 Page 1, line 102, strike "COLORADO." and substitute "COLORADO, AND
56 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

1 **HB09-1275** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill page 3, before line 6 insert the following:
6

7 **"SECTION 2. Appropriation.** In addition to any other
8 appropriation, there is hereby appropriated, out of any moneys in the
9 emergency medical services account of the highway users tax fund
10 created in section 25-3.5-603, Colorado Revised Statutes, not otherwise
11 appropriated, to the department of public health and environment, for
12 allocation to the health facilities and emergency medical services
13 division, for the fiscal year beginning July 1, 2009, the sum of eighteen
14 thousand nine hundred seventy-nine dollars (\$18,979) cash funds and 0.4
15 FTE, or so much thereof as may be necessary, for the implementation of
16 this act."
17

18 Renumber succeeding section accordingly.
19

20 Page 1, strike line 104 and substitute "**MEDICAL TECHNICIAN, AND**
21 **MAKING AN APPROPRIATION THEREFOR.**".
22
23
24

25 **HB09-1291** be referred to the Committee of the Whole with favorable
26 recommendation.
27

28
29 **HB09-1293** be amended as follows, and as so amended, be referred to
30 the Committee of the Whole with favorable
31 recommendation:
32
33

34 Amend the Health and Human Services Committee Report, dated March
35 13, 2009, page 1, line 10, strike ""TWELVE";" and substitute
36 ""THIRTEEN";";
37

38 after line 10 of the committee report, insert the following:
39

40 "line 10, strike "FOUR" and substitute "FIVE";".
41

42 Page 2 of the committee report, strike lines 8 through 11.
43

44 Page 6, of the committee report, line 22, strike "Statutes." and substitute
45 the following:
46

47 "Statutes.
48

49 **SECTION 11. Appropriation - adjustments to the 2009 long**
50 **bill.** (1) For the implementation of this act, appropriations made in the
51 annual general appropriation act for the fiscal year beginning July 1,
52 2009, to the department of health care policy and financing shall be
53 adjusted as follows:
54

55 (a) The appropriation to the executive director's division is
56 increased by six million nine hundred fifty-eight thousand three hundred

1 eighteen dollars (\$6,958,318) and 12.0 FTE. Of said sum, two million
2 four hundred twenty-two thousand seven hundred twenty-five dollars
3 (\$2,422,725) shall be from the hospital provider fee cash fund created in
4 section 25.5-4-402.3 (4), Colorado Revised Statutes, one hundred forty-
5 six thousand one hundred seventy-three dollars (\$146,173) shall be cash
6 funds from local certified funds, and four million three hundred eighty-
7 nine thousand four hundred twenty dollars (\$4,389,420) shall be from
8 federal funds.

9
10 (b) The appropriation to the medical services premiums division
11 is increased by three hundred twenty-seven million one hundred seventy-
12 one thousand four hundred sixty dollars (\$327,171,460). Of said sum,
13 one hundred sixty-three million five hundred eighty-five thousand seven
14 hundred thirty dollars (\$163,585,730) shall be from the hospital provider
15 fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised
16 Statutes, and one hundred sixty-three million five hundred eighty-five
17 thousand seven hundred thirty dollars (\$163,585,730) shall be from
18 federal funds.

19
20 (c) The appropriation to the medicaid mental health community
21 programs division is increased by three million three hundred forty-five
22 thousand one hundred ten dollars (\$3,345,110). Of said sum, one million
23 six hundred seventy-two thousand five hundred fifty-five dollars
24 (\$1,672,555) shall be from the hospital provider fee cash fund created in
25 section 25.5-4-402.3 (4), Colorado Revised Statutes and one million six
26 hundred seventy-two thousand five hundred fifty-five dollars
27 (\$1,672,555) shall be from federal funds.

28
29 (d) The appropriation to the indigent care program for safety net
30 provider payments is increased by three hundred twenty-two million two
31 hundred thousand dollars (\$322,200,000). Of said sum, one hundred
32 sixty-one million one hundred thousand (\$161,100,000) shall be from the
33 hospital provider fee cash fund created in section 25.5-4-402.3 (4),
34 Colorado Revised Statutes and one hundred sixty-one million one
35 hundred thousand (\$161,100,000) shall be federal funds.

36
37 (e) The appropriation to the indigent care program for safety net
38 provider payments is decreased by two hundred seventy million seven
39 thousand sixty-six dollars (\$270,007,066). Of said sum, one hundred
40 thirty-five million three thousand five hundred thirty-three dollars
41 (\$135,003,533) shall be from public certified funds representing
42 expenditures incurred by public hospitals and one hundred thirty-five
43 million three thousand five hundred thirty-three dollars (\$135,003,533)
44 shall be from federal funds.

