

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

One hundred-twelfth Legislative Day                      Tuesday, April 28, 2009

1 Prayer by the Reverend Mike Houlik, St. Mary Magdalene Episcopal  
2 Church, Boulder.

3  
4 The Speaker called the House to order at 9:00 a.m.

5  
6 Pledge of Allegiance led by Adis Rogonich, Rebecca Aung, Sarah  
7 Tesfai, Angel Bernal, McMeen Elementary, Glendale.

8  
9 The roll was called with the following result:

10  
11 Present--44.  
12 Excused--Representative(s) Acree, Ferrandino, Fischer,  
13 Gardner B., Judd, Kefalas, Kerr A., Kerr J., Marostica, McCann,  
14 Merrifield, Middleton, Pace, Pommer, Rice, Riesberg, Roberts,  
15 Schafer, Sonnenberg, Vaad, Weissmann--21.  
16 Present after roll call--Representative(s) Acree, Ferrandino,  
17 Fischer, Gardner B., Judd, Kefalas, Kerr A., Kerr J., Marostica,  
18 McCann, Merrifield, Middleton, Pace, Pommer, Rice, Riesberg,  
19 Roberts, Schafer, Sonnenberg, Vaad.

20  
21 The Speaker declared a quorum present.

22  
23  
24 On motion of Representative Tipton, the reading of the journal of  
25 April 27, 2009, was declared dispensed with and approved as corrected  
26 by the Chief Clerk.

27  
28  
29  
30  
31 style="text-align:center">**CONSIDERATION OF RESOLUTION(S)**

32  
33 **HJR09-1022** by Representative(s) Frangas, Acree, Ferrandino,  
34 Gagliardi, Gerou, Green, Kerr J., Labuda, Looper, Pace,  
35 Primavera, Soper, Swalm, Todd; also Senator(s)  
36 Sandoval, Bacon, Heath, Tochtrop--Concerning the  
37 creation of a task force to study ways to maintain safety  
38 and quality of life for consumers utilizing home care  
39 placement agencies.

40  
41 (Printed and placed in members file)

42  
43 Representative Frangas moved that the resolution be adopted.

1 Amendment No. 1, moved by Representative Frangas.  
 2  
 3 Amend the printed resolution, page 2, line 22, strike "shall" and substitute  
 4 "may";  
 5  
 6 line 31, strike "Five" and substitute "Six";  
 7  
 8 line 34, strike "two" and substitute "three";  
 9  
 10 line 36, strike "the Department of Health Care";  
 11  
 12 line 37, strike "Policy and Financing,".  
 13  
 14 Page 3, line 27, strike "November 15, 2009;" and substitute "September  
 15 1, 2009;".  
 16  
 17 The amendment was declared **passed** by **viva voce** vote.  
 18  
 19 On motion of Representative Frangas, the resolution as amended was  
 20 **adopted** by **viva voce** vote.  
 21  
 22 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Curry,  
 23 Massey, Peniston, Ryden  
 24  
 25

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### 28 THIRD READING OF BILLS--FINAL PASSAGE

29  
 30 The following bills were considered on Third Reading. The titles were  
 31 publicly read. Reading of the bill at length was dispensed with by  
 32 unanimous consent.  
 33

34 **SB09-256** by Senator(s) Romer and Bacon; also Representative(s)  
 35 Pommer and Scanlan--Concerning the financing of public  
 36 schools, and making an appropriation therefor.  
 37

38 As shown by the following roll call vote, a majority of all members  
 39 elected to the House voted in the affirmative, and Representative Pommer  
 40 was given permission to offer a Third Reading amendment:  
 41

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

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

4  
5 **Third Reading amendment No. 1**, by Representative Pommer.

6  
7 Amend revised bill, page 5, line 12, strike "each year" and substitute  
8 "~~each year~~".

9  
10 Page 7, line 22, strike "each year" and substitute "~~each year~~".

11  
12 Page 14, line 22, strike "COLLEGES" and substitute "COLLEGE".

13  
14 Page 17, line 18, strike "COLLEGES" and substitute "COLLEGE".

15  
16 Page 26, strike lines 20 through 27.

17  
18 Page 27, strike lines 1 through 3 and substitute the following:

19  
20 **"SECTION 21.** 22-2-113 (1) (g), Colorado Revised Statutes, is  
21 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

22  
23 **22-2-113. Commissioner - powers.** (1) Subject to the  
24 supervision of the state board, the commissioner has the following  
25 powers:

26  
27 (g) (III) NOTWITHSTANDING ANY PROVISION OF SUBPARAGRAPH  
28 (I) OR (II) OF THIS PARAGRAPH (g) TO THE CONTRARY, FOR THE 2008-09  
29 BUDGET YEAR, THE COMMISSIONER MAY ACCEPT AS REPAYMENT FROM A  
30 SCHOOL DISTRICT THAT HAS RECEIVED AN OVERPAYMENT ITEMS FOR USE  
31 BY THE DEPARTMENT, INCLUDING BUT NOT LIMITED TO LIFETIME ONLINE  
32 CURRICULUM LICENSES, IN THE SAME VALUE AS THE AMOUNT OF THE  
33 OVERPAYMENT OWED BY THE SCHOOL DISTRICT."

34  
35 Page 38, line 15, strike "22-2-135," and substitute "22-2-136,";

36  
37 strike lines 20 through 25;

38  
39 line 26, strike "(b)" and substitute "(a)".

40  
41 Page 39, line 23, strike "24, 25, 28, and 36" and substitute "22 through 24,  
42 26, and 34";

43  
44 line 25, strike "29 through 31 and 37" and substitute "27 through 29 and  
45 35";

46  
47 line 27, strike "33" and substitute "31".

48  
49 Page 40, line 4, strike "34" and substitute "32".

50  
51 The amendment was declared **passed** by the following roll call vote:

53	YES	64	NO	0	EXCUSED	1	ABSENT	0
54	Acree	Y	Green	Y	McCann	Y	Roberts	Y
55	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
56	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y

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

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

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

39 Co-sponsor(s) added: Representative(s) Benefield, Casso, Ferrandino, Fischer,  
 40 Labuda, Massey, Peniston, Ryden, Schafer S., Solano, Summers, Todd

41  
 42 **SB09-088** by Senator(s) Veiga; also Representative(s) Ferrandino--  
 43 Concerning the extension of state employee group benefits  
 44 to domestic partners of state employees.

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

	YES	34	NO	30	EXCUSED	1	ABSENT	0
52	Acree	N	Green	Y	McCann	Y	Roberts	N
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
55	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
56	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y

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

13 Co-sponsor(s) added: Representative(s) Court, Frangas, Green, Hullinghorst,  
 14 Judd, Kagan, Kerr A., Labuda, Levy, McCann, Miklosi, Pommer, Ryden,  
 15 Schafer S., Speaker

16  
 17 **HB09-1360** by Representative(s) Judd; also Senator(s) Sandoval--  
 18 Concerning the adjustment of the ratio of valuation for  
 19 assessment for residential real property.

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
27	Acree	Y	Green	Y	McCann	Y	Roberts	Y
28	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
29	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
30	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
31	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
32	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
33	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
34	Court	Y	King S.	Y	Murray	Y	Stephens	Y
35	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
36	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
37	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
38	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
39	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
40	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
41	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
42	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
43							Speaker	Y

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

45  
 46  
 47 **HB09-1364** by Representative(s) Riesberg; also Senator(s) Boyd--  
 48 Concerning an increase in the length of terms served by  
 49 members appointed to the health care task force.

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

19 Co-sponsor(s) added: Representative(s) Acree, Gerou, Green, Labuda, Massey,  
20 Schafer S.

21

22 **SB09-228** by Senator(s) Morse, Bacon, Boyd, Foster, Groff, Heath,  
23 Hodge, Hudak, Isgar, Keller, Newell, Romer, Schwartz,  
24 Shaffer B., Tapia, Tochtrop, Veiga, Williams; also  
25 Representative(s) Marostica and Court, Ferrandino,  
26 Frangas, Green, Hullinghorst, McCann, McGihon,  
27 Merrifield, Miklosi, Pace, Pommer, Todd, Weissmann--  
28 Concerning an increase in the flexibility of the general  
29 assembly to determine the appropriate use of state  
30 revenues.

31

32 As shown by the following roll call vote, a majority of all members  
33 elected to the House voted in the affirmative, and Representative Court  
34 was given permission to offer a Third Reading amendment:

35

	YES	56	NO	8	EXCUSED	1	ABSENT	0
37	Acree	Y	Green	Y	McCann	Y	Roberts	Y
38	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
39	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
40	Baumgardner	Y	Kagan	Y	McNulty	N	Schafer S.	Y
41	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
42	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
43	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
44	Court	Y	King S.	N	Murray	Y	Stephens	N
45	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
46	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
47	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
48	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
49	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
50	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
51	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
52	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
53							Speaker	Y

54

55

1 **Third Reading amendment No. 1**, by Representative(s) Court and  
2 Marostica.

3  
4 Amend revised bill, page 2, line 7, strike "2012," and substitute "2016,";  
5  
6 line 10, strike "2012," and substitute "2016,".

7  
8 Page 13, line 4, strike "YEAR," and substitute "YEAR DURING WHICH  
9 COLORADO PERSONAL INCOME INCREASES BY AT LEAST FIVE PERCENT,".

10  
11 Page 15, strike lines 6 through 27.

12  
13 Page 16, strike lines 1 through 8 and substitute the following:

14  
15 **"SECTION 12.** 24-75-218, Colorado Revised Statutes, is  
16 amended BY THE ADDITION OF A NEW SUBSECTION to read:

17  
18 **24-75-218. Transfers of general fund surplus - repeal.**  
19 (3) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2010.";

20  
21 line 25, strike "PROVIDED" and substitute "SET FORTH".

22  
23 Page 20, line 15, strike "MADE" and substitute "MADE,".

24  
25 Page 21, line 18, strike "2012," and substitute "2016,";

26  
27 line 22, strike "2012," and substitute "2016,".

28  
29 The amendment was declared **passed** by the following roll call vote:

	YES	51	NO	13	EXCUSED	1	ABSENT	0
32	Acree	Y	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
38	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
39	Court	Y	King S.	N	Murray	Y	Stephens	N
40	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
41	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
42	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
43	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
44	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	Y
45	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
46	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
48							Speaker	Y

49  
50  
51 The question being, "Shall the bill, as amended, 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  
54 bill, as amended, was declared **passed**.

55

	YES	35	NO	29	EXCUSED	1	ABSENT	0
1								
2	Acree	N	Green	Y	McCann	Y	Roberts	N
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
5	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
8	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
9	Court	Y	King S.	N	Murray	N	Stephens	N
10	Curry	N	Labuda	Y	Nikkel	N	Summers	N
11	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
13	Frangas	Y	Liston	N	Pommer	N	Todd	Y
14	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
15	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
16	Gardner C.	N	Massey	N	Rice	Y	Waller	N
17	Gerou	N	May	N	Riesberg	Y	Weissmann	E
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Kerr A., Labuda, Ryden

20  
 21 **SB09-087** by Senator(s) Carroll M.; also Representative(s) Peniston--  
 22 Concerning increased accountability requirements for  
 23 special districts, and making an appropriation in  
 24 connection therewith.  
 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	64	NO	0	EXCUSED	1	ABSENT	0
31								
32	Acree	Y	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
34	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
38	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
39	Court	Y	King S.	Y	Murray	Y	Stephens	Y
40	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
41	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
42	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
43	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
44	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
45	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
46	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
47	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
48							Speaker	Y

49 Co-sponsor(s) added: Representative(s) Court, Ryden, Schafer S.

50  
 51  
 52 **SB09-099** by Senator(s) Morse; also Representative(s) Ferrandino--  
 53 Concerning centralized databases to aid the delivery of  
 54 state procurement services, and making an appropriation  
 55 in connection therewith.  
 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	41	NO	23	EXCUSED	1	ABSENT	0
7	Acree	N	Green	Y	McCann	Y	Roberts	Y
8	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
9	Balmer	N	Judd	Y	McKinley	N	Scanlan	Y
10	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
11	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
12	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
13	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
14	Court	Y	King S.	N	Murray	Y	Stephens	N
15	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
16	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
17	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
18	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
19	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
20	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
21	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
22	Gerou	N	May	N	Riesberg	Y	Weissmann	E
23							Speaker	Y

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

25  
 26 **SB09-104** by Senator(s) Sandoval; also Representative(s) Gagliardi--  
 27 Concerning the provision of verifiable documents to youth  
 28 leaving foster care.

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

53 Co-sponsor(s) added: Representative(s) Apuan, Casso, Frangas, Gerou, Green,  
 54 Kagan, Kefalas, Kerr J., Labuda, Massey, McFadyen, Primavera, Ryden,  
 55 Schafer S., Solano, Todd

56

1 **SB09-123** by Senator(s) Williams, Sandoval; also Representative(s)  
 2 Todd, Solano--Concerning a pilot program to reduce the  
 3 dropout rate of adolescent students, and making an  
 4 appropriation in connection therewith.

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

	YES	45	NO	19	EXCUSED	1	ABSENT	0
12	Acree	N	Green	Y	McCann	Y	Roberts	Y
13	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
14	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
15	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
16	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
18	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
19	Court	Y	King S.	N	Murray	N	Stephens	N
20	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
21	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
22	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
23	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
24	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
25	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	N
26	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
27	Gerou	Y	May	N	Riesberg	Y	Weissmann	E
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Kefalas,  
 30 Labuda, Massey, Merrifield, Middleton, Roberts, Ryden, Scanlan, Schafer S.,  
 31 Summers, Speaker

32  
 33 **SB09-124** by Senator(s) Isgar; also Representative(s) Roberts--  
 34 Concerning additional funding for agricultural energy-  
 35 related projects through the agriculture value-added cash  
 36 fund.

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

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

5 Co-sponsor(s) added: Representative(s) Baumgardner, Curry, Fischer,  
6 Hullinghorst, Kerr J., Massey, Ryden, Todd, Vigil, Waller

7  
8 **SB09-043** by Senator(s) Isgar, Kester, Tapia; also Representative(s)  
9 Roberts, Massey, McFadyen, Pace, Tipton--Concerning  
10 the merger of Pueblo community college and San Juan  
11 basin area vocational school, and, in connection therewith,  
12 clarifying the two-year authority of Fort Lewis college and  
13 making an appropriation.  
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

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

38 Co-sponsor(s) added: Representative(s) Acree, Kerr J., Labuda, Merrifield,  
39 Priola, Schafer S., Stephens, Summers, Todd, Vigil, Waller  
40

41 **SB09-128** by Senator(s) Carroll M., Newell, Tochtrop; also  
42 Representative(s) Green--Concerning continuation of the  
43 regulation of administration of medication by unlicensed  
44 persons, and making an appropriation in connection  
45 therewith.  
46

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

52	YES	62	NO	2	EXCUSED	1	ABSENT	0
53	Acree	Y	Green	Y	McCann	Y	Roberts	Y
54	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
55	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
56	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y

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

14 Co-sponsor(s) added: Representative(s) Gerou, Kefalas, Labuda, Nikkel,  
15 Primavera, Riesberg, Ryden, Stephens, Todd

16  
17 **SB09-133** by Senator(s) Spence; also Representative(s) Primavera--  
18 Concerning increased surcharges for traffic violations that  
19 apply the moneys collected to the Colorado traumatic brain  
20 injury trust fund, and making an appropriation in  
21 connection therewith.

22  
23 The question being "Shall the bill pass?".

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

27	YES	48	NO	16	EXCUSED	1	ABSENT	0
29	Acree	Y	Green	Y	McCann	Y	Roberts	Y
30	Apuan	N	Hullinghorst	Y	McFadyen	Y	Ryden	Y
31	Balmer	Y	Judd	N	McKinley	N	Scanlan	Y
32	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
33	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	N
34	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
35	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
36	Court	Y	King S.	Y	Murray	N	Stephens	N
37	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
38	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	Y
39	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
40	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
41	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	N
42	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
43	Gardner C.	Y	Massey	Y	Rice	Y	Waller	N
44	Gerou	N	May	Y	Riesberg	Y	Weissmann	E
45							Speaker	Y

46 Co-sponsor(s) added: Representative(s) Fischer, Labuda, Nikkel, Ryden,  
47 Schafer S., Summers, Todd

48  
49  
50 **SB09-158** by Senator(s) Isgar; also Representative(s) Baumgardner--  
51 Concerning analysis by the department of natural  
52 resources of conservation programs implemented on  
53 private lands.

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

22 Co-sponsor(s) added: Representative(s) Curry, Kerr J., McNulty, Roberts,  
23 Stephens, Vigil

24  
25 **SB09-160** by Senator(s) Hudak; also Representative(s) Todd--  
26 Concerning recommendations from the P-20 council  
27 relating to educator licensure, and, in connection  
28 therewith, streamlining and aligning the alternative teacher  
29 and the teacher in residence programs, and making an  
30 appropriation.

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

54 Co-sponsor(s) added: Representative(s) Acree, Benefield, Fischer, Green, Kerr  
55 J., Labuda, Massey, Merrifield, Nikkel, Peniston, Priola, Ryden, Scanlan,  
56 Schafer S., Solano, Stephens, Summers, Vigil, Waller, Speaker

1 **SB09-161** by Senator(s) Gibbs; also Representative(s) Scanlan--  
 2 Concerning the issuance of Colorado ski country special  
 3 license plates, and making an appropriation in connection  
 4 therewith.

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

	YES	60	NO	4	EXCUSED	1	ABSENT	0
12	Acree	N	Green	Y	McCann	Y	Roberts	Y
13	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
14	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
15	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
16	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
17	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
18	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
19	Court	Y	King S.	Y	Murray	Y	Stephens	Y
20	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
21	Ferrandino	N	Lambert	Y	Pace	Y	Swalm	Y
22	Fischer	Y	Levy	N	Peniston	Y	Tipton	Y
23	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
24	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
25	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
26	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
27	Gerou	Y	May	Y	Riesberg	N	Weissmann	E
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) King S., Merrifield, Priola, Roberts,  
 30 Ryden, Stephens, Summers, Todd

31  
 32 **SB09-162** by Senator(s) Schwartz, Heath, Veiga; also  
 33 Representative(s) Liston, McFadyen, Rice, Solano--  
 34 Concerning the operation of the project by the state's chief  
 35 information officer to create an inventory of broadband  
 36 service areas, and, in connection therewith, authorizing the  
 37 acceptance of publicly funded gifts, grants, and donations,  
 38 and making an appropriation.

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
46	Acree	Y	Green	Y	McCann	Y	Roberts	Y
47	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
48	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
49	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
50	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
51	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
52	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
53	Court	Y	King S.	Y	Murray	Y	Stephens	Y
54	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
55	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
56	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y

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

7 Co-sponsor(s) added: Representative(s) Fischer, Nikkel, Riesberg, Roberts,  
8 Ryden, Schafer S., Stephens, Todd, Waller

9  
10 **SB09-167** by Senator(s) Boyd, Newell, Tochtrop; also  
11 Representative(s) Kefalas--Concerning the continuation of  
12 the state board of chiropractic examiners, and, in  
13 connection therewith, increasing insurance requirements,  
14 adjusting the board's disciplinary authority, authorizing  
15 animal chiropractic, and modifying the scope of practice,  
16 and, in connection therewith, making an appropriation.

17  
18 The question being "Shall the bill pass?".  
19 A roll call vote was taken. As shown by the following recorded vote, a  
20 majority of those elected to the House voted in the affirmative and the bill  
21 was declared **passed**.

