

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

Twenty-ninth Legislative Day Wednesday, February 10, 2010

1 Prayer by the Reverend Doctor Cynthia Cearley, Montview Presbyterian
2 Church, Denver.

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

5
6 Pledge of Allegiance led by Connor and Ellie Cotner, Home Schooled,
7 Pueblo West.

8
9 The roll was called with the following result:

10
11 Present--62.
12 Excused--Representative(s) McFadyen, McKinley, Swalm--3.
13 Present after roll call--Representative(s) McKinley, Swalm.

14
15 The Speaker declared a quorum present.

16
17
18 On motion of Representative Bradford, the reading of the journal of
19 February 9, 2010, was declared dispensed with and approved as corrected
20 by the Chief Clerk.

21
22
23
24
25 On motion of Representative Tyler, the House resolved itself into
26 Committee of the Whole for consideration of General Orders, and he was
27 called to the Chair to act as Chairman.

28
29
30 **GENERAL ORDERS--SECOND READING OF BILLS**

31
32 The Committee of the Whole having risen, the Chairman reported the
33 titles of the following bills had been read (reading at length had been
34 dispensed with by unanimous consent), the bills considered and action
35 taken thereon as follows:

36
37 (Amendments to the committee amendment are to the printed committee
38 report which was printed and placed in the members' bill file.)

39
40 **HB10-1043** by Representative(s) Apuan--Concerning outdated
41 references to the federal aid to families with dependent
42 children.

43

1 Amendment No. 1, Health & Human Services Report, dated
2 February 1, 2010, and placed in member's bill file; Report also printed
3 in House Journal, February 2, pages 162-165.

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

7
8 **HB10-1011** by Representative(s) Kerr J., McNulty, Miklosi,
9 Primavera; also Senator(s) Schultheis, Carroll M.,
10 Mitchell, Tochtrop--Concerning authorization for the
11 department of revenue to obtain fingerprint-based criminal
12 history record checks for employment purposes.

13
14 Amendment No. 1, Finance Report, dated February 3, 2010, and placed
15 in member's bill file; Report also printed in House Journal, February 4,
16 page 199.

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

20
21 **HB10-1002** by Representative(s) Kefalas, Gagliardi, Kagan; also
22 Senator(s) Sandoval, Boyd, Hudak--Concerning an
23 increase in the threshold necessary to trigger a temporary
24 income tax rate reduction as a method to refund excess
25 state revenues by an amount equal to the threshold
26 necessary to trigger the earned income tax credit refund.

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

30
31 **HB10-1030** by Representative(s) Peniston, Benefield, Solano; also
32 Senator(s) Steadman, Hodge, Hudak, Williams--
33 Concerning the creation of the early childhood educator
34 development scholarship program.

35
36 Amendment No. 1, Education Report, dated January 25, 2010, and placed
37 in member's bill file; Report also printed in House Journal, January 26,
38 pages 89-90.

39
40 Amendment No. 2, by Representative(s) Peniston.

41
42 Amend the Education Committee Report, dated January 26, 2010, page
43 1, strike lines 8 and 9 and substitute:

44
45 "Page 5 of the printed bill, strike lines 7 through 9 and substitute:

46
47 "(4) THE DEPARTMENT SHALL RETAIN ONLY THE ACTUAL AMOUNT
48 OF DIRECT AND INDIRECT COSTS NECESSARY TO IMPLEMENT THIS
49 ARTICLE."."

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

53
54 **HB10-1058** by Representative(s) Riesberg; also Senator(s) Hodge--
55 Concerning the authority of the department of revenue to
56 impose a civil penalty for unstamped cigarettes.

1 Amendment No. 1, Judiciary Report, dated January 21, 2010, and placed
2 in member's bill file; Report also printed in House Journal, January 22,
3 page 72.

4
5 Amendment No. 2, Appropriations Report, dated February 5, 2010, and
6 placed in member's bill file; Report also printed in House Journal,
7 February 5, page 207.

8
9 Amendment No. 3, by Representative(s) Lambert.