45
46 (f) The appropriation to the indigent care program for the
47 children's basic health plan administration is increased by nine thousand
48 eight hundred dollars (\$9,800). Of said sum, three thousand four hundred
49 thirty dollars (\$3,430) shall be shall be from the hospital provider fee
50 cash fund created in section 25.5-4-402.3 (4), Colorado Revised Statutes,
51 and six thousand three hundred seventy dollars (\$6,370) shall be from
52 federal funds.

53
54 (g) The appropriation to the indigent care program for the
55 children's basic health plan premium costs is increased by twenty million
56 two hundred ninety-eight thousand six hundred forty-one dollars

1 (\$20,298,641). Of said sum, seven million sixty-six thousand three
2 hundred twelve dollars (\$7,066,312) shall be from the hospital provider
3 fee cash fund created in section 25.5-4-402.3 (4), Colorado Revised
4 Statutes, one hundred nine thousand one hundred seventy-nine dollars
5 (\$109,179) shall be from the children's basic health plan trust fund
6 created in section 25.5-8-105 (1), Colorado Revised Statutes, and thirteen
7 million one hundred twenty-three thousand one hundred fifty dollars
8 (\$13,123,150) shall be from federal funds.

9
10 (h) The appropriation to the indigent care program for the
11 children's basic health plan dental costs is increased by one million
12 sixteen thousand eight hundred twenty dollars (\$1,016,820). Of said sum,
13 three hundred fifty-five thousand eight hundred eighty-seven dollars
14 (\$355,887) shall be from the hospital provider fee cash fund
15 created in section 25.5-4-402.3 (4), Colorado Revised Statutes, and six
16 hundred sixty thousand nine hundred thirty-three dollars (\$660,933) shall
17 be from federal funds.

18
19 (i) The appropriation to the department of human services
20 medicaid-funded programs, office of information technology services -
21 medicaid funding, Colorado benefits management system, is increased by
22 one hundred fifty-nine thousand three dollars (\$159,003). Of said sum,
23 seventy-nine thousand six hundred twelve dollars (\$79,612) shall be from
24 the hospital provider fee cash fund created in section 25.5-4-402.3 (4),
25 Colorado Revised Statutes, and seventy-nine thousand three hundred
26 ninety-one dollars (\$79,391) shall be from federal funds.

27
28 (2) For the implementation of this act, appropriations made in the
29 annual general appropriation act for the fiscal year beginning July 1,
30 2009, to the department of human services for allocation to the office of
31 information technology services, Colorado benefits management system
32 is increased by four hundred fifteen thousand ninety-seven dollars
33 (\$415,097). Of said amount, one hundred seventeen thousand sixty-five
34 dollars (\$117,065) shall be from the hospital provider fee cash fund
35 created in section 25.5-402.3 (4), Colorado Revised Statutes, one hundred
36 fifty-nine thousand three dollars (\$159,003) shall be reappropriated funds
37 transferred from the department of health care policy and financing, and
38 one hundred thirty-nine thousand and twenty-nine dollars (\$139,029)
39 shall be from federal funds.

40
41 **SECTION 12. Appropriation - adjustments to the 2009 long**
42 **bill.** (1) For the implementation of this act, appropriations made in the
43 annual general appropriation act for the fiscal year beginning July 1,
44 2009, to the department of health care policy and financing shall be
45 adjusted as follows:

46
47 (a) The appropriation to the executive director's division is
48 increased by five million one hundred fifty-seven thousand four hundred
49 fifty dollars (\$5,157,450) and 12.0 FTE. Of said sum, one million eight
50 hundred fifteen thousand seven hundred twenty-three dollars
51 (\$1,815,723) shall be from general fund and three million three hundred
52 forty-one thousand seven hundred twenty-seven dollars (\$3,341,727) shall
53 be from federal funds.

54
55 (b) The appropriation to the department of human services
56 medicaid-funded programs, office of information technology services -

1 medicaid funding, Colorado benefits management system is increased by
2 one hundred twenty-three thousand two hundred twenty-eight dollars
3 (\$123,228). Of said sum, sixty-one thousand six hundred fourteen dollars
4 (\$61,614) shall be general fund and sixty-one thousand six hundred
5 fourteen dollars (\$61,614) shall be from federal funds.

6
7 (2) For the implementation of this act, appropriations made in the
8 annual general appropriation act for the fiscal year beginning July 1,
9 2009, to the department of human services for allocation to the office of
10 information technology services, Colorado benefits management system
11 is increased by three hundred twenty-four thousand two hundred eighty-
12 two dollars (\$324,282). Of said amount, ninety-two thousand thirty-one
13 dollars (\$92,031) shall be from the general fund, one hundred twenty-
14 three thousand two hundred twenty-eight dollars (\$123,228) shall be
15 reappropriated funds transferred from the department of health care
16 policy and financing, and one hundred nine thousand and twenty-three
17 dollars (\$109,023) shall be from federal funds.

18
19 **SECTION 13. Effective date.** (1) Except as provided in
20 subsection (2) and (3) of this section, this act shall take effect July 1,
21 2008.

22
23 (2) Section 11 of this act shall take effect on April 1, 2009, but
24 only if, by March 31, 2009, the executive director of the department of
25 health care policy and financing has submitted written notice to the
26 revisor of statutes that the federal government has approved the waiver
27 establishing the hospital provider fee created in section 25.5-4-402.3 (3),
28 Colorado Revised Statutes.

29
30 (3) Section 12 of this act shall take effect on April 1, 2009, but
31 only if on or before March 31, 2009, the executive director of the
32 department of health care policy and financing has not submitted written
33 notice to the revisor of statutes that the federal government has approved
34 the waiver establishing the provider fees created in section 25.5-4-402.3
35 (3), Colorado Revised Statutes."."

36
37 Page 6, line 28, strike "AND";

38
39 line 29, strike "ACT." and substitute "ACT, AND MAKING AN
40 APPROPRIATION IN CONNECTION THEREWITH."."

41
42
43
44 **SB09-132** be amended as follows, and as so amended, be referred to
45 the Committee of the Whole with favorable
46 recommendation:

47
48 Amend engrossed bill, page 5, line 9, strike "269.4" and substitute "(269.4
49 FTE)".

50
51 Page 11, line 11, strike "102,141,151" and substitute "102,154,461".

52
53
54
55

1 **EDUCATION**

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

4
5 **SB09-029** be postponed indefinitely.

6
7
8 **SB09-057** be postponed indefinitely.

9
10
11 **SB09-131** be amended as follows, and as so amended, be referred to
12 the Committee of the Whole with favorable
13 recommendation:

14
15 Amend reengrossed bill, page 3, line 9, before "EACH", insert "(2) (a)"
16 and, strike "SHALL" and substitute "IS ENCOURAGED TO";

17
18 line 13, strike "SHALL" and substitute "MAY";

19
20 line 16, strike "SHALL" and substitute "IS ENCOURAGED TO";

21
22 line 27, strike "THE REQUIREMENT THAT" and substitute "BY
23 ENCOURAGING" and, after "DISTRICT", insert "TO".

24
25 Page 4, line 1, strike "SECTION" and substitute "SECTION, THE GENERAL
26 ASSEMBLY";

27
28 line 2, strike "INTENDED" and substitute "INTENDING";

29
30 strike lines 13 through 17.

31
32 Renumber succeeding subsection accordingly.

33
34 Page 4, line 24, strike "SHALL" and substitute "IS ENCOURAGED TO".

35
36
37
38 **SB09-237** be amended as follows, and as so amended, be referred to
39 the Committee of the Whole with favorable
40 recommendation:

41
42 Amend reengrossed bill, page 2, strike lines 14 through 16 and substitute
43 the following:

44
45 "(f) CARRYING, USING, ACTIVELY DISPLAYING, OR THREATENING
46 WITH THE USE OF A FIREARM FACSIMILE THAT COULD REASONABLY BE
47 MISTAKEN FOR AN ACTUAL FIREARM IN A SCHOOL BUILDING OR IN OR ON
48 SCHOOL PROPERTY. EACH SCHOOL DISTRICT SHALL DEVELOP A POLICY
49 THAT SHALL AUTHORIZE A STUDENT TO CARRY, BRING, USE, OR POSSESS A
50 FIREARM FACSIMILE ON SCHOOL PROPERTY FOR EITHER A
51 SCHOOL-RELATED OR A NON-SCHOOL-RELATED ACTIVITY. SUCH POLICY
52 SHALL ALSO CONSIDER STUDENT VIOLATIONS UNDER THIS SECTION ON A
53 CASE-BY-CASE BASIS USING THE INDIVIDUAL FACTS AND CIRCUMSTANCES
54 TO DETERMINE WHETHER SUSPENSION, EXPULSION, OR ANY OTHER
55 DISCIPLINARY ACTION, IF ANY, IS NECESSARY.";

56

1 strike lines 17 through 27.

2

3 Page 3, strike lines 1 through 6.

4

5 Renumber succeeding section accordingly.

6

7

8

9

10 **HEALTH & HUMAN SERVICES**

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

13

14 **HB09-1028** be amended as follows, and as so amended, be referred to
15 the Committee on Appropriations with favorable
16 recommendation:

17

18 Strike the Health and Human Services Committee Report, dated February
19 5, 2009, and substitute the following:

20

21 "Amend printed bill, strike everything below the enacting clause and
22 substitute the following:

23

24 **"SECTION 1. Legislative declaration.** THE GENERAL ASSEMBLY
25 HEREBY FINDS AND DECLARES THAT COLORADO HAS LIMITED ECONOMIC
26 RESOURCES AVAILABLE TO MEET THE SIGNIFICANT NEED FOR MEDICAL
27 SERVICES THAT EXISTS WITHIN THE STATE. ACCORDINGLY, THE STATE
28 SHOULD BE ACCOUNTABLE FOR THE USE OF THESE LIMITED RESOURCES
29 AND MEDICAL SERVICES FUNDED BY THE STATE SHOULD BE EFFECTIVE IN
30 MEETING THE NEEDS OF THE CLIENTS RECEIVING MEDICAL SERVICES. BY
31 CREATING A PROCESS BY WHICH MEDICALLY INDIGENT PERSONS RECEIVING
32 CARE UNDER THE COLORADO INDIGENT CARE PROGRAM MAY RECEIVE
33 ADDITIONAL ASSISTANCE IN RESOLVING GRIEVANCES RELATING TO THE
34 NEED FOR, TYPE, OR QUALITY OF CARE PROVIDED, THOSE CLIENT
35 GRIEVANCES MAY BE RESOLVED IN A MORE TIMELY MANNER AND WITH
36 BETTER OUTCOMES TO THE CLIENT.

37

38 **SECTION 2.** 25.5-3-107, Colorado Revised Statutes, is amended
39 to read:

40

41 **25.5-3-107. Report concerning the program.** The executive
42 director shall prepare an annual report concerning the status of the
43 medically indigent program to be submitted to the health and human
44 services committees of the senate and the house of representatives, or any
45 successor committees, no later than February 1 of each year. The report
46 shall be prepared following consultation with providers in the program,
47 state department personnel, and other agencies, organizations, or
48 individuals as the executive director deems appropriate in order to obtain
49 comprehensive and objective information about the program. THE
50 REPORT SHALL ALSO INCLUDE INFORMATION CONCERNING THE
51 IMPLEMENTATION AND EFFECTIVENESS OF THE GRIEVANCE PROCESS
52 ESTABLISHED BY THE STATE DEPARTMENT PURSUANT TO SECTION
53 25.5-3-108 (17) TO RESOLVE GRIEVANCES FROM MEDICALLY INDIGENT
54 PERSONS CONCERNING THE NEED FOR, TYPE, AND QUALITY OF MEDICAL
55 CARE PROVIDED UNDER THE PROGRAM.

56

1 **SECTION 3.** 25.5-3-108, Colorado Revised Statutes, is amended
2 BY THE ADDITION OF A NEW SUBSECTION to read:

3
4 **25.5-3-108. Responsibility of the department of health care**
5 **policy and financing - provider reimbursement.** (17) (a) THE STATE
6 DEPARTMENT SHALL ESTABLISH PROCEDURES TO RESOLVE GRIEVANCES
7 FROM MEDICALLY INDIGENT PERSONS WHO ARE ELIGIBLE TO RECEIVE
8 MEDICAL SERVICES UNDER THE PROGRAM CONCERNING THE NEED FOR,
9 TYPE, OR QUALITY OF THE MEDICAL CARE PROVIDED UNDER THE PROGRAM.
10 THE STATE DEPARTMENT IS ENCOURAGED TO COLLABORATE WITH
11 PROGRAM CLIENTS AND ADVOCATES, AS WELL AS OTHER STAKEHOLDERS
12 INTERESTED IN THE PROGRAM, IN THE DEVELOPMENT AND
13 IMPLEMENTATION OF THE GRIEVANCE PROCESS.

14
15 (b) THE PROCEDURES ESTABLISHED BY THE STATE DEPARTMENT
16 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (17) SHALL IMPLEMENT
17 THE GRIEVANCE PROCESS AND SHALL:

18
19 (I) INFORM A PROVIDER WHO IS CONTRACTED TO PROVIDE
20 SERVICES UNDER THE PROGRAM OF THE STATE DEPARTMENT'S
21 EXPECTATIONS AND PROCEDURES CONCERNING PROVIDER ACTIONS IN
22 RESOLVING GRIEVANCES; AND

23
24 (II) INFORM MEDICALLY INDIGENT PERSONS RECEIVING SERVICES
25 UNDER THE PROGRAM CONCERNING THE AVAILABILITY OF THE GRIEVANCE
26 PROCESS AND THE METHOD FOR SUBMITTING GRIEVANCES.

27
28 (c) IF THE GENERAL ASSEMBLY IS NOT SATISFIED THAT THE
29 GRIEVANCE PROCESS IMPLEMENTED BY THE STATE DEPARTMENT
30 PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (17) IS MEETING THE
31 NEEDS OF MEDICALLY INDIGENT PERSONS WHO ARE ELIGIBLE TO RECEIVE
32 MEDICAL SERVICES UNDER THE PROGRAM, THE GENERAL ASSEMBLY MAY
33 REQUIRE THE STATE DEPARTMENT THROUGH SUBSEQUENT LEGISLATION TO
34 IMPLEMENT AN ALTERNATIVE PROCESS FOR RESOLVING GRIEVANCES,
35 WHICH PROCESS MAY INCLUDE THE CREATION OF A COLORADO INDIGENT
36 CARE PROGRAM ADVISORY BOARD.

37
38 **SECTION 4. Act subject to petition - effective date.** This act
39 shall take effect at 12:01 a.m. on the day following the expiration of the
40 ninety-day period after final adjournment of the general assembly that is
41 allowed for submitting a referendum petition pursuant to article V,
42 section 1 (3) of the state constitution, (August 4, 2009, if adjournment
43 sine die is on May 6, 2009); except that, if a referendum petition is filed
44 against this act or an item, section, or part of this act within such period,
45 then the act, item, section, or part, if approved by the people, shall take
46 effect on the date of the official declaration of the vote thereon by
47 proclamation of the governor."."

48
49
50
51 **HB09-1306** be postponed indefinitely.

52
53
54 **SB09-012** be postponed indefinitely.
55
56

1 **JUDICIARY**

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

4
5 **HB09-1305** be referred to the Committee of the Whole with favorable
6 recommendation.

7
8
9 **SB09-137** be referred to the Committee of the Whole with favorable
10 recommendation.

11
12
13 **SB09-143** be amended as follows, and as so amended, be referred to
14 the Committee of the Whole with favorable
15 recommendation:

16
17 Amend reengrossed bill, page 2, strike line 17 and substitute the
18 following:

19
20 "SECTION 2. The introductory portion to 42-4-110.5 (2) and
21 42-4-110.5 (2) (a) (II), (2) (c), (2) (g) (I), (2) (g) (II), (4) (a), (4) (b) (I),
22 (4.5), and (5),";

23
24 line 21, after "A", insert "COUNTY, CITY AND COUNTY, OR";

25
26 after line 27, insert the following:

27
28 "(a) (II) If the state, a county, a city and county, or a municipality
29 detects any alleged violation of a COUNTY, CITY AND COUNTY, OR
30 municipal traffic regulation or a traffic violation under state law through
31 the use of an automated vehicle identification system, then the state,
32 county, city and county, or municipality shall serve the penalty
33 assessment notice or summons and complaint for the alleged violation on
34 the defendant no later than ninety days after the alleged violation
35 occurred. If a penalty assessment notice or summons and complaint for
36 a violation detected using an automated vehicle identification system is
37 personally served, the state, a county, a city and county, or a municipality
38 may only charge the actual costs of service of process that shall be no
39 more than the amount usually charged for civil service of process.

40
41 (c) The state, a county, a city and county, or a municipality may
42 not report to the department any outstanding judgment or warrant for
43 purposes of section 42-2-107 (5) or 42-2-118 (3) based upon any
44 violation or alleged violation of a COUNTY, CITY AND COUNTY, OR
45 municipal traffic regulation or traffic violation under state law detected
46 through the use of an automated vehicle identification system."

47
48 Page 3, line 12, strike "LESS THAN FIFTY" and substitute "FIFTY MILES PER
49 HOUR OR LESS.";

50
51 strike line 13.

52
53 Page 4, strike lines 1 through 14 and substitute the following:

54
55 "(4) (a) If the state, a county, a city and county, or a municipality
56 detects a speeding violation of less than ten miles per hour over the

1 reasonable and prudent speed under a COUNTY, CITY AND COUNTY, OR
2 municipal traffic regulation or under state law through the use of an
3 automated vehicle identification system and the violation is the first
4 violation by such driver that the state, county, city and county, or
5 municipality has detected using an automated vehicle identification
6 system, then the state, county, city and county, or municipality shall mail
7 such driver a warning regarding the violation and the state, county, city
8 and county, or municipality may not impose any penalty or surcharge for
9 such first violation.

10

11 (b) (I) If the state, a county, a city and county, or a";

12

13 line 16, before "municipal", insert "COUNTY, CITY AND COUNTY, OR";

14

15 line 22, strike "dollars OR SO MUCH AS IS NECESSARY TO COVER THE" and
16 substitute "dollars.";

17

18 strike line 23 and substitute the following:

19

20 "(4.5) If the state, a county, a city and county, or a municipality
21 detects a violation under a COUNTY, CITY AND COUNTY, OR municipal
22 traffic regulation or under state law for disobedience to a traffic control
23 signal through the use of an automated vehicle identification system, the
24 maximum penalty that the state, a county, a city and county, or a
25 municipality may impose for such violation, including any surcharge, is
26 seventy-five dollars.

27

28 (5) If the state, a county, a city and county, or a municipality has
29 established an automated vehicle identification system for the
30 enforcement of COUNTY, CITY AND COUNTY, OR municipal traffic
31 regulations or state traffic laws, then no portion of any fine collected
32 through the use of such system may be paid to the manufacturer or vendor
33 of the automated vehicle identification system equipment. The
34 compensation paid by the state, county, city and county, or municipality
35 for such equipment shall be based upon the value of such equipment and
36 may not be based upon the number of traffic citations issued or the
37 revenue generated by such equipment.

38

39 **SECTION 3.** 42-4-110.5 (2), Colorado Revised Statutes, is
40 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

41

42 **42-4-110.5. Automated vehicle identification systems.** (2) A
43 municipality may adopt an ordinance authorizing the use of an automated
44 vehicle identification system to detect violations of traffic regulations
45 adopted by the municipality, or the state, a county, a city and county, or
46 a municipality may utilize an automated vehicle identification system to
47 detect traffic violations under state law, subject to the following
48 conditions and limitations:

49

50 (j) THE STATE, A COUNTY, A CITY AND COUNTY, OR A
51 MUNICIPALITY MAY NOT UTILIZE AN AUTOMATED VEHICLE IDENTIFICATION
52 SYSTEM TO DETECT A VIOLATION OF SECTION 42-4-239 OR ANY
53 COMPARABLE MUNICIPAL ORDINANCE."

54

55

56

1 **SB09-231** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 2, line 4, strike "six" and substitute "six
6 FOUR".
7

8
9

10

11 **LOCAL GOVERNMENT**

12 After consideration on the merits, the Committee recommends the
13 following:
14

15 **SB09-149** be postponed indefinitely.
16
17

18

19

20 **STATE, VETERANS, & MILITARY AFFAIRS**

21 After consideration on the merits, the Committee recommends the
22 following:
23

24 **HB09-1307** be referred favorably to the Committee on Appropriations.
25
26

27 **SB09-022** be amended as follows, and as so amended, be referred to
28 the Committee on Appropriations with favorable
29 recommendation:
30

31 Amend reengrossed bill, page 3, after line 27, insert the following:
32

33 "(E) SUBJECT TO THE LIMITS SPECIFIED IN SUB-SUBPARAGRAPHS
34 (B), (C), AND (D) OF THIS SUBPARAGRAPH (II), THE STATE BOARD OF LAND
35 COMMISSIONERS SHALL DETERMINE THE EXACT AMOUNT OF ROYALTIES
36 AND OTHER PAYMENTS FOR THE DEPLETION OR EXTRACTION OF A
37 NATURAL RESOURCE ON PUBLIC SCHOOL LANDS THAT IS TO BE CREDITED
38 TO THE STATE BOARD OF LAND COMMISSIONERS INVESTMENT AND
39 DEVELOPMENT FUND PURSUANT TO THIS SUBPARAGRAPH (II)."
40

41 Page 4, strike lines 1 through 19.
42

43 Renumber succeeding sections accordingly.
44

45 Page 5, strike lines 4 through 24.
46

47 Renumber succeeding sections accordingly.
48
49

50

51 **SB09-084** be referred to the Committee of the Whole with favorable
52 recommendation.
53
54

55

56

1 **TRANSPORTATION & ENERGY**

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

4
5 **SB09-051** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:

8
9 Amend reengrossed bill, page 4, line 10, strike "(3) and (4)," and
10 substitute "(2), (3), and (4),";

11
12 after line 12, insert the following:

13
14 "(2) "Certified contractor" means:

15
16 (a) A contractor, including but not limited to a general, heating,
17 air conditioning, or lighting contractor, certified by the program
18 administrator to market the program to potential qualified borrowers and
19 make clean energy improvements that may be financed by clean energy
20 loans; AND

21
22 (b) A MANUFACTURER OR DEALER OF MANUFACTURED HOMES, AS
23 DEFINED IN SECTION 24-32-3302, WHO IS CERTIFIED BY THE PROGRAM
24 ADMINISTRATOR TO MARKET THE PROGRAM TO POTENTIAL QUALIFIED
25 BORROWERS AND MAKE CLEAN ENERGY IMPROVEMENTS THAT MAY BE
26 FINANCED BY CLEAN ENERGY LOANS."

27
28 Page 6, strike lines 13 through 19 and substitute the following:

29
30 "(II) SUCH INVESTMENTS SHALL BE SUBJECT TO THE STATE
31 TREASURER'S DISCRETION AND SHALL COMPLY WITH THE QUALIFICATIONS
32 FOR STATE INVESTMENTS LISTED IN SECTION 24-36-113."

33
34 Page 11, line 5, strike "(1) (d),".

35
36 Page 12, strike lines 10 through 27.

37
38 Page 13, strike lines 1 through 7.

39
40 Page 14, line 23, after "(III)", insert "THE QUALIFYING RETAIL UTILITY
41 MAY ESTABLISH ONE OR MORE STANDARD OFFERS TO PURCHASE
42 RENEWABLE ENERGY CREDITS GENERATED FROM THE ELIGIBLE SOLAR
43 ELECTRIC GENERATION ON THE CUSTOMER'S PREMISES SO LONG AS THE
44 GENERATION MEETS THE SIZE AND LOCATION REQUIREMENTS SET FORTH
45 IN SUBPARAGRAPH (II) OF THIS PARAGRAPH (e) AND SO LONG AS THE
46 GENERATION IS FIVE HUNDRED KILOWATTS OR LESS IN SIZE. WHEN
47 ESTABLISHING THE STANDARD OFFERS, THE PRICES FOR RENEWABLE
48 ENERGY CREDITS SHOULD BE SET AT LEVELS SUFFICIENT TO ENCOURAGE
49 INCREASED CUSTOMER-SITED SOLAR GENERATION IN THE SIZE RANGES
50 COVERED BY EACH STANDARD OFFER, BUT AT LEVELS THAT WILL STILL
51 ALLOW THE QUALIFYING RETAIL UTILITY TO COMPLY WITH THE ELECTRIC
52 RESOURCE STANDARDS SET FORTH IN PARAGRAPH (c) OF THIS SUBSECTION
53 (1) WITHOUT EXCEEDING THE RETAIL RATE IMPACT LIMIT IN PARAGRAPH
54 (g) OF THIS SUBSECTION (1)."

55
56 Page 15, line 1, strike "REBATE".

1 **SB09-075** be amended as follows, and as so amended, be referred to
2 the Committee on Appropriations with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 5, line 2, strike "amended" and substitute
6 "amended, and the said 42-4-109.5 is further amended BY THE
7 ADDITION OF A NEW SUBSECTION,";

8
9 after line 21, insert the following:
10

11 "(5) THE COLORADO DEPARTMENT OF TRANSPORTATION MAY
12 REGULATE THE OPERATION OF A LOW-SPEED ELECTRIC VEHICLE ON A
13 STATE HIGHWAY LOCATED OUTSIDE OF A MUNICIPALITY. THE REGULATION
14 SHALL TAKE EFFECT WHEN THE COLORADO DEPARTMENT OF
15 TRANSPORTATION PLACES AN APPROPRIATE SIGN THAT PROVIDES
16 ADEQUATE NOTICE OF THE REGULATION."
17

18 Page 7, after line 4, insert the following:
19

20 "(6) THE COLORADO DEPARTMENT OF TRANSPORTATION MAY
21 REGULATE THE OPERATION OF A CLASS B LOW-SPEED ELECTRIC VEHICLE
22 ON A STATE HIGHWAY LOCATED OUTSIDE OF A MUNICIPALITY. THE
23 REGULATION SHALL TAKE EFFECT WHEN THE COLORADO DEPARTMENT OF
24 TRANSPORTATION PLACES AN APPROPRIATE SIGN THAT PROVIDES
25 ADEQUATE NOTICE OF THE REGULATION."
26

27

28

29

30 **SB09-078** be amended as follows, and as so amended, be referred to
31 the Committee of the Whole with favorable
32 recommendation:

33 Amend reengrossed bill, page 3, line 2, strike "(1)," and substitute "(1) AS
34 A RESULT OF THE GRANTING OF AN APPLICATION FOR SUCH A TRANSFER OF
35 OWNERSHIP FILED ON OR AFTER THE EFFECTIVE DATE OF THIS PARAGRAPH
36 (b),";

37

38 strike lines 9 through 19 and substitute the following:
39

40 "THE STATE HIGHWAY SYSTEM, UNLESS THE COMMISSION AND EACH
41 COUNTY OR MUNICIPALITY THAT WOULD BE AFFECTED BY THE
42 ABANDONMENT OF THE STATE HIGHWAY OR PORTION OF A STATE HIGHWAY
43 AGREE THAT THE STATE HIGHWAY OR PORTION OF A STATE HIGHWAY NO
44 LONGER SERVES THE ONGOING PURPOSES OF THE STATE HIGHWAY
45 SYSTEM."
46

47

48 line 24, strike "4," and substitute "5,".
49

50

51

52 **SB09-161** be referred favorably to the Committee on Appropriations.
53

54

55 **SB09-177** be amended as follows, and as so amended, be referred to
56 the Committee of the Whole with favorable
recommendation:

1 Amend reengrossed bill, page 3, line 9, strike "SUN." and substitute "SUN
2 AND THAT IS NOT PRIMARILY DESIGNED TO SUPPLY ELECTRICITY FOR
3 CONSUMPTION ON SITE.";

4
5 line 11, after "(1.5) (b) (I)," insert "(1.5) (b) (IV),".

6
7 Page 4, after line 13, insert the following:

8
9 "(IV) As used in this paragraph (b), "tax factor" means a factor
10 annually established by the administrator. The tax factor shall be a
11 number that when applied to the selling price at the interconnection meter
12 results in approximately the same tax revenue over a twenty-year period
13 ON A NOMINAL DOLLAR BASIS that would have been collected using the
14 cost basis method of taxation as determined by the administrator for a
15 renewable energy facility pursuant to paragraph (e) of subsection (1) of
16 this section."

17
18
19
20 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

21
22 The Speaker has signed: **HB09-1027, 1072, 1185, 1236, 1249.**

23
24
25
26 **MESSAGE(S) FROM THE SENATE**

27
28 The Senate has adopted and transmits herewith: SJR09-026 and
29 SJR09-025.

30
31
32 The Senate has passed on Third Reading and returns herewith
33 HB09-1188.

34
35 The Senate has passed on Third Reading and transmitted to the Revisor
36 of Statutes:

37
38 SB09-018 amended as printed in Senate Journal, March 19, 2009
39 page 785,

40 SB09-098 amended as printed in Senate Journal, March 19, 2009
41 page 785,

42 HB09-1139 amended as printed in Senate Journal, March 16, 2009
43 pages 755-756.

44
45 The Senate has postponed indefinitely HB09-1247. The bill is returned
46 herewith.

47
48
49
50 The Senate has granted permission to the First Conference Committee on
51 HB09-1162 to go beyond the scope of the difference between the two
52 houses.

53
54
55
56

MESSAGE(S) FROM THE REVISOR

1
2
3 We herewith transmit:
4 Without comment, as amended, HB09-1139.
5 Without comment, as amended, SB09-018 and 098.

MESSAGE(S) FROM THE GOVERNOR

6
7
8
9
10
11 I certify I received the following on the 20th day of March, 2009, at
12 9:20 a.m. The original is on file in the records of the House of
13 Representatives of the General Assembly.

14
15
16 March 19, 2009
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Marilyn Eddins,
Chief Clerk of the House

To the Honorable
House of Representatives
Sixty-seventh General Assembly
First Regular Session
State Capitol
Denver, CO 80203

Ladies and Gentlemen:

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

HB09-1004 CONCERNING THE AUTHORITY OF ORGANIZATIONS
PROVIDING ALL-INCLUSIVE CARE FOR THE ELDERLY TO
EMPLOY PHYSICIANS.

Approved March 19, 2009 at 3:15 p.m.

HB09-1023 CONCERNING THE AGE REQUIREMENT FOR BLOOD
DONATIONS BY A MINOR.

Approved March 19, 2009 at 3:16 p.m.

HB09-1078 CONCERNING TRAINING FOR FOSTER PARENTS IN
REGARD TO INDIVIDUALIZED EDUCATION PROGRAMS.

Approved March 19, 2009 at 3:17 p.m.

HB09-1090 CONCERNING THE USE OF TITLES ASSOCIATED WITH
INTERPRETATION FOR DEAF PERSONS, AND, IN
CONNECTION THEREWITH, MAKING UNAUTHORIZED USE
OF SUCH TITLES A DECEPTIVE TRADE PRACTICE UNDER
THE "COLORADO CONSUMER PROTECTION ACT".

Approved March 19, 2009 at 3:17 p.m.

Sincerely,
(signed)
Bill Ritter, Jr.
Governor

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INTRODUCTION OF RESOLUTIONS

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

SJR09-025 by Senator(s) Kester; also Representative(s) Carroll T.-- Concerning recognition of Single Parents' Day in Colorado.

SJR09-026 by Senator(s) Williams and Isgar, Gibbs, Penry, Sandoval, Tapia, White; also Representative(s) Roberts, Casso, Tipton--Concerning the commemoration of the Tri-Ute Elders meeting in Colorado in March 2009, and, in connection therewith, honoring the culture and heritage of the Southern Ute Tribe and the Ute Mountain Ute Tribe.

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar were laid over until March 23, retaining place on Calendar:

- Consideration of General Orders--**SB09-117, 038, 054, 059, 050, 181, 227, 062, 112, 053, 100, 119, 150, 101, 014, 039, 107, 165, 157, 111, 080, 005, 129, 169, 013, 036, 047, 048, 060, 109, 182, 216, 168, 173, 042, 020, 092, 148, 175, 222.**
- Consideration of Conference Committee Report(s)--**SB09-208.**
- Consideration of Senate Amendment(s)--**HB09-1254, 1125, 1053.**

On motion of Representative Weissmann, the House adjourned until 10:00 a.m., March 23, 2009.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

