

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

Ninety-first Legislative Day

Tuesday, April 13, 2010

1 Prayer by Father Tom Carzon, Holy Ghost Catholic Church, Denver.
2
3 The Speaker called the House to order at 9:00 a.m.
4
5 Pledge of Allegiance led by Braden Kerr, K. C. Rizzo, Ananda Tennesen,
6 Kili McCabe, Kate Zavada, Kendrick Lakes Elementary, Lakewood.
7
8 The roll was called with the following result:
9
10 Present--64.
11 Excused--Representative(s) Casso--1.
12 Present after roll call--Representative(s) Casso.
13

14 The Speaker declared a quorum present.
15
16

17 On motion of Representative McCann, the reading of the journal of
18 April 12, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
21

CONSIDERATION OF MEMORIAL

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23
24
25 **HM10-1003** by Representative(s) McNulty, Acree, May, Murray--
26 Memorializing former Representative Charles S. "Bud"
27 Hover, Jr.
28

29 (Printed and placed in Members' file)
30

31 On motion of Representative McNulty, the memorial was read at length.
32
33

34 Pursuant to House Rule 26(f) the House stood in recess to allow the
35 following former members to speak on behalf of the honorable
36 Charles S. "Bud" Hover, Jr.: Former Speaker of the House Chuck Berry;
37 Former Representatives Jim Sullivan, Paul Schauer, Jeanne Adkins;
38 Former Senators Norma Anderson, Richard Mutzebaugh, Bill Schroeder,
39 Ron Teck.
40

41
42 House reconvened.
43

1 On motion of Representative McNulty, the memorial was **adopted** by the
2 following roll call vote:

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

22 Current Roll Call added as co-sponsor(s): Representative(s) Apuan, Balmer,
23 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
24 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
25 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
26 Levy, Liston, Looper, Massey, McCann, McFadyen, McKinley, Merrifield,
27 Middleton, Miklosi, Nikkel, Pace, Peniston, Pommer, Primavera, Priola, Rice,
28 Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano, Sonnenberg, Soper,
29 Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller,
30 Weissmann, Speaker.

31
32 Representative McNulty introduced members of the family that were
33 present.

34
35
36 House in recess. House reconvened.
37
38

39 MESSAGE(S) FROM THE SENATE

40
41
42 The Senate has adopted and transmits herewith: SJM10-003.
43
44

45 IMMEDIATE CONSIDERATION OF MEMORIAL

46
47
48 On motion of Representative Weissmann, the rules were suspended for
49 immediate consideration of SJM10-003.

50
51 **SJM10-003** by Senator(s) Kester; also Representative(s) Massey--
52 Memorializing former Senator Harold L. McCormick.
53

54 On motion of Representative Massey, the memorial was read at length.
55
56

1 Pursuant to House Rule 26(f) the House stood in recess to allow the
 2 following former members to speak on behalf of the honorable Harold L.
 3 McCormick: Former Speaker of the House Chuck Berry; Former Senator
 4 Bill Schroeder.

5
 6
 7 House reconvened.
 8
 9

10 On motion of Representative Massey, the memorial was **adopted** by the
 11 following roll call vote:

	YES	65	NO	0	EXCUSED	0	ABSENT	0
14	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
15	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
16	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
17	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
18	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
19	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
20	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
21	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
22	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
23	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
24	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
25	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
26	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
27	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
28	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
29	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
30							Speaker	Y

31 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
 32 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 33 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,
 34 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
 35 Levy, Liston, Looper, May, McCann, McFadyen, McKinley, McNulty,
 36 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,
 37 Primavera, Priola, Rice, Riesberg, Roberts, Ryden, Scanlan, Schafer S., Solano,
 38 Sonnenberg, Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad,
 39 Vigil, Waller, Weissmann, Speaker.

40
 41 Representative Massey introduced members of the family that were
 42 present.

43
 44 House in recess. House reconvened.
 45
 46

47 48 **THIRD READING OF BILL(S)--FINAL PASSAGE**

49
 50 The following bill(s) was(were) considered on Third Reading. The
 51 title(s) was(were) publicly read. Reading of the bill at length was
 52 dispensed with by unanimous consent.

53
 54 **HB10-1051** by Representative(s) Pommer; also Senator(s) Whitehead--
 55 Concerning additional information regarding covered
 56 entities' water efficiency plans.

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

24 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Hullinghorst, Labuda,
 25 Looper, Pace.

26
 27 **SB10-166** by Senator(s) Bacon, Schwartz; also Representative(s)
 28 Riesberg and Sonnenberg, McFadyen--Concerning the
 29 authority of the state treasurer to enter into lease-purchase
 30 agreements for the department of personnel.

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

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

55 Co-sponsor(s) added: Representative(s) Fischer, Labuda.

56

1 **SB10-176** by Senator(s) Tochtrop; also Representative(s) Gagliardi--
 2 Concerning the requirements for inclusion of a
 3 professional nurse on the advanced practice nurse registry.
 4

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

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

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

28 Co-sponsor(s) added: Representative(s) Fischer, Schafer S., Soper, Summers,
 29 Todd, Vigil.
 30

31 **HB10-1358** by Representative(s) Fischer, Apuan, Court, Frangas,
 32 Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda,
 33 Levy, Merrifield, Middleton, Pace, Peniston, Primavera,
 34 Ryden, Solano, Todd, Tyler, Vigil, Weissmann; also
 35 Senator(s) Johnston, Bacon, Hodge, Steadman, Tapia,
 36 Williams--Concerning a requirement for new home
 37 builders to offer home buyers water efficiency options.
 38

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

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

	YES	38	NO	27	EXCUSED	0	ABSENT	0
45	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
46	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
47	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
48	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
49	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
50	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
51	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
52	Court	Y	King S.	N	Nikkel	N	Summers	N
53	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
54	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
55	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
56	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y

1	Frangas	Y	Looper	N	Priola	N	Vaad	N
2	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
3	Gardner B.	N	May	N	Riesberg	Y	Waller	N
4	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
5							Speaker	Y

6 Co-sponsor(s) added: Representative(s) Miklosi, Soper.

7
8
9

10 House in recess. House reconvened.

11
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13

14 On motion of Representative Merrifield, the House resolved itself into
15 Committee of the Whole for consideration of General Orders, and he was
16 called to the Chair to act as Chairman.

17
18
19

20 GENERAL ORDERS--SECOND READING OF BILLS

21
22
23
24
25

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

26
27
28
29

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

30
31

On motion of Representative Weissmann the following bills are laid over until April 15, 2010: **HB10-1013, 1269, 1351.**

32
33

On motion of Representative Weissmann the following bills are laid over until April 16, 2010: **HB10-1390, 1394, SB10-110, 162.**

34
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39

SB10-020 by Senator(s) Boyd, Foster, Schwartz; also Representative(s) Massey, Apuan--Concerning measures to address the financial viability of the CoverColorado program.

40
41
42
43

Amendment No. 1, Health & Human Services Report, dated March 5, 2010, and placed in member's bill file; Report also printed in House Journal, March 6, pages 1112-1113.

44
45

Amendment No. 2, by Representative(s) Roberts.

46

Amend reengrossed bill, page 6, after line 4 insert:

47
48

"**SECTION 4.** 10-8-513.5 (3), Colorado Revised Statutes, is amended to read:

49
50

10-8-513.5. Federally eligible individuals. (3) ~~The program may, but need not, offer the federally eligible individual the same health benefit plans offered to individuals eligible under section 10-8-513; except that any health benefit plan offered shall meet the requirements of this part 5 with respect to benefits and premiums.~~ THE REQUIREMENTS OF THIS PART 5 REGARDING BENEFITS, PREMIUMS, AND LIFETIME OR ANNUAL BENEFIT LIMITS, AND THE PREEXISTING CONDITION LIMITATION PERIODS

51
52
53
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56

1 ALLOWED BY SECTION 10-8-516, APPLY TO FEDERALLY ELIGIBLE
2 INDIVIDUALS WHO PARTICIPATE IN THE PROGRAM, UNLESS OTHERWISE
3 PROVIDED IN THE FEDERAL LAW ESTABLISHING THE ELIGIBILITY FOR THE
4 INDIVIDUALS.