10
11 Amend printed bill, page 2, strike line 3 and substitute "amended, and the
12 said 39-28-107 (1) is further amended BY THE ADDITION OF A NEW
13 PARAGRAPH, to read:".

14
15 Page 3, after line 3, insert:

16
17 "(c) THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO
18 CIGARETTES PURCHASED FROM A UNITED STATES MILITARY EXCHANGE OR
19 COMMISSARY, SO LONG AS THE CIGARETTES ARE NOT FOR RESALE IN THIS
20 STATE."

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

24
25 **HB10-1197** by Representative(s) Ferrandino; also Senator(s) Heath--
26 Concerning a decrease in the maximum amount of a state
27 income tax credit that may be claimed for the donation of
28 a conservation easement in gross.

29
30 (Previously amended as printed in House Journal, January 29, pages 136-
31 137.)

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

35
36 On motion of Representative Weissmann, **HB10-1044, 1097** were laid
37 over until February 12, and the remainder of the General Orders Calendar
38 (**HB10-1008, 1024, 1115, 1009, 1007, 1212, 1025, 1041, 1138**) was laid
39 over until February 11, retaining place on Calendar.

40
41
42
43 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

44
45 Passed Second Reading: **HB10-1043 amended, 1011 amended, 1002,**
46 **1030 amended, 1058 amended, 1197 amended.**

47
48 Laid over until date indicated retaining place on Calendar:
49 **HB10-1008, 1024, 1115, 1009, 1007, 1212, 1025, 1041, 1138--**
50 February 11, 2010.

51 **HB10-1044, 1097--**February 12, 2010.

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

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

INTRODUCTION AND CONSIDERATION OF RESOLUTION

On motion of Representative Weissmann, the rules were suspended and the following resolution was given immediate consideration.

HJR10-1011 by Representative(s) Weissmann, Carroll T., May; also Senator(s) Morse, Shaffer B., Penry--Concerning the concurrence of the general assembly in the governor's request that the Colorado supreme court render its opinion on questions arising from Citizens United v. Federal Election Comm'n, 558 U.S. ____ (2010).

(Printed and placed in member's file).

On motion of Representative Weissmann, the resolution was **adopted** by **viva voce** vote.

Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner, Benefield, Court, Curry, Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gerou, Hulinghorst, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston, Massey, McCann, Middleton, Miklosi, Murray, Pace, Peniston, Pommer, Primavera, Priola, Rice, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Todd, Tyler, Vaad, Vigil, Waller

House in recess. House reconvened.

REPORT(S) OF COMMITTEE(S) OF REFERENCE**AGRICULTURE, LIVESTOCK, & NATURAL RESOURCES**

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

HB10-1124 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

Amend printed bill, page 3, line 8, after "C.R.S." add "NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE AUTHORITY OF AN EMPLOYEE OF THE DEPARTMENT OF AGRICULTURE TO ENFORCE TITLE 35, C.R.S., OR RULES ADOPTED UNDER TITLE 35, C.R.S.".

Page 4, strike line 17 and substitute "CONTROL UNDER SECTION 30-15-105, C.R.S.".

Page 4, strike lines 18 and 19.

Page 7, line 10, strike "TESTIMONY GIVEN".

Page 7, strike lines 11 and 12 and substitute "THE DISTRICT ATTORNEY'S OFFICE SHALL BE PROVIDED NOTICE OF SUCH HEARING AND BE PERMITTED TO PRESENT EVIDENCE AT THE HEARING. THE EVIDENCE MAY BE IN THE FORM OF OFFER OF PROOF OR TESTIMONY. THE COURT SHALL MAKE FINDINGS OF THE REASONABLENESS OR UNREASONABLENESS OF THE BOND AND WHETHER THERE WAS PROBABLE CAUSE FOR THE IMPOUNDMENT ON THE RECORD. THE COURT SHALL CONSIDER THE FOLLOWING FACTORS WHEN DETERMINING THE REASONABLENESS OF THE BOND:

(a) THE ACTUAL COST TO THE AGENCY PROVIDING CARE FOR THE ANIMAL AND THE BASIS FOR THE COST;

(b) THE NECESSITY FOR ANY MEDICAL TREATMENT PROVIDED TO THE ANIMAL;

(c) THE NECESSITY FOR ANY SPECIALIZED SHELTER OR DIET FOR THE ANIMAL;

(d) WHETHER THE AGENCY PROVIDING THE CARE FOR THE ANIMAL CAN MITIGATE THE COSTS; AND

(e) ANY OTHER FACTOR THAT THE COURT DETERMINES IS RELEVANT TO THE ISSUES."

Page 7, after line 12 insert:

"SECTION 4. 18-9-204.5 (5), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

18-9-204.5. Unlawful ownership of dangerous dog - legislative declaration. (5) (d) (I) (A) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT THE FAIR AND CONSISTENT TREATMENT OF INDIVIDUALS WITH DISABILITIES IS A MATTER OF STATEWIDE CONCERN, AND THAT BREED-SPECIFIC REGULATIONS UNDULY BURDEN AND

1 DISPROPORTIONATELY IMPACT INDIVIDUALS WITH DISABILITIES WHO OWN
2 AND RELY ON DOGS OF PROHIBITED BREEDS AS SERVICE ANIMALS.
3 FURTHERMORE, IT IS UNREASONABLE AND ONEROUS TO REQUIRE A PERSON
4 WITH A DISABILITY TO RELOCATE OR ACQUIRE A NEW SERVICE ANIMAL
5 SIMPLY TO COMPLY WITH BREED-SPECIFIC REGULATIONS, PARTICULARLY
6 IN LIGHT OF THE RIGOROUS BEHAVIORAL TRAINING THAT SUCH ANIMALS
7 UNDERGO.

8
9 (B) THEREFORE, NOTWITHSTANDING ANY PROVISION OF LAW TO
10 THE CONTRARY, NO GOVERNMENTAL ENTITY, INCLUDING A HOME RULE
11 ENTITY, SHALL EXCLUDE A DOG FROM ITS BOUNDARIES, FOR ANY AMOUNT
12 OF TIME, SOLELY ON THE BASIS OF THE DOG'S BREED, IF THE DOG IS A
13 TRAINED SERVICE ANIMAL SERVING AN INDIVIDUAL WITH A DISABILITY.

14
15 (II) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (d)
16 PROHIBITS A GOVERNMENTAL ENTITY FROM ENACTING REGULATIONS TO
17 IDENTIFY OR LICENSE THOSE DOGS THAT ARE EXEMPT FROM BREED-
18 SPECIFIC REGULATIONS."

19
20 Renumber succeeding sections accordingly.

21
22 Page 7, line 22, strike "(a)".

23
24 Page 7, line 26, strike "AND" and substitute "FOR PURPOSES OF ALL
25 RECORDS THAT REFLECT OR PERTAIN TO THE CONTRACT OR THE
26 ENGAGEMENT OR THE PERFORMANCE OF THE CONTRACT. SUCH ENTITY".

27
28 Page 8, line 2, strike "(I)" and substitute "(a)".

29
30 Page 8, line 4, strike "(II)" and substitute "(b)".

31
32 Page 8, line 6, strike "(III)" and substitute "(c)" and strike "ANIMALS;" and
33 substitute "ANIMALS, AND, IF SOLD, THE AMOUNTS FOR WHICH IMPOUNDED
34 ANIMALS ARE SOLD."

35
36 Page 8, strikes lines 7 through 12.

37
38 Page 9, line 3, after the period add "NOTHING IN THIS PART 1 SHALL BE
39 CONSTRUED TO LIMIT THE AUTHORITY OF AN EMPLOYEE OF THE
40 DEPARTMENT OF AGRICULTURE TO ENFORCE TITLE 35, C.R.S., OR RULES
41 ADOPTED UNDER TITLE 35, C.R.S."

42
43 Page 10, line 23, strike "(5), and (9)," and substitute "and (5)".

44
45 Page 11, line 5, strike "one hundred thousand" and substitute "one TWO
46 hundred thousand".

47
48 Page 11, line 6, strike "MILLION".

49
50 Page 11, strike lines 17 through 27 and substitute "revoke the commission
51 of any agent."

52
53 Page 12, strike lines 23 through 27.

54
55 Page 13, strike lines 1 through 3.

56

1 Page 14, strike lines 11 through 22.

2

3 Renumber succeeding sections accordingly.

4

5

6

7 **HB10-1158** be postponed indefinitely.

8

9

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11

12 **BUSINESS AFFAIRS & LABOR**

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

15

16 **HB10-1114** be amended as follows, and as so amended, be referred to
17 the Committee on Appropriations with favorable
18 recommendation:

19

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

22

23 "SECTION 1. 11-102-305 (1) (a) (IV), Colorado Revised
24 Statutes, is amended, and the said 11-102-305 (1) (a) is further amended
25 BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

26

27 **11-102-305. Records.** (1)(a) Information from the records of the
28 division shall be revealed only to members of the banking board, except
29 as follows:

30

31 (IV) The commissioner may exchange information obtained from
32 money transmitters ~~and foreign capital depositories~~ with the United States
33 secretary of the treasury, ~~or~~ the secretary's designees, THE UNITED STATES
34 ATTORNEY GENERAL, OR THE ATTORNEY GENERAL'S DESIGNEE pertaining
35 to compliance with federal money laundering and other financial crimes
36 laws, including, but not limited to, the "Bank Secrecy Act", the "Right to
37 Financial Privacy Act of 1978", the "Money Laundering Control Act of
38 1986", and the "Annunzio-Wylie Anti-Money Laundering Act".

39

40 (V) THE COMMISSIONER MAY EXCHANGE INFORMATION AS
41 PROVIDED BY PART 2 OF ARTICLE 52 OF TITLE 12, C.R.S.

42

43 **SECTION 2.** Article 52 of title 12, Colorado Revised Statutes, is
44 amended BY THE ADDITION OF A NEW PART to read:

45

46

47

48

PART 2
MONEY TRANSMITTER AGENTS

49

50 **12-52-201. Agent information - rules.** (1) A MONEY
51 TRANSMITTER LICENSED PURSUANT TO PART 1 OF THIS ARTICLE SHALL
52 ANNUALLY SEND THE FOLLOWING INFORMATION TO THE BANKING BOARD
53 ON SUCH FORM AS IT MAY PRESCRIBE:

53

54 (a) THE NAME OF THE AGENT AND THE ADDRESS AND TELEPHONE
55 NUMBER OF EACH OF THE AGENT'S OFFICES THAT ENGAGE IN THE BUSINESS
56 OF SELLING OR ISSUING EXCHANGE OR OF MONEY TRANSMISSION;

1 (b) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF EACH OF
2 THE OWNERS OF THE APPLICANT HOLDING MORE THAN A TEN PERCENT
3 INTEREST IN THE BUSINESS IF THE APPLICANT IS A PARTNERSHIP OR AN
4 ENTITY CREATED PURSUANT TO TITLE 7, C.R.S.;

5
6 (c) THE SERVICES CONCERNING SELLING OR ISSUING EXCHANGE
7 AND MONEY TRANSMISSION THAT ARE OFFERED BY THE AGENT AND THE
8 LOCATIONS WHERE SUCH SERVICES ARE OFFERED;

9
10 (d) SUCH OTHER PERTINENT INFORMATION THAT THE BANKING
11 BOARD MAY REQUIRE CONCERNING THE APPLICANT OR ITS DIRECTORS,
12 TRUSTEES, OFFICERS, MEMBERS, BRANCHES, SUBSIDIARIES, AFFILIATES, OR
13 AGENTS AS PROMULGATED BY RULE.

14
15 (2) THE BANKING BOARD MAY PROMULGATE RULES NECESSARY TO
16 IMPLEMENT THIS SECTION.

17
18 **12-52-202. Exclusive agency required.** NO PERSON SHALL BE AN
19 AGENT OF MORE THAN ONE BUSINESS LICENSED PURSUANT TO PART 1 OF
20 THIS ARTICLE.

21
22 **12-52-203. Notice of laws.** (1) THE BANKING BOARD SHALL
23 PROMULGATE RULES TO CREATE A FORM CONTAINING A NOTICE OF THE
24 CONTENTS OF SECTION 18-18-408, C.R.S., AND OTHER STATE AND
25 FEDERAL LAWS CONCERNING MONEY LAUNDERING.

26
27 (2) AN AGENT OF A BUSINESS LICENSED PURSUANT TO PART 1 OF
28 THIS ARTICLE SHALL REQUIRE EACH EMPLOYEE WHO PERFORMS MONEY
29 TRANSMISSION SERVICES TO UNDERSTAND AND SIGN THE FORM, CREATED
30 UNDER SUBSECTION (1) OF THIS SECTION, AFFIRMING KNOWLEDGE OF THE
31 MONEY LAUNDERING LAWS PRIOR TO THE EMPLOYEE PERFORMING SUCH
32 SERVICES. THE AGENT SHALL MAINTAIN A RECORD OF EACH EMPLOYEE
33 ALONG WITH THE SIGNED NOTICE SO LONG AS THE EMPLOYEE PROVIDES
34 SUCH SERVICES. THE RECORDS MAY BE MAINTAINED IN AN ELECTRONIC OR
35 DIGITAL FORMAT THAT REPRODUCES THE SIGNATURE ON THE DOCUMENTS
36 BY THE AGENT.

37
38 **12-52-204. Records.** THE INFORMATION SENT TO THE BANKING
39 BOARD UNDER SECTION 12-52-201 AND THE RECORDS REQUIRED BY
40 SECTION 12-52-203 SHALL BE OPEN TO ANY LAW ENFORCEMENT OFFICER
41 ACTING WITHIN THE SCOPE AND COURSE OF THE OFFICER'S OFFICIAL
42 DUTIES.

43
44 **12-52-205. Agent requirements.** (1) NO MONEY TRANSMITTER
45 LICENSED PURSUANT TO PART 1 OF THIS ARTICLE SHALL KNOWINGLY
46 EMPLOY AN AGENT WHO HAS BEEN CONVICTED OF OR PLEADED GUILTY OR
47 NOLO CONTENDERE TO THE OFFENSES IN ARTICLE 5 OF TITLE 18, C.R.S., OR
48 IN SECTION 18-18-408, C.R.S.; A FELONY IN THE SELLING OR ISSUING OF
49 EXCHANGE OR IN MONEY TRANSMISSION; A FELONY INVOLVING A
50 FINANCIAL INSTITUTION; OR AN EQUIVALENT CRIME OUTSIDE COLORADO.

51
52 (2) NO AGENT OF A MONEY TRANSMITTER LICENSED PURSUANT TO
53 THIS ARTICLE SHALL KNOWINGLY EMPLOY A PERSON TO PERFORM MONEY
54 TRANSMISSION SERVICES WHO HAS BEEN CONVICTED OF OR PLEADED
55 GUILTY OR NOLO CONTENDERE TO THE OFFENSES IN ARTICLE 5 OF TITLE 18,
56 C.R.S., OR IN SECTION 18-18-408, C.R.S.; A FELONY IN THE SELLING OR

1 ISSUING OF EXCHANGE OR IN MONEY TRANSMISSION; A FELONY INVOLVING
2 A FINANCIAL INSTITUTION; OR AN EQUIVALENT CRIME OUTSIDE
3 COLORADO.

4

5 (3) NO AGENT OF A MONEY TRANSMITTER LICENSED PURSUANT TO
6 THIS PART 2 SHALL KNOWINGLY EMPLOY A PERSON TO PERFORM MONEY
7 TRANSMISSION SERVICES WHO IS UNDER EIGHTEEN YEARS OF AGE.

8

9 **12-52-206. Violations.** (1) A PERSON WHO VIOLATES THIS PART
10 2 COMMITS A CLASS 2 MISDEMEANOR AND, FOR THE SECOND OR ANY
11 SUBSEQUENT OFFENSE, THE PERSON COMMITS A CLASS 1 MISDEMEANOR
12 AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-501, C.R.S.

13

14 (2) A PERSON WHO ACTS AS AN AGENT OF AN UNLICENSED PERSON
15 REQUIRED TO BE LICENSED BY PART 1 OF THIS ARTICLE KNOWING THE
16 UNLICENSED PERSON DOES NOT HOLD SUCH LICENSE COMMITS A CLASS 2
17 MISDEMEANOR AND SHALL BE PUNISHED AS PROVIDED IN SECTION 18-1.3-
18 501, C.R.S.

19

20 **SECTION 3. Specified effective date - applicability.** This act
21 shall take effect July 1, 2010, and shall apply to acts committed on or
22 after said date.

23

24 **SECTION 4. Safety clause.** The general assembly hereby finds,
25 determines, and declares that this act is necessary for the immediate
26 preservation of the public peace, health, and safety."

27

28

29

30 **HB10-1174** be postponed indefinitely.

31

32

33 **HB10-1231** be referred to the Committee of the Whole with favorable
34 recommendation.

35

36

37 **HB10-1247** be referred to the Committee of the Whole with favorable
38 recommendation.

39

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43 **FINANCE**

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

46

47 **HB10-1176** be amended as follows, and as so amended, be referred to
48 the Committee on State, Veterans, & Military Affairs with
49 favorable recommendation:

50

51 Amend printed bill, page 6, line 15, strike "AUDIT" and substitute "AUDIT,
52 AND ANY CONTRACTOR OR VENDOR THAT HAS A CONTRACT WITH SUCH A
53 STATE AGENCY OR OTHER COVERED ENTITY,".

54

55 Page 6, line 17, strike "OR".

56

1 Page 6, line 18, strike "ENTITY" and substitute "ENTITY, OR THE
2 CONTRACTOR OR VENDOR".

3
4 Page 6, line 22, strike "STATE OR" and substitute "STATE," and strike
5 "ENTITY" and substitute "ENTITY, OR THE CONTRACTOR OR VENDOR".

6
7 Page 6, line 24, after "ENTITY," insert "THE CONTRACTOR OR VENDOR,".

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12 **LOCAL GOVERNMENT**

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

15
16 **HB10-1118** be amended as follows, and as so amended, be referred to
17 the Committee of the Whole with favorable
18 recommendation:

19
20 Amend printed bill, page 2, line 9, strike "REQUIRING," and substitute
21 "REQUIRING".

22
23 Page 2, strike lines 10 through 13 and substitute "THAT SUCH REAL
24 PROPERTY BE SECURED, MAINTAINED, AND INSURED BY THE OWNER OF
25 SUCH REAL PROPERTY OR, IF APPLICABLE, BY A HOLDER OF A LIEN THAT
26 HAS TAKEN POSSESSION OF SUCH REAL PROPERTY PURSUANT TO PART 6 OF
27 ARTICLE 38 OF TITLE 38, C.R.S., OR ANY RECEIVER APPOINTED TO TAKE
28 POSSESSION OF OR TO PRESERVE THE REAL PROPERTY. THE COUNTY MAY
29 REQUIRE THAT REAL PROPERTY OWNERS OR PARTIES FORECLOSING ON A
30 LIEN PROVIDE TO THE COUNTY PLANNING AND ZONING DEPARTMENT
31 CONTACT INFORMATION FOR THE PERSON OR ENTITY RESPONSIBLE FOR THE
32 PRESERVATION OF THE REAL PROPERTY.".

33
34 Page 2, strike line 15 and substitute "PROPERTY" MEANS ANY REAL
35 PROPERTY IN FORECLOSURE OR ANY VACANT OR ABANDONED REAL".

36
37
38
39 **HB10-1143** be amended as follows, and as so amended, be referred to
40 the Committee of the Whole with favorable
41 recommendation:

42
43 Amend printed bill, page 4, strike lines 12 through 15 and substitute:

44
45 "would reduce transit services, would reduce the availability of adequate
46 parking for the public, or, FOR USES INVOLVING THE PROVISION OF RETAIL
47 OR COMMERCIAL GOODS OR SERVICES, would result in a competitive
48 disadvantage to a private business reasonably near a transfer facility
49 engaging in the sale of similar goods or services. The provision of retail".

50
51
52
53 **HB10-1165** be amended as follows, and as so amended, be referred to
54 the Committee of the Whole with favorable
55 recommendation:

56

1 Amend printed bill, page 3, line 25, strike "NOTIFY" and substitute
2 "NOTIFY, BY EMAIL IF AVAILABLE, ALL LESSEES OF THE PROPERTY AND"
3

4 Page 4, line 17, strike "2020." and substitute "2015."
5
6
7

8 **SB10-053** be referred to the Committee of the Whole with favorable
9 recommendation.
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14 **STATE, VETERANS, & MILITARY AFFAIRS**

15 After consideration on the merits, the Committee recommends the
16 following:
17

18 **HB10-1077** be postponed indefinitely.
19
20

21 **HB10-1100** be postponed indefinitely.
22
23

24 **HB10-1119** be amended as follows, and as so amended, be referred to
25 the Committee on Appropriations with favorable
26 recommendation:
27

28 Amend printed bill, page 6, line 7, strike "ASSEMBLY AND" and substitute
29 "ASSEMBLY,".
30

31 Page 6, line 8, strike "DEPARTMENTS;" and substitute "DEPARTMENTS,
32 AND ANY CERTIFIED EMPLOYEE ORGANIZATIONS;".
33

34 Page 7, line 20, strike "EMPLOYEES." and substitute "EMPLOYEES AND ANY
35 CERTIFIED EMPLOYEE ORGANIZATIONS."
36

37 Page 9, line 6, strike "SECTION." and substitute "SECTION AND SHALL
38 ALLOW TIME FOR PUBLIC TESTIMONY REGARDING EACH SUCH DEPARTMENT
39 PRESENTATION."
40
41
42

43 **HB10-1126** be postponed indefinitely.
44
45

46 **HB10-1177** be postponed indefinitely.
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49

50 **PRINTING REPORT**

51
52 The Chief Clerk reports the following bills have been correctly printed:
53 **HB10-1332, 1333, 1334.**
54
55
56

MESSAGE(S) FROM THE SENATE

The Senate has adopted and returns herewith: HJR10 -1011.

SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

The Speaker has signed: **HJR10-1011**.

INTRODUCTION OF BILLS**First Reading**

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

HB10-1335 by Representative(s) Massey--Concerning the authorization of boards of cooperative services as school food authorities, and, in connection therewith, creating the BOCES healthy food grant program.
Committee on Education

HB10-1336 by Representative(s) Schafer S.; also Senator(s) Newell--Concerning expenditures to be made by the department of public safety.
Committee on Judiciary
Committee on Appropriations

HB10-1337 by Representative(s) Lambert, Ferrandino, Pommer; also Senator(s) White, Keller, Tapia--Concerning the compensation of teachers employed by the Colorado school for the deaf and the blind.
Committee on Appropriations

HB10-1338 by Representative(s) McCann--Concerning the eligibility for probation of a person who has two or more felony convictions.
Committee on Judiciary

INTRODUCTION OF RESOLUTION

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

HJR10-1012 by Representative(s) Fischer and Nikkel, Kefalas; also Senator(s) Lundberg and Tapia, Bacon--Concerning recognition of and appreciation for 140 years of education, research, and service by the Colorado State University system.

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NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, February 12, will be calendared for February 11, 2010: **HB10-1188.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until February 11, retaining place on Calendar:

Consideration of Resolution(s)--**SJR10-011.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 11, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