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

41 Co-sponsor(s) added: Representative(s) Fischer, Gerou, Nikkel, Ryden,  
42 Schafer S., Todd

43  
44  
45 **SB09-178** by Senator(s) Heath, Schwartz, Veiga; also  
46 Representative(s) Liston, McFadyen, Rice, Solano--  
47 Concerning the waiver of certain eligibility conditions for  
48 unemployment insurance benefits for unemployed  
49 individuals attached to regular jobs.

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

19 Co-sponsor(s) added: Representative(s) Acree, Gardner B., Green, Labuda,  
20 Schafer S., Soper, Vigil

21  
22 **SB09-219** by Senator(s) Tapia, Keller, White; also Representative(s)  
23 Ferrandino, Pommer, Marostica--Concerning the general  
24 fund reserve required for the 2008-09 state fiscal year.

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	40	NO	23	EXCUSED	2	ABSENT	0
31								
32	Acree	N	Green	Y	McCann	Y	Roberts	Y
33	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	E
34	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
35	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
36	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
37	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
38	Casso	Y	Kerr J.	N	Miklosi	Y	Soper	Y
39	Court	Y	King S.	N	Murray	N	Stephens	N
40	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
41	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
42	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
43	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
44	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
45	Gardner B.	N	Marostica	Y	Priola	N	Vigil	Y
46	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
47	Gerou	N	May	N	Riesberg	Y	Weissmann	E
48							Speaker	Y

49  
50 **HB09-1363** by Representative(s) Ferrandino; also Senator(s) Veiga--  
51 Concerning the authority for the unemployment  
52 compensation section of the division of employment and  
53 training in the department of labor and employment to  
54 operate as an enterprise for purposes of section 20 of  
55 article X of the state constitution.

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

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

25  
 26 **HB09-1343** by Representative(s) Massey, Solano, Todd, Gagliardi,  
 27 Merrifield; also Senator(s) Williams, Foster, Heath,  
 28 Hudak, Shaffer B.--Concerning the creation of the early  
 29 childhood and school readiness legislative oversight  
 30 commission.

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

55 Co-sponsor(s) added: Representative(s) Casso, Gardner B., Green, Kefalas,  
 56 Kerr J., Labuda, Pace, Schafer S., Vigil, Speaker

1 **HB09-1362** by Representative(s) May; also Senator(s) Boyd--  
 2 Concerning the authorization to local governments to  
 3 provide financial assistance to specified institutions of  
 4 higher education, and, in connection therewith, authorizing  
 5 municipalities and counties to form community and state  
 6 college service area districts and authorizing county  
 7 governments to levy sales or property taxes for the purpose  
 8 of providing financial assistance to specified state  
 9 colleges.

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

	YES	61	NO	2	EXCUSED	2	ABSENT	0
17	Acree	Y	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	E
19	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
20	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
21	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
22	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
23	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
24	Court	Y	King S.	Y	Murray	Y	Stephens	Y
25	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
26	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
27	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
28	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
29	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
30	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
31	Gardner C.	N	Massey	Y	Rice	Y	Waller	Y
32	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Acree, Gardner B., Gerou, Green,  
 35 Kefalas, Kerr J., Labuda, Lambert, Marostica, Massey, Middleton, Nikkel,  
 36 Priola, Stephens, Summers, Todd, Vigil, Waller, Speaker

37  
 38  
 39 **FIRST REPORT OF FIRST CONFERENCE COMMITTEE**  
 40 **on HB09-1057**

41  
 42 This Report Amends the Rerevised Bill.

43  
 44 To the President of the Senate and the  
 45 Speaker of the House of Representatives:

46  
 47 Your first conference committee appointed on HB09-1057,  
 48 concerning parental involvement in kindergarten through twelfth grade  
 49 education, has met and reports that it has agreed upon the following:

50  
 51 1. That the House accede to the Senate amendment made to the  
 52 bill, as the amendment appears in the rerevised bill.

53  
 54 2. That, under the authority granted the committee to consider  
 55 matters not at issue between the two houses, the following amendment be  
 56 recommended:

1 Amend rerevised bill, page 5, strike line 5 and substitute the following:

2

3 "IN A SITUATION WHERE THE ABSENCE OF THE EMPLOYEE WOULD RESULT  
4 IN A HALT OF SERVICE OR PRODUCTION."

5

6 Respectfully submitted,

7 House Committee:

8 (signed)

9 Andy Kerr

10 Terrance D. Carroll

11 Mark Waller

12

13

14

## 15 REPORT(S) OF COMMITTEE(S) OF REFERENCE

16

### 17 APPROPRIATIONS

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

20

21 **HB09-1126** be amended as follows, and as so amended, be referred to  
22 the Committee of the Whole with favorable  
23 recommendation:

24

25 Amend the Finance Committee Report, dated April 22, 2009, page 1,  
26 strike lines 4 through 7, and substitute the following:

27

28 **"SECTION 5. Effective date - applicability.** (1) This act shall  
29 apply to systems and components installed on or after July 1, 2009.

30

31 (2) This act shall not take effect unless House Bill 09-1366 is  
32 enacted and becomes law."

33

34

35

36 **HB09-1321** be amended as follows, and as so amended, be referred to  
37 the Committee of the Whole with favorable  
38 recommendation:

39

40 Amend printed bill, strike everything below the enacting clause and  
41 substitute the following:

42 **"SECTION 1.** 19-2-508 (3) (c) (II), Colorado Revised Statutes,  
43 is amended, and the said 19-2-508 (3) (c) is further amended BY THE  
44 ADDITION OF THE FOLLOWING NEW SUBPARAGRAPHS, to read:

45

46 **19-2-508. Detention and shelter - hearing - time limits -**  
47 **findings - review - confinement with adult offenders - restrictions -**  
48 **repeal.** (3) (c) (II) Following a detention hearing held in accordance  
49 with subparagraph (I) of this paragraph (c), ~~no~~ A juvenile who is to be  
50 tried as an adult for criminal proceedings pursuant to a direct filing or  
51 transfer shall NOT be held at any facility intended to be utilized by  
52 juvenile offenders, unless the district attorney and the defense counsel  
53 agree otherwise. THE AGREEMENT MAY BE MADE AT ANY STAGE OF THE  
54 PROCEEDINGS; EXCEPT THAT THE DISTRICT ATTORNEY AND DEFENSE  
55 COUNSEL SHALL MAKE ALL REASONABLE ATTEMPTS TO CONSIDER THE  
56 APPROPRIATE PLACE OF CONFINEMENT WITHIN THIRTY DAYS AFTER THE

1 DIRECT FILE OR TRANSFER. If there is no agreement, detention of the  
2 juvenile shall be subject to the provisions of subsection (4) of this section.  
3

4 (III) IN DETERMINING THE APPROPRIATE PLACE OF CONFINEMENT,  
5 THE DISTRICT ATTORNEY AND DEFENSE COUNSEL SHALL CONSIDER THE  
6 FOLLOWING FACTORS:  
7

8 (I) THE AGE OF THE JUVENILE;  
9

10 (II) THE NATURE, SERIOUSNESS, AND CIRCUMSTANCES OF THE  
11 ALLEGED OFFENSE;  
12

13 (III) THE JUVENILE'S HISTORY OF PRIOR DELINQUENT OR CRIMINAL  
14 ACTS;  
15

16 (IV) WHETHER DETENTION IN A JUVENILE FACILITY WILL  
17 ADEQUATELY SERVE THE NEED FOR COMMUNITY PROTECTION PENDING  
18 THE OUTCOME OF THE CRIMINAL PROCEEDINGS;  
19

20 (V) WHETHER DETENTION IN A JUVENILE FACILITY WILL  
21 NEGATIVELY IMPACT THE FUNCTIONING OF THE JUVENILE FACILITY BY  
22 COMPROMISING THE GOALS OF DETENTION TO MAINTAIN A SAFE, POSITIVE,  
23 AND SECURE ENVIRONMENT FOR ALL JUVENILES WITHIN THE FACILITY;  
24

25 (VI) THE RELATIVE ABILITY OF THE AVAILABLE ADULT AND  
26 JUVENILE DETENTION FACILITIES TO MEET THE NEEDS OF THE JUVENILE  
27 AND PROTECT THE PUBLIC;  
28

29 (VII) WHETHER THE JUVENILE PRESENTS AN IMMINENT RISK OF  
30 HARM TO HIMSELF OR HERSELF OR OTHERS WITHIN A JUVENILE FACILITY;  
31

32 (VIII) THE PHYSICAL MATURITY OF THE JUVENILE;  
33

34 (IX) THE CURRENT MENTAL STATE OR MATURITY OF THE JUVENILE  
35 AS EVIDENCED BY RELEVANT MENTAL HEALTH OR PSYCHOLOGICAL  
36 ASSESSMENTS OR SCREENINGS THAT ARE MADE AVAILABLE TO BOTH THE  
37 DISTRICT ATTORNEY AND DEFENSE COUNSEL; AND  
38

39 (X) ANY OTHER RELEVANT FACTORS.  
40

41 **SECTION 2. Safety clause.** The general assembly hereby finds,  
42 determines, and declares that this act is necessary for the immediate  
43 preservation of the public peace, health, and safety."  
44

45  
46  
47 **HB09-1331** be amended as follows, and as so amended, be referred to  
48 the Committee of the Whole with favorable  
49 recommendation:  
50

51 Amend printed bill, page 5, after line 26, insert the following:  
52

53 "(I) "ACTUAL COST INCURRED" MEANS THE ACTUAL COST PAID BY  
54 THE PURCHASER FOR THE VEHICLE, CONVERSION, OR IDLING REDUCTION  
55 TECHNOLOGIES. THE ACTUAL COST PAID SHALL BE CALCULATED AS THE  
56 NET OF ANY CREDITS, GRANTS, OR REBATES, INCLUDING FEDERAL CREDITS,

1 GRANTS, OR REBATES FOR WHICH THE PURCHASER IS ELIGIBLE, BUT  
2 EXCLUDING THE CREDIT SPECIFIED IN THIS SUBSECTION (2.6)."  
3

4 Renumber succeeding subparagraphs accordingly.  
5

6 Page 12, after line 17, insert the following:  
7

8 "(a) "ACTUAL COST INCURRED" MEANS THE ACTUAL COST PAID BY  
9 THE PURCHASER FOR THE VEHICLE, CONVERSION, OR IDLING REDUCTION  
10 TECHNOLOGIES. THE ACTUAL COST PAID SHALL BE CALCULATED AS THE  
11 NET OF ANY CREDITS, GRANTS, OR REBATES, INCLUDING FEDERAL CREDITS,  
12 GRANTS, OR REBATES FOR WHICH THE PURCHASER IS ELIGIBLE, BUT  
13 EXCLUDING THE CREDIT SPECIFIED IN THIS SECTION."  
14

15 Reletter succeeding paragraphs accordingly.  
16

17 Page 18, after line 17, insert the following:  
18

19 "(1) "ACTUAL COST INCURRED" MEANS THE ACTUAL COST PAID BY  
20 THE PURCHASER FOR THE VEHICLE, CONVERSION, OR IDLING REDUCTION  
21 TECHNOLOGIES. THE ACTUAL COST PAID SHALL BE CALCULATED AS THE  
22 NET OF ANY CREDITS, GRANTS, OR REBATES, INCLUDING FEDERAL CREDITS,  
23 GRANTS, OR REBATES FOR WHICH THE PURCHASER IS ELIGIBLE, BUT  
24 EXCLUDING THE REBATE SPECIFIED IN THIS ARTICLE.";  
25

26 line 18, strike "(1)" and substitute "(+) (2)".  
27

28 Renumber succeeding subsections accordingly.  
29

30 Page 21, line 21, strike "(17)" and substitute "(18)".  
31

32 Page 30, after line 16, insert the following:  
33

34 **"SECTION 13. Appropriation.** In addition to any other  
35 appropriation, there is hereby appropriated, out of any moneys in the  
36 alternative fuels rebate fund created in section 39-33-105 (1), Colorado  
37 Revised Statutes, not otherwise appropriated, to the department of  
38 revenue, for allocation to the taxation business group, special purpose  
39 section, alternative fuels rebate, for the fiscal year beginning July 1, 2009,  
40 the sum of one hundred eighty-nine thousand three hundred ninety-nine  
41 dollars (\$189,399) cash funds, or so much thereof as may be necessary,  
42 for the implementation of this act."  
43

44 Renumber succeeding section accordingly.  
45

46 Page 1, line 101, strike "VEHICLES." and substitute "VEHICLES, AND  
47 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."  
48

49  
50  
51 **HB09-1342** be amended as follows, and as so amended, be referred to  
52 the Committee of the Whole with favorable  
53 recommendation:  
54

55 Amend printed bill, page 2, strike lines 1 through 8 and substitute the  
56 following:

1           **"SECTION 1.** 39-26-706 (1), Colorado Revised Statutes, is  
2 amended to read:

3  
4           **39-26-706. Miscellaneous sales and use tax exemptions -**  
5 **cigarettes - internet access - refractory materials - precious metal**  
6 **bullion and coins.** (1) (a) All sales of cigarettes shall be exempt from  
7 taxation under the provisions of part 1 of this article; EXCEPT THAT ANY  
8 SALES OF CIGARETTES AFTER JUNE 30, 2009, AND BEFORE JULY 1, 2011,  
9 SHALL NOT BE EXEMPT FROM SUCH TAXATION.

10  
11           (b) The storage, use, or consumption of cigarettes shall be exempt  
12 from taxation under the provisions of part 2 of this article; EXCEPT THAT  
13 THE STORAGE, USE, OR CONSUMPTION OF CIGARETTES AFTER JUNE 30,  
14 2009, AND BEFORE JULY 1, 2011, SHALL NOT BE EXEMPT FROM SUCH  
15 TAXATION.";

16  
17 line 26, strike "ITS REPEAL IN 2009;" and substitute "THE EFFECTIVE DATE  
18 OF THIS SUBPARAGRAPH (I), AS AMENDED;"

19  
20 Page 10, strike lines 19 through 25, and substitute the following:

21  
22           **"SECTION 15.** 39-26-105 (1) (f) (I) (B), Colorado Revised  
23 Statutes, as enacted by Senate Bill 09-275, is amended, and the said  
24 39-26-105 (1) (f) (I) is further amended BY THE ADDITION OF A  
25 NEW SUB-SUBPARAGRAPH, to read:

26  
27           **39-26-105. Vendor liable for tax - repeal.**  
28 (1) (f) (I) Notwithstanding any other provision of this section:

29  
30           (B) EXCEPT AS OTHERWISE SET FORTH IN SUB-SUBPARAGRAPH (D)  
31 OF THIS SUBPARAGRAPH (I), a vendor shall not retain any amount to cover  
32 the vendor's expense in collecting and remitting tax pursuant to this  
33 section on any return made on or after July 1, 2009, but prior to June 30,  
34 2011. For any return made prior to August 1, 2009, a vendor shall not be  
35 liable for any interest or other penalty imposed as a result of an error  
36 made in connection with the elimination of the amount of sales tax  
37 revenues that may be retained in accordance with the provisions of this  
38 sub-subparagraph (B).

39  
40           (D) A VENDOR MAY RETAIN AN AMOUNT EQUAL TO TWO AND  
41 ONE-HALF PERCENT OF THE SALES TAX ON CIGARETTES TO COVER THE  
42 VENDOR'S EXPENSE IN COLLECTING AND REMITTING SUCH TAX PURSUANT  
43 TO THIS SECTION ON ANY RETURN MADE ON OR AFTER JULY 1, 2009, BUT  
44 PRIOR TO JULY 1, 2011."

45  
46 Page 10, after line 25, insert the following:

47  
48           **"SECTION 16. Appropriation.** (1) In addition to any other  
49 appropriation, there is hereby appropriated, out of any moneys in the  
50 general fund not otherwise appropriated, to the department of revenue, for  
51 allocation to the taxation business group, for the fiscal year beginning  
52 July 1, 2008, the sum of one hundred eighty-three thousand five hundred  
53 seventy-eight dollars (\$183,578) and 0.1 FTE, or so much thereof as may  
54 be necessary, for the implementation of this act.

55  
56           (2) In addition to any other appropriation, there is hereby

1 appropriated, out of any moneys in the general fund not otherwise  
2 appropriated, to the department of revenue, for allocation to the taxation  
3 business group, for the fiscal year beginning July 1, 2009, the sum of  
4 twelve thousand eight hundred forty dollars (\$12,840) and 0.3 FTE, or so  
5 much thereof as may be necessary, for the implementation of this act."

6

7 Renumber succeeding sections accordingly.

8

9 Page 1, line 102, strike "CIGARETTES." and substitute "CIGARETTES, AND  
10 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."

11

12

13

14 **HB09-1347** be amended as follows, and as so amended, be referred to  
15 the Committee of the Whole with favorable  
16 recommendation:

17

18 Amend printed bill, page 4, after line 7, insert the following:

19

20 **"SECTION 3. Appropriation.** In addition to any other  
21 appropriation, there is hereby appropriated, out of any moneys in the  
22 License Plate cash fund created in section 42-3-301 (1) (b), Colorado  
23 Revised Statutes, not otherwise appropriated, to the department of  
24 Revenue, for allocation to the division of motor vehicles, driver and  
25 vehicle services, for the fiscal year beginning July 1, 2009, the sum of  
26 sixteen thousand eighty dollars (\$16,080) cash funds, or so much thereof  
27 as may be necessary, for the purchase of license plates from the  
28 department of corrections, correctional industries."

29

30 Renumber succeeding section accordingly.

31

32 Page 1, line 102, strike "PLATE." and substitute "PLATE, AND MAKING AN  
33 APPROPRIATION IN CONNECTION THEREWITH."

34

35

36

37 **HB09-1351** 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 2, after line 26, insert the following:

42

43 **"SECTION 2. Appropriation - adjustments to the 2009 long**  
44 **bill.** (1) In addition to any other appropriation, there is hereby  
45 appropriated, to the department of corrections, for the fiscal year  
46 beginning July 1, 2009, the sum of eight hundred eight thousand six  
47 hundred twenty-three dollars (\$808,623) and 10.2 FTE, or so much  
48 thereof as may be necessary, for the implementation of this act. Said sum  
49 shall be from the general fund.