5

6 **SECTION 5.** 10-8-530 (1), Colorado Revised Statutes, is
7 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

8

9 **10-8-530. Funding of program - rules - repeal.**

10 (1) (b.5) NOTHING IN PARAGRAPH (b) OF THIS SUBSECTION (1) LIMITS THE
11 ABILITY OF THE PROGRAM TO APPLY FOR, ACCEPT, OR EXPEND FEDERAL
12 FUNDS, GRANTS, OR DONATIONS PROVIDED TO THE PROGRAM FOR THE
13 IMPLEMENTATION AND ADMINISTRATION OF A TEMPORARY HIGH RISK
14 HEALTH INSURANCE POOL PROGRAM AS REQUIRED BY SECTION 1101 OF
15 THE FEDERAL "PATIENT PROTECTION AND AFFORDABLE CARE ACT", H.R.
16 3590, PUB.L. 111-148, OR FOR THE PAYMENT OF CLAIM EXPENSES OF THE
17 FEDERALLY ELIGIBLE INDIVIDUALS WHO PARTICIPATE IN THE PROGRAM
18 UNDER A TEMPORARY HIGH RISK HEALTH INSURANCE POOL PROGRAM
19 PURSUANT TO SAID FEDERAL ACT. ANY FEDERAL FUNDS, GRANTS, OR
20 DONATIONS PROVIDED TO THE PROGRAM FOR THE PURPOSES SPECIFIED IN
21 THIS PARAGRAPH (b.5) SHALL NOT BE COMMINGLED WITH MONEYS
22 DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION (1) AND SHALL NOT BE
23 INCLUDED AS A SOURCE OF FUNDING OR AS PART OF THE FUNDING
24 FORMULA FOR THE PROGRAM AS SET FORTH IN PARAGRAPH (b) OF THIS
25 SUBSECTION (1)."

26

27 Renumber succeeding sections accordingly.

28

29 Amendment No. 3, by Representative(s) Massey.

30

31 Amend reengrossed bill, page 5, line 2, strike "WITH," and substitute
32 "WITH OR OTHERWISE DEMAND PAYMENT FROM".

33

34 Page 5, line 3, strike "BILL, OR CHARGE" and strike "A FEE" and substitute
35 "FOR AMOUNTS".

36

37 Page 5, line 4, strike "IS" and substitute "ARE".

38

39 Page 5, line 5, strike "BILL OR" and substitute "DEMAND FOR PAYMENT OF
40 CHARGES THAT EXCEEDS".

41

42 Page 5, strike line 6.

43

44 Amendment No. 4, by Representative(s) Massey.

45

46 Amend reengrossed bill, page 4, before line 18 insert:

47 "(III) ANY MECHANISMS FOR INPUT CREATED BY THE BOARD
48 PURSUANT TO THIS PARAGRAPH (b), INCLUDING AN ADVISORY
49 REIMBURSEMENT COMMITTEE, SHALL BE PUBLIC AND OPEN TO
50 PARTICIPATION BY HEALTH CARE PROVIDERS, HOSPITAL REPRESENTATIVES,
51 CONSUMERS, AND OTHER STAKEHOLDERS WHO POSSESS INFORMATION
52 THAT WILL CONTRIBUTE TO AND ASSIST IN THE ESTABLISHMENT OR
53 MODIFICATION OF A FEE SCHEDULE AS AUTHORIZED BY THIS SECTION."

54

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

1 **HB10-1005** by Representative(s) Massey, Frangas, Kerr J., McCann;
2 also Senator(s) Foster, Boyd, Lundberg, Schwartz--
3 Concerning home health care through telemedicine
4 pursuant to the "Colorado Medical Assistance Act".
5

6 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
7 placed in member's bill file; Report also printed in House Journal,
8 April 9, pages 1161-1162.
9

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

13 **HB10-1033** by Representative(s) Massey, Frangas, Kerr J., McCann;
14 also Senator(s) Boyd and Schwartz, Foster--Concerning
15 the provision of services through the medicaid program
16 that are related to substance abuse.
17

18 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
19 placed in member's bill file; Report also printed in House Journal,
20 April 9, pages 1164-1165.
21

22 As amended, ordered engrossed and placed on the Calendar for Third
23 Reading and Final Passage.
24

25 **HB10-1027** by Representative(s) Roberts and Tyler, Soper; also
26 Senator(s) Williams, Newell--Concerning the requirement
27 for a certain life expectancy prognosis for persons
28 receiving hospice care through medicaid.
29

30 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
31 placed in member's bill file; Report also printed in House Journal,
32 April 9, page 1164.
33

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

37 **HB10-1073** by Representative(s) Roberts; also Senator(s) Sandoval--
38 Concerning the addition of a line to Colorado state
39 individual income tax return forms whereby individual
40 taxpayers may make a voluntary contribution benefitting
41 the Colorado 2-1-1 first call for help fund.
42

43 Amendment No. 1, Appropriations Report, dated April 9, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 April 9, page 1165.
46

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

50 **HB10-1081** by Representative(s) Priola; also Senator(s) Steadman--
51 Concerning money laundering.
52

53 Amendment No. 1, Judiciary Report, dated February 18, 2010, and placed
54 in member's bill file; Report also printed in House Journal, February 19,
55 pages 453-455.
56

1 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
2 placed in member's bill file; Report also printed in House Journal,
3 April 9, pages 1165-1167.

4
5 Amendment No. 3, by Representative(s) Priola.

6
7 Amend the Appropriations Committee Report, dated April 9, 2010, page
8 3, strike lines 23 through 30 and substitute:

9 "(a) If a referendum petition is filed pursuant to section 1 (3) of
10 article V of the state constitution against this act or an item, section, or
11 part of this act within such period, then the act, item, section, or part shall
12 not take effect unless approved by the people at the general election to be
13 held in November 2010 and shall take effect on the date of the official
14 declaration of the vote thereon by the governor; and

15
16 (b) This act shall only take effect if:

17
18 (I) The final fiscal estimate for House Bill 10-1338, as reflected
19 in the appropriations clause for said act, shows a net general fund savings
20 that is equal to or greater than the final general fund fiscal estimate for
21 this act, as reflected in section 5 of this act; and

22
23 (II) House Bill 10-1338 is enacted at the second regular session
24 of the sixty-seventh general assembly and becomes law; and

25
26 (III) The staff director of the joint budget committee files written
27 notice with the revisor of statutes no later than July 15, 2010, that the
28 requirement set forth in paragraph (a) of this subsection (1) has been
29 met."."

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

33
34 **HB10-1139** by Representative(s) Apuan; also Senator Heath--
35 Concerning the creation of special license plates for
36 military veterans of the conflicts occurring after
37 September 11, 2001.

38
39 Amendment No. 1, Transportation & Energy Report, dated
40 March 23, 2010, and placed in member's bill file; Report also printed in
41 House Journal, March 25, page 961.

42
43 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
44 placed in member's bill file; Report also printed in House Journal,
45 April 9, page 1167.

46
47 Amendment No. 3, by Representative(s) Apuan.

48
49 Amend printed bill, page 2, line 20, strike "A NATURAL" and substitute
50 "EFFECTIVE JANUARY 1, 2011, A NATURAL".

51
52 Page 3, line 16, strike "A NATURAL" and substitute "EFFECTIVE JANUARY
53 1, 2011, A NATURAL".

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

1 **HB10-1176** by Representative(s) Vaad; also Senator(s) Mitchell--
2 Concerning recovery audits for government overpayments
3 of tax dollars.
4

5 Amendment No. 1, by Representative(s) Vaad.
6

7 Amend printed bill, strike everything below the enacting clause and
8 substitute:
9

10 **"SECTION 1. Legislative declaration.** (1) The general
11 assembly hereby finds and declares that:
12

13 (a) Overpayments are a serious problem for certain government
14 entities, and especially for state agencies given the magnitude and
15 complexity of state operations;
16

17 (b) Overpayments waste tax dollars and detract from the
18 efficiency and effectiveness of governmental operations by diverting
19 resources from their intended uses;
20

21 (c) An overpayment occurs when an individual, vendor, or other
22 entity receives a payment from a state agency or another government
23 entity in error or in excess of the legal amount to which the individual,
24 vendor, or other entity is entitled.
25

26 (2) The general assembly further finds and declares that:
27

28 (a) Recovery audits are a nationally recognized best practice for
29 disbursements management and provide insight for improving operational
30 efficiency and internal controls in the disbursement of tax dollars;
31

32 (b) In order to improve the economy and efficiency of government
33 operations, it is necessary, appropriate, and in the best interests of the
34 state:
35

36 (I) To require the state controller to contract for recovery audits
37 to recoup overpayments by state executive and judicial branch agencies
38 or certain other government entities of state or federal tax dollars; and
39

40 (II) To require the state auditor to contract for recovery audits to
41 recoup overpayments by state legislative branch agencies of state or
42 federal tax dollars.
43

44 (c) Recovery audits will not cost the state any money because the
45 contractor's costs are deducted from any dollars recovered, which makes
46 recovery audits self-funding.
47

48 **SECTION 2.** Part 2 of article 30 of title 24, Colorado Revised
49 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
50 read:
51

52 **24-30-203.5. Recovery audits - definitions - contracting -**
53 **covered entities - reporting.** (1) AS USED IN THIS SECTION, UNLESS THE
54 CONTEXT OTHERWISE REQUIRES:
55

56 (a) "CONSULTANT" MEANS A PRIVATE CONTRACTOR WITH

1 RECOVERY AUDIT EXPERTISE.

2

3 (b) "OTHER COVERED ENTITY" MEANS A SCHOOL DISTRICT, AS
4 DEFINED IN SECTION 22-30-103 (13), C.R.S., A SPECIAL PURPOSE
5 AUTHORITY SPECIFICALLY IDENTIFIED IN SECTION 24-77-102 (15) (b), OR
6 A SPECIAL STATUTORY DISTRICT CREATED, EXISTING, AND OPERATING
7 PURSUANT TO ARTICLES 8 TO 15 OF TITLE 32, C.R.S.

8

9 (c) "OVERPAYMENT" MEANS A PAYMENT, INCLUDING THE
10 PAYMENT OF BENEFITS SUCH AS, BUT NOT LIMITED TO, UNEMPLOYMENT
11 COMPENSATION OR WORKERS' COMPENSATION BENEFITS, BY A STATE
12 AGENCY OR OTHER COVERED ENTITY TO AN INDIVIDUAL, VENDOR, OR
13 OTHER ENTITY THAT IS MADE IN ERROR OR IS IN EXCESS OF THE AMOUNT
14 TO WHICH THE RECIPIENT IS ENTITLED, INCLUDING:

15

16 (I) A PAYMENT TO A RECIPIENT WHO DOES NOT MEET APPLICABLE
17 ELIGIBILITY REQUIREMENTS FOR RECEIVING THE PAYMENT;

18

19 (II) A DUPLICATE PAYMENT;

20

21 (III) A PAYMENT RESULTING FROM AN INVOICE OR PRICING ERROR;

22

23 (IV) A PAYMENT RESULTING FROM A FAILURE TO APPLY AN
24 APPLICABLE DISCOUNT, REBATE, OR OTHER ALLOWANCE;

25

26 (V) A PAYMENT RESULTING FROM A FAILURE TO COMPLY WITH A
27 PURCHASING AGREEMENT; AND

28

29 (VI) A PAYMENT RESULTING FROM ANY OTHER INADVERTENT
30 ERROR.

31

32 (d) "RECOVERY AUDIT" MEANS A FINANCIAL MANAGEMENT
33 TECHNIQUE USED TO IDENTIFY OVERPAYMENTS MADE BY A STATE AGENCY
34 OR OTHER COVERED ENTITY TO INDIVIDUALS, VENDORS, AND OTHER
35 ENTITIES IN CONNECTION WITH THE PAYMENT ACTIVITIES OF THE STATE
36 AGENCY OR OTHER COVERED ENTITY.

37

38 (e) "STATE AGENCY" MEANS AN AGENCY, AS DEFINED IN SECTION
39 24-3-101, A GOVERNMENTAL UNIT OF THE JUDICIAL BRANCH OF STATE
40 GOVERNMENT, OR A STATE-SUPPORTED INSTITUTION OF HIGHER
41 EDUCATION.

42

43 (2) (a) THE STATE CONTROLLER SHALL CONTRACT WITH ONE OR
44 MORE CONSULTANTS TO CONDUCT RECOVERY AUDITS.

45

46 (b) A CONTRACT WITH A CONSULTANT ENTERED INTO AS REQUIRED
47 BY PARAGRAPH (a) OF THIS SUBSECTION (2):

48

49 (I) SHALL PROVIDE FOR REASONABLE COMPENSATION FOR THE
50 RECOVERY AUDIT SERVICES PROVIDED UNDER THE CONTRACT, INCLUDING
51 COMPENSATION DETERMINED BY THE APPLICATION OF A SPECIFIED
52 PERCENTAGE TO THE TOTAL AMOUNT COLLECTED BY THE CONSULTANT IN
53 THE COURSE OF THE CONSULTANT'S RECOVERY AUDIT AND RELATED
54 COLLECTION ACTIVITIES;

55

56 (II) SHALL REQUIRE THE CONSULTANT TO PROVIDE WRITTEN

1 NOTIFICATION TO ANY PERSON WHO HAS BEEN FOUND BY THE CONSULTANT
2 TO HAVE RECEIVED ONE OR MORE OVERPAYMENTS THAT RECOVERY OF
3 THE OVERPAYMENT IS BEING SOUGHT. THE NOTIFICATION SHALL SPECIFY:

4
5 (A) THE NATURE AND AMOUNT OF THE OVERPAYMENT, INCLUDING
6 THE NAME OF THE STATE AGENCY THAT MADE THE OVERPAYMENT OR
7 OVERPAYMENTS;

8
9 (B) THE TOTAL AMOUNT OF RECOVERY SOUGHT;

10
11 (C) THE LEGAL AUTHORITY UNDER WHICH RECOVERY OF THE
12 OVERPAYMENT IS BEING SOUGHT;

13
14 (D) A DEADLINE AT LEAST THIRTY DAYS AFTER THE DATE THE
15 NOTIFICATION IS SENT BY WHICH THE PERSON MAY CONTACT THE
16 CONSULTANT BEFORE THE CONSULTANT PURSUES A JUDICIAL ACTION TO
17 RECOVER THE OVERPAYMENT; AND

18
19 (E) THE IDENTITY AND CONTACT INFORMATION FOR THE
20 CONSULTANT SO THAT THE PERSON CAN EFFICIENTLY REPAY THE AMOUNT
21 OF THE OVERPAYMENT, PROTEST THE CONCLUSION THAT ONE OR MORE
22 OVERPAYMENTS HAS BEEN MADE, OR NEGOTIATE REPAYMENT TERMS
23 BEFORE THE CONSULTANT FILES A JUDICIAL ACTION TO RECOVER THE
24 OVERPAYMENT OR OVERPAYMENTS. IF PERMITTED BY THE CONTRACT,
25 AND SUBJECT TO SUCH LIMITATIONS AS ARE SPECIFIED IN THE CONTRACT,
26 THE CONSULTANT MAY NEGOTIATE A RECOVERY AMOUNT FROM ANY
27 PERSON THAT IS LESS THAN THE FULL AMOUNT OF THE OVERPAYMENT
28 RECEIVED BY THE PERSON;

29
30 (III) MAY PERMIT OR REQUIRE THE CONSULTANT TO PURSUE A
31 JUDICIAL ACTION IN A COURT INSIDE OR OUTSIDE THIS STATE TO RECOVER
32 AN OVERPAYMENT; AND

33
34 (IV) TO ALLOW TIME FOR THE PERFORMANCE OF EXISTING
35 PAYMENT AUDITING PROCEDURES, MAY NOT ALLOW A RECOVERY AUDIT
36 OF A PAYMENT DURING THE NINETY-DAY PERIOD AFTER THE DATE THE
37 PAYMENT WAS MADE.

38
39 (c) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY
40 AND EXCEPT TO THE EXTENT PROHIBITED BY FEDERAL LAW OR
41 REGULATIONS OR BY AN AGREEMENT BETWEEN THE STATE OR A STATE
42 AGENCY OR OTHER COVERED ENTITY AND THE FEDERAL GOVERNMENT,
43 THE GOVERNMENT OF ANOTHER STATE, OR AN AGENCY OR OTHER
44 GOVERNMENT ENTITY OF ANOTHER STATE, THE STATE CONTROLLER OR A
45 STATE AGENCY OR OTHER COVERED ENTITY BEING SUBJECTED TO A
46 RECOVERY AUDIT, AND ANY CONTRACTOR OR VENDOR THAT HAS A
47 CONTRACT WITH SUCH A STATE AGENCY OR OTHER COVERED ENTITY,
48 SHALL PROVIDE A CONSULTANT ACTING UNDER A CONTRACT REQUIRED BY
49 PARAGRAPH (a) OF THIS SUBSECTION (2) WITH ANY CONFIDENTIAL
50 INFORMATION IN THE CUSTODY OF THE STATE CONTROLLER, THE STATE
51 AGENCY, THE OTHER COVERED ENTITY, OR THE CONTRACTOR OR VENDOR
52 THAT IS NECESSARY FOR THE PERFORMANCE OF THE RECOVERY AUDIT. A
53 CONSULTANT ACTING UNDER SUCH A CONTRACT, OR ANY EMPLOYEE OR
54 AGENT OF THE CONSULTANT, IS SUBJECT TO ALL PROHIBITIONS AGAINST
55 THE DISCLOSURE OF CONFIDENTIAL INFORMATION OBTAINED FROM THE
56 STATE, THE OTHER COVERED ENTITY, OR THE CONTRACTOR OR VENDOR IN

1 CONNECTION WITH THE CONTRACT THAT APPLY TO THE STATE
2 CONTROLLER, THE APPLICABLE STATE AGENCY OR OTHER COVERED
3 ENTITY, THE CONTRACTOR OR VENDOR, OR AN EMPLOYEE THEREOF AND TO
4 ALL CIVIL OR CRIMINAL PENALTIES THAT APPLY TO A VIOLATION OF ANY
5 SUCH PROHIBITION.

6
7 (3) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
8 THIS SUBSECTION (3), THE STATE CONTROLLER SHALL REQUIRE RECOVERY
9 AUDITS TO BE PERFORMED ON THE PAYMENTS TO INDIVIDUALS, VENDORS,
10 AND OTHER ENTITIES MADE BY A STATE AGENCY OR OTHER COVERED
11 ENTITY THAT HAS TOTAL EXPENDITURES DURING A STATE FISCAL YEAR OF
12 MORE THAN TWENTY-FIVE MILLION DOLLARS. THE STATE CONTROLLER
13 SHALL ALSO REQUIRE RECOVERY AUDITS FOR ANY STATE AGENCY OR
14 OTHER COVERED ENTITY THAT RECEIVES AN AUDIT FINDING BY THE STATE
15 AUDITOR FOR INTERNAL CONTROL WEAKNESSES CONCERNING PAYMENTS
16 AND CONTRACTS. EACH STATE AGENCY OR OTHER COVERED ENTITY FOR
17 WHICH RECOVERY AUDITS ARE REQUIRED SHALL PROVIDE THE RECOVERY
18 AUDIT CONSULTANT WITH ALL INFORMATION NECESSARY FOR THE
19 RECOVERY AUDITS.

20
21 (b) (I) THE STATE CONTROLLER MAY EXEMPT FROM THE RECOVERY
22 AUDITS OTHERWISE REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3)
23 A STATE AGENCY OR OTHER COVERED ENTITY OR THAT HAS A LOW
24 PROPORTION OF ITS TOTAL EXPENDITURES MADE TO INDIVIDUALS,
25 VENDORS, AND OTHER ENTITIES OR THAT IS OTHERWISE REQUIRED TO BE
26 SUBJECTED TO RECOVERY AUDITS UNDER ANY FEDERAL LAW OR
27 REGULATION OR STATE LAW, RULE, OR POLICY, INCLUDING BUT NOT
28 LIMITED TO THE DEPARTMENTS OF EDUCATION, HIGHER EDUCATION,
29 HEALTH CARE POLICY AND FINANCING, HUMAN SERVICES, AND
30 TRANSPORTATION AND THE GOVERNOR'S OFFICE OF INFORMATION
31 TECHNOLOGY. THE STATE CONTROLLER SHALL MAKE ANY SUCH
32 EXEMPTION IN ACCORDANCE WITH CRITERIA ADOPTED BY RULES
33 PROMULGATED BY THE STATE CONTROLLER PURSUANT TO THE PROVISIONS
34 OF ARTICLE 4 OF THIS TITLE AFTER CONSIDERATION OF THE LIKELY COSTS
35 AND BENEFITS OF PERFORMING RECOVERY AUDITS FOR SUCH AGENCIES OR
36 OTHER COVERED ENTITIES THAT ARE OTHERWISE REQUIRED TO BE
37 SUBJECTED TO RECOVERY AUDITS UNDER ANY FEDERAL LAW OR
38 REGULATION OR STATE LAW, RULE, OR POLICY OR THAT MAKE RELATIVELY
39 FEW OR SMALL PAYMENTS TO VENDORS.

40
41 (II) THE STATE CONTROLLER SHALL PROVIDE THE STATE AUDITOR
42 AND THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES WITH A
43 REPORT BY MAY 1 OF EACH YEAR THAT DETAILS ANY EXEMPTIONS FROM
44 RECOVERY AUDITS PROPOSED TO BE ALLOWED BY THE STATE CONTROLLER
45 FOR THE NEXT FISCAL YEAR.

46
47 (III) THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES
48 MAY VETO ANY EXEMPTION FROM RECOVERY AUDITS PROPOSED BY THE
49 STATE CONTROLLER FOR A FISCAL YEAR BY MAJORITY VOTES OF THE
50 MEMBERS OF EACH OF THE COMMITTEES TAKEN BEFORE THE START OF THE
51 FISCAL YEAR.

52
53 (4) THE STATE CONTROLLER SHALL ADOPT RULES FOR
54 REASONABLE COMPENSATION FOR SERVICES PROVIDED UNDER RECOVERY
55 AUDIT CONTRACTS BASED ON THE APPLICATION OF A SPECIFIED
56 PERCENTAGE TO THE TOTAL AMOUNT RECOVERED DUE TO A CONSULTANT'S

1 RECOVERY AUDIT ACTIVITIES. THE STATE CONTROLLER MAY ALSO RETAIN
2 A PORTION OF ANY AMOUNT RECOVERED DUE TO A RECOVERY AUDIT IN
3 ORDER TO DEFRAY THE REASONABLE AND NECESSARY ADMINISTRATIVE
4 COSTS INCURRED BY THE STATE CONTROLLER AND THE DIVISION OF
5 ACCOUNTS AND CONTROL IN CONTRACTING FOR AND PROVIDING
6 OVERSIGHT OF THE RECOVERY AUDIT OR ANY ADDITIONAL COSTS
7 INCURRED BY ANY OTHER STATE AGENCY IN RELATION TO THE RECOVERY
8 AUDITS REQUIRED BY THIS SECTION. THE STATE CONTROLLER SHALL
9 REIMBURSE ANY STATE AGENCY THAT INCURS ADDITIONAL COSTS IN
10 RELATION TO RECOVERY AUDITS FOR SUCH COSTS FROM THE PORTION OF
11 ANY AMOUNTS RECOVERED FROM RECOVERY AUDITS THAT THE STATE
12 CONTROLLER RETAINS.

13

14 (5) A STATE AGENCY OR OTHER COVERED ENTITY SHALL EXPEND
15 OR SHALL RETURN TO THE FEDERAL GOVERNMENT ANY FEDERAL MONEY
16 THAT IS RECOVERED THROUGH A RECOVERY AUDIT CONDUCTED UNDER
17 THIS SECTION. THE STATE AGENCY OR OTHER COVERED ENTITY SHALL
18 EXPEND OR RETURN THE FEDERAL MONEY IN ACCORDANCE WITH THE LAWS
19 AND REGULATIONS GOVERNING THE FEDERAL PROGRAM THROUGH WHICH
20 THE AGENCY OR OTHER COVERED ENTITY RECEIVED THE FEDERAL MONEY.

21

22 (6) (a) THE STATE CONTROLLER SHALL PROVIDE COPIES,
23 INCLUDING ELECTRONIC FORM COPIES, OF ANY REPORTS RECEIVED FROM
24 A CONSULTANT CONTRACTING WITH A STATE AGENCY OR OTHER COVERED
25 ENTITY TO PERFORM RECOVERY AUDITS PURSUANT TO THIS SECTION TO:

26

27 (I) THE GOVERNOR;

28

29 (II) THE STATE AUDITOR; AND

30

31 (III) THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES OF
32 THE GENERAL ASSEMBLY.

33

34 (b) THE STATE CONTROLLER SHALL PROVIDE THE COPIES OF
35 REPORTS REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (6) NOT LATER
36 THAN THE SEVENTH BUSINESS DAY AFTER THE DATE THE STATE
37 CONTROLLER RECEIVES THE CONSULTANT'S REPORT.

38

39 (c) NOT LATER THAN DECEMBER 31 OF EACH YEAR, THE STATE
40 CONTROLLER SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY
41 SUMMARIZING THE CONTENTS OF ALL REPORTS RECEIVED FROM
42 CONSULTANTS PURSUANT TO THIS SECTION DURING THE PAST FISCAL YEAR.
43 THIS REPORT SHALL ALSO BE POSTED ON THE WEB SITE OF THE STATE
44 CONTROLLER.

45

46 (7) THE STATE CONTROLLER SHALL ADOPT RULES PROMULGATED
47 IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION TO THE EXTENT
48 NECESSARY TO IMPLEMENT THIS SECTION IN A TIMELY MANNER SO THAT
49 THE STATE CONTROLLER MAY BEGIN CONTRACTING WITH CONSULTANTS
50 FOR RECOVERY AUDITS NOT LATER THAN JANUARY 1, 2011.

51

52 **SECTION 3.** Part 1 of article 3 of title 2, Colorado Revised
53 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
54 read:

55

56 **2-3-120. Legislative branch recovery audits - definitions -**

1 **contracting - reporting.** (1) AS USED IN THIS SECTION, UNLESS THE
2 CONTEXT OTHERWISE REQUIRES:

3
4 (a) "CONSULTANT" MEANS A PRIVATE CONTRACTOR WITH
5 RECOVERY AUDIT EXPERTISE.

6
7 (b) "OVERPAYMENT" MEANS A PAYMENT, INCLUDING THE
8 PAYMENT OF BENEFITS SUCH AS, BUT NOT LIMITED TO, UNEMPLOYMENT
9 COMPENSATION OR WORKERS' COMPENSATION BENEFITS, BY A STATE
10 AGENCY TO AN INDIVIDUAL, VENDOR, OR OTHER ENTITY THAT IS MADE IN
11 ERROR OR IS IN EXCESS OF THE AMOUNT TO WHICH THE RECIPIENT IS
12 ENTITLED INCLUDING:

13
14 (I) A PAYMENT TO A RECIPIENT WHO DOES NOT MEET APPLICABLE
15 ELIGIBILITY REQUIREMENTS FOR RECEIVING THE PAYMENT;

16
17 (II) A DUPLICATE PAYMENT;

18
19 (III) A PAYMENT RESULTING FROM AN INVOICE OR PRICING ERROR;

20
21 (IV) A PAYMENT RESULTING FROM A FAILURE TO APPLY AN
22 APPLICABLE DISCOUNT, REBATE, OR OTHER ALLOWANCE;

23
24 (V) A PAYMENT RESULTING FROM A FAILURE TO COMPLY WITH A
25 PURCHASING AGREEMENT; AND

26
27 (VI) A PAYMENT RESULTING FROM ANY OTHER INADVERTENT
28 ERROR.

29
30 (c) "RECOVERY AUDIT" MEANS A FINANCIAL MANAGEMENT
31 TECHNIQUE USED TO IDENTIFY OVERPAYMENTS MADE BY A STATE AGENCY
32 TO INDIVIDUALS, VENDORS, AND OTHER ENTITIES IN CONNECTION WITH
33 THE PAYMENT ACTIVITIES OF THE STATE AGENCY.

34
35 (d) "STATE AGENCY" MEANS THE GENERAL ASSEMBLY OR A STAFF
36 AGENCY OF THE GENERAL ASSEMBLY.

37
38 (2) (a) THE STATE AUDITOR SHALL CONTRACT WITH ONE OR MORE
39 CONSULTANTS TO CONDUCT RECOVERY AUDITS.

40
41 (b) A CONTRACT WITH A CONSULTANT ENTERED INTO AS REQUIRED
42 BY PARAGRAPH (a) OF THIS SUBSECTION (2):

43
44 (I) SHALL PROVIDE FOR REASONABLE COMPENSATION FOR THE
45 RECOVERY AUDIT SERVICES PROVIDED UNDER THE CONTRACT, INCLUDING
46 COMPENSATION DETERMINED BY THE APPLICATION OF A SPECIFIED
47 PERCENTAGE TO THE TOTAL AMOUNT COLLECTED BY THE CONSULTANT IN
48 THE COURSE OF THE CONSULTANT'S RECOVERY AUDIT AND RELATED
49 COLLECTION ACTIVITIES;

50
51 (II) SHALL REQUIRE THE CONSULTANT TO PROVIDE WRITTEN
52 NOTIFICATION TO ANY PERSON WHO HAS BEEN FOUND BY THE CONSULTANT
53 TO HAVE RECEIVED ONE OR MORE OVERPAYMENTS THAT RECOVERY OF
54 THE OVERPAYMENT IS BEING SOUGHT. THE NOTIFICATION SHALL SPECIFY:

55
56 (A) THE NATURE AND AMOUNT OF THE OVERPAYMENT, INCLUDING

1 THE NAME OF THE STATE AGENCY THAT MADE THE OVERPAYMENT OR
2 OVERPAYMENTS;

3

4 (B) THE TOTAL AMOUNT OF RECOVERY SOUGHT;

5

6 (C) THE LEGAL AUTHORITY UNDER WHICH RECOVERY OF THE
7 OVERPAYMENT IS BEING SOUGHT;

8

9 (D) A DEADLINE AT LEAST THIRTY DAYS AFTER THE DATE THE
10 NOTIFICATION IS SENT BY WHICH THE PERSON MAY CONTACT THE
11 CONSULTANT BEFORE THE CONSULTANT PURSUES A JUDICIAL ACTION TO
12 RECOVER THE OVERPAYMENT; AND

13

14 (E) THE IDENTITY AND CONTACT INFORMATION FOR THE
15 CONSULTANT SO THAT THE PERSON CAN EFFICIENTLY REPAY THE AMOUNT
16 OF THE OVERPAYMENT, PROTEST THE CONCLUSION THAT ONE OR MORE
17 OVERPAYMENTS HAS BEEN MADE, OR NEGOTIATE REPAYMENT TERMS
18 BEFORE THE CONSULTANT FILES A JUDICIAL ACTION TO RECOVER THE
19 OVERPAYMENT. IF PERMITTED BY THE CONTRACT, AND SUBJECT TO SUCH
20 LIMITATIONS AS ARE SPECIFIED IN THE CONTRACT, THE CONSULTANT MAY
21 NEGOTIATE A RECOVERY AMOUNT FROM ANY PERSON THAT IS LESS THAN
22 THE FULL AMOUNT OF THE OVERPAYMENT RECEIVED BY THE PERSON.

23

24 (III) MAY PERMIT OR REQUIRE THE CONSULTANT TO PURSUE A
25 JUDICIAL ACTION IN A COURT INSIDE OR OUTSIDE THIS STATE TO RECOVER
26 AN OVERPAYMENT; AND

27

28 (IV) TO ALLOW TIME FOR THE PERFORMANCE OF EXISTING
29 PAYMENT AUDITING PROCEDURES, MAY NOT ALLOW A RECOVERY AUDIT
30 OF A PAYMENT DURING THE NINETY-DAY PERIOD AFTER THE DATE THE
31 PAYMENT WAS MADE.

32

33 (c) NOTWITHSTANDING ANY OTHER PROVISION OF STATE LAW TO
34 THE CONTRARY AND EXCEPT TO THE EXTENT PROHIBITED BY FEDERAL LAW
35 OR REGULATIONS OR BY AN AGREEMENT BETWEEN THE STATE OR A STATE
36 AGENCY AND THE FEDERAL GOVERNMENT, THE GOVERNMENT OF ANOTHER
37 STATE, OR AN AGENCY OR OTHER GOVERNMENT ENTITY OF ANOTHER
38 STATE, THE STATE AUDITOR OR A STATE AGENCY BEING SUBJECTED TO A
39 RECOVERY AUDIT, AND ANY CONTRACTOR OR VENDOR THAT HAS A
40 CONTRACT WITH SUCH A STATE AGENCY OR OTHER COVERED ENTITY,
41 SHALL PROVIDE A CONSULTANT ACTING UNDER A CONTRACT REQUIRED BY
42 PARAGRAPH (a) OF THIS SUBSECTION (2) WITH ANY CONFIDENTIAL
43 INFORMATION IN THE CUSTODY OF THE STATE AUDITOR, THE STATE
44 AGENCY, OR THE CONTRACTOR OR VENDOR THAT IS NECESSARY FOR THE
45 PERFORMANCE OF THE RECOVERY AUDIT. A CONSULTANT ACTING UNDER
46 SUCH A CONTRACT, OR ANY EMPLOYEE OR AGENT OF THE CONSULTANT, IS
47 SUBJECT TO ALL PROHIBITIONS AGAINST THE DISCLOSURE OF
48 CONFIDENTIAL INFORMATION OBTAINED FROM THE STATE OR THE
49 CONTRACTOR OR VENDOR IN CONNECTION WITH THE CONTRACT THAT
50 APPLY TO THE STATE AUDITOR, THE APPLICABLE STATE AGENCY, THE
51 CONTRACTOR OR VENDOR, OR AN EMPLOYEE THEREOF AND TO ALL CIVIL
52 OR CRIMINAL PENALTIES THAT APPLY TO A VIOLATION OF ANY SUCH
53 PROHIBITION.

54

55 (3) (a) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (b) OF
56 THIS SUBSECTION (3), THE STATE AUDITOR SHALL REQUIRE RECOVERY

1 AUDITS TO BE PERFORMED ON THE PAYMENTS TO INDIVIDUALS, VENDORS,
2 AND OTHER ENTITIES MADE BY A STATE AGENCY. THE STATE AUDITOR
3 SHALL ALSO REQUIRE RECOVERY AUDITS FOR ANY STATE AGENCY THAT
4 RECEIVES AN AUDIT FINDING BY THE STATE AUDITOR FOR INTERNAL
5 CONTROL WEAKNESSES CONCERNING PAYMENTS AND CONTRACTS. EACH
6 STATE AGENCY FOR WHICH RECOVERY AUDITS ARE REQUIRED SHALL
7 PROVIDE THE RECOVERY AUDIT CONSULTANT WITH ALL INFORMATION
8 NECESSARY FOR THE RECOVERY AUDITS.

9
10 (b) (I) THE STATE AUDITOR MAY EXEMPT FROM THE RECOVERY
11 AUDITS OTHERWISE REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (3)
12 A STATE AGENCY THAT IS OTHERWISE REQUIRED TO BE SUBJECTED TO
13 RECOVERY AUDITS UNDER ANY FEDERAL LAW OR REGULATION OR STATE
14 LAW, RULE, OR POLICY OR THAT HAS A LOW PROPORTION OF ITS TOTAL
15 EXPENDITURES MADE TO INDIVIDUALS, VENDORS, AND OTHER ENTITIES.
16 THE STATE AUDITOR SHALL MAKE ANY SUCH EXEMPTION IN ACCORDANCE
17 WITH CRITERIA ADOPTED BY RULES PROMULGATED BY THE STATE AUDITOR
18 PURSUANT TO THE PROVISIONS OF ARTICLE 4 OF TITLE 24, C.R.S., AFTER
19 CONSIDERATION OF THE LIKELY COSTS AND BENEFITS OF PERFORMING
20 RECOVERY AUDITS FOR SUCH AGENCIES THAT ARE OTHERWISE REQUIRED
21 TO BE SUBJECTED TO RECOVERY AUDITS UNDER ANY FEDERAL LAW OR
22 REGULATION OR STATE LAW, RULE, OR POLICY OR THAT MAKE RELATIVELY
23 FEW OR SMALL PAYMENTS TO VENDORS.

24
25 (II) THE STATE AUDITOR SHALL PROVIDE THE LEGISLATIVE AUDIT
26 AND JOINT BUDGET COMMITTEES WITH A REPORT BY MAY 1 OF EACH YEAR
27 THAT DETAILS ANY EXEMPTIONS FROM RECOVERY AUDITS PROPOSED TO
28 BE ALLOWED BY THE STATE AUDITOR FOR THE NEXT FISCAL YEAR.

29
30 (III) THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES
31 MAY VETO ANY EXEMPTION FROM RECOVERY AUDITS PROPOSED BY THE
32 STATE AUDITOR FOR A FISCAL YEAR BY MAJORITY VOTES OF THE MEMBERS
33 OF EACH OF THE COMMITTEES TAKEN BEFORE THE START OF THE FISCAL
34 YEAR.

35
36 (4) THE STATE AUDITOR SHALL ESTABLISH REASONABLE
37 COMPENSATION FOR SERVICES PROVIDED UNDER RECOVERY AUDIT
38 CONTRACTS BASED ON THE APPLICATION OF A SPECIFIED PERCENTAGE TO
39 THE TOTAL AMOUNT RECOVERED DUE TO A CONSULTANT'S RECOVERY
40 AUDIT ACTIVITIES. THE STATE AUDITOR MAY ALSO RETAIN A PORTION OF
41 ANY AMOUNT RECOVERED DUE TO A RECOVERY AUDIT IN ORDER TO
42 DEFRAY THE REASONABLE AND NECESSARY ADMINISTRATIVE COSTS
43 INCURRED BY THE STATE AUDITOR IN CONTRACTING FOR AND PROVIDING
44 OVERSIGHT OF THE RECOVERY AUDIT OR ANY ADDITIONAL COSTS
45 INCURRED BY ANY OTHER STATE AGENCY IN RELATION TO THE RECOVERY
46 AUDITS REQUIRED BY THIS SECTION. THE STATE AUDITOR SHALL
47 REIMBURSE ANY STATE AGENCY THAT INCURS ADDITIONAL COSTS IN
48 RELATION TO RECOVERY AUDITS FOR SUCH COSTS FROM THE PORTION OF
49 ANY AMOUNTS RECOVERED FROM RECOVERY AUDITS THAT THE STATE
50 AUDITOR RETAINS.

51
52 (5) A STATE AGENCY OR OTHER COVERED ENTITY SHALL EXPEND
53 OR SHALL RETURN TO THE FEDERAL GOVERNMENT ANY FEDERAL MONEY
54 THAT IS RECOVERED THROUGH A RECOVERY AUDIT CONDUCTED UNDER
55 THIS SECTION. THE STATE AGENCY OR OTHER COVERED ENTITY SHALL
56 EXPEND OR RETURN THE FEDERAL MONEY IN ACCORDANCE WITH THE LAWS

1 AND REGULATIONS GOVERNING THE FEDERAL PROGRAM THROUGH WHICH
2 THE AGENCY OR OTHER COVERED ENTITY RECEIVED THE FEDERAL MONEY.

3
4 (6) (a) THE STATE AUDITOR SHALL PROVIDE COPIES, INCLUDING
5 ELECTRONIC FORM COPIES, OF ANY REPORTS RECEIVED FROM A
6 CONSULTANT CONTRACTING WITH A STATE AGENCY OR OTHER COVERED
7 ENTITY TO PERFORM RECOVERY AUDITS PURSUANT TO THIS SECTION TO
8 THE LEGISLATIVE AUDIT AND JOINT BUDGET COMMITTEES OF THE GENERAL
9 ASSEMBLY.

10
11 (b) THE STATE AUDITOR SHALL PROVIDE THE COPIES OF REPORTS
12 REQUIRED BY PARAGRAPH (a) OF THIS SUBSECTION (6) NOT LATER THAN
13 THE SEVENTH BUSINESS DAY AFTER THE DATE THE STATE AUDITOR
14 RECEIVES THE CONSULTANT'S REPORT.

15
16 (c) NOT LATER THAN DECEMBER 31 OF EACH YEAR, THE STATE
17 AUDITOR SHALL ISSUE A REPORT TO THE GENERAL ASSEMBLY
18 SUMMARIZING THE CONTENTS OF ALL REPORTS RECEIVED FROM
19 CONSULTANTS PURSUANT TO THIS SECTION DURING THE PAST FISCAL YEAR.
20 THIS REPORT SHALL ALSO BE POSTED ON THE WEB SITE OF THE STATE
21 AUDITOR.

22
23 (7) THE STATE AUDITOR SHALL BEGIN CONTRACTING WITH
24 CONSULTANTS FOR RECOVERY AUDITS NO LATER THAN JANUARY 1, 2011.

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

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

32
33 **HB10-1238** by Representative(s) Curry; also Senator(s) Schwartz--
34 Concerning wildlife crossing zones.

35
36 Amendment No. 1, Transportation & Energy, Report, dated
37 March 25, 2010, and placed in member's bill file; Report also printed in
38 House Journal, March 26, pages 997-998.

39
40 Amendment No. 2, Appropriations Report, dated April 9, 2010, and
41 placed in member's bill file; Report also printed in House Journal,
42 April 9, pages 1168-1169.

43
44 As amended, ordered engrossed and placed on the Calendar for Third
45 Reading and Final Passage.

46
47 On motion of Representative Weissmann, the remainder of the General
48 Orders Calendar (**HB10-1347, 1277, 1352, 1375, SB10-070, HB10-1363,**
49 **SB10-177**) was laid over until April 14, retaining place on Calendar.

50
51
52
53
54
55

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

2
3 Passed Second Reading: **SB10-020 amended, HB10-1005 amended,**
4 **1033 amended, 1027 amended, 1073 amended, 1081 amended, 1139**
5 **amended, 1176 amended, 1238 amended.**

6
7 Laid over until date indicated retaining place on Calendar: **HB10-1347,**
8 **1277, 1352, 1375, SB10-070, HB10-1363, SB10-177--April 14, 2010.**
9 **HB10-1013, 1269, 1351--April 15, 2010**
10 **HB10-1390, 1394, SB10-110, 162--April 16, 2010.**

11
12 The Chairman moved the adoption of the Committee of the Whole
13 Report. As shown by the following roll call vote, a majority of those
14 elected to the House voted in the affirmative, and the Report was
15 **adopted.**

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

35
36
37
38
39 House in recess. House reconvened.
40
41

42
43 **MEMORANDUM**
44 **REPORT FROM THE HOUSE AND SENATE**
45 **COMMITTEES ON DELAYED BILLS**

46
47 Pursuant to Joint Rule 23 (c), the House and Senate Committees on
48 Delayed Bills, acting jointly, extend the following deadline for House Bill
49 10-1369, Concerning the Financing of Public Schools:

50
51 The Friday, March 19 deadline (the 66th legislative day) for final passage,
52 including any conference committee report, for any bill prescribing all or
53 a substantial portion of the total funding for public schools pursuant to the
54 "Public School Finance Act of 1994", article 54 of title 22, Colorado
55 Revised Statutes, as previously extended until Monday, April 5, 2010 (the
56 83rd legislative day) and subsequently extended until Tuesday, April 13,

1 2010 (the 91st legislative day), is further extended until Friday, April 23,
 2 2010 (the 101st legislative day).

3

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

6

7 (signed)

8 Representative T. Carroll

Senator Shaffer

9 Speaker of the House of Representatives

President of the Senate

10

11 Representative Weissmann

Senator Morse

12 House Majority Leader

Senate Majority Leader

13

14 Representative May

Senator Penry

15 House Minority Leader

Senate Minority Leader

16

17

18

19

REPORT(S) OF COMMITTEE(S) OF REFERENCE

20

HEALTH & HUMAN SERVICES

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

24

25 **SB10-061** be referred favorably to the Committee on Appropriations.

26

27

28 **SB10-073** be referred to the Committee of the Whole with favorable
 29 recommendation.

30

31

32 **SB10-117** be amended as follows, and as so amended, be referred to
 33 the Committee of the Whole with favorable
 34 recommendation:

35

36 Amend reengrossed bill, page 2, line 14, strike "THE" and substitute
 37 "(a) SUBJECT TO APPROVAL THROUGH THE STATE BUDGET PROCESS IN
 38 PARAGRAPH (b) OF THIS SUBSECTION (1), THE".

39

40 Page 2, line 23, strike "25.5-5-506." and substitute "25.5-5-506, AND
 41 SHALL BE LIMITED TO MEDICATIONS THAT, IF REIMBURSED, SHALL RESULT
 42 IN OVERALL COST SAVINGS TO THE STATE.".

43

44 Page 2, after line 23, insert:

45

46 "(b) AFTER THE LIST OF OVER-THE-COUNTER MEDICATIONS IS
 47 IDENTIFIED PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION (1), THE
 48 STATE DEPARTMENT SHALL REQUEST, THROUGH THE STATE BUDGET
 49 PROCESS, THAT THE REIMBURSEMENTS BE IMPLEMENTED. THE STATE
 50 DEPARTMENT SHALL REPORT TO THE JOINT BUDGET COMMITTEE
 51 ANNUALLY CONCERNING THE AMOUNT OF ANY SAVINGS REALIZED FROM
 52 THE REIMBURSEMENTS.".

53

54 Page 4, line 1, after "EXCEPT" insert "THAT A PHARMACIST MAY
 55 PRESCRIBE ONLY OVER-THE-COUNTER MEDICATIONS TO A RECIPIENT
 56 UNDER THE "COLORADO MEDICAL ASSISTANCE ACT"."

1 **SB10-124** be amended as follows, and as so amended, be referred to
2 the Committee on Finance with favorable
3 recommendation:
4

5 Amend reengrossed bill, page 4, line 17, strike "NEW" and substitute
6 "NEW, ACTIVE".
7

8 Page 4, line 18, strike "A" and substitute "AN ACTIVE".
9

10 Page 6, line 25, after "with" insert "OR CLINICAL PRIVILEGES HELD IN".
11

12 Page 6, line 27, after "EMPLOYER," insert "IF ANY,".
13

14 Page 7, line 9, strike "index;" and substitute "index. NOTHING IN THIS
15 SUBPARAGRAPH (X) REQUIRES AN APPLICANT TO REPORT SUCH
16 INFORMATION REGARDING CONTRACTS WITH INSURANCE CARRIERS FOR
17 REIMBURSEMENT OF HEALTH CARE SERVICES PROVIDED TO PATIENTS."
18

19 Page 13, strike line 5 and substitute "~~determined by the board by rule~~
20 PROVIDED IN THE ARTICLE OF TITLE 12, C.R.S., THAT REGULATES THE
21 APPLICANT'S, LICENSEE'S, CERTIFICATE HOLDER'S, OR REGISTRANT'S
22 PROFESSION to ensure that the information".
23
24
25
26

27 **JUDICIARY**

28 After consideration on the merits, the Committee recommends the
29 following:
30

31 **HB10-1391** be referred to the Committee of the Whole with favorable
32 recommendation.
33
34

35 **HB10-1395** be amended as follows, and as so amended, be referred to
36 the Committee of the Whole with favorable
37 recommendation:
38

39 Amend printed bill, page 2, after line 22 insert:
40

41 "(2) A MAJORITY OF THE JUDGES WHO ARE IN REGULAR ACTIVE
42 SERVICE ON THE COURT OF APPEALS AND WHO ARE NOT DISQUALIFIED
43 MAY, UNDER RULES PROMULGATED BY THE COLORADO SUPREME COURT,
44 ORDER THAT AN INTERLOCUTORY APPEAL BE HEARD OR REHEARD BY THE
45 COURT OF APPEALS EN BANC."
46
47
48

49 **HB10-1399** be amended as follows, and as so amended, be referred to
50 the Committee of the Whole with favorable
51 recommendation:
52

53 Amend printed bill, page 2, strike lines 9 through 17 and substitute:
54

55 "(s) WHEN REQUESTED BY THE CHIEF OF A FIRE DEPARTMENT OR
56 HIS OR HER DESIGNEE, AND APPROVED BY THE DIRECTOR OR HIS OR HER

1 DESIGNEE, THE BUREAU MAY ASSIST IN THE INVESTIGATION OF A POSSIBLE
2 CRIME RELATED TO ARSON. WHEN SUCH A REQUEST IS MADE BY A FIRE
3 DEPARTMENT, THE FIRE DEPARTMENT SHALL NOTIFY THE APPROPRIATE
4 LAW ENFORCEMENT AGENCY THAT A REQUEST FOR ASSISTANCE FROM THE
5 BUREAU HAS BEEN MADE."

6

7

8

9

MESSAGE(S) FROM THE SENATE

10

11 The Senate has passed on Third Reading and transmitted to the Revisor
12 of Statutes: SB10-181.

13

14 The Senate has passed on Third Reading and transmitted to the Revisor
15 of Statutes:

16

17 SB10-156 amended as printed in Senate Journal, April 12, 2010,
18 pages 847-849.

19

20 The Senate has passed on Third Reading and transmitted to the Revisor
21 of Statutes:

22

23 HB10-1220 amended as printed in Senate Journal, April 12, 2010,
24 pages 843-844.

25 HB10-1387 amended as printed in Senate Journal, April 12, 2010,
26 pages 844-846.

27 HB10-1293 amended as printed in Senate Journal, April 12, 2010,
28 page 850.

29

30 The Senate has passed on Third Reading and returns herewith:
31 HB10-1205, HB10-1229.

32

33

34

MESSAGE(S) FROM THE REVISOR

35

36 We herewith transmit:

37 Without comment, SB10-181.

38 Without comment, as amended, HB10-1220, 1387, and 1293.

39 Without comment, as amended, SB10-156.

40

41

42

MESSAGE(S) FROM THE GOVERNOR

43

44 I certify I received the following on the 12th day of April, 2010, at
45 4:55 p.m. The original is on file in the records of the House of
46 Representatives of the General Assembly.

47

48

49

Marilyn Eddins,
Chief Clerk of the House

50 April 12, 2010

51

52 To the Honorable House of Representatives

53 Sixty-seventh General Assembly

54 Second Regular Session

55 State Capitol

56 Denver, CO 80203

1 Ladies and Gentlemen:
2

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

5
6 **HB10-1036** CONCERNING ON-LINE PUBLIC ACCESS TO PUBLIC
7 SCHOOL FINANCIAL INFORMATION.

8
9 Approved April 12, 2010 at 4:00 p.m.

10
11 **HB10-1050** CONCERNING A CENTRAL ON-LINE REGISTRY OF
12 MEDICAL ORDERS FOR SCOPE AND TREATMENT FORMS.

13
14 Approved April 12, 2010 at 4:01 p.m.

15
16 **HB10-1170** CONCERNING THE PROVISION OF ALCOHOL BEVERAGES
17 IN SEALED CONTAINERS IN LUXURY BOXES LOCATED IN
18 ENTERTAINMENT VENUES WITH A SEATING CAPACITY OF
19 AT LEAST ONE THOUSAND FIVE HUNDRED SEATS.

20
21 Approved April 12, 2010 at 4:02 p.m.

22
23 **HB10-1185** CONCERNING EXTENDING CERTAIN DATES RELATED TO
24 THE PETROLEUM STORAGE TANK FUND.

25
26 Approved April 12, 2010 at 4:04 p.m.

27
28 Sincerely,
29 (signed)
30 Bill Ritter, Jr.
31 Governor

32
33 **INTRODUCTION OF BILLS**
34 **First Reading**

35
36 The following bills were read by title and referred to the committees
37 indicated:

38
39 **HB10-1401** by Representative(s) Ferrandino--Concerning the
40 management of information technology in state agencies.
41 Committee on State, Veterans, & Military Affairs

42
43 **HB10-1402** by Representative(s) Riesberg, McFadyen; also Senator(s)
44 Bacon, Schwartz--Concerning legislative authorization of
45 a privately run fund-raising campaign using cause-related
46 marketing for the essential restoration of the cast iron
47 structure of the Colorado state capitol dome.
48 Committee on State, Veterans, & Military Affairs

49
50 **HB10-1403** by Representative(s) Kerr A.--Concerning commercial
51 notifications with regard to the secretary of state.
52 Committee on State, Veterans, & Military Affairs

53
54 **HB10-1404** by Representative(s) McCann--Concerning the
55 administration of the independent ethics commission.
56 Committee on Judiciary

1 **HB10-1405** by Representative(s) Vaad and Pommer, Baumgardner,
 2 King S., Liston, Looper, May, McKinley, McNulty,
 3 Primavera, Swalm; also Senator(s) Spence and Tochtrop--
 4 Concerning a study of the options for devolution of state
 5 highways that are commuter highways to local
 6 governments.

7 Committee on Transportation & Energy

8
 9 **HB10-1406** by Representative(s) Kerr A., Summers, Merrifield,
 10 Middleton, Scanlan, Solