

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

Ninety-third Legislative Day

Thursday, April 9, 2009

1 Prayer by the Reverend Kay Farley, Faith Community Baptist Church,
 2 Denver.

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

5
 6 Pledge of Allegiance led by Ari and Gabriel Zansberg, Steck Elementary,
 7 Denver.

8
 9 The roll was called with the following result:

10
 11 Present--62.
 12 Excused--Representative(s) Casso, Ferrandino, Middleton--3.
 13 Present after roll call--Representative(s) Ferrandino, Middleton.

14
 15 The Speaker declared a quorum present.

16
 17
 18 On motion of Representative Ryden, the reading of the journal of
 19 April 8, 2009, was declared dispensed with and approved as corrected by
 20 the Chief Clerk.

21
 22
 23
 24 **CONSIDERATION OF CONFERENCE COMMITTEE REPORT(S)**

25
 26 **HB09-1162** by Representative(s) Gerou; also Senator(s) Kopp--
 27 Concerning intergovernmental cooperation for the purpose
 28 of mitigating wildfires.

29
 30 (Conference committee report printed in House Journal, April 2,
 31 pages 1012-1014.)

32
 33 On motion of Representative Gerou, the Conference Committee Report
 34 was **adopted** by the following roll call vote:

	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	E	Kerr J.	Y	Miklosi	Y	Soper	Y

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

11

12 The question being "Shall the bill, as amended, pass?".

13 A roll call vote was taken. As shown by the following recorded vote, a
14 majority of those elected to the House voted in the affirmative and the
15 bill, as amended, was declared **repassed**.

16

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

35 Co-sponsor(s) added: Representative(s) Baumgardner, Fischer, Lambert,
36 Looper, Marostica, May, Murray, Roberts, Schafer S., Vaad, Vigil

37

38 **HB09-1153** by Representative(s) May; also Senator(s) Harvey--
39 Concerning the requirements applicable to the formation
40 of an issue committee under Colorado law governing
41 campaign finance.

42

43 (Conference committee report printed in House Journal, April 6, page
44 1066.)

45

46 On motion of Representative May, the Conference Committee Report was
47 **adopted** by the following roll call vote:

48

49	YES	64	NO	0	EXCUSED	1	ABSENT	0
50	Acree	Y	Green	Y	McCann	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
56	Casso	E	Kerr J.	Y	Miklosi	Y	Soper	Y

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

11

12 The question being "Shall the bill, as amended, pass?".

13 A roll call vote was taken. As shown by the following recorded vote, a
14 majority of those elected to the House voted in the affirmative and the
15 bill, as amended, was declared **repassed**.

16

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

35 Co-sponsor(s) added: Representative(s) Gerou

36

37

38

39

CONSIDERATION OF SENATE AMENDMENTS TO HOUSE BILLS

40

41 **HB09-1217** by Representative(s) Murray; also Senator(s) Scheffel--
42 Concerning the creation of local improvement districts for
43 the purpose of improving public utilities.

44

45 (Amended as printed in Senate Journal, April 1, 2009)

46

47 Representative Murray moved that the House **concur** in Senate
48 amendments. The motion was declared **passed** by the following roll call
49 vote:

50

51	YES	64	NO	0	EXCUSED	1	ABSENT	0
52	Acree	Y	Green	Y	McCann	Y	Roberts	Y
53	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
54	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
55	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
56	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y

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

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
20	Acree	Y	Green	Y	McCann	Y	Roberts	Y
21	Apuan	Y	Hullinghorst	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	E	Kerr J.	Y	Miklosi	Y	Soper	Y
27	Court	Y	King S.	Y	Murray	Y	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	Y
36							Speaker	Y

37 Co-sponsor(s) added: Representative(s) May, Nikkel, Waller, Speaker

38
 39 **HB09-1222** by Representative(s) Ferrandino, Pommer, Marostica; also
 40 Senator(s) Keller, Tapia, White--Concerning the
 41 administration of appropriated moneys.

42
 43 (Amended as printed in Senate Journal, April 3, 2009, pages 950-951.)

44
 45 Representative Ferrandino moved that the House **concur** in Senate
 46 amendments. The motion was declared **passed** by the following roll call
 47 vote:

	YES	63	NO	1	EXCUSED	1	ABSENT	0
50	Acree	Y	Green	Y	McCann	Y	Roberts	Y
51	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
52	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
53	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
54	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
55	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
56	Casso	E	Kerr J.	Y	Miklosi	Y	Soper	Y

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

11

12 The question being, "Shall the bill, as amended, pass?".

13 A roll call vote was taken. As shown by the following recorded vote, a
14 majority of those elected to the House voted in the affirmative, and the
15 bill, as amended, was declared **repassed**.

16

17	YES	63	NO	1	EXCUSED	1	ABSENT	0
18	Acree	Y	Green	Y	McCann	Y	Roberts	Y
19	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
20	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
21	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
22	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
23	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
24	Casso	E	Kerr J.	Y	Miklosi	Y	Soper	Y
25	Court	Y	King S.	Y	Murray	Y	Stephens	Y
26	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
27	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
28	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
29	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
30	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
31	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
32	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
33	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
34							Speaker	Y

35 Co-sponsor(s) added: Representative(s) Court

36

37 **HB09-1230** by Representative(s) Summers; also Senator(s) Tapi--
38 Concerning the registration of motor vehicles.

39

40 (Amended as printed in Senate Journal, April 3, 2009, page 950.)

41

42 Representative Summers moved that the House **concur** in Senate
43 amendments. The motion was declared **passed** by the following roll call
44 vote:

45

46	YES	63	NO	1	EXCUSED	1	ABSENT	0
47	Acree	Y	Green	Y	McCann	Y	Roberts	Y
48	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
49	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
50	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
51	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
52	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
53	Casso	E	Kerr J.	Y	Miklosi	Y	Soper	Y
54	Court	Y	King S.	Y	Murray	Y	Stephens	Y
55	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
56	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y

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

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

13	YES	63	NO	1	EXCUSED	1	ABSENT	0
15	Acree	Y	Green	Y	McCann	Y	Roberts	Y
16	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
17	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
18	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
19	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
20	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y
21	Casso	E	Kerr J.	Y	Miklosi	Y	Soper	Y
22	Court	Y	King S.	Y	Murray	Y	Stephens	Y
23	Curry	Y	Labuda	Y	Nikkel	Y	Summers	Y
24	Ferrandino	Y	Lambert	Y	Pace	Y	Swalm	Y
25	Fischer	Y	Levy	Y	Peniston	Y	Tipton	Y
26	Frangas	Y	Liston	Y	Pommer	Y	Todd	Y
27	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
28	Gardner B.	Y	Marostica	Y	Priola	Y	Vigil	Y
29	Gardner C.	Y	Massey	Y	Rice	Y	Waller	Y
30	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
31							Speaker	Y

32 Co-sponsor(s) added: Representative(s) Vigil

33
34 **HB09-1248** by Representative(s) Gerou; also Senator(s) Shaffer B.--
35 Concerning the modification of laws applicable to the
36 conduct of business in Colorado, and, in connection
37 therewith, modifying the requirements of title 7 of the
38 Colorado Revised Statutes applicable to documents filed
39 with the secretary of state, partnership law, and the
40 requirements for boards of directors of nonprofit
41 corporations to take action without a meeting, and making
42 an appropriation.

43
44 (Amended as printed in Senate Journal, April 3, 2009, page 949.)

45
46 Representative Gerou moved that the House **concur** in Senate
47 amendments. The motion was declared **passed** by the following roll call
48 vote:

49	YES	64	NO	0	EXCUSED	1	ABSENT	0
51	Acree	Y	Green	Y	McCann	Y	Roberts	Y
52	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
53	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
54	Baumgardner	Y	Kagan	Y	McNulty	Y	Schafer S.	Y
55	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
56	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	Y

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

12

13 The question being, "Shall the bill, as amended, pass?".

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

17

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

36

Co-sponsor(s) added: Representative(s) Gardner B.

37

38

39 **HB09-1293** by Representative(s) Riesberg and Ferrandino, Pommer,
40 Marostica, Apuan, Carroll T., Court, Curry, Gagliardi,
41 Green, Judd, Kefalas, Levy, Massey, McFadyen,
42 McGihon, Middleton, Miklosi, Pace, Peniston, Primavera,
43 Schafer S., Todd, Vigil, Weissmann; also Senator(s)
44 Keller and Boyd, Tapia, White, Carroll M., Foster, Groff,
45 Hodge, Isgar, Kester, Morse, Newell, Shaffer B.,
46 Tochtrop, Williams--Concerning a hospital provider fee,
47 and, in connection therewith, authorizing the department
48 of health care policy and financing to charge and collect a
49 hospital provider fee, specifying the allowable uses of the
50 fees, requiring a post-enactment review of the
51 implementation of this act, and making an appropriation in
52 connection therewith.

53

54 (Amended as printed in Senate Journal, April 3, 2009, page 954.)

55

1 Representative Riesberg moved that the House **concur** in Senate
 2 amendments. The motion was declared **passed** by the following roll call
 3 vote:

	YES	42	NO	22	EXCUSED	1	ABSENT	0
6	Acree	N	Green	Y	McCann	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	N	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
11	Bradford	Y	Kerr A.	Y	Middleton	Y	Sonnenberg	N
12	Casso	E	Kerr J.	N	Miklosi	Y	Soper	Y
13	Court	Y	King S.	N	Murray	N	Stephens	N
14	Curry	Y	Labuda	Y	Nikkel	N	Summers	N
15	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
16	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
17	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	N	Primavera	Y	Vaad	N
19	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
21	Gerou	N	May	N	Riesberg	Y	Weissmann	Y
22							Speaker	Y

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

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

47
 48
 49 **HB09-1149** by Representative(s) Merrifield; also Senator(s)
 50 Carroll M.--Concerning measures to encourage the
 51 construction of new homes that make cost-effective use of
 52 solar energy.

53
 54 (Amended as printed in Senate Journal, April 3, 2009, page 951 and
 55 amended on April 6.)

56

1 Representative Merrifield moved that the House **concur** in Senate
 2 amendments. The motion was declared **passed** by the following roll call
 3 vote:

	YES	48	NO	16	EXCUSED	1	ABSENT	0
6	Acree	N	Green	Y	McCann	Y	Roberts	Y
7	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
8	Balmer	Y	Judd	Y	McKinley	Y	Scanlan	Y
9	Baumgardner	N	Kagan	Y	McNulty	N	Schafer S.	Y
10	Benefield	Y	Kefalas	Y	Merrifield	Y	Solano	Y
11	Bradford	N	Kerr A.	Y	Middleton	Y	Sonnenberg	N
12	Casso	E	Kerr J.	N	Miklosi	Y	Soper	Y
13	Court	Y	King S.	N	Murray	Y	Stephens	N
14	Curry	Y	Labuda	Y	Nikkel	N	Summers	Y
15	Ferrandino	Y	Lambert	N	Pace	Y	Swalm	N
16	Fischer	Y	Levy	Y	Peniston	Y	Tipton	N
17	Frangas	Y	Liston	N	Pommer	Y	Todd	Y
18	Gagliardi	Y	Looper	Y	Primavera	Y	Vaad	Y
19	Gardner B.	N	Marostica	Y	Priola	Y	Vigil	Y
20	Gardner C.	N	Massey	Y	Rice	Y	Waller	N
21	Gerou	Y	May	Y	Riesberg	Y	Weissmann	Y
22							Speaker	Y

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

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

47 Co-sponsor(s) added: Representative(s) Vigil

48
 49
 50
 51
 52
 53
 54
 55

1 **THIRD READING OF BILL(S)--FINAL PASSAGE**

2
3 The following bill was considered on Third Reading. The title was
4 publicly read. Reading of the bill at length was dispensed with by
5 unanimous consent.

6
7 **HB09-1010** by Representative(s) Massey and McGihon; also
8 Senator(s) Gibbs and Spence--Concerning the promotion
9 of Colorado as a location for film production activities.

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	3	EXCUSED	1	ABSENT	0
17	Acree	Y	Green	Y	McCann	Y	Roberts	Y
18	Apuan	Y	Hullinghorst	Y	McFadyen	Y	Ryden	Y
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	Y
23	Casso	E	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	N	Pace	Y	Swalm	Y
27	Fischer	Y	Levy	N	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.	Y	Massey	Y	Rice	Y	Waller	Y
32	Gerou	Y	May	Y	Riesberg	Y	Weissmann	N
33							Speaker	Y

34 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner,
35 Ferrandino, Frangas, Gerou, Kefalas, Kerr J., Liston, Looper, Marostica, May,
36 McCann, McFadyen, Riesberg, Ryden, Scanlan, Schafer S., Summers, Tipton,
37 Todd, Vigil, Waller, Speaker

38
39
40
41 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

42
43 **FINANCE**

44 After consideration on the merits, the Committee recommends the
45 following:

46
47 **SB09-174** be amended as follows, and as so amended, be referred to
48 the Committee on Appropriations with favorable
49 recommendation:

50
51 Amend reengrossed bill, page 15, strike lines 7 through 12 and substitute
52 the following:

53
54 "that a licensee for the racing of horses at a class B track race meet shall
55 pay to the department of revenue through the division: ~~the greater of the~~
56 ~~actual cost of regulation of such race meet by the commission, up to a~~

1 ~~maximum of two thousand five hundred dollars per race day, or~~
 2

3 (A) Three-fourths of one percent of the gross receipts of the
 4 pari-mutuel wagering at any such race meet; AND
 5

6 (B) FOUR AND ONE-HALF PERCENT OF THE GROSS RECEIPTS OF THE
 7 PARI-MUTUEL WAGERING ON SIMULCAST RACES OF GREYHOUNDS. OF
 8 SUCH AMOUNT, DURING ALL PERIODS OF OPERATION TO AND INCLUDING
 9 JUNE 30, 2014, THE DIVISION SHALL REBATE TO THE LICENSEE OR
 10 OPERATOR AS AN INCENTIVE ALL BUT AN AMOUNT REPRESENTING
 11 THREE-FOURTHS OF ONE PERCENT OF SUCH GROSS RECEIPTS."
 12
 13
 14

15 SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

16
 17 The Speaker has signed: **SJR09-028, 030, 033.**
 18
 19
 20

21 INTRODUCTION OF BILLS

22 First Reading

23
 24 The following bills were read by title and referred to the committees
 25 indicated:
 26

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

31 Committee on Health and Human Services
 32

33 **HB09-1340** by Representative(s) Weissmann and Gardner C.--
 34 Concerning elimination of the requirement that motor
 35 vehicles use a front license plate.

36 Committee on Transportation & Energy
 37

38 **HB09-1341** by Representative(s) Pace, McFadyen, Riesberg, Vigil;
 39 also Senator(s) Tapia, Boyd, Tochtrop--Concerning the
 40 continuation of the licensing of psychiatric technicians by
 41 the state board of nursing.

42 Committee on Health and Human Services
 43
 44
 45

46 INTRODUCTION OF RESOLUTION

47
 48 The following resolution was read by title and laid over one day under the
 49 rules:
 50

51 **HJR09-1016** by Representative(s) Weissmann, Kerr A.; also Senator(s)
 52 Shaffer B.--Concerning the convening date for the 2010
 53 Second Regular Session of the Sixty-seventh General
 54 Assembly.
 55
 56

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE

APPROPRIATIONS

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

HB09-1017 be referred to the Committee of the Whole with favorable recommendation.

HB09-1105 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Finance Committee Report, dated February 18, 2009, page 1, line 3, strike "strike line 3" and substitute "line 2, strike "an" and substitute "a pilot";

strike line 3;";

after line 9 of the committee report, insert the following:

"Page 4, line 1, strike "ON";

line 2, strike "OR AFTER JANUARY 1, 2010," and substitute "DURING THE 2010 CALENDAR YEAR";";

line 10, strike "Page 4,".

Page 2, after line 1, insert the following:

"line 19, strike "BEGINNING JANUARY 1, 2010, THE" and substitute "THE";

line 23, strike "BUSINESS." and substitute "BUSINESS DURING THE 2010 CALENDAR YEAR.";";

after line 17, insert the following:

"Page 6, strike lines 22 through 27.

Page 7, strike line 1 and substitute the following:

"CERTIFICATION IS VALID FOR THE 2010 CALENDAR YEAR; EXCEPT THAT SUCH CERTIFICATION SHALL BE REVOKED IF THE QUALIFIED SMALL BUSINESS FAILS TO MAINTAIN THE QUALIFICATIONS. A SMALL BUSINESS SHALL NOTIFY THE OFFICE WITHIN FIVE BUSINESS DAYS FROM THE DATE THAT IT FAILS TO MAINTAIN THE QUALIFICATIONS. IF THE CERTIFICATION IS REVOKED, THE OFFICE MAY ASSESS A";

line 6, strike "REVOKED OR EXPIRES," and substitute "REVOKED,";

line 7, strike "ANY";

line 8, strike "EXPIRATION OR" and substitute "THE";

1 line 10, strike "EXPIRATION OR";
2
3 line 11, strike "EXPIRATION OR".";
4
5 strike lines 20 through 26 of the committee report and substitute the
6 following:
7
8 "strike lines 19 through 22 and substitute the following:
9 "INVESTMENT; EXCEPT THAT THE TOTAL AMOUNT OF THE CREDIT SHALL
10 NOT EXCEED TWENTY THOUSAND DOLLARS. THE OFFICE SHALL ISSUE A
11 TAX CREDIT";
12
13 strike line 25;
14
15 line 26, strike "FOR EACH TAXABLE YEAR." and substitute "C.R.S.". "
16
17 Page 3, after line 1, insert the following:
18
19 "line 7, strike "TAX YEAR FOR WHICH";
20
21 line 8, strike "THE TAX CREDIT CERTIFICATE FIRST APPLIES." and substitute
22 "2010 TAX YEAR.";
23
24 line 15, strike "EACH TAX YEAR SHALL NOT";
25
26 line 16, strike "EXCEED THREE MILLION" and substitute "THE 2010 TAX
27 YEAR SHALL NOT EXCEED SEVEN HUNDRED FIFTY THOUSAND";
28
29 line 17, strike "THREE";
30
31 line 18, strike "MILLION" and substitute "SEVEN HUNDRED FIFTY
32 THOUSAND";";
33
34 strike lines 4 through 7 of the committee report and substitute the
35 following:
36
37 "line 23, strike "THREE MILLION" and substitute "SEVEN HUNDRED FIFTY
38 THOUSAND";
39
40 line 25, strike "THREE MILLION" and substitute "SEVEN HUNDRED FIFTY
41 THOUSAND";";
42
43 line 9 of the committee report, strike "AND EACH JANUARY 30
44 THEREAFTER,";
45
46 strike lines 14 through 17;
47
48 line 18, strike "(7)" and substitute "(6) (a)";
49
50 line 20, strike "(7)" and substitute "(6)";
51
52 line 22, strike "CREDIT." and substitute "CREDIT AND TO OFFSET LOST
53 GENERAL FUND REVENUE AS A RESULT OF THE TAX CREDIT.";
54
55 line 32, strike "ANY" and substitute "EXCEPT AS OTHERWISE SET FORTH
56 IN PARAGRAPH (b) OF THIS SUBSECTION (6), ANY".

1 Page 4, line 1, strike "FUND." and substitute "FUND."

2

3 (b) (I) ON JUNE 30, 2010, THE STATE TREASURER SHALL TRANSFER
4 THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FROM THE FUND TO
5 THE GENERAL FUND.

6

7 (II) ON JULY 1, 2010, THE STATE TREASURER SHALL TRANSFER
8 THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS FROM THE FUND TO
9 THE GENERAL FUND."";

10

11 line 4, strike "accordingly." and substitute "accordingly.";

12

13 after line 4, insert the following:

14

15 "Page 12, line 4, strike "TAXABLE" and substitute "2010 TAX".

16

17 Page 13, strike lines 4 through 13 and substitute the following:

18

19 **"SECTION 5. Act subject to petition - effective date.** (1) This
20 act shall take effect September 1, 2009; except that this act shall not take
21 effect unless, prior to such date, the revisor of statutes has received
22 written notice from the Colorado office of economic development that the
23 office has transmitted at least eight hundred thirty-two thousand fifty-five
24 dollars to the state treasurer for deposit in the Colorado innovation
25 investment tax credit cash fund.

26

27 (2) However, if a referendum petition is filed against this act or
28 an item, section, or part of this act during the ninety-day period after final
29 adjournment of the general assembly that is allowed for submitting a
30 referendum petition pursuant to article V, section 1 (3) of the state
31 constitution, then the act, item, section, or part, shall not take effect unless
32 approved by the people at a biennial regular general election and shall
33 take effect on the date specified in subsection (1) or on the date of the
34 official declaration of the vote thereon by proclamation of the governor,
35 whichever is later."".

36

37 Page 4, strike line 4 and substitute the following:

38

39 "Renumber succeeding sections accordingly.

40

41 Page 13, after line 3, insert the following:

42

43 **"SECTION 5. Appropriation.** In addition to any other
44 appropriation, there is hereby appropriated, out of any moneys in the
45 Colorado innovation investment tax credit cash fund created in section
46 24-48.5-111, Colorado Revised Statutes, not otherwise appropriated, to
47 the governor -- lieutenant governor -- state planning and budgeting, for
48 allocation to economic development programs, for the fiscal year
49 beginning July 1, 2009, the sum of eighty-two thousand fifty-five dollars
50 (\$82,055) cash fund and 1.0 FTE, or so much thereof as may be
51 necessary, for the implementation of this act.".

52

53 Renumber succeeding section accordingly.

54

55 Page 1, line 103, strike "TAXES." and substitutes, "TAXES, AND MAKING
56 AN APPROPRIATION IN CONNECTION THEREWITH."".

1 **HB09-1157** be amended as follows, and as so amended, be referred to
2 the Committee of the Whole with favorable
3 recommendation:
4

5 Amend printed bill, page 2, line 14, strike "**09-####**" and substitute "**09-**
6 **1157**";

7
8 line 16, strike "09-___," and substitute "09-1157,";

9
10 line 18, strike "2010," and substitute "2009,";

11
12 line 22, strike "OF _____ DOLLARS (\$)." and substitute "OF ONE HUNDRED
13 FIFTY THOUSAND SEVEN HUNDRED SEVENTY-THREE DOLLARS
14 (\$150,773).";

15
16 strike lines 23 through 27.

17
18 Page 3, line 1, strike "(II)" and substitute "(b)", and strike "2011," and
19 substitute "2010,";

20
21 line 4, strike "OF _____ DOLLARS (\$)." and substitute "OF THIRTY
22 THOUSAND THREE HUNDRED EIGHTY-SIX DOLLARS (\$30,386).";

23
24 strike lines 5 through 27.

25
26 Page 4, strike lines 1 through 4;

27
28 line 5, strike "2015." and substitute "2011.";

29
30 line 6, strike "The introductory portion to 24-75-302 (2) and";

31
32 line 7, strike "(2) (w), (2) (x), and (2) (y)," and substitute "(2) (v)", and
33 strike "are" and substitute "is";

34
35 line 8, strike "amended, and the said 24-75-302 (2) is further amended BY
36 THE" and substitute "amended";

37
38 line 9, strike "ADDITION OF THE FOLLOWING NEW PARAGRAPHS,";

39
40 line 12, strike "~~2012~~ 2014," and substitute "2012,".

41
42 after line 19, insert the following:

43
44 "(v) On July 1, 2009, five hundred twenty-three thousand one
45 hundred sixty-four dollars pursuant to S.B. 06-206, enacted at the second
46 regular session of the sixty-fifth general assembly; plus five hundred
47 twenty-three thousand one hundred sixty-four dollars pursuant to S.B.
48 06-207, enacted at the second regular session of the sixty-fifth general
49 assembly; plus forty-three thousand five hundred ninety-seven dollars
50 pursuant to H.B. 06-1145, enacted at the second regular session of the
51 sixty-fifth general assembly; plus five hundred twenty-three thousand one
52 hundred sixty-four dollars pursuant to H.B. 06-1011, enacted at the
53 second regular session of the sixty-fifth general assembly; plus one
54 hundred fifty thousand one hundred ninety-eight dollars pursuant to S.B.
55 07-096, enacted at the first regular session of the sixty-sixth general
56 assembly; plus seventy-five thousand ninety-nine dollars pursuant to H.B.

1 07-1326, enacted at the first regular session of the sixty-sixth general
2 assembly; plus one hundred twenty-five thousand one hundred sixty-five
3 dollars pursuant to S.B. 08-239, enacted at the second regular session of
4 the sixty-sixth general assembly; plus twelve thousand five hundred
5 seventeen dollars pursuant to H.B. 08-1194, enacted at the second regular
6 session of the sixty-sixth general assembly; PLUS ONE HUNDRED FIFTY
7 THOUSAND SEVEN HUNDRED SEVENTY-THREE DOLLARS PURSUANT TO H.B.
8 09-1157, ENACTED AT THE FIRST REGULAR SESSION OF THE
9 SIXTY-SEVENTH GENERAL ASSEMBLY;";

10
11 strike lines 20 through 27.

12
13 Strike page 5.

14
15 Page 6, strike lines 1 through 3.

16
17
18
19 **HB09-1298** be amended as follows, and as so amended, be referred to
20 the Committee of the Whole with favorable
21 recommendation:

22
23 Amend printed bill, page 2, line 6, after "(1)" insert "(a)";

24
25 line 7, strike "JANUARY 1, 2009," and substitute "JANUARY 1, 2011,".

26
27 Page 3, line 2, strike "MOTOR" and substitute "MODEL YEAR 2010 OR
28 NEWER";

29
30 strike line 3 and substitute "TRUCK TRACTOR WITH A GROSS VEHICLE
31 WEIGHT RATING OF TWENTY-SIX THOUSAND POUNDS OR GREATER
32 DESIGNATED";

33
34 strike line 5 and substitute the following:

35
36 "(a), C.R.S.

37
38 (b) THE TOTAL REFUND SHALL BE CALCULATED BY";

39
40 after line 9, insert the following:

41
42 "(c) THE TOTAL REFUND SHALL BE CLAIMED AS FOLLOWS:

43
44 (I) FOR THE CALENDAR YEAR IN WHICH THE TRUCK TRACTOR WAS
45 PURCHASED, STORED, OR USED, TEN PERCENT OF THE TOTAL AMOUNT OF
46 THE REFUND;

47
48 (II) FOR THE FIRST CALENDAR YEAR AFTER THE CALENDAR YEAR
49 IN WHICH THE TRUCK TRACTOR WAS PURCHASED, STORED, OR USED,
50 FIFTEEN PERCENT OF THE TOTAL AMOUNT OF THE REFUND;

51
52 (III) FOR THE SECOND CALENDAR YEAR AFTER THE CALENDAR
53 YEAR IN WHICH THE TRUCK TRACTOR WAS PURCHASED, STORED, OR USED,
54 TWENTY-FIVE PERCENT OF THE TOTAL AMOUNT OF THE REFUND;

55
56 (IV) FOR THE THIRD CALENDAR YEAR AFTER THE CALENDAR YEAR

1 IN WHICH THE TRUCK TRACTOR WAS PURCHASED, STORED, OR USED,
2 TWENTY-FIVE PERCENT OF THE TOTAL AMOUNT OF THE REFUND; AND
3

4 (V) FOR THE FOURTH CALENDAR YEAR AFTER THE CALENDAR YEAR
5 IN WHICH THE TRUCK TRACTOR WAS PURCHASED, STORED, OR USED,
6 TWENTY-FIVE PERCENT OF THE TOTAL AMOUNT OF THE REFUND."
7

8 Page 4, strike line 7 and substitute the following:
9

10 "JANUARY 1, 2011, BUT BEFORE JANUARY 1, 2016, A COMMERCIAL
11 TRUCK,";
12

13 line 10, strike "2008" and substitute "2010";
14

15 line 19, strike "2008" and substitute "2010";
16

17 line 23, strike "2009," and substitute "2011," and strike "ONE" and
18 substitute "ONE-HALF OF ONE";
19

20 line 26, strike "2010," and substitute "2012," and strike "TWO" and
21 substitute "ONE";
22

23 line 27, strike "AND".
24

25 Page 5, line 2, strike "2011," and substitute "2013," and strike "THREE"
26 and substitute "ONE AND ONE-HALF";
27

28 strike line 3 and substitute the following:
29

30 "INVESTMENT";
31

32 (D) FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1,
33 2014, AN AMOUNT EQUAL TO TWO PERCENT OF THE TOTAL QUALIFIED
34 INVESTMENT; AND
35

36 (E) FOR THE INCOME TAX YEAR COMMENCING ON JANUARY 1,
37 2015, AN AMOUNT EQUAL TO THREE PERCENT OF THE TOTAL QUALIFIED
38 INVESTMENT.";
39

40 line 16, strike "2013." and substitute "2017."
41

42 Page 10, after line 3, insert the following:
43

44 **"SECTION 5. Appropriation.** In addition to any other
45 appropriation, there is hereby appropriated, out of any moneys in the
46 general fund not otherwise appropriated, to the office of the governor, for
47 allocation to the governor's energy office, for the fiscal year beginning
48 July 1, 2009, the sum of twenty-four thousand twenty-nine dollars
49 (\$24,029) and 0.4 FTE, or so much thereof as may be necessary, for the
50 implementation of this act."
51

52 Renumber succeeding section accordingly.
53

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

1 **HB09-1318** be referred to the Committee of the Whole with favorable
2 recommendation.
3

4
5 **HB09-1319** be amended as follows, and as so amended, be referred to
6 the Committee of the Whole with favorable
7 recommendation:
8

9 Amend printed bill, page 34, after line 14, insert the following:
10

11 **"SECTION 14. Appropriation.** (1) In addition to any other
12 appropriation, there is hereby appropriated, out of any moneys in the
13 general fund not otherwise appropriated, to the department of education,
14 management and administration, for legal services, for the fiscal year
15 beginning July 1, 2009, the sum of ten thousand one hundred thirty-nine
16 dollars (\$10,139), or so much thereof as may be necessary, for the
17 implementation of this act.
18

19 (2) In addition to any other appropriation, there is hereby
20 appropriated, out of any moneys in the general fund not otherwise
21 appropriated, to the department of education, assistance to public schools,
22 public school finance, for administration, for the fiscal year beginning
23 July 1, 2009, the sum of nineteen thousand eight hundred ninety-two
24 dollars (\$19,892) and 0.3 FTE, or so much thereof as may be necessary,
25 for the implementation of this act.
26

27 (3) In addition to any other appropriation, there is hereby
28 appropriated to the department of law, for the fiscal year beginning July
29 1, 2009, the sum of ten thousand one hundred thirty-nine dollars
30 (\$10,139), or so much thereof as may be necessary, for the provision of
31 legal services to the department of education related to the
32 implementation of this act. Said sum shall be from reappropriated funds
33 received from the department of education out of the appropriation made
34 in subsection (1) of this section."
35

36 Renumber succeeding section accordingly.
37

38 Page 1, line 103, strike "**EDUCATION.**" and substitute "**EDUCATION, AND**
39 **MAKING AN APPROPRIATION THEREFOR.**".
40
41
42

43 **HB09-1320** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:
46

47 Amend the Agriculture, Livestock, and Natural Resources Committee
48 Report, dated March 31, 2009, page 3, after line 16, insert the following:
49

50 **"SECTION 3. Appropriation.** In addition to any other
51 appropriation, there is hereby appropriated, out of any moneys in the dairy
52 protection cash fund created in section 25-5.5-107 (7), Colorado Revised
53 Statutes, not otherwise appropriated, to the department of public health
54 and environment, for allocation to the consumer protection division, for
55 the fiscal year beginning July 1, 2009, the sum of twenty-five thousand
56 one hundred fifty-one dollars (\$25,151) cash funds and 0.3 FTE, or so

1 much thereof as may be necessary, for the implementation of this act."

2

3 Renumber succeeding sections accordingly.

4

5 Page 3, after line 22, insert the following:

6

7 "Page 1, line 102, strike "LICENSES." and substitute "LICENSES, AND
8 MAKING AN APPROPRIATION IN CONNECTION THEREWITH."."

9

10

11

12 **HB09-1326** be amended as follows, and as so amended, be referred to
13 the Committee of the Whole with favorable
14 recommendation:

15

16 Amend printed bill, page 23, after line 3, insert the following:

17

18 **"SECTION 19. Appropriation.** (1) In addition to any other
19 appropriation, there is hereby appropriated, out of any moneys in the
20 department of state cash fund created in section 24-21-104 (3) (b),
21 Colorado Revised Statutes, not otherwise appropriated, to the department
22 of state, for allocation to the information technology division, for the
23 fiscal year beginning July 1, 2009, the sum of one hundred four thousand
24 four hundred dollars (\$104,400) cash funds, or so much thereof as may
25 be necessary, for the implementation of this act.

26

27 (2) In addition to any other appropriation, there is hereby
28 appropriated to the department of personnel, division of administrative
29 hearings, for the fiscal year beginning July 1, 2009, the sum of two
30 thousand dollars (\$2,000), or so much thereof as may be necessary, for
31 the provision of administrative law judge services to the department of
32 state related to the implementation of this act. Said sum shall be from
33 reappropriated funds received from the department of state out of the
34 appropriation made in subsection (1) of this section."

35

36 Renumber succeeding sections accordingly.

37

38 Page 1, line 102, strike "PROCESS." and substitute "PROCESS, AND
39 MAKING AN APPROPRIATION THEREFOR."

40

41

42

43 **HB09-1329** be amended as follows, and as so amended, be referred to
44 the Committee of the Whole with favorable
45 recommendation:

46

47 Amend printed bill, page 4, after line 3, insert the following:

48

49 **"SECTION 3. Appropriation.** (1) In addition to any other
50 appropriation, there is hereby appropriated, out of any moneys in the
51 Colorado state veterans trust fund created in section 28-5-709 (1) (a),
52 Colorado Revised Statutes, not otherwise appropriated, to the department
53 of military and veterans affairs, for allocation to the division of veterans
54 affairs, Colorado state veterans trust fund expenditures, for the fiscal year
55 beginning July 1, 2008, the sum of \$350,000 cash funds, or so much
56 thereof as may be necessary, for the purposes of the Colorado state

1 veterans trust fund outlined in section 28-5-709 (1) (b), Colorado Revised
2 Statutes.

3
4 (2) In addition to any other appropriation, there is hereby
5 appropriated, out of any moneys in the Colorado state veterans trust fund
6 created in section 28-5-709 (1) (a), Colorado Revised Statutes, not
7 otherwise appropriated, to the department of military and veterans affairs,
8 for allocation to the division of veterans affairs, Colorado state veterans
9 trust fund expenditures, for the fiscal year beginning July 1, 2009, the
10 sum of \$439,500 cash funds, or so much thereof as may be necessary, for
11 the purposes of the Colorado state veterans trust fund outlined in section
12 28-5-709 (1) (b), Colorado Revised Statutes."

13
14 Renumber succeeding section accordingly.

15
16 Page 1, line 104, strike "APPROPRIATION." and substitute
17 "APPROPRIATION, AND MAKING AN APPROPRIATION IN CONNECTION
18 THEREWITH."

19
20
21
22 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

23
24 The Speaker has signed: **HB09-1207, 1241, 1272, 1292.**

25
26
27
28 **MESSAGE(S) FROM THE SENATE**

29
30 The Senate has passed on Third Reading and transmitted to the Revisor
31 of Statutes: SB09-254, SB09-252.

32
33 The Senate has passed on Third Reading and returns herewith:
34 HB09-1309.

35
36
37 The Senate voted to concur in House amendments to SB09-031, and
38 repassed the bill as so amended.

39
40
41 **MESSAGE(S) FROM THE REVISOR**

42
43 We herewith transmit:
44 Without comment, SB09-252 and 254.

45
46
47
48 **INTRODUCTION OF BILLS**
49 **First Reading**

50
51 The following bills were read by title and referred to the committees
52 indicated:

53
54 **HB09-1342** by Representative(s) Benefield and Kagan, Ferrandino,
55 Fischer, Gagliardi, Green, Hullinghorst, Judd, Kerr A.,
56 Labuda, McCann, Merrifield, Middleton, Ryden, Scanlan,

- 1 Todd; also Senator(s) Boyd and Williams, Bacon, Carroll
 2 M., Foster, Heath, Hudak, Morse, Newell, Romer,
 3 Schwartz, Shaffer B., Veiga--Concerning the elimination
 4 of the state sales and use tax exemption for cigarettes.
 5 Committee on Finance
 6
 7 **HB09-1343** by Representative(s) Massey, Solano, Todd, Gagliardi,
 8 Merrifield; also Senator(s) Williams, Foster, Heath,
 9 Hudak, Shaffer B.--Concerning the creation of the early
 10 childhood and school readiness legislative oversight
 11 commission.
 12 Committee on Education
 13
 14 **HB09-1344** by Representative(s) Scanlan; also Senator(s) Boyd--
 15 Concerning adjustments for inflation to the limitations on
 16 medical negligence damages tied to regulatory oversight
 17 of the effects of such adjustments on medical negligence
 18 insurance.
 19 Committee on Judiciary
 20
 21 **SB09-252** by Senator(s) Boyd, Carroll M., Lundberg, Morse, Newell,
 22 Spence; also Representative(s) Frangas, Gagliardi, Green,
 23 Kefalas, Kerr J., Primavera, Riesberg, Swalm--Concerning
 24 mail order prescription drugs for medicaid recipients who
 25 have third-party insurance.
 26 Committee on Health and Human Services
 27
 28 **SB09-254** by Senator(s) Bacon, Veiga; also Representative(s)
 29 Scanlan and Balmer--Concerning the authority of certain
 30 licensed beer manufacturers to use common licensed
 31 premises for the production of beer products in this state.
 32 Committee on Business Affairs and Labor
 33

34
 35
 36 **LAY OVER OF CALENDAR ITEM(S)**
 37

- 38 On motion of Representative Kerr A., the following item(s) on the
 39 Calendar were laid over until April 13, retaining place on Calendar:
 40
 41 Consideration of Special Orders--**HB09-1313 amended, 1280.**
 42 Consideration of Third Reading--**HB09-1273, SB09-061.**
 43 Consideration of General Orders--**SB09-176, HB09-1327.**
 44 Consideration of Resolution(s)--**SJR09-034, HJR09-1014.**
 45 Consideration of Memorial(s)--**SJM09-002.**
 46
 47

48 On motion of Representative Kerr A., the House adjourned until
 49 10:00 a.m., April 13, 2009.
 50

51 Approved:
 52 TERRANCE D. CARROLL,
 53 Speaker

54 Attest:
 55 MARILYN EDDINS,
 56 Chief Clerk