50

51 (2) For the implementation of this act, appropriations made in the  
52 annual general appropriation act for the fiscal year beginning July 1,  
53 2009, shall be adjusted as follows:

54

55 (a) The appropriation to the department of corrections is decreased  
56 by three million eight hundred sixty-one thousand three hundred twenty-

1 three dollars (\$3,861,323). Said sum shall be from the general fund."  
2

3 Renumber succeeding section accordingly.  
4

5 Page 1, line 102, strike "SENTENCE." and substitute "SENTENCE, AND  
6 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."  
7

8  
9  
10 **HB09-1353** be referred to the Committee of the Whole with favorable  
11 recommendation.  
12

13  
14 **HB09-1355** be postponed indefinitely.  
15

16  
17 **HB09-1356** be amended as follows, and as so amended, be referred to  
18 the Committee of the Whole with favorable  
19 recommendation:  
20

21 Amend printed bill, page 4, after line 5, insert the following:  
22

23 "SECTION 3. 23-18-202 (1) (a), Colorado Revised Statutes, is  
24 amended, and the said 23-18-202 (1) is further amended BY THE  
25 ADDITION OF A NEW PARAGRAPH, to read:  
26

27 **23-18-202. College opportunity fund - appropriations -**  
28 **payment of stipends - reimbursement - repeal.** (1)(a) Beginning with  
29 the state fiscal year commencing July 1, 2005, and for each state fiscal  
30 year thereafter, the general assembly shall make an annual appropriation,  
31 in trust for eligible undergraduate students, to the college opportunity  
32 fund, which is hereby established as a trust fund account with the  
33 Colorado student loan program. Except as provided in ~~paragraph (c)~~  
34 PARAGRAPHS (c) AND (d) of this subsection (1), moneys appropriated to  
35 the college opportunity fund are for the sole purpose of disbursement on  
36 behalf of eligible undergraduate students in accordance with this part 2  
37 and are not for the general operation or any other function of the  
38 Colorado student loan program. Any unexpended and unencumbered  
39 moneys remaining in the college opportunity fund at the end of a fiscal  
40 year are the property of the trust fund and shall remain in the fund and  
41 shall not be credited or transferred to the general fund or any other fund.  
42

43 (d) (I) IF ANY AMOUNT OF THE MONEYS APPROPRIATED IN THE  
44 2009-10 FISCAL YEAR FROM THE STATE EDUCATION FUND, CREATED IN  
45 SECTION 17 (4) OF ARTICLE IX OF THE STATE CONSTITUTION, TO THE  
46 COLLEGE OPPORTUNITY FUND REMAIN IN THE COLLEGE OPPORTUNITY FUND  
47 AFTER THE FINAL CENSUS DATE OF THE LAST ACADEMIC TERM OF THE  
48 2009-10 FISCAL YEAR, AS DETERMINED IN ACCORDANCE WITH THIS  
49 SECTION, ONE OR MORE GOVERNING BOARDS MAY EXPEND SAID AMOUNT  
50 FOR GRADUATE STUDENT EDUCATIONAL SERVICES IN TEACHER  
51 PREPARATION OR EARLY CHILDHOOD EDUCATION AND DEVELOPMENT  
52 PURCHASED BY THE DEPARTMENT IF AUTHORIZED THROUGH A  
53 FEE-FOR-SERVICE CONTRACT ENTERED INTO PURSUANT TO SECTIONS  
54 23-1-109.7 AND 23-5-130. THE DEPARTMENT MAY TRANSFER AN  
55 EQUIVALENT AMOUNT IN CASH FUND SPENDING AUTHORITY FROM  
56 STIPENDS TO FEE-FOR-SERVICE CONTRACTS TO FULFILL ITS



1 FEE-FOR-SERVICE CONTRACT OBLIGATIONS TO A GOVERNING BOARD  
2 PURSUANT TO THIS PARAGRAPH (d) AND SECTION 23-5-130.

3

4 (II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2010."

5

6 Renumber succeeding sections accordingly.

7

8

9

10 **HB09-1361** be amended as follows, and as so amended, be referred to  
11 the Committee of the Whole with favorable  
12 recommendation:

13

14 Amend printed bill, page 2, line 6, after "of", insert "**general fund**";

15

16 strike line 7, and substitute the following:

17

18 "**impose restrictions on general fund appropriations - limitations -**  
19 **general fund appropriations**";

20

21 line 8, strike "**overexpenditures.**" and substitute "**overexpenditures -**  
22 **repeal.**";

23

24 line 14, after "OF", insert "GENERAL FUND";

25

26 line 16, after "RECENT", insert "GENERAL FUND".

27

28 Page 3, line 2, after "THAT", insert "THE BEGINNING GENERAL FUND  
29 BALANCE AND GENERAL FUND";

30

31 line 5, after "ON", insert "GENERAL FUND";

32

33 line 23, before "APPROPRIATION", insert "GENERAL FUND";

34

35 line 25, after "OF", insert "GENERAL FUND";

36

37 line 27, after "RECENT", insert "GENERAL FUND".

38

39 Page 4, line 2, after "THAT", insert "THE BEGINNING GENERAL FUND  
40 BALANCE AND GENERAL FUND";

41

42 line 4, after "EXPENDITURES", insert "OF GENERAL FUND REVENUES";

43

44 line 5, after "ON", insert "GENERAL FUND";

45

46 line 9, after "THE", insert "GENERAL FUND".

47

48 Page 5, line 12, after "OF", insert "GENERAL FUND";

49

50 line 15, after "BETWEEN", insert "THE AMOUNT OF THE BEGINNING  
51 GENERAL FUND BALANCE PLUS" and after "OF", insert "GENERAL FUND";

52

53 line 20, after "EXPENDITURES", insert "OF GENERAL FUND REVENUES" and  
54 after "ON", insert "GENERAL FUND";

55

56 line 22, after "OF", insert "GENERAL FUND";

- 1 line 25, after "BETWEEN", insert "THE AMOUNT OF THE BEGINNING  
2 GENERAL FUND BALANCE PLUS", and after "OF", insert "GENERAL FUND".  
3
- 4 Page 6, line 3, after "ON", insert "GENERAL FUND";  
5  
6 line 8, after "OF", insert "GENERAL FUND";  
7  
8 line 12, before "APPROPRIATION", insert "GENERAL FUND";  
9  
10 strike lines 18 through 27.  
11
- 12 Page 7, strike lines 1 through 11;  
13  
14 line 12, strike "(c)" and substitute "(b)";  
15  
16 line 17, after "SUPPLEMENTAL", insert "GENERAL FUND";  
17  
18 line 22, after "APPROPRIATION", insert "PLACED PURSUANT TO PARAGRAPH  
19 (a) OF SUBSECTION (6) OF THIS SECTION";  
20  
21 line 25, after "SUPPLEMENTAL", insert "GENERAL FUND";  
22  
23 line 26, after "OF", insert "GENERAL FUND";  
24  
25 line 27, after "TO", insert "SUBSECTION (2) OF".  
26
- 27 Page 8, line 1, after "SUPPLEMENTAL", insert "GENERAL FUND";  
28  
29 line 7, after "SUPPLEMENTAL", insert "GENERAL FUND";  
30  
31 line 8, strike "OVEREXPENDITURES" and substitute "GENERAL FUND  
32 OVEREXPENDITURES";  
33  
34 line 11, after "CONSIDERED", insert "GENERAL FUND";  
35  
36 after line 14, insert the following:  
37  
38       "(9) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 13, 2010."  
39  
40  
41
- 42 **SB09-003** be amended as follows, and as so amended, be referred to  
43 the Committee of the Whole with favorable  
44 recommendation:  
45
- 46 Amend the Transportation and Energy Committee Report, dated April 21,  
47 2009, page 1, line 4, strike "~~outside~~ THAT ARE WITHIN" and substitute  
48 "THAT ARE outside".  
49
- 50 Page 2 of the committee report, after line 14, insert the following:  
51  
52 "Amend reengrossed bill, page 14, line 22, strike "sixty-four thousand  
53 seven";  
54  
55 line 23, strike "hundred forty-one dollars (\$64,741) cash funds and 1.0  
56 FTE," and substitute "ninety-seven thousand one hundred twelve dollars

1 (\$97,112) cash funds and 1.5 FTE,";  
2  
3 after line 24, insert the following:  
4  
5 "(2) In addition to any other appropriation, there is hereby  
6 appropriated, out of any moneys in the department of revenue subaccount  
7 of the automobile inspection and readjustment account of the highway  
8 users tax fund created in section 42-3-304 (18) (c), Colorado Revised  
9 Statutes, not otherwise appropriated, to the department of revenue, for  
10 allocation to the division of motor vehicles, vehicle emissions, for the  
11 fiscal year beginning July 1, 2009, the sum of thirty-nine thousand three  
12 hundred four dollars (\$39,304) and 0.5 FTE, or so much thereof as may  
13 be necessary, for the implementation of this act."

14  
15 Renumber succeeding subsections accordingly."  
16  
17  
18

19 **SB09-089** be referred to the Committee of the Whole with favorable  
20 recommendation.  
21  
22

23 **SB09-121** be referred to the Committee of the Whole with favorable  
24 recommendation.  
25  
26

27 **SB09-173** be referred to the Committee of the Whole with favorable  
28 recommendation.  
29  
30

31 **SB09-239** be referred to the Committee of the Whole with favorable  
32 recommendation.  
33  
34  
35  
36

### 37 **EDUCATION**

38 After consideration on the merits, the Committee recommends the  
39 following:  
40

41 **SB09-163** be amended as follows, and as so amended, be referred to  
42 the Committee on Appropriations with favorable  
43 recommendation:  
44

45 Amend reengrossed bill, page 47, line 8, strike "OR";

46  
47 after line 8, insert the following:  
48

49 "(D) THAT ONE OR MORE OF THE DISTRICT PUBLIC SCHOOLS BE  
50 GRANTED STATUS AS AN INNOVATION SCHOOL PURSUANT TO SECTION  
51 22-32.5-104 OR THAT THE LOCAL SCHOOL BOARD RECOGNIZE A GROUP OF  
52 DISTRICT PUBLIC SCHOOLS AS AN INNOVATION SCHOOL ZONE PURSUANT TO  
53 SECTION 22-32.5-104; OR".  
54

55 Reletter succeeding sub-subparagraph accordingly.  
56

1 Page 54, line 19, strike "OR";

2

3 after line 19, insert the following:

4

5 "(IV) WITH REGARD TO A DISTRICT PUBLIC SCHOOL, THAT THE  
6 DISTRICT PUBLIC SCHOOL BE GRANTED STATUS AS AN INNOVATION SCHOOL  
7 PURSUANT TO SECTION 22-32.5-104; OR".

8

9 Renumber succeeding subparagraph accordingly.

10

11 Page 56, after line 9, insert the following:

12

13 "(c) (I) EXCEPT AS OTHERWISE PROVIDED IN SUBPARAGRAPH (II)  
14 OF THIS PARAGRAPH (c), A PARENT SHALL NOT BE ELIGIBLE TO SERVE ON  
15 A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE IF HE OR SHE IS  
16 EMPLOYED BY, OR IS A RELATIVE OF A PERSON WHO IS EMPLOYED BY, THE  
17 SCHOOL DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL OF  
18 THE SCHOOL DISTRICT.

19

20 (II) IF A SCHOOL DISTRICT MAKES A GOOD FAITH EFFORT BUT IS  
21 UNABLE TO IDENTIFY A SUFFICIENT NUMBER OF PARENTS WHO ARE  
22 WILLING TO SERVE ON A SCHOOL DISTRICT ACCOUNTABILITY COMMITTEE  
23 AND WHO ARE NOT EXCLUDED FROM SERVING AS PROVIDED IN  
24 SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), ONE OR MORE PARENTS WHO  
25 ARE EMPLOYED BY, OR ARE RELATED TO A PERSON WHO IS EMPLOYED BY,  
26 THE SCHOOL DISTRICT, INCLUDING BEING EMPLOYED AT A PUBLIC SCHOOL  
27 OF THE SCHOOL DISTRICT, MAY SERVE ON THE SCHOOL DISTRICT  
28 ACCOUNTABILITY COMMITTEE.

29

30 (III) AS USED IN THIS PARAGRAPH (c), UNLESS THE CONTEXT  
31 OTHERWISE REQUIRES, "RELATED" OR "RELATIVE" MEANS A PERSON'S  
32 SPOUSE, SON, DAUGHTER, SISTER, BROTHER, MOTHER, OR FATHER."

33

34 Page 99, line 22, strike "STATE;" and substitute "STATE AND THE  
35 INFORMATION SPECIFIED IN SUBSECTION (3) OF THIS SECTION;"

36

37 Page 100, after line 6, insert the following:

38

39 "(3) IN ADDITION TO ANY INFORMATION SPECIFIED BY RULE OF THE  
40 STATE BOARD, EACH SCHOOL PERFORMANCE REPORT SHALL INCLUDE THE  
41 FOLLOWING INFORMATION CONCERNING THE OPERATIONS, ENVIRONMENT,  
42 AND FUNDING OF THE PUBLIC SCHOOL THAT IS THE SUBJECT OF THE  
43 REPORT:

44

45 (a) THE NAME OF THE PUBLIC SCHOOL, THE TYPE OF SCHOOL  
46 PROGRAM PROVIDED AT THE PUBLIC SCHOOL, AND THE SCHOOL YEAR FOR  
47 WHICH THE INFORMATION IN THE PERFORMANCE REPORT IS PROVIDED.  
48 THE PERFORMANCE REPORT SHALL ALSO INCLUDE THE PUBLIC SCHOOL'S  
49 STREET ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS, AND, IF ONE  
50 EXISTS, THE WEB SITE ADDRESS OF THE SCHOOL DISTRICT OR THE PUBLIC  
51 SCHOOL.

52

53 (b) INFORMATION CONCERNING THE PERCENTAGES OF STUDENTS  
54 WHO ARE NOT TESTED OR WHOSE SCORES ARE NOT INCLUDED IN  
55 DETERMINING ATTAINMENT OF THE PERFORMANCE INDICATORS;

56

1 (c) AS DESCRIBED IN STATE BOARD RULE, THE OCCURRENCE OF  
2 EACH OF THE FOLLOWING TYPES OF INCIDENTS, EXPRESSED AS A NUMBER  
3 AND AS A PERCENTAGE OF THE TOTAL OCCURRENCES OF ALL OF THE  
4 INCIDENTS:

- 5
- 6 (I) SUBSTANCE ABUSE - DRUGS;
- 7
- 8 (II) SUBSTANCE ABUSE - ALCOHOL;
- 9
- 10 (III) SUBSTANCE ABUSE - TOBACCO;
- 11
- 12 (IV) FELONY ASSAULTS;
- 13
- 14 (V) FIGHTS;
- 15
- 16 (VI) POSSESSION OF DANGEROUS WEAPONS; AND
- 17
- 18 (VII) OTHER VIOLATIONS OF THE CODE OF CONDUCT AT THE  
19 PUBLIC SCHOOL;
- 20

21 (d) AS CALCULATED PURSUANT TO STATE BOARD RULE,  
22 INFORMATION CONCERNING:

- 23
- 24 (I) STUDENT ENROLLMENT AT THE PUBLIC SCHOOL;
- 25
- 26 (II) STUDENTS, REPORTED AS A NUMBER AND A PERCENTAGE OF  
27 THE TOTAL STUDENT ENROLLMENT AT THE PUBLIC SCHOOL, WHO ARE  
28 ELIGIBLE FOR FREE OR REDUCED-COST LUNCH PURSUANT TO THE FEDERAL  
29 "NATIONAL SCHOOL LUNCH ACT", 42 U.S.C. SEC. 1751 ET SEQ.;
- 30
- 31 (III) STUDENT ENROLLMENT STABILITY AT THE PUBLIC SCHOOL,  
32 MEANING THE PERCENTAGE OF STUDENTS ENROLLED IN THE PUBLIC  
33 SCHOOL ON OCTOBER 1 OF THE APPLICABLE SCHOOL YEAR WHO WERE  
34 STILL ENROLLED IN THE PUBLIC SCHOOL ON FEBRUARY 1 OF THE SAME  
35 SCHOOL YEAR;
- 36
- 37 (IV) AVERAGE DAILY ATTENDANCE AT THE PUBLIC SCHOOL; AND
- 38
- 39 (V) FOR ELEMENTARY SCHOOLS, THE AVAILABILITY OF A  
40 PRESCHOOL PROGRAM, FULL-DAY KINDERGARTEN PROGRAM, AND BEFORE-  
41 AND AFTER-SCHOOL PROGRAMS AT THE PUBLIC SCHOOL;
- 42

43 (e) INFORMATION CONCERNING THE STAFF EMPLOYED AT THE  
44 PUBLIC SCHOOL, INCLUDING:

- 45
- 46 (I) THE NUMBER OF PERSONS EMPLOYED AT THE PUBLIC SCHOOL IN  
47 EACH OF THE FOLLOWING CATEGORIES AND EXPLANATIONS OF THE JOB  
48 DESCRIPTIONS FOR EACH CATEGORY:
- 49
- 50 (A) CLASSROOM TEACHERS;
- 51
- 52 (B) PARAPROFESSIONALS;
- 53
- 54 (C) ADMINISTRATORS;
- 55
- 56 (D) OTHER PROFESSIONALS;

- 1 (E) SCHOOL SUPPORT STAFF;  
2  
3 (F) SCHOOL COUNSELORS; AND  
4  
5 (G) SCHOOL LIBRARIANS;  
6  
7 (II) THE STUDENTS-PER-CLASSROOM-TEACHER RATIOS FOR EACH  
8 GRADE LEVEL INCLUDED IN THE PUBLIC SCHOOL;  
9  
10 (III) THE AVERAGE NUMBER OF YEARS OF TEACHING EXPERIENCE  
11 AMONG THE TEACHERS EMPLOYED AT THE PUBLIC SCHOOL;  
12  
13 (IV) THE NUMBER OF TEACHERS EMPLOYED AT THE PUBLIC  
14 SCHOOL WHO HOLD MASTER'S OR DOCTORAL DEGREES;  
15  
16 (V) FOR JUNIOR HIGH, MIDDLE, AND HIGH SCHOOLS, THE  
17 PERCENTAGE OF TEACHERS EMPLOYED AT THE PUBLIC SCHOOL WHO ARE  
18 TEACHING IN THE SUBJECT AREAS IN WHICH THEY RECEIVED THEIR  
19 BACHELOR'S OR GRADUATE DEGREES;  
20  
21 (VI) THE NUMBER OF TEACHERS EMPLOYED AT THE PUBLIC  
22 SCHOOL WHO HAVE THREE OR MORE YEARS OF TEACHING EXPERIENCE.  
23 FOR PURPOSES OF THIS SUBPARAGRAPH (VI), THE DATA USED SHALL  
24 DESCRIBE TEACHERS WHO HAVE OBTAINED NONPROBATIONARY STATUS  
25 PURSUANT TO THE PROVISIONS OF PART 2 OF ARTICLE 63 OF THIS TITLE.  
26  
27 (VII) THE NUMBER OF PROFESSIONAL DEVELOPMENT DAYS  
28 INCLUDED IN THE SCHOOL YEAR;  
29  
30 (f) INFORMATION CONCERNING WHETHER THE FOLLOWING  
31 COURSES AND PROGRAMS, WHICH ARE NOT INCLUDED IN THE STATEWIDE  
32 ASSESSMENTS, ARE AVAILABLE TO STUDENTS ENROLLED IN THE PUBLIC  
33 SCHOOL AND, TO THE EXTENT THEY ARE AVAILABLE ON THE PUBLIC  
34 SCHOOL'S OR SCHOOL DISTRICT'S WEB SITE, INTERNET LINKS TO  
35 DESCRIPTIONS OF THESE COURSES AND PROGRAMS:  
36  
37 (I) ART;  
38  
39 (II) DRAMA OR THEATER;  
40  
41 (III) MUSIC;  
42  
43 (IV) DANCE;  
44  
45 (V) PHYSICAL EDUCATION;  
46  
47 (VI) ECONOMICS;  
48  
49 (VII) WORLD LANGUAGES;  
50  
51 (VIII) HISTORY;  
52  
53 (IX) GEOGRAPHY;  
54  
55 (X) CIVICS;  
56

1 (XI) CAREER AND TECHNICAL EDUCATION;  
2  
3 (XII) OPPORTUNITIES FOR CIVIC OR COMMUNITY ENGAGEMENT;  
4  
5 (XIII) INTERNET SAFETY PROGRAMS;  
6  
7 (XIV) FOR HIGH SCHOOLS, ADVANCED PLACEMENT,  
8 INTERNATIONAL BACCALAUREATE, OR HONORS COURSES;  
9  
10 (XV) FOR ELEMENTARY SCHOOLS, INTERNATIONAL  
11 BACCALAUREATE OR MONTESSORI CURRICULA;  
12  
13 (XVI) EXTRACURRICULAR ACTIVITIES; AND  
14  
15 (XVII) ATHLETICS; AND  
16  
17 "(g) INFORMATION, AS DESCRIBED IN STATE BOARD RULE,  
18 CONCERNING PROGRAMS AND SERVICES THAT ARE AVAILABLE AT THE  
19 PUBLIC SCHOOL TO SUPPORT STUDENT HEALTH AND WELLNESS.  
20  
21 (4) EACH PUBLIC SCHOOL, EACH SCHOOL DISTRICT, AND THE  
22 INSTITUTE SHALL REPORT ACCURATELY THE DATA REQUIRED TO PRODUCE  
23 A PERFORMANCE REPORT. THE STATE BOARD SHALL SEEK TO MINIMIZE  
24 AND ELIMINATE THE DUPLICATION OF DATA REPORTING REQUIRED UNDER  
25 THIS SECTION AND DATA REPORTING REQUIRED BY OTHER STATE OR  
26 FEDERAL STATUTES OR RULES SO THAT SCHOOL DISTRICTS, INSTITUTE  
27 CHARTER SCHOOLS, AND THE INSTITUTE MAY SATISFY THE MULTIPLE  
28 REPORTING REQUIREMENTS WITHIN A SINGLE REPORTING FRAMEWORK.  
29  
30 (5) PRIOR TO THE PUBLICATION OF THE PERFORMANCE REPORTS,  
31 THE DEPARTMENT SHALL:  
32  
33 (a) ALLOW EACH SCHOOL DISTRICT, EACH CHARTER SCHOOL, AND  
34 THE INSTITUTE A REASONABLE PERIOD OF TIME TO REVIEW THE SCHOOL  
35 DISTRICT'S, THE CHARTER SCHOOL'S, OR THE INSTITUTE'S INFORMATION AS  
36 IT WILL APPEAR ON THE SCHOOL PERFORMANCE REPORTS; AND  
37  
38 (b) CORRECT ANY ERRORS OR MISINFORMATION IDENTIFIED BY THE  
39 SCHOOL DISTRICT, CHARTER SCHOOL, OR INSTITUTE.  
40  
41 (6) THE SCHOOL PERFORMANCE REPORT PRODUCED FOR EACH  
42 PUBLIC SCHOOL PURSUANT TO THIS SECTION MAY CONTAIN INTERNET  
43 LINKS THROUGH WHICH A PERSON MAY ACCESS ADDITIONAL INFORMATION  
44 NOT PROVIDED IN DETAIL IN THE REPORT. THE STATE BOARD MAY MAKE  
45 CHANGES IN THE FORMAT OR THE CONTENTS OF THE PERFORMANCE  
46 REPORTS PREPARED PURSUANT TO THIS SECTION."  
47  
48 Renumber succeeding subsection accordingly.  
49  
50 Page 112, line 8, strike "22-7-611 (1), (2), and (3) (a)," and substitute  
51 "22-7-611,";  
52  
53 line 9, strike "are" and substitute "is";  
54  
55 strike line 12 and substitute the following:  
56

1 "the context otherwise requires:  
2

3 (a) "ELIGIBLE DISTRICT" MEANS A SCHOOL DISTRICT THAT HAS  
4 BEEN IDENTIFIED BY RULE OF THE STATE BOARD AS HAVING A SIGNIFICANT  
5 ACHIEVEMENT GAP.  
6

7 (b) "Eligible school" means a public school";  
8

9 line 21, strike "an eligible school." and substitute "~~an eligible school~~";  
10

11 line 23, strike "title." and substitute "title ELIGIBLE DISTRICTS AND  
12 ELIGIBLE SCHOOLS.";  
13

14 line 24, after "each", insert "ELIGIBLE DISTRICT AND";  
15

16 line 25, after "the", insert "ELIGIBLE DISTRICT OR ELIGIBLE".  
17

18 Page 113, line 1, before "eligible", insert "ELIGIBLE DISTRICT OR";  
19

20 after line 4, insert the following:  
21

22 "(b) Using improvement targets to define professional  
23 development needs related to content, instruction, differentiation, and best  
24 practices in educating special education students, gifted and talented  
25 students, English language learners, and other student subgroups, as  
26 needed;  
27

28 (c) Developing interim DISTRICT-LEVEL AND building-level  
29 assessments to monitor student progress toward proficiency on the state  
30 model content standards and developing a plan to immediately address  
31 gaps in learning;  
32

33 (d) Examining and realigning, as needed, school scheduling,  
34 academic support systems, and assignments of personnel;  
35

36 (e) Designing a plan for increasing parental knowledge and skill  
37 to support academic objectives; and  
38

39 (f) Identifying leaders who specialize in rehabilitating failing  
40 schools and who may serve as school principals.  
41

42 (4) (a) An eligible school that chooses to apply for participation  
43 in the program shall provide to its district school board a list of the  
44 strategies selected from the outline provided by the department that the  
45 eligible school intends to implement to improve academic achievement  
46 AMONG THE STUDENTS ENROLLED IN THE ELIGIBLE SCHOOL. The eligible  
47 school shall provide the list by May 1 of the school year preceding the  
48 school year in which the eligible school intends to participate in the  
49 program. If the district school board chooses to allow the eligible school  
50 to apply for participation in the program, the district school board shall,  
51 IN ACCORDANCE WITH TIMELINES ADOPTED BY RULE OF THE STATE BOARD,  
52 provide to the department a list of the strategies that the district school  
53 board and the eligible school have chosen to implement to improve  
54 academic achievement AMONG THE STUDENTS ENROLLED IN THE ELIGIBLE  
55 SCHOOL.  
56



1 (b) AN ELIGIBLE DISTRICT THAT CHOOSES TO APPLY FOR  
2 PARTICIPATION IN THE PROGRAM SHALL, IN ACCORDANCE WITH TIMELINES  
3 ADOPTED BY RULE OF THE STATE BOARD, PROVIDE TO THE DEPARTMENT  
4 A LIST OF THE STRATEGIES SELECTED FROM THE OUTLINE PROVIDED BY THE  
5 DEPARTMENT THAT THE ELIGIBLE DISTRICT HAS CHOSEN TO IMPLEMENT TO  
6 IMPROVE ACADEMIC ACHIEVEMENT WITHIN THE ELIGIBLE DISTRICT.

7  
8 (5) The state board shall determine the criteria by which ELIGIBLE  
9 DISTRICTS AND eligible schools shall be selected to participate in the  
10 program and shall promulgate rules that set forth the criteria.

11  
12 (6) Subject to available appropriations and upon the request of a  
13 participating ELIGIBLE DISTRICT OR eligible school, the department shall  
14 provide assistance through the program to the participating ELIGIBLE  
15 DISTRICT OR eligible school. The assistance may consist of, but is not  
16 limited to, information, personnel, and program and technical support.

17  
18 (7) The state board may promulgate all reasonable and necessary  
19 rules to implement this section."  
20

21  
22  
23

#### 24 **JUDICIARY**

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

27  
28  
29  
30  
31

**HB09-1352** be amended as follows, and as so amended, be referred to  
the Committee of the Whole with favorable  
recommendation:

32 Amend printed bill, page 2, line 4, strike "**Penalty.**" and substitute  
33 "**Penalty. (1)**";

34  
35  
36

strike lines 10 through 25 and substitute the following:

37 (2) (a) IN ADDITION TO THE CRIMINAL PENALTIES DESCRIBED IN  
38 SUBSECTION (1) OF THIS SECTION, THE DISTRICT ATTORNEYS OF THIS STATE  
39 ARE AUTHORIZED TO ENFORCE THIS PART 2 IN A CIVIL PROCEEDING. A  
40 PERSON WHO IS FOUND TO HAVE VIOLATED THIS PART 2 BEYOND A  
41 REASONABLE DOUBT SHALL FORFEIT AND PAY TO THE GENERAL FUND OF  
42 THE STATE A CIVIL PENALTY OF NOT MORE THAN TWICE THE AMOUNT OF  
43 THE BENEFIT THE PERSON OBTAINED OR WAS ATTEMPTING TO OBTAIN IN  
44 ENGAGING IN THE PROHIBITED CONDUCT DESCRIBED IN THIS PART 2.

45  
46  
47  
48  
49  
50

(b) IN DETERMINING THE AMOUNT OF A CIVIL PENALTY AWARD,  
THE COURT SHALL CONSIDER THE FOLLOWING CIRCUMSTANCES: THE  
GOOD OR BAD FAITH OF THE DEFENDANT; THE INJURY TO THE PUBLIC; THE  
DEFENDANT'S ABILITY TO PAY; AND THE DESIRE TO ELIMINATE THE  
BENEFITS DERIVED BY VIOLATIONS OF THIS PART 2.

51  
52  
53  
54  
55  
56

(c) UNTIL THE COLORADO SUPREME COURT ADOPTS A VENUE  
PROVISION RELATING TO THIS PART 2, ACTIONS INSTITUTED PURSUANT TO  
THIS PART 2 MAY BE BROUGHT IN THE COUNTY WHERE AN ALLEGED  
VIOLATION OCCURRED OR WHERE ANY PORTION OF A TRANSACTION  
INVOLVING AN ALLEGED VIOLATION OF PART 2 OCCURRED, IN THE COUNTY

1 WHERE THE PRINCIPAL PLACE OF BUSINESS OF ANY DEFENDANT IS  
2 LOCATED, OR IN THE COUNTY IN WHICH ANY DEFENDANT RESIDES.".

3

4 Renumber succeeding section accordingly.

5

6

7

8 **SB09-006** be amended as follows, and as so amended, be referred to  
9 the Committee on Appropriations with favorable  
10 recommendation:

11

12 Amend reengrossed bill, page 3, line 12, strike "AND JEFFERSON" and  
13 substitute "EL PASO, JEFFERSON, AND PUEBLO".

14

15 Page 6, line 19, strike "AND" and substitute "EL PASO, JEFFERSON, AND  
16 PUEBLO";

17

18 line 20, strike "JEFFERSON".

19

20

21

22 **SB09-021** be amended as follows, and as so amended, be referred to  
23 the Committee of the Whole with favorable  
24 recommendation:

25

26 Amend reengrossed bill, page 4, line 16, strike "24-33.5-1215, OR" and  
27 substitute "24-33.5-1215; EXCEPT THAT, IF THE VOLUNTEER FIREFIGHTER  
28 TUITION VOUCHER FUND DOES NOT HAVE SUFFICIENT MONEYS TO FUND  
29 THE TUITION VOUCHERS, THE DIVISION MAY USE".

30

31

32

33 **SB09-093** be amended as follows, and as so amended, be referred to  
34 the Committee of the Whole with favorable  
35 recommendation:

36

37 Amend reengrossed bill, page 3, line 10, strike "DRIVER'S LICENSE,";

38

39 strike lines 11 through 13 and substitute the following:

40

41 "ACTUAL DRIVER'S LICENSE, ACTUAL GOVERNMENT-ISSUED  
42 IDENTIFICATION CARD, ACTUAL SOCIAL SECURITY CARD, OR ACTUAL  
43 PASSPORT, KNOWING THAT HE OR SHE DOES SO WITHOUT PERMISSION OR  
44 LAWFUL AUTHORITY.";

45

46 line 14, strike "ONE IDENTIFICATION DOCUMENT" and substitute "ONE OR  
47 MORE IDENTIFICATION DOCUMENTS ISSUED TO THE SAME PERSON";

48

49 strike lines 16 and 17.

50

51 Reletter succeeding paragraph accordingly.

52

53 Page 3, line 18, strike "FOUR" and substitute "TWO";

54

55 line 20, strike "ACCOUNT HOLDERS," and substitute "PERSONS," and strike  
56 "5" and substitute "6".

1  
2 **SB09-110** be amended as follows, and as so amended, be referred to  
3 the Committee on Appropriations with favorable  
4 recommendation:  
5

6 Amend reengrossed bill, page 4, line 25, strike "(4)".  
7

8 Page 8, strike lines 5 through 24.  
9

10 Page 10, before line 9, insert the following:  
11

12 "SECTION 8. 24-34-405, Colorado Revised Statutes, is  
13 REPEALED AND REENACTED, WITH AMENDMENTS, to read:  
14

15 **24-34-405. Relief authorized.** (1) (a) IN ADDITION TO THE  
16 RELIEF AUTHORIZED BY SECTION 24-34-306 (9), THE COMMISSION OR THE  
17 COURT MAY ORDER AFFIRMATIVE RELIEF THAT THE COMMISSION OR COURT  
18 DETERMINES TO BE APPROPRIATE, INCLUDING, WITHOUT LIMITATION, THE  
19 FOLLOWING:  
20

21 (I) REINSTATEMENT OR HIRING OF EMPLOYEES, WITH OR WITHOUT  
22 BACK PAY, WHICH, IF AWARDED, SHALL BE PAID BY THE EMPLOYER,  
23 EMPLOYMENT AGENCY, OR LABOR ORGANIZATION RESPONSIBLE FOR THE  
24 DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE;  
25

26 (II) FRONT PAY; OR  
27

28 (III) ANY OTHER EQUITABLE RELIEF DEEMED APPROPRIATE BY THE  
29 COMMISSION OR COURT.  
30

31 (b) IF THE COMMISSION OR COURT ORDERS BACK PAY, THE  
32 LIABILITY FOR BACK PAY SHALL ACCRUE FROM A DATE NOT MORE THAN  
33 TWO YEARS PRIOR TO THE FILING OF A CHARGE WITH THE DIVISION. THE  
34 COMMISSION OR COURT SHALL REDUCE AN AWARD OF BACK PAY BY ANY  
35 AMOUNT OF ACTUAL EARNINGS OF, OR AMOUNTS THAT COULD HAVE BEEN  
36 EARNED WITH REASONABLE DILIGENCE BY, THE PERSON WHO WAS THE  
37 VICTIM OF THE DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE.  
38

39 (2) (a) IN ADDITION TO THE RELIEF AVAILABLE PURSUANT TO  
40 SUBSECTION (1) OF THIS SECTION, IN A PROCEEDING OR CIVIL ACTION  
41 BROUGHT BY A COMPLAINING PARTY OR PLAINTIFF UNDER THIS PART 4  
42 AGAINST A RESPONDENT OR DEFENDANT WHO IS FOUND TO HAVE ENGAGED  
43 IN AN INTENTIONAL DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE,  
44 THE COMPLAINING PARTY OR PLAINTIFF MAY RECOVER COMPENSATORY  
45 AND PUNITIVE DAMAGES AS SPECIFIED IN THIS SUBSECTION (2). A  
46 COMPLAINING PARTY OR PLAINTIFF SHALL NOT BE AWARDED  
47 COMPENSATORY OR PUNITIVE DAMAGES WHEN THE RESPONDENT OR  
48 DEFENDANT IS FOUND TO HAVE ENGAGED IN AN EMPLOYMENT PRACTICE  
49 THAT IS UNLAWFUL SOLELY BECAUSE OF ITS DISPARATE IMPACT.  
50

51 (b) A COMPLAINING PARTY OR PLAINTIFF MAY RECOVER PUNITIVE  
52 DAMAGES AGAINST A RESPONDENT OR DEFENDANT, OTHER THAN A  
53 GOVERNMENT, GOVERNMENT AGENCY, OR POLITICAL SUBDIVISION OF THE  
54 STATE, IF THE COMPLAINING PARTY OR PLAINTIFF DEMONSTRATES BY A  
55 PREPONDERANCE OF THE EVIDENCE THAT THE RESPONDENT OR  
56 DEFENDANT ENGAGED IN A DISCRIMINATORY OR UNFAIR EMPLOYMENT

1 PRACTICE WITH MALICE OR RECKLESS INDIFFERENCE TO THE RIGHTS OF  
2 THE COMPLAINING PARTY OR PLAINTIFF.

3  
4 (c) A COMPLAINING PARTY OR PLAINTIFF MAY RECOVER  
5 COMPENSATORY DAMAGES AGAINST A RESPONDENT OR DEFENDANT FOR  
6 FUTURE PECUNIARY LOSSES, EMOTIONAL PAIN, SUFFERING,  
7 INCONVENIENCE, MENTAL ANGUISH, LOSS OF ENJOYMENT OF LIFE, AND  
8 OTHER NONPECUNIARY LOSSES.

9  
10 (d) THE TOTAL AMOUNT OF DAMAGES AWARDED PURSUANT TO  
11 THIS SUBSECTION (2) SHALL NOT EXCEED THE FOLLOWING AMOUNTS FOR  
12 EACH COMPLAINING PARTY OR PLAINTIFF, REGARDLESS OF WHETHER THE  
13 DAMAGES ARE COMPENSATORY, PUNITIVE, OR A COMBINATION OF  
14 COMPENSATORY AND PUNITIVE DAMAGES:

15  
16 (I) IF THE RESPONDENT OR DEFENDANT HAS FOURTEEN OR FEWER  
17 EMPLOYEES IN EACH OF TWENTY OR MORE CALENDAR WEEKS IN EITHER  
18 THE CURRENT OR PRECEDING CALENDAR YEAR, TWENTY-FIVE THOUSAND  
19 DOLLARS;

20  
21 (II) IF THE RESPONDENT OR DEFENDANT HAS FIFTEEN OR MORE  
22 EMPLOYEES AND ONE HUNDRED OR FEWER EMPLOYEES IN EACH OF  
23 TWENTY OR MORE CALENDAR WEEKS IN EITHER THE CURRENT OR  
24 PRECEDING CALENDAR YEAR, FIFTY THOUSAND DOLLARS;

25  
26 (III) IF THE RESPONDENT OR DEFENDANT HAS MORE THAN ONE  
27 HUNDRED EMPLOYEES AND TWO HUNDRED OR FEWER EMPLOYEES IN EACH  
28 OF TWENTY OR MORE CALENDAR WEEKS IN EITHER THE CURRENT OR  
29 PRECEDING CALENDAR YEAR, ONE HUNDRED THOUSAND DOLLARS;

30  
31 (IV) IF THE RESPONDENT OR DEFENDANT HAS MORE THAN TWO  
32 HUNDRED EMPLOYEES AND FIVE HUNDRED OR FEWER EMPLOYEES IN EACH  
33 OF TWENTY OR MORE CALENDAR WEEKS IN EITHER THE CURRENT OR  
34 PRECEDING CALENDAR YEAR, TWO HUNDRED THOUSAND DOLLARS; AND

35  
36 (V) IF THE RESPONDENT OR DEFENDANT HAS MORE THAN FIVE  
37 HUNDRED EMPLOYEES IN EACH OF TWENTY OR MORE CALENDAR WEEKS IN  
38 EITHER THE CURRENT OR PRECEDING CALENDAR YEAR, THREE HUNDRED  
39 THOUSAND DOLLARS.

40  
41 (e) COMPENSATORY OR PUNITIVE DAMAGES AWARDED PURSUANT  
42 TO THIS SUBSECTION (2) SHALL BE IN ADDITION TO, AND SHALL NOT  
43 INCLUDE, FRONT PAY, BACK PAY, INTEREST ON BACK PAY, OR ANY OTHER  
44 TYPE OF RELIEF AWARDED PURSUANT TO SUBSECTION (1) OF THIS SECTION.

45  
46 (3) IN CASES ALLEGING THAT A RESPONDENT OR DEFENDANT  
47 ENGAGED IN A DISCRIMINATORY OR UNFAIR EMPLOYMENT PRACTICE BY  
48 FAILING TO PROVIDE A REASONABLE ACCOMMODATION TO A PERSON WITH  
49 A DISABILITY WHO IS OTHERWISE QUALIFIED, IT SHALL BE AN AFFIRMATIVE  
50 DEFENSE TO AN AWARD OF DAMAGES UNDER THIS SECTION THAT THE  
51 RESPONDENT OR DEFENDANT DEMONSTRATED GOOD FAITH EFFORTS, IN  
52 CONSULTATION WITH THE PERSON WITH THE DISABILITY WHO INFORMED  
53 THE RESPONDENT OR DEFENDANT THAT AN ACCOMMODATION WAS  
54 NEEDED, TO IDENTIFY AND MAKE A REASONABLE ACCOMMODATION THAT  
55 WOULD PROVIDE THE PERSON WITH THE DISABILITY WITH AN EQUALLY  
56 EFFECTIVE OPPORTUNITY AND WOULD NOT CAUSE AN UNDUE HARDSHIP ON

1 THE OPERATION OF THE BUSINESS.

2

3 (4) (a) IF A PERSON WAS REFUSED ADMISSION INTO OR SUSPENDED  
4 OR EXPELLED FROM A UNION, WAS REFUSED EMPLOYMENT OR  
5 ADVANCEMENT, OR WAS SUSPENDED OR DISCHARGED FROM EMPLOYMENT,  
6 AND THE LABOR ORGANIZATION OR EMPLOYER, AS APPLICABLE, TOOK THE  
7 ACTION FOR ANY BONA FIDE REASON OTHER THAN A DISCRIMINATORY OR  
8 UNFAIR EMPLOYMENT PRACTICE, THE COMMISSION OR A COURT SHALL NOT  
9 ISSUE AN ORDER REQUIRING, AS APPLICABLE:

10

11 (I) A LABOR ORGANIZATION TO ADMIT OR REINSTATE THE PERSON  
12 AS A MEMBER OF A UNION;

13

14 (II) AN EMPLOYER TO HIRE, REINSTATE, OR PROMOTE THE  
15 INDIVIDUAL; OR

16

17 (III) THE EMPLOYER TO PAY THE INDIVIDUAL BACK PAY.

18

19 (b) IF THE COMPLAINING PARTY OR PLAINTIFF ESTABLISHES THAT  
20 THE RESPONDENT OR DEFENDANT ENGAGED IN A DISCRIMINATORY OR  
21 UNFAIR EMPLOYMENT PRACTICE AND THE RESPONDENT OR DEFENDANT  
22 DEMONSTRATES THAT HE, SHE, OR IT WOULD HAVE TAKEN THE SAME  
23 ACTION IN THE ABSENCE OF THE IMPERMISSIBLE, MOTIVATING FACTOR, THE  
24 COMMISSION OR COURT:

25

26 (I) MAY GRANT ANY DECLARATORY RELIEF AND INJUNCTIVE  
27 RELIEF THE COMMISSION OR COURT DEEMS APPROPRIATE, TOGETHER WITH  
28 REASONABLE ATTORNEY FEES AND COSTS THAT THE COMPLAINING PARTY  
29 OR PLAINTIFF HAS DEMONSTRATED TO BE ATTRIBUTABLE TO THE PURSUIT  
30 OF THE CLAIM OR COMPLAINT; AND

31

32 (II) SHALL NOT AWARD COMPENSATORY OR PUNITIVE DAMAGES OR  
33 ISSUE AN ORDER REQUIRING ANY ADMISSION, REINSTATEMENT, HIRING,  
34 PROMOTION, OR PAYMENT OF BACK PAY, AS DESCRIBED IN PARAGRAPH (a)  
35 OF THIS SUBSECTION (4).

36

37 (5) IF A COMPLAINING PARTY OR PLAINTIFF IN A PROCEEDING  
38 BEFORE THE COMMISSION OR IN A CIVIL ACTION FILED UNDER THIS PART 4  
39 SEEKS COMPENSATORY OR PUNITIVE DAMAGES PURSUANT TO SUBSECTION  
40 (2) OF THIS SECTION:

41

42 (a) ANY PARTY IN THE CIVIL ACTION MAY DEMAND A TRIAL BY  
43 JURY; AND

44

45 (b) THE COURT IN THE CIVIL ACTION SHALL NOT INFORM THE JURY  
46 OF THE LIMITATIONS DESCRIBED IN PARAGRAPH (d) OF SUBSECTION (2) OF  
47 THIS SECTION.

48

49 (6) (a) IN ANY PROCEEDING OR CIVIL ACTION UNDER THIS PART 4,  
50 THE COMMISSION OR COURT MAY AWARD REASONABLE ATTORNEY FEES  
51 AND COSTS TO THE PREVAILING PARTY UNLESS THE PREVAILING PARTY IS  
52 A GOVERNMENT, GOVERNMENT AGENCY, OR POLITICAL SUBDIVISION OF  
53 THE STATE.

54

55 (b) NOTWITHSTANDING PARAGRAPH (a) OF THIS SUBSECTION (6),  
56 IN ANY PROCEEDING OR CIVIL ACTION UNDER THIS PART 4 AGAINST A

1 JUDICIAL OFFICER FOR AN ACT OR OMISSION TAKEN IN THE OFFICER'S  
2 JUDICIAL CAPACITY, THE JUDICIAL OFFICER SHALL NOT BE LIABLE FOR ANY  
3 COSTS OR ATTORNEY FEES UNLESS THE ACTION WAS CLEARLY OUTSIDE THE  
4 SCOPE OF THE OFFICER'S JURISDICTION.  
5

6 (c) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE  
7 COMMISSION'S OR COURT'S DISCRETION TO AWARD REASONABLE  
8 ATTORNEY FEES AND COSTS SHALL BE GUIDED BY STANDARDS  
9 ESTABLISHED THROUGH JUDICIAL INTERPRETATION OF THE DISCRETION  
10 GIVEN TO COURTS TO MAKE SUCH AWARDS IN CASES BROUGHT UNDER  
11 TITLE VII OF THE FEDERAL "CIVIL RIGHTS ACT OF 1964", AS AMENDED.  
12

13 (7) THIS SECTION SHALL NOT APPLY TO CLAIMS ALLEGING A  
14 VIOLATION OF SECTION 24-34-402.5".  
15

16 Renumber succeeding sections accordingly.  
17  
18  
19

20 **SB09-135** be amended as follows, and as so amended, be referred to  
21 the Committee of the Whole with favorable  
22 recommendation:  
23

24 Amend reengrossed bill, page 2, line 24, strike "BOARD ON A QUARTERLY  
25 BASIS." and substitute "BOARD."  
26

27 Page 3, line 8, strike "AND EACH";  
28

29 line 9, strike "NOVEMBER 1 THEREAFTER,";  
30

31 line 12, strike "(d)." and substitute "(d) AND EACH NOVEMBER 1  
32 THEREAFTER, THE STATE BOARD OF PAROLE AND THE DIVISION OF  
33 CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY SHALL UPDATE  
34 THE REPORT."  
35

---

### 37 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

38  
39 The Speaker has signed: **SJR09-037, 041, 052.**  
40  
41  
42

---

### 44 MESSAGE(S) FROM THE SENATE

45  
46 The Senate voted to concur in House amendments to SB09-276,  
47 SB09-144, SB09-022, SB09-026, SB09-067, SB09-125, SB09-138,  
48 SB09-154, SB09-174, SB09-024, SB09-052, SB09-068 and SB09-090  
49 and repassed the bills as so amended.  
50

51  
52 The Senate voted to adhere to its position on SB09-131. The bill is  
53 deemed lost.  
54

1 The Senate has adopted the First Report of the First Conference  
2 Committee on SB09-101, as printed in Senate Journal, April 27, 2009,  
3 page 1321, and repassed the bill as amended.  
4

5 The Senate has adopted the First Report of the First Conference  
6 Committee on SB09-013, as printed in Senate Journal, April 27, 2009,  
7 pages 1321-1322, and repassed the bill as amended.  
8

9 The Senate has adopted the First Report of the First Conference  
10 Committee on HB09-1057, as printed in Senate Journal, April 27, 2009,  
11 page 1322 and repassed the bill as amended. The bill is returned  
12 herewith.  
13

14 The Senate has adopted the First Report of the First Conference  
15 Committee on SB09-094, as printed in Senate Journal, April 27, 2009,  
16 pages 1322-1323 and repassed the bill as amended.  
17

18 The Senate has adopted the First Report of the Second Conference  
19 Committee on SB09-148, as printed in Senate Journal, April 27, 2009,  
20 page 1323-1324 and repassed the bill as amended.  
21

22 The Senate has adopted the First Report of the First Conference  
23 Committee on SB09-275, as printed in Senate Journal, April 27, 2009,  
24 page 1324, and repassed the bill as amended.  
25

26  
27 The Senate has adopted and transmits herewith: SJR09-046.  
28  
29

30  
31  
32 **MESSAGE(S) FROM THE GOVERNOR**  
33

34 I certify I received the following on the 28th day of April, 2009, at  
35 8:50 a.m. The original is on file in the records of the House of  
36 Representatives of the General Assembly.  
37

38 Marilyn Eddins,  
39 Chief Clerk of the House  
40

41 April 27, 2009  
42

43 To the Honorable  
44 House of Representatives  
45 Sixty-seventh General Assembly  
46 First Regular Session  
47 State Capitol  
48 Denver, CO 80203  
49

50 Ladies and Gentlemen:  
51

52 I have the honor to inform you that I have approved and filed with  
53 the Secretary of State the following Acts:  
54

55 **HB09-1012** CONCERNING THE REMOVAL OF OBSOLETE LANGUAGE  
56 IN STATUTORY PROVISIONS IMPLEMENTING THE

1 STATEWIDE VOTER REGISTRATION AND ELECTION  
2 SYSTEM FOR PURPOSES OF COMPLIANCE WITH THE  
3 FEDERAL "HELP AMERICA VOTE ACT".  
4

5 Approved April 25, 2009 at 1:30 p.m.  
6

7 Sincerely,  
8 (signed)  
9 Bill Ritter, Jr.  
10 Governor

11 \_\_\_\_\_  
12  
13 House in recess. House reconvened.  
14  
15 \_\_\_\_\_

16  
17 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**  
18

19 On motion of Representative Kerr A., the rules were suspended and the  
20 following resolution was given immediate consideration.  
21

22 **SJR09-046** by Senator(s) Hudak, Williams, Bacon, Boyd, Carroll M.,  
23 Foster, Gibbs, Groff, Heath, Hodge, Isgar, Keller, Morse,  
24 Newell, Romer, Sandoval, Schwartz, Shaffer B., Tapia,  
25 Tochtrop, Veiga; also Representative(s) Gagliardi, Acree,  
26 Apuan, Benefield, Bradford, Carroll T., Casso, Court,  
27 Curry, Ferrandino, Fischer, Frangas, Green, Hulinghorst,  
28 Judd, Kagan, Kefalas, Kerr A., King S., Labuda, Levy,  
29 Looper, Marostica, Massey, McCann, McFadyen,  
30 McKinley, Merrifield, Middleton, Miklosi, Nikkel, Pace,  
31 Peniston, Pommer, Primavera, Rice, Riesberg, Roberts,  
32 Ryden, Scanlan, Schafer S., Solano, Soper, Stephens,  
33 Summers, Todd, Vaad, Vigil, Waller--Concerning the  
34 designation of April 28, 2009, as "Equal Pay Day".  
35

36 (Printed and placed in member's file).  
37

38 On motion of Representative Gagliardi, the resolution was read at length  
39 and **adopted** by **viva voce** vote.  
40

41 Current Roll Call added as Co-sponsor(s): Representative(s) Balmer,  
42 Baumgardner, Gardner B., Gardner C., Gerou, Kerr J., Lambert, Liston, May,  
43 McNulty, Murray, Priola, Sonnenberg, Swalm, Tipton  
44

45 \_\_\_\_\_  
46  
47 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**  
48

49 **BUSINESS AFFAIRS & LABOR**

50 After consideration on the merits, the Committee recommends the  
51 following:  
52

53 **SB09-234** be referred to the Committee of the Whole with favorable  
54 recommendation.  
55  
56



1 **TRANSPORTATION & ENERGY**

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

4  
5 **HB09-1354** be postponed indefinitely.  
6

7  
8 **CONSIDERATION OF MEMORIAL**  
9

10 **SJM09-002** by Senator(s) Sandoval; also Representative(s) Kefalas--  
11 Concerning the 2009 reauthorization of the "Child  
12 Nutrition and WIC Reauthorization Act of 2004".  
13

14 (Printed and placed in member's file)  
15

16 On motion of Representative Kefalas, the memorial was **adopted** by **viva**  
17 **voce** vote.  
18

19 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Bradford,  
20 Casso, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B.,  
21 Gerou, Green, Hullinghorst, Judd, Kagan, Kerr A., Kerr J., Labuda, Levy,  
22 Looper, Marostica, Massey, McCann, McFadyen, McKinley, Merrifield,  
23 Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice,  
24 Riesberg, Ryden, Scanlan, Schafer S., Solano, Soper, Tipton, Todd, Vaad,  
25 Vigil, Waller, Speaker  
26

27  
28 On motion of Representative Kerr A., **HB09-1126, 1321, 1331, 1342,**  
29 **1347, 1351, 1356, 1353, 1361, SB09-121, 239, 089, 173, HB09-1352,**  
30 **SB09-021, 093, 135, 226, 257, HB09-1366, HCR09-1003, SB09-003,**  
31 **234,** were added to the Special Orders Calendar on Tuesday,  
32 April 28, 2009.  
33

34 On motion of Representative Scanlan, the House resolved itself into  
35 Committee of the Whole for consideration of Special Orders and she was  
36 called to the Chair to act as Chairman.  
37

38  
39 **SPECIAL ORDERS--SECOND READING OF BILLS**  
40

41 The Committee of the Whole having risen, the Chairman reported the  
42 titles of the following bills had been read (reading at length had been  
43 dispensed with by unanimous consent), the bills considered and action  
44 taken thereon as follows:  
45

46 (Amendments to the committee amendment are to the printed committee  
47 report which was printed and placed in the members' bill file.)  
48

49 **HB09-1269** by Representative(s) Ferrandino, Court, Middleton, Pace,  
50 Pommer, Scanlan, Weissmann--Concerning the creation of  
51 a state rainy day account, and, in connection therewith,  
52 specifying the manner in which the account is to be funded  
53 and the circumstances in which moneys may be expended  
54 from the account.  
55

56 Laid over until April 29, retaining place on Calendar.

1 **HB09-1323** by Representative(s) Levy, Fischer, Green, Hullinghorst,  
2 Kerr A., Labuda, McFadyen, Merrifield, Pace, Pommer,  
3 Primavera, Scanlan, Solano; also Senator(s) Veiga, Bacon,  
4 Heath, Romer, Shaffer B.--Concerning energy efficiency  
5 programs implemented by cooperative electric  
6 associations.

7  
8 Laid over until April 29, retaining place on Calendar.  
9

10 **HB09-1126** by Representative(s) Hullinghorst, Curry; also Senator(s)  
11 Shaffer B., Heath--Concerning incentives for the  
12 development of solar thermal energy systems.  
13  
14

15 Amendment No. 1, Transportation & Energy Report, dated  
16 January 27, 2009, and placed in member's bill file; Report also printed in  
17 House Journal, January 28, page 159.  
18

19 Amendment No. 2, Finance Report, dated April 22, 2009, and placed in  
20 member's bill file; Report also printed in House Journal, April 23,  
21 page 1417.  
22

23 Amendment No. 3, Appropriations Report, dated April 28, 2009, and  
24 placed in member's bill file; Report also printed in House Journal,  
25 April 28.  
26

27 Amendment No. 4, by Representative(s) Hullinghorst.  
28

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

30 **"SECTION 1. Legislative declaration.** (1) On November 6,  
31 2006, the executive director of the department of revenue issued final  
32 determination DD-598, in which the executive director concluded that  
33 machinery used to produce electricity did not qualify for exemption from  
34 sales and use tax under section 39-26-709, Colorado Revised Statutes, as  
35 in effect prior to legislative amendments made in the 2007 legislative  
36 session. Final determination DD-598 is inconsistent with final  
37 determination DD-567, which was issued by the executive director on  
38 February 5, 2001, and which concluded that certain machinery used in the  
39 production of electricity qualified for the exemption from sales and use  
40 tax under section 39-26-709, Colorado Revised Statutes.  
41

42 (2) The general assembly is cognizant of pending litigation  
43 concerning the scope of section 39-26-709, Colorado Revised Statutes,  
44 as in effect prior to 2007. By enacting House Bill 09-1126, the general  
45 assembly does not intend to indicate whether final determination DD-598  
46 reflects the correct construction or interpretation of section 39-26-709,  
47 Colorado Revised Statutes, or whether the final determination is a change  
48 in policy. Furthermore, by enacting House Bill 09-1126, the general  
49 assembly does not intend to indicate whether certain components  
50 specified in section 2 of this act may already be exempt from sales and  
51 use tax under section 39-26-709, Colorado Revised Statutes."  
52

53 Renumber succeeding sections accordingly.  
54

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

1 **HB09-1331** by Representative(s) Gagliardi; also Senator(s) Boyd--  
2 Concerning incentives for efficient motor vehicles.  
3

4 Amendment No. 1, Transportation & Energy Report, dated  
5 April 21, 2009, and placed in member's bill file; Report also printed in  
6 House Journal, April 22, pages 1329-1331.  
7

8 Amendment No. 2, Appropriations Report, dated April 28, 2009, and  
9 placed in member's bill file; Report also printed in House Journal,  
10 April 28, pages 1536-1537  
11

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

15 **HB09-1342** by Representative(s) Benefield and Kagan, Ferrandino,  
16 Fischer, Gagliardi, Green, Hullinghorst, Judd, Kerr A.,  
17 Labuda, McCann, Merrifield, Middleton, Ryden, Scanlan,  
18 Todd; also Senator(s) Boyd and Williams, Bacon, Carroll  
19 M., Foster, Heath, Hudak, Morse, Newell, Romer,  
20 Schwartz, Shaffer B., Veiga--Concerning the elimination  
21 of the state sales and use tax exemption for cigarettes.  
22

23 Amendment No. 1, Appropriations Report, dated April 28, 2009, and  
24 placed in member's bill file; Report also printed in House Journal,  
25 April 28, pages 1537-1539.  
26

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

30 **HB09-1347** by Representative(s) Kagan, Benefield, Frangas, Kerr J.,  
31 McFadyen, Nikkel, Primavera, Solano; also Senator(s)  
32 Romer, Spence--Concerning the issuance of a donate life  
33 special license plate.  
34

35 Amendment No. 1, Appropriations Report, dated April 28, 2009, and  
36 placed in member's bill file; Report also printed in House Journal,  
37 April 28, page 1539.  
38

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

42 **HB09-1356** by Representative(s) Liston and Pommer--Concerning the  
43 use of state education fund moneys in the college  
44 opportunity fund program to pay student stipends for  
45 higher education courses that further the purposes of the  
46 state education fund specified in the state constitution, and  
47 making an appropriation therefor.  
48

49 Amendment No. 1, Appropriations Report, dated April 28, 2009, and  
50 placed in member's bill file; Report also printed in House Journal,  
51 April 28, pages 1540-1541.  
52

53 As amended, referred to the Committee on Education.  
54 (For change in action, see Amendments to Report, page 1572.)  
55  
56

1 **HB09-1353** by Representative(s) Miklosi; also Senator(s) Foster,  
2 Newell--Concerning legal immigrants' eligibility for public  
3 medical benefits.  
4

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

8 **HB09-1361** by Representative(s) Weissmann, Kerr A.; also Senator(s)  
9 Morse--Concerning the state controller making  
10 modifications to allowable expenditures due to certain  
11 changes in the estimated amount of state revenue  
12 occurring when the general assembly is not meeting in  
13 session.  
14

15 Amendment No. 1, Appropriations Report, dated April 28, 2009, and  
16 placed in member's bill file; Report also printed in House Journal,  
17 April 28, pages 1541-1542.  
18

19 Amendment No. 2, by Representative(s) Kerr A.  
20

21 Amend the Appropriations Committee Report, dated April 28, 2009, page  
22 2, strike line 2;  
23

24 strike line 6 and substitute the following:  
25

26 "Page 5, strike lines 10 and 11 and substitute the following:  
27

28 "UNENCUMBERED BALANCE OF THE GENERAL FUND AS OF THE DATE OF THE  
29 OVEREXPENDITURE.";  
30

31 line 12, after "OF", insert "GENERAL FUND";";  
32

33 strike lines 9 and 10 of the committee report and substitute the following:  
34

35 "line 16, after "RECENT", insert "GENERAL FUND";  
36

37 line 20, after "ON", insert "GENERAL FUND";";  
38

39 line 13 of the committee report, strike "FUND"." and substitute "FUND";";  
40

41 after line 13, insert the following:  
42

43 "line 26, after "RECENT", insert "GENERAL FUND".".  
44

45 As amended, laid over until April 29, retaining place on Calendar.  
46

47 **SB09-121** by Senator(s) White; also Representative(s) Marostica--  
48 Concerning the sales and use tax exempt status of meals  
49 provided to employees of a business where prepared food  
50 is regularly sold.  
51

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

1 **SB09-239** by Senator(s) Tochtrop, Boyd; also Representative(s)  
2 Riesberg--Concerning the continuation of the state board  
3 of nursing, and making an appropriation therefor.  
4

5 Amendment No. 1, Health & Human Services Report, dated  
6 April 23, 2009, and placed in member's bill file; Report also printed in  
7 House Journal, April 24, pages 1467-1469.  
8

9 Amendment No. 2, by Representative(s) Riesberg.  
10

11 Amend the Health and Human Services Committee Report, dated April  
12 23, 2009, page 4, line 18, strike "BY"." and substitute "BY";";  
13

14 after line 18 of the committee report, insert the following:  
15

16 "after line 18 of the bill, insert the following:  
17

18 "(4) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO CONFER  
19 LIABILITY ON AN EMPLOYER FOR THE ACTS OF AN ADVANCED PRACTICE  
20 NURSE THAT ARE OUTSIDE THE SCOPE OF EMPLOYMENT OR TO NEGATE THE  
21 APPLICABILITY OF THE "COLORADO GOVERNMENTAL IMMUNITY ACT",  
22 ARTICLE 10 OF TITLE 24, C.R.S."."  
23

24 As amended, ordered revised and placed on the Calendar for Third  
25 Reading and Final Passage.  
26

27 **SB09-089** by Senator(s) King K., Hudak, Kopp, Spence; also  
28 Representative(s) Middleton, Gardner B., Massey, Murray,  
29 Summers, Tipton--Concerning the state charter school  
30 institute, and making an appropriation in connection  
31 therewith.  
32

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

36 **HB09-1351** by Representative(s) Pommer and Ferrandino, Marostica--  
37 Concerning an increase in the amount of time an inmate  
38 may have deducted from the inmate's sentence.  
39

40 Amendment No. 1, Appropriations Report, dated April 28, 2009, and  
41 placed in member's bill file; Report also printed in House Journal,  
42 April 28, pages 1539-1540.  
43

44 Amendment No. 2, by Representative(s) Pommer.  
45

46 Amend printed bill, page 2, strike line 2 and substitute "**SECTION 1.**";  
47

48 line 3, strike "are" and substitute "is";  
49

50 line 4, strike "A NEW" and substitute "THE FOLLOWING NEW  
51 SUBSECTIONS,";  
52

53 line 5, strike "SUBSECTION,";  
54

55 strike lines 6 through 26 and substitute the following:  
56

1           **"17-22.5-405. Earned time - earned release time.**  
2 (1.5) (a) EARNED TIME, NOT TO EXCEED TWELVE DAYS FOR EACH MONTH  
3 OF INCARCERATION OR PAROLE, MAY BE DEDUCTED FROM AN INMATE'S  
4 SENTENCE IF THE INMATE:

5  
6           (I) IS SERVING A SENTENCE FOR A CLASS 4, CLASS 5, OR CLASS 6  
7 FELONY;

8  
9           (II) HAS INCURRED NO CODE OF PENAL DISCIPLINE VIOLATIONS  
10 WHILE INCARCERATED;

11  
12           (III) HAS BEEN PROGRAM-COMPLIANT; AND

13  
14           (IV) WAS NOT CONVICTED OF, AND HAS NOT PREVIOUSLY BEEN  
15 CONVICTED OF, A CRIME IN SECTIONS 18-7-402 TO 18-7-407, C.R.S.,  
16 SECTION 18-12-102, C.R.S., OR SECTION 18-12-109, C.R.S., OR A CRIME  
17 LISTED IN SECTION 24-4.1-302 (1), C.R.S.

18  
19           (b) THE EARNED TIME SPECIFIED IN PARAGRAPH (a) OF THIS  
20 SUBSECTION (1.5) MAY BE DEDUCTED BASED UPON A DEMONSTRATION TO  
21 THE DEPARTMENT BY THE INMATE, WHICH IS CERTIFIED BY THE INMATE'S  
22 CASE MANAGER OR COMMUNITY PAROLE OFFICER, THAT HE OR SHE HAS  
23 MADE CONSISTENT PROGRESS IN THE CATEGORIES DESCRIBED IN  
24 SUBSECTION (1) OF THIS SECTION.

25  
26           (4) Notwithstanding any other provision of this section, earned  
27 time may not reduce the sentence of ~~any~~ AN inmate as defined in section  
28 17-22.5-402 (1) by a period of time ~~which~~ THAT is more than ~~twenty-five~~  
29 THIRTY percent of the sentence. THIS SUBSECTION (4) SHALL NOT APPLY  
30 TO SUBSECTION (6) OF THIS SECTION.

31  
32           (6) EARNED RELEASE TIME SHALL BE SCHEDULED BY THE PAROLE  
33 BOARD AND THE TIME COMPUTATION UNIT IN THE DEPARTMENT OF  
34 CORRECTIONS FOR INMATES CONVICTED OF CLASS 4 AND CLASS 5 FELONIES  
35 UP TO SIXTY DAYS PRIOR TO THE MANDATORY RELEASE DATE AND FOR  
36 INMATES CONVICTED OF CLASS 6 FELONIES UP TO THIRTY DAYS PRIOR TO  
37 THE MANDATORY RELEASE DATE FOR INMATES WHO MEET THE FOLLOWING  
38 CRITERIA:

39  
40           (a) THE INMATE HAS NO CODE OF PENAL DISCIPLINE VIOLATIONS;

41  
42           (b) THE INMATE IS PROGRAM-COMPLIANT; AND

43  
44           (c) THE INMATE WAS NOT CONVICTED OF, AND HAS NOT  
45 PREVIOUSLY BEEN CONVICTED OF, A CRIME IN SECTIONS 18-7-402 TO  
46 18-7-407, C.R.S., SECTION 18-12-102, C.R.S., OR SECTION 18-12-109,  
47 C.R.S., OR A CRIME LISTED IN SECTION 24-4.1-302 (1), C.R.S.

48  
49           (7) BEGINNING IN THE FISCAL YEAR 2012-13, THE GENERAL  
50 ASSEMBLY MAY APPROPRIATE THE SAVINGS GENERATED BY SUBSECTIONS  
51 (1.5) AND (6) OF THIS SECTION TO RECIDIVISM-REDUCTION PROGRAMS.

52  
53           **SECTION 2.** 17-22.5-402 (2), Colorado Revised Statutes, is  
54 amended to read:

55  
56           **17-22.5-402. Discharge from custody.** (2) Notwithstanding

1 subsection (1) of this section, the full term for which an inmate is  
2 sentenced shall be reduced by any EARNED RELEASE TIME AND earned  
3 time granted pursuant to section 17-22.5-405, except as provided in  
4 section 17-22.5-403 (3) and (3.5).".

5  
6 Renumber succeeding section accordingly.

7  
8 As amended, ordered engrossed and placed on the Calendar for Third  
9 Reading and Final Passage.

10  
11 **HB09-1352** by Representative(s) Levy--Concerning adding  
12 commission of certain proscribed acts by government  
13 officials to the list of deceptive trade practices.

14  
15 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in  
16 member's bill file; Report also printed in House Journal, April 28,  
17 pages 1549-1550.

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

21  
22 **SB09-173** by Senator(s) Veiga; also Representative(s) Rice--  
23 Concerning the economic development of large-scale  
24 regional tourism projects to be partially financed with a  
25 portion of state sales tax revenue above an existing base  
26 amount.

27  
28 Amendment No. 1, Finance Report, dated April 22, 2009, and placed in  
29 member's bill file; Report also printed in House Journal, April 23,  
30 pages 1417-1419.

31  
32 Amendment No. 2, by Representative(s) Judd.

33  
34 Amend the Finance Committee Report, dated April 22, 2009, page 2, line  
35 4, strike "EXISTING".

36  
37 Amendment No. 3, by Representative(s) Rice.

38  
39 Amend reengrossed bill, page 5, line 12, after "STREETS;", insert "STATE  
40 HIGHWAYS;".

41  
42 Amendment No. 4, by Representative(s) Judd.

43  
44 Amend reengrossed bill, page 8, line 18, after "ZONE,", insert "AN  
45 ANALYSIS OF THE IMPACT TO LOCAL SCHOOL DISTRICTS AND AN ESTIMATE  
46 OF THE PERCENTAGE OF TOTAL PROGRAM THAT THE STATE WILL BECOME  
47 RESPONSIBLE TO FUND THROUGH THE STATE'S SHARE OF TOTAL PROGRAM  
48 PURSUANT TO SECTION 22-54-106, C.R.S., IN THE EVENT THAT AN URBAN  
49 RENEWAL AUTHORITY IS THE FINANCING ENTITY FOR THE REGIONAL  
50 TOURISM PROJECT AND USES PROPERTY TAX REVENUE TO FINANCE THE  
51 PROJECT,".

52  
53 Amendment No. 5, by Representative(s) Kefalas.

54  
55 Amend reengrossed bill, page 8, line 15, strike "JOB CREATION," and  
56 substitute "THE NUMBER OF NEW JOBS TO BE CREATED BY THE PROJECT BY

1 JOB CATEGORY AS DEFINED BY THE COLORADO DEPARTMENT OF LABOR  
2 ANDEMPLOYMENT OCCUPATIONAL EMPLOYMENT STATISTICS SURVEY AND  
3 THE WAGES AND, TO THE EXTENT THAT IT IS REASONABLY POSSIBLE,  
4 INFORMATION ON HEALTH BENEFITS FOR JOBS IN EACH CATEGORY,".

5

6 Page 18, after line 3, insert the following:

7

8 "(5) THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND THE  
9 DEPARTMENT OF REVENUE SHALL PREPARE A REPORT TO BE SUBMITTED BY  
10 THE OFFICE NO LATER THAN SEPTEMBER 1 OF THE APPLICABLE FISCAL  
11 YEAR TO THE FINANCE COMMITTEES OF THE HOUSE OF REPRESENTATIVES  
12 AND SENATE, THE BUSINESS AFFAIRS AND LABOR COMMITTEE OF THE  
13 HOUSE OF REPRESENTATIVES, AND THE BUSINESS, LABOR, AND  
14 TECHNOLOGY COMMITTEE OF THE SENATE, OR ANY SUCCESSOR  
15 COMMITTEES. THE REPORT SHALL PRESENT INFORMATION ON ALL TAX  
16 EXPENDITURES FOR REGIONAL TOURISMECONOMIC DEVELOPMENT DURING  
17 THE PRIOR FISCAL YEAR AND SHALL INCLUDE INFORMATION FROM THE  
18 REPORTS REQUIRED PURSUANT TO SUBSECTION (6) OF THIS SECTION.

19

20 (6) (a) EACH YEAR, NO LATER THAN SEPTEMBER 1, THE  
21 DEPARTMENT OF REVENUE SHALL REPORT THE AGGREGATE AMOUNT OF  
22 STATE SALES TAX INCREMENT REVENUE DIVERTED TO FINANCING ENTITIES  
23 FOR APPROVED PROJECTS.

24

25 (b) EVERY TWO YEARS, NO LATER THAN SEPTEMBER 1, THE  
26 COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND THE DEPARTMENT  
27 OF REVENUE SHALL REPORT DETAILED INFORMATION ON EACH PROJECT  
28 APPROVED TO RECEIVE STATE SALES TAX INCREMENT REVENUE,  
29 INCLUDING BUT NOT NECESSARILY LIMITED TO:

30

31 (I) THE NAME, ADDRESS, AND CONTACT FOR EACH RECIPIENT;

32

33 (II) THE AMOUNT OF SALES TAX REVENUE DIVERTED FOR THE  
34 PROJECT;

35

36 (III) THE BOUNDARIES OF THE APPROVED REGIONAL TOURISM ZONE  
37 AND NARRATIVE FOR THE PROJECT;

38

39 (IV) THE PROPOSED TERM OF FINANCING AND THE PERCENT OF THE  
40 NEW NET REVENUE THAT IS APPROVED FOR THE PROJECT;

41

42 (V) THE ACTUAL STATE SALES TAX REVENUE COLLECTED WITHIN  
43 THE ZONE COMPARED TO THE PROJECTED REVENUES CONTAINED IN THE  
44 APPROVED APPLICATION;

45

46 (VI) THE NUMBER OF NET NEW JOBS DIRECTLY CREATED BY THE  
47 PROJECT IN EACH CATEGORY AS DEFINED BY THE COLORADO DEPARTMENT  
48 OF LABOR AND EMPLOYMENT OCCUPATION EMPLOYMENT STATISTICS  
49 SURVEY, AND THE WAGES AND HEALTH BENEFITS FOR JOBS IN EACH  
50 CATEGORY; AND

51

52 (VII) AN ASSESSMENT OF THE OVERALL EFFECTIVENESS OF THE  
53 PROJECT.";

54

55 line 15, after " PROJECT" insert "TOWARD THE GOALS SPECIFIED IN THE  
56 APPLICATION PURSUANT TO SECTION 24-46-304".



1 Amendment No. 6, by Representative(s) Hullinghorst.

2

3 Amend reengrossed bill, page 10, line 26, after "TO" insert the following:

4

5 "ANY COUNTY OR COUNTIES WHERE THE REGIONAL TOURISM PROJECT WILL  
6 BE IMPLEMENTED AND TO MUNICIPALITIES ADJACENT TO THE REGIONAL  
7 TOURISM PROJECT WILL BE IMPLEMENTED FOR AN OPPORTUNITY TO  
8 REVIEW THE APPLICATION AND SUBMIT COMMENTS TO THE COMMISSION.  
9 THE DIRECTOR SHALL PROVIDE SUCH COUNTIES AND MUNICIPALITIES WITH  
10 THE APPLICATION AT LEAST THIRTY DAYS PRIOR TO THE PUBLIC HEARING  
11 HELD PURSUANT TO SUBSECTION (3) OF THIS SECTION. THE DIRECTOR  
12 SHALL ALSO FORWARD THE APPLICATION TO".

13

14 Page 11, line 2, strike "THE" and substitute "THE COMMISSION SHALL  
15 HOLD A PUBLIC HEARING, SUBJECT TO THE PROVISIONS OF THE "COLORADO  
16 SUNSHINE ACT OF 1972", ARTICLE 6 OF THIS TITLE, TO REVIEW AND  
17 CONSIDER THE APPLICATION. AFTER THE HEARING HAS BEEN HELD, THE".

18

19 Page 12, line 12, strike "THREE" and substitute "TWO";

20

21 line 13, strike "TWO" and substitute "THREE";

22

23 line 14, strike "ENTITY;" and substitute "ENTITY. OF THE MEMBERS  
24 APPOINTED BY THE LOCAL GOVERNMENTAL ENTITY, AT LEAST ONE  
25 MEMBER SHALL BE A LOCALLY ELECTED OFFICIAL AND AT LEAST ONE  
26 MEMBER SHALL REPRESENT THE COMMUNITY AT LARGE.";

27

28 line 16, strike "THREE" and substitute "TWO";

29

30 line 17, strike "ONE" and substitute "TWO";

31

32 line 18, strike "MEMBER" and substitute "MEMBERS" and strike  
33 "APPLICANTS; AND" and substitute "APPLICANTS. OF THE MEMBERS  
34 APPOINTED BY THE LOCAL GOVERNMENTAL APPLICANTS, AT LEAST ONE  
35 MEMBER SHALL BE AN ELECTED OFFICIAL OF THE LOCAL GOVERNMENT  
36 AND AT LEAST ONE MEMBER SHALL REPRESENT THE COMMUNITY AT  
37 LARGE.";

38

39 line 21, after "MEMBER", insert "WHO IS AN ELECTED OFFICIAL AND A  
40 SINGLE MEMBER WHO REPRESENTS THE COMMUNITY AT LARGE";

41

42 strike lines 23 and 24 and substitute the following:

43

44 "WITHIN THE TOURISM ZONE.".

45

46 Amendment No. 7, by Representative(s) Kefalas.

47

48 Amend reengrossed bill, page 9, line 7, strike "GENERAL" and substitute  
49 "DETAILED";

50

51 line 8, strike "ARRANGEMENTS;" and substitute "ARRANGEMENTS AND  
52 COPIES OF ANY RELEVANT AGREEMENTS THAT MAY ALREADY BE IN  
53 PLACE;".

54

55 Page 15, after line 8, insert the following:

56

1           "(5) THE BOARD OF DIRECTORS OF A REGIONAL TOURISM  
2 AUTHORITY SHALL BE SUBJECT TO THE PROVISIONS OF THE "COLORADO  
3 OPEN RECORDS ACT", ARTICLE 72 OF THIS TITLE, AND THE "COLORADO  
4 SUNSHINE ACT OF 1972", ARTICLE 6 OF THIS TITLE."

5  
6 Amendment No. 8, by Representative(s) Rice.

7  
8 Amend, Amendment No. 7, by Representative Kefalas, House Journal,  
9 page 1565, strike lines 48 through 53;  
10  
11 line 55, strike "Page" and substitute "Amend reengrossed bill, page".

12  
13 Amendment No. 9, by Representative(s) Hullinghorst.

14  
15 Amend reengrossed bill, page 26, strike lines 26 and 27.

16  
17 Page 27, strike lines 1 through 4 and substitute the following:

18  
19 "AUTHORIZATION TO RECEIVE STATE SALES TAX INCREMENT REVENUE  
20 PURSUANT TO PART 3 OF ARTICLE 46 OF TITLE 24, C.R.S., SHALL NOT BE  
21 CONSIDERED A";

22  
23 line 5, after " AND", insert "CORRESPONDING CHANGES TO THE PLAN";

24  
25 line 6, after "AUTHORITY", insert "TO INCORPORATE THE USE OF STATE  
26 SALES TAX INCREMENT REVENUE".

27  
28 Page 28, line 13, strike "ANY MODIFICATION OR";

29  
30 strike lines 14 through 19 and substitute the following:

31  
32 "AUTHORIZATION TO RECEIVE STATE SALES TAX INCREMENT REVENUE  
33 PURSUANT TO PART 3 OF ARTICLE 46 OF TITLE 24, C.R.S., SHALL NOT BE  
34 CONSIDERED A MATERIAL";

35  
36 line 20, after "AND", insert "CORRESPONDING CHANGES TO THE PLAN",  
37 and, after "BODY", insert "TO INCORPORATE THE USE OF STATE SALES TAX  
38 INCREMENT REVENUE".

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

42  
43 **SB09-021** by Senator(s) Kopp, Gibbs, Penry, Schwartz; also  
44 Representative(s) Scanlan and Levy, King, Lundberg--  
45 Concerning incentives for volunteer firefighters.

46  
47 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in  
48 member's bill file; Report also printed in House Journal, April 28,  
49 page 1550.

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

53  
54 **SB09-093** by Senator(s) Williams, Heath, King K.; also  
55 Representative(s) Marostica, Middleton, Rice, Roberts--  
56 Concerning identity theft.

1 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in  
2 member's bill file; Report also printed in House Journal, April 28,  
3 page 1550.

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

7  
8 **SB09-135** by Senator(s) Penry; also Representative(s) Miklosi--  
9 Concerning information collection regarding parole  
10 decisions.

11  
12 Amendment No. 1, Judiciary Report, dated April 27, 2009, and placed in  
13 member's bill file; Report also printed in House Journal, April 28,  
14 page 1554.

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

18  
19 **SB09-226** by Senator(s) Sandoval; also Representative(s) Gagliardi--  
20 Concerning policies for the management of food allergies  
21 among school children, and making an appropriation in  
22 connection therewith.

23  
24 Laid over until April 29, retaining place on Calendar.

25  
26 **SB09-257** by Senator(s) Schwartz, Heath, Mitchell; also  
27 Representative(s) Fischer and Vigil, McFadyen, Rice,  
28 Solano--Concerning amendments to the "Building  
29 Excellent Schools Today Act" that will allow more  
30 efficient implementation of the act without reducing its  
31 funding or restricting existing lease-purchase agreement  
32 authorization.

33  
34 Amendment No. 1, Education Report, dated April 27, 2009, and placed  
35 in member's bill file; Report also printed in House Journal, April 27,  
36 page 1510-1514.

37  
38 As amended, ordered revised and placed on the Calendar for Third  
39 Reading and Final Passage.

40  
41 **HB09-1366** by Representative(s) Pommer; also Senator(s) Romer--  
42 Concerning the elimination of the state income tax  
43 modification for qualifying Colorado capital gains.

44  
45 Laid over until April 29, retaining place on Calendar.

46  
47 **HCR09-1003** by Representative(s) Lambert; also Senator(s) King K.--  
48 Submitting to the registered electors of the state of  
49 Colorado an amendment to section 2 of article XVIII of  
50 the constitution of the state of Colorado, concerning the  
51 regulation of games of chance by an authority specified by  
52 the general assembly.

53  
54 Amendment No. 1, by Representative(s) Lambert.

55  
56 Amend printed concurrent resolution, page 2, strike lines 22 through 24.

1 Page 3, strike lines 1 through 3 and substitute the following:  
2 "operates without profit to its members. ~~and which has~~ THE GENERAL  
3 ASSEMBLY MAY PROVIDE BY LAW A MINIMUM PERIOD OF TIME FOR WHICH  
4 A CORPORATION OR ORGANIZATION SHALL HAVE EXISTED CONTINUOUSLY  
5 AND HAD A DUES-PAYING MEMBERSHIP IN ORDER TO QUALIFY FOR A  
6 LICENSE. THE GENERAL ASSEMBLY MAY ALSO PROVIDE BY LAW FOR THE  
7 PERIOD OF TIME DURING WHICH A LICENSE SHALL BE IN EFFECT. UNTIL  
8 SUCH TIME AS THE GENERAL ASSEMBLY PROVIDES SUCH MINIMUM PERIODS  
9 OF TIME, IN ORDER TO BE ELIGIBLE FOR LICENSURE, A CORPORATION OR  
10 ORGANIZATION SHALL HAVE been in existence continuously for a period  
11 of five years immediately prior to the making of said application for such  
12 license and has had during the entire five-year period a dues-paying  
13 membership engaged in carrying out the objects of said corporation or  
14 organization, such license to expire at the end of each calendar year in  
15 which it was issued."

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

19  
20 **SB09-003** by Senator(s) Bacon; also Representative(s) Fischer--  
21 Concerning the automobile inspection and readjustment  
22 program, and, in connection therewith, expanding the  
23 enhanced emissions program to Weld and Larimer  
24 counties, modifying the geographical boundaries of the  
25 program area, altering criteria used to determine which  
26 collector's items are excluded from the emissions testing  
27 process, and making an appropriation.

28  
29 Amendment No. 1, Transportation & Energy Report, dated  
30 April 21, 2009, and placed in member's bill file; Report also printed in  
31 House Journal, April 22, pages 1331-1332.

32  
33 Amendment No. 2, Appropriations Report, dated April 28, 2009, and  
34 placed in member's bill file; Report also printed in House Journal,  
35 April 28, pages 1542-1543.

36  
37 Amendment No. 3, by Representative(s) Fischer.

38  
39 Amend the Appropriations Committee Report, dated April 28, 2009, page  
40 1, strike lines 2 and 3 and substitute the following:

41  
42 "2009, page 1, strike lines 1 through 10;

43  
44 line 11, before "line", insert "Amend reengrossed bill, page 7, ".".

45  
46 As amended, ordered revised and placed on the Calendar for Third  
47 Reading and Final Passage.

48  
49 **SB09-234** by Senator(s) Mitchell and Heath, Scheffel, Schwartz; also  
50 Representative(s) Rice, Liston, McFadyen, Solano--  
51 Concerning direction to the economic development  
52 commission to develop recommendations for the general  
53 assembly regarding enterprise zones.

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

1 **HB09-1321** by Representative(s) Levy, Carroll T., Green, Benefield,  
2 Court, Ferrandino, Hullinghorst, Kerr A., Looper,  
3 McCann, McFadyen, McGihon, McKinley, Merrifield,  
4 Miklosi, Pace, Pommer, Ryden, Scanlan, Todd, Vigil,  
5 Weissmann; also Senator(s) Carroll M., Bacon, Boyd,  
6 Foster, Heath, Morse, Romer--Concerning the placement  
7 of a juvenile who is awaiting trial in district court.  
8

9 Amendment No. 1, Appropriations Report, dated April 28, 2009, and  
10 placed in member's bill file; Report also printed in House Journal,  
11 April 28, pages 1535-1536.  
12

13 Amendment No. 2, by Representative(s) Levy.  
14

15 Amend the Appropriations Committee Report, dated April 28, 2009, page  
16 1, strike lines 3 through 21 and substitute the following:  
17

18 ""**SECTION 1.** 19-2-508 (4), Colorado Revised Statutes, is  
19 amended to read:  
20

21 **19-2-508. Detention and shelter - hearing - time limits -**  
22 **findings - review - confinement with adult offenders - restrictions -**  
23 **repeal.** (4) (a) ~~No~~ A jail shall NOT receive a juvenile for detention  
24 following a detention hearing pursuant to this section unless the juvenile  
25 has been ordered by the court to be held for criminal proceedings as an  
26 adult pursuant to a transfer or unless the juvenile is to be held for criminal  
27 proceedings as an adult pursuant to a direct filing. ~~No~~ A juvenile under  
28 the age of fourteen and, except upon order of the court, ~~no~~ A juvenile  
29 fourteen years of age or older shall NOT be detained in a jail, lockup, or  
30 other place used for the confinement of adult offenders. The exception  
31 for detention in a jail shall be used only if the juvenile is being held for  
32 criminal proceedings as an adult pursuant to a direct filing or transfer AND  
33 THE DISTRICT ATTORNEY HAS DETERMINED THAT JAIL IS THE APPROPRIATE  
34 PLACE OF CONFINEMENT PURSUANT TO THE FACTORS SET FORTH IN THIS  
35 PARAGRAPH (a). IN DETERMINING WHETHER JAIL IS THE APPROPRIATE  
36 PLACE OF CONFINEMENT, THE DISTRICT ATTORNEY SHALL CONSIDER THE  
37 FOLLOWING FACTORS:  
38

39 (I) THE AGE OF THE JUVENILE;  
40

41 (II) THE NATURE, SERIOUSNESS, AND CIRCUMSTANCES OF THE  
42 ALLEGED OFFENSE;  
43

44 (III) THE JUVENILE'S HISTORY OF PRIOR DELINQUENT OR CRIMINAL  
45 ACTS;  
46

47 (IV) WHETHER DETENTION IN A JUVENILE FACILITY WILL  
48 ADEQUATELY SERVE THE NEED FOR COMMUNITY PROTECTION PENDING  
49 THE OUTCOME OF THE CRIMINAL PROCEEDINGS;  
50

51 (V) WHETHER DETENTION IN A JUVENILE FACILITY WILL  
52 NEGATIVELY IMPACT THE FUNCTIONING OF THE JUVENILE FACILITY BY  
53 COMPROMISING THE GOALS OF DETENTION TO MAINTAIN A SAFE, POSITIVE,  
54 AND SECURE ENVIRONMENT FOR ALL JUVENILES WITHIN THE FACILITY;  
55

56 (VI) THE RELATIVE ABILITY OF THE AVAILABLE ADULT AND

1 JUVENILE DETENTION FACILITIES TO MEET THE NEEDS OF THE JUVENILE  
2 AND PROTECT THE PUBLIC;

3

4 (VII) WHETHER THE JUVENILE PRESENTS AN IMMINENT RISK OF  
5 HARM TO HIMSELF OR HERSELF OR OTHERS WITHIN A JUVENILE FACILITY;

6

7 (VIII) THE PHYSICAL MATURITY OF THE JUVENILE;

8

9 (IX) THE CURRENT MENTAL STATE OR MATURITY OF THE JUVENILE  
10 AS EVIDENCED BY RELEVANT MENTAL HEALTH OR PSYCHOLOGICAL  
11 ASSESSMENTS OR SCREENINGS THAT ARE MADE AVAILABLE TO BOTH THE  
12 DISTRICT ATTORNEY AND DEFENSE COUNSEL; AND

13

14 (X) ANY OTHER RELEVANT FACTORS.

15

16 (b) AT ANY STAGE OF THE PROCEEDINGS, THE DISTRICT ATTORNEY  
17 MAY, AFTER FURTHER CONSIDERATION OF THE FACTORS SET FORTH IN  
18 PARAGRAPH (a) OF THIS SUBSECTION (4), AGREE TO CHANGE THE PLACE OF  
19 CONFINEMENT FROM JAIL TO A JUVENILE FACILITY.

20

21 ~~(b)~~ (c) Whenever a juvenile is held pursuant to a direct filing or  
22 transfer in a facility where adults are held, the juvenile shall be physically  
23 segregated from the adult offenders.

24

25 ~~(c)~~ (d) The official in charge of a jail or other facility for the  
26 detention of adult offenders shall immediately inform the court that has  
27 jurisdiction of the juvenile's alleged offense when a juvenile who is or  
28 appears to be under eighteen years of age is received at the facility, except  
29 for a juvenile ordered by the court to be held for criminal proceedings as  
30 an adult.

31

32 ~~(d)~~ (e) (I) Any juvenile arrested and detained for an alleged  
33 violation of any article of title 42, C.R.S., or for any alleged violation of  
34 a municipal or county ordinance, and not released on bond, shall be taken  
35 before a judge with jurisdiction of such violation within forty-eight hours  
36 for the fixing of bail and conditions of bond pursuant to subparagraph  
37 (IV) of paragraph (a) of subsection (3) of this section. A juvenile may be  
38 detained in a jail, lockup, or other place used for the confinement of adult  
39 offenders only for processing for no longer than six hours and during  
40 such time shall be placed in a setting that is physically segregated by sight  
41 and sound from the adult offenders, and in no case may the juvenile be  
42 detained in such place overnight. After six hours, the juvenile may be  
43 further detained only in a juvenile detention facility operated by or under  
44 contract with the department of human services. In calculating time  
45 under this subsection (4), Saturdays, Sundays, and legal holidays shall be  
46 included.

47

48 (II) A sheriff or police chief who violates the provisions of  
49 subparagraph (I) of this ~~paragraph (d)~~ PARAGRAPH (e) may be subject to  
50 a civil fine of no more than one thousand dollars. The decision to fine  
51 shall be based on prior violations of the provisions of subparagraph (I) of  
52 this ~~paragraph (d)~~ PARAGRAPH (e) by the sheriff or police chief and the  
53 willingness of the sheriff or police chief to address the violations in order  
54 to comply with subparagraph (I) of this ~~paragraph (d)~~ PARAGRAPH (e).

55

1           (e) (f) The official in charge of a jail, lockup, or other facility for  
2 the confinement of adult offenders that receives a juvenile for detention  
3 should, wherever possible, take such measures as are reasonably  
4 necessary to restrict the confinement of any such juvenile with known  
5 past or current affiliations or associations with any gang so as to prevent  
6 contact with other inmates at such jail, lockup, or other facility. The  
7 official should, wherever possible, also take such measures as are  
8 reasonably necessary to prevent recruitment of new gang members from  
9 among the general inmate population. For purposes of this paragraph (e)  
10 PARAGRAPH (f), "gang" is defined in section 19-1-103 (52).

11  
12           (f) (g) Any person who is eighteen years of age or older who is  
13 being detained for a delinquent act or criminal charge over which the  
14 juvenile court has jurisdiction shall be detained in the county jail in the  
15 same manner as if such person is charged as an adult.

16  
17           (g) (h) A juvenile court shall not order a juvenile offender who is  
18 under eighteen years of age at the time of sentencing to enter a secure  
19 setting or secure section of an adult jail or lockup as a disposition for an  
20 offense or as a means of modifying the juvenile offender's behavior.

21  
22           **SECTION 2.** 19-2-503 (1), Colorado Revised Statutes, is  
23 amended to read:

24  
25           **19-2-503. Issuance of a lawful warrant taking a juvenile into**  
26 **custody.** (1) A lawful warrant taking a juvenile into custody may be  
27 issued pursuant to this section by any judge of a court of record or by a  
28 juvenile magistrate upon receipt of an affidavit relating facts sufficient to  
29 establish probable cause to believe that a delinquent act has been  
30 committed and probable cause to believe that a particular juvenile  
31 committed that act. Upon receipt of such affidavit, the judge or  
32 magistrate shall issue a lawful warrant commanding any peace officer to  
33 take the juvenile named in the affidavit into custody and to take him or  
34 her without unnecessary delay before the nearest judge of the juvenile  
35 court or magistrate as provided in ~~section 19-2-508 (4) (d)~~ SECTION  
36 19-2-508 (4) (e).

37  
38           **SECTION 3.** 42-4-1706 (2) (a), Colorado Revised Statutes, is  
39 amended to read:

40  
41           **42-4-1706. Juveniles - convicted - arrested and incarcerated**  
42 **- provisions for confinement.** (2) (a) Notwithstanding any other  
43 provision of law, a child, as defined in section 19-1-103 (18), C.R.S.,  
44 arrested and incarcerated for an alleged misdemeanor traffic offense  
45 under this article, and not released on bond, shall be taken before a county  
46 judge who has jurisdiction of such offense within forty-eight hours for  
47 fixing of bail and conditions of bond pursuant to ~~section 19-2-508 (4) (d)~~  
48 SECTION 19-2-508 (4) (e), C.R.S. Such child shall not be confined in a  
49 jail, lockup, or other place used for the confinement of adult offenders for  
50 longer than seventy-two hours, after which the child may be further  
51 detained only in a juvenile detention facility operated by or under contract  
52 with the department of human services. In calculating time under this  
53 subsection (2), Saturdays, Sundays, and court holidays shall be included."  
54  
55

1 Page 2 of the committee report, strike lines 1 through 23.  
 2  
 3 Renumber succeeding section of the committee report accordingly.  
 4  
 5 As amended, ordered engrossed and placed on the Calendar for Third  
 6 Reading and Final Passage.  
 7

8  
 9  
 10 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

11  
 12 Representative(s) Merrifield and Carroll T. moved to amend the Report  
 13 of the Committee of the Whole to reverse the action taken by the  
 14 Committee in referring HB09-1356 to the Education Committee, to show  
 15 that **HB09-1356** was laid over unamended to Wednesday, April 29, 2009.  
 16

17 The amendment was declared **passed** by the following roll call vote:  
 18

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

37  
 38 Representative(s) Gardner C. moved to amend the Report of the  
 39 Committee of the Whole to reverse the action taken by the Committee in  
 40 not adopting the following Gardner C. amendment, to HB09-1331, to  
 41 show that said amendment passed, and that **HB09-1331**, as amended,  
 42 passed.  
 43

44 Amend printed bill, page 18, after line 13, insert the following:  
 45

46 **"SECTION 5.** Part 7 of article 26 of title 39, Colorado Revised  
 47 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
 48 read:  
 49

50 **39-26-726. Fuel-efficient vehicles - definitions - repeal.**

51 (1) FOR FISCAL YEARS COMMENCING ON OR AFTER JULY 1, 2009, BUT  
 52 PRIOR TO JULY 1, 2014, ALL SALES, LEASES, STORAGE, AND USES OF NEW  
 53 OR USED FUEL-EFFICIENT VEHICLES SHALL BE EXEMPT FROM TAXATION  
 54 UNDER THE PROVISIONS OF PARTS 1 AND 2 OF THIS ARTICLE.  
 55

56 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE



1 REQUIRES:  
2

3 (a) "NEW FUEL-EFFICIENT VEHICLE" MEANS A 2009 MODEL OR  
4 NEWER VEHICLE WITH A FUEL ECONOMY ESTIMATE OF FORTY HIGHWAY  
5 MILES PER GALLON OR GREATER AS ESTABLISHED IN REGULATIONS OF THE  
6 FEDERAL ENVIRONMENTAL PROTECTION AGENCY.  
7

8 (b) "USED FUEL-EFFICIENT VEHICLE" MEANS A 2008 MODEL OR  
9 OLDER VEHICLE WITH A FUEL ECONOMY ESTIMATE OF FORTY HIGHWAY  
10 MILES PER GALLON OR GREATER AS ESTABLISHED IN REGULATIONS OF THE  
11 FEDERAL ENVIRONMENTAL PROTECTION AGENCY, IF:  
12

13 (I) THE OWNER OF THE VEHICLE OBTAINS FROM A LICENSED  
14 DEALER FOR THAT PARTICULAR MAKE A DOCUMENT THAT CERTIFIES  
15 UNDER PENALTY OF PERJURY THAT THE VEHICLE IS EQUIPPED WITH  
16 ORIGINAL PARTS; AND  
17

18 (II) THE OWNER OF THE VEHICLE OBTAINS A VALID CERTIFICATION  
19 OF EMISSIONS CONTROL AS SPECIFIED IN PART 3 OR 4 OF ARTICLE 4 OF  
20 TITLE 42, C.R.S., AS APPLICABLE.  
21

22 (3) IF THE REVENUE ESTIMATE PREPARED BY THE STAFF OF THE  
23 LEGISLATIVE COUNCIL IN JUNE 2009 AND EACH JUNE THEREAFTER  
24 INDICATES THAT THE AMOUNT OF THE TOTAL GENERAL FUND REVENUES  
25 FOR THAT PARTICULAR FISCAL YEAR WILL NOT BE SUFFICIENT TO MAINTAIN  
26 THE LIMIT ON APPROPRIATIONS SPECIFIED IN SECTION 24-75-201.1 (1),  
27 C.R.S., THEN THE EXEMPTION AUTHORIZED IN THIS SECTION SHALL NOT BE  
28 ALLOWED FOR THE CALENDAR YEAR IN WHICH THE FORECAST IS PREPARED.  
29

30 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2015."  
31

32 Renumber succeeding sections accordingly.  
33

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

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

54  
55 Representative(s) Lambert moved to amend the Report of the Committee  
56 of the Whole to reverse the action taken by the Committee in not adopting

1 the following Lambert amendment, to HB09-1342, to show that said  
2 amendment passed, and that **HB09-1342**, as amended, passed.

3  
4 Amend printed bill, page 10, line 27, strike "July 1, 2009," and substitute  
5 "January 1, 2010,".

6  
7 Strike page 11 and substitute the following:

8  
9 **"SECTION 17. Refer to people under referendum.** This act  
10 shall be submitted to a vote of the registered electors of the state of  
11 Colorado at the November 2009 election, for their approval or rejection,  
12 under the provisions of the referendum as provided for in section 1 of  
13 article V and section 20 of article X of the state constitution, and in article  
14 40 of title 1, Colorado Revised Statutes. Each elector voting at said  
15 election and desirous of voting for or against said act shall cast a vote as  
16 provided by law either "Yes" or "No" on the proposition: "SHALL STATE  
17 TAXES BE INCREASED BY THIRTY ONE MILLION DOLLARS ANNUALLY BY AN  
18 AMENDMENT TO THE COLORADO REVISED STATUTES CONCERNING THE  
19 ELIMINATION OF THE STATE SALES AND USE TAX EXEMPTION FOR  
20 CIGARETTES?" The votes cast for the adoption or rejection of said act  
21 shall be canvassed and the result determined in the manner provided by  
22 law for the canvassing of votes for representatives in Congress.".

23  
24 The amendment was declared **lost** by the following roll call vote:

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

44  
45 Representative(s) Gagliardi moved to amend the Report of the Committee  
46 of the Whole to reverse the action taken by the Committee in not adopting  
47 the following Gagliardi amendment, to SB09-173, to show that said  
48 amendment passed, and that **SB09-173**, as amended, passed.

49  
50 Amend printed bill, page 5, strike lines 26 and 27 and substitute the  
51 following:

52  
53 "PURSUANT TO TITLE 32, C.R.S., OR ANY".

54  
55 Page 13, line 14, strike "OR";

56

- 1 line 15, strike "URBAN RENEWAL AUTHORITY";  
 2  
 3 line 20, strike "OR URBAN RENEWAL AUTHORITY".  
 4  
 5 Page 17, line 23, strike "DISTRICT OR AN" and substitute "DISTRICT,";  
 6  
 7 line 24, strike "URBAN RENEWAL AUTHORITY,";  
 8  
 9 line 26, strike "OR URBAN RENEWAL";  
 10  
 11 line 27, strike "AUTHORITY".  
 12  
 13 Page 26, strike lines 8 through 27.  
 14  
 15 Page 27, strike lines 1 through 16.  
 16  
 17 Renumber succeeding sections accordingly.

18  
 19 The amendment was declared **lost** by the following roll call vote:

	YES	20	NO	43	EXCUSED	2	ABSENT	0
22	Acree	N	Green	Y	McCann	N	Roberts	N
23	Apuan	N	Hullinghorst	Y	McFadyen	N	Ryden	N
24	Balmer	N	Judd	N	McKinley	Y	Scanlan	N
25	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	N
26	Benefield	N	Kefalas	Y	Merrifield	Y	Solano	Y
27	Bradford	N	Kerr A.	N	Middleton	N	Sonnenberg	Y
28	Casso	N	Kerr J.	N	Miklosi	N	Soper	N
29	Court	N	King S.	Y	Murray	E	Stephens	N
30	Curry	N	Labuda	Y	Nikkel	N	Summers	N
31	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N
32	Fischer	Y	Levy	Y	Peniston	N	Tipton	N
33	Frangas	Y	Liston	N	Pommer	Y	Todd	N
34	Gagliardi	Y	Looper	Y	Primavera	N	Vaad	Y
35	Gardner B.	N	Marostica	N	Priola	N	Vigil	Y
36	Gardner C.	N	Massey	N	Rice	N	Waller	N
37	Gerou	N	May	N	Riesberg	Y	Weissmann	E
38							Speaker	N

39  
 40 Representative(s) Pommer moved to amend the Report of the Committee  
 41 of the Whole to reverse the action taken by the Committee in adopting  
 42 SB09-173 to show that **SB09-173** lost.

43  
 44 The amendment was declared **lost** by the following roll call vote:

	YES	18	NO	45	EXCUSED	2	ABSENT	0
47	Acree	N	Green	Y	McCann	N	Roberts	N
48	Apuan	N	Hullinghorst	Y	McFadyen	N	Ryden	N
49	Balmer	N	Judd	Y	McKinley	N	Scanlan	N
50	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	N
51	Benefield	Y	Kefalas	N	Merrifield	Y	Solano	Y
52	Bradford	N	Kerr A.	N	Middleton	N	Sonnenberg	Y
53	Casso	N	Kerr J.	N	Miklosi	N	Soper	N
54	Court	N	King S.	N	Murray	E	Stephens	N
55	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
56	Ferrandino	Y	Lambert	N	Pace	N	Swalm	N

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

8  
9 Representative(s) Vaad, Sonnenberg, Looper, McNulty, and Gardner C.  
10 moved to amend the Report of the Committee of the Whole to reverse the  
11 action taken by the Committee in adopting Amendment No. 3 by  
12 Representative Fischer, (printed in House Journal page 1568, lines 37-44)  
13 to SB09-003, to show that said amendment lost, and that **SB09-003**, as  
14 amended, passed.

15  
16 The amendment was declared **lost** by the following roll call vote:

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

### ADOPTION OF COMMITTEE OF THE WHOLE REPORT

41  
42 Passed Second Reading: **HB09-1126 amended, 1331 amended, 1342**  
43 **amended, 1347 amended, 1353, SB09-121, 239 amended, 089,**  
44 **HB09-1351 amended, 1352 amended, SB09-173 amended, 021**  
45 **amended, 093 amended, 135 amended, 257 amended, HCR09-1003**  
46 **amended, SB09-003 amended, 234, HB09-1321 amended.**

47  
48 Laid over until date indicated retaining place on Calendar: **HB09-1269,**  
49 **1323, 1356, 1361 amended, SB09-226, HB09-1366--April 29, 2009.**

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

55

	YES	63	NO	0	EXCUSED	2	ABSENT	0
1								
2	Acree	Y	Green	Y	McCann	Y	Roberts	Y
3	Apuan	Y	Hullingerhorst	Y	McFadyen	Y	Ryden	Y
4	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
5	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
6	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
7	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
8	Casso	Y	Kerr J.	Y	Miklosi	Y	Soper	Y
9	Court	Y	King S.	Y	Murray	E	Stephens	Y
10	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
11	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
12	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
13	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
14	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
15	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
16	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
17	Gerou	Y	May	Y	Riesberg	Y	Weissmann	E
18							Speaker	Y

MEMORANDUM  
REPORT FROM THE HOUSE AND SENATE  
COMMITTEES ON DELAYED BILLS

Pursuant to Joint Rule 23 (c), the House and Senate Committees on Delayed Bills, acting jointly, extend the following deadline for Senate Bill 09-256, Concerning the Financing of Public Schools:

The Friday, March 13 deadline (the 66th legislative day) for final passage, including any conference committee report, for any bill prescribing all or a substantial portion of the total funding for public schools pursuant to the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, as extended until Friday, March 27, 2009 (the 80th legislative day), Friday, April 10, 2009 (the 94th legislative day), Friday, April 17, 2009 (the 101st legislative day), Monday, April 27, 2009 (the 111th legislative day), and Tuesday, April 28th, 2009 (the 112th legislative day), is further extended until Wednesday, May 6th (the 120th legislative day).

This memorandum shall be printed in the journal of each house as is required by said Joint Rule 23 (c).

Representative Terrance D. Carroll  
Representative Andy Kerr  
Representative Mike May

Senator Peter Groff  
Senator Brandon Shaffer  
Senator Josh Penry

FIRST REPORT OF FIRST CONFERENCE COMMITTEE  
on SB09-271

This Report Amends the Rerevised Bill.

To the President of the Senate and the  
Speaker of the House of Representatives:

Your first conference committee appointed on SB09-271,

1 concerning the use of tobacco revenues generated under section 21 of  
 2 article X of the state constitution in a state fiscal emergency, and making  
 3 an appropriation therefor, has met and reports that it has agreed upon the  
 4 following:

5  
 6 That the Senate accede to the House amendments made to the bill,  
 7 as the amendments appear in the rerevised bill, with the following  
 8 changes:

9  
 10 Amend rerevised bill, page 5, line 11, strike "thirty-five million dollars  
 11 (\$35,000,000)." and substitute "twenty-seven million four hundred  
 12 thousand dollars (\$27,400,000).";

13  
 14 line 12, strike "thirty-five million" and substitute "twenty-seven million  
 15 four hundred thousand";

16  
 17 line 13, strike "(\$35,000,000)." and substitute "(\$27,400,000).";

18  
 19 line 18, strike "fifteen million dollars (\$15,000,000)" and substitute  
 20 "seven million four hundred thousand dollars (\$7,400,000)";

21  
 22 line 22, strike "fifteen million (\$15,000,000)." and substitute "seven  
 23 million four hundred thousand dollars (\$7,400,000).";

24  
 25 line 24, strike "C.R.S." and substitute "Colorado Revised Statutes.".

26  
 27 Respectfully submitted,

28 Senate Committee:

29 (signed)

30 Abel Tapia

31 Moe Keller

House Committee:

(signed)

Mark Ferrandino

Jack Pommer

Don Marostica

32  
 33  
 34  
 35  
 36  
 37  
 38 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

39  
 40 **STATE, VETERANS, & MILITARY AFFAIRS**

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

43  
 44 **HB09-1357** be referred favorably to the Committee on Appropriations.

45  
 46  
 47 **HB09-1368** be amended as follows, and as so amended, be referred to  
 48 the Committee of the Whole with favorable  
 49 recommendation:

50  
 51 Amend printed bill, page 2, line 22, after "DISTRIBUTING", insert "GRANTS  
 52 OR".

53  
 54  
 55

1 **SB09-180** 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 4, after line 12, insert the following:  
 6

7 "(e) COLLECTIVE BARGAINING FOR FIREFIGHTERS IS A MATTER OF  
 8 STATEWIDE CONCERN THAT AFFECTS THE PUBLIC SAFETY AND GENERAL  
 9 WELFARE, AS THE COLORADO SUPREME COURT HELD IN THE CASES OF  
 10 *FRATERNAL ORDER OF POLICE V. CITY OF COMMERCE CITY*, 996 P.2d 133  
 11 (COLO. 2000) AND *CITY OF AURORA V. AURORA FIREFIGHTERS' PROTECTIVE*  
 12 *ASSOCIATION*, 193 COLO. 437, 566 P.2d 1356 (1977). THE CITIZENS OF  
 13 COLORADO HAVE THE RIGHT TO EXPECT A CONSISTENTLY HIGH LEVEL OF  
 14 PUBLIC SAFETY THROUGHOUT THE STATE. CONSISTENTLY HIGH LEVELS OF  
 15 PUBLIC SAFETY THROUGHOUT THE STATE ALLOW THE ECONOMY OF  
 16 COLORADO TO GROW AND PROSPER."  
 17

18 Page 17, line 7, strike "APPLY." and substitute "APPLY; EXCEPT THAT ANY  
 19 CHARTER, ORDINANCE, RESOLUTION, OR VOLUNTARY RECOGNITION  
 20 CREATED AFTER MAY 1, 2009, SHALL PROVIDE FOR COLLECTIVE  
 21 BARGAINING OVER COMPENSATION, HOURS, AND TERMS AND CONDITIONS  
 22 OF EMPLOYMENT AND FOR AN IMPASSE RESOLUTION PROCEDURE THAT HAS  
 23 A VOTE OF THE CITIZENS OF ITS JURISDICTION OR BINDING INTEREST  
 24 ARBITRATION AS ITS FINAL STEP, IN ORDER FOR THIS PART 2 TO NOT APPLY.  
 25 FOR THE PURPOSES OF THIS SUBSECTION (3), "COLLECTIVE BARGAINING"  
 26 AND "COMPENSATION" SHALL INCLUDE ALL OF THE TERMS INCLUDED IN  
 27 THE DEFINITIONS IN SECTION 29-5-203 (3) AND (5)."  
 28

29 Page 18, line 11, strike "**twenty-five**" and substitute "**fifty**".  
 30  
 31

### 32 DELIVERY OF BILLS TO GOVERNOR

33  
 34  
 35 The Chief Clerk of the House of Representatives reports the following  
 36 bills have been delivered to the Office of the Governor: **HB09-1058,**  
 37 **1240** at 12:00 p.m. on April 28, 2009.  
 38

### 39 MESSAGE(S) FROM THE SENATE

40  
 41  
 42  
 43 The Senate has passed on Third Reading and transmitted to the Revisor  
 44 of Statutes: SB09-291.  
 45

46 The Senate has passed on Third Reading and returns herewith:  
 47

48 HB09-1305, HB09-1076, HB09-1100, HB09-1136, HB09-1244,  
 49 HB09-1275, HB09-1318, HB09-1322.  
 50

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

53 SB09-253 amended as printed in Senate Journal, April 27, 2009,  
 54 page 1291,

55 SB09-232 amended as printed in Senate Journal, April 27, 2009,  
 56 pages 1301-1303,

1 SB09-285 amended as printed in Senate Journal, April 27, 2009,  
2 pages 1305-1306,  
3 SB09-294 amended as printed in Senate Journal, April 27, 2009,  
4 page 1306,  
5 SB09-293 amended as printed in Senate Journal, April 27, 2009,  
6 pages 1306-1307.  
7

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

10  
11 HB09-1303 amended as printed in Senate Journal, April 27, 2009,  
12 pages 1291-1292,  
13 HB09-1026 amended as printed in Senate Journal, April 27, 2009,  
14 pages 1293-1299, and amended on Third Reading as  
15 printed in Senate Journal April 28, 2009,  
16 HB09-1170 amended as printed in Senate Journal, April 27, 2009,  
17 page 1299,  
18 HB09-1015 amended as printed in Senate Journal, April 27, 2009,  
19 pages 1299-1300,  
20 HB09-1316 amended as printed in Senate Journal, April 27, 2009,  
21 page 1300,  
22 HB09-1056 amended as printed in Senate Journal, April 27, 2009,  
23 page 1300,  
24 HB09-1085 amended as printed in Senate Journal, April 27, 2009,  
25 pages 1300-1301,  
26 HB09-1250 amended as printed in Senate Journal, April 27, 2009,  
27 pages 1292-1293, and amended on Third Reading as  
28 printed in Senate Journal, April 28, 2009.  
29

30  
31 The Senate voted to concur in House amendments to SB09-037, and  
32 SB09-075 and repassed the bills as so amended.  
33

34 Upon reconsideration, the Senate voted not to concur in House  
35 Amendments to SB09-281, and requests that a Conference Committee be  
36 appointed. The President appointed Senators Shaffer, Chair, Hodge, and  
37 Kopp as members of the First Conference Committee on SB09-281 on  
38 the part of the Senate. The bill is transmitted herewith.  
39

40  
41  
42  
43 **MESSAGE(S) FROM THE REVISOR**  
44

45 We herewith transmit:  
46 Without comment, SB09-291.  
47 Without comment, as amended, HB09-1303, 1026, 1170, 1015, 1316,  
48 1056, 1085, and 1250.  
49 Without comment, as amended, SB09-253, 232, 285, 294, and 293.  
50

51  
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**INTRODUCTION OF BILLS**  
**First Reading**

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4 The following bills were read by title and referred to the committees  
5 indicated:  
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7 **SB09-232** by Senator(s) Schwartz, Heath, Mitchell; also  
8 Representative(s) McFadyen, Rice, Solano--Concerning  
9 state financial assistance to finance local government  
10 capital construction projects.  
11 Committee on Local Government  
12  
13 **SB09-244** by Senator(s) Shaffer B.; also Representative(s)  
14 Primavera--Concerning health insurance benefits for the  
15 treatment of autism spectrum disorders.  
16 Committee on Business Affairs and Labor  
17  
18 **SB09-285** by Senator(s) Heath, Mitchell, Schwartz, Foster, Gibbs,  
19 Groff, Isgar, King K., Newell, Romer, Spence, Tapia,  
20 Veiga, White, Williams; also Representative(s) Summers  
21 and Solano, McFadyen, Rice--Concerning the inclusion of  
22 career and technical education program providers among  
23 the institutions of higher education that are permitted to  
24 offer concurrent enrollment opportunities to high school  
25 students.  
26 Committee on Education  
27  
28 **SB09-291** by Senator(s) Bacon, Boyd, Carroll M., Foster, Groff,  
29 Heath, Hodge, Hudak, Isgar, Keller, Morse, Newell,  
30 Romer, Shaffer B., Tapia, Tochtrop, Veiga, Williams; also  
31 Representative(s) Middleton, Merrifield--Concerning the  
32 state share of district total program for school districts that  
33 have obtained voter approval to be exempt from the  
34 constitutional revenue limit but then obtain voter approval  
35 to again be subject to such limit.  
36 Committee on Education  
37  
38 **SB09-293** by Senator(s) Isgar; also Representative(s) Curry, Labuda,  
39 Looper, Sonnenberg--Concerning changes to certain tier  
40 two transfers out of the operational account of the  
41 severance tax trust fund to compensate for a projected  
42 revenue loss in that fund for the 2009-10 state fiscal year.  
43 Committee on Agriculture, Livestock, & Natural Resources  
44  
45 **SB09-294** by Senator(s) Romer; also Representative(s) McFadyen--  
46 Concerning applications for the issuance of a certificate of  
47 public convenience and necessity to provide taxi service  
48 that relates to counties with a population of at least seventy  
49 thousand.  
50 Committee on Transportation & Energy  
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**LAY OVER OF CALENDAR ITEM(S)**

On motion of Representative Kerr A., the following item(s) on the Calendar were laid over until April 29, retaining place on Calendar:

- Consideration of Resolution(s)--**HJR09-1018, 1023, 1024, 1025, 1027, SJR09-034, 053.**
- Consideration of Memorial(s)--**HM09-1005, SJM09-010.**
- Consideration of Senate Amendment(s)--**HB09-1180, HJR09-1019, HB09-1252, 1242, 1129, 1160.**



On motion of Representative Kerr A., the House adjourned until 9:00 a.m., April 29, 2009.

Approved:  
TERRANCE D. CARROLL,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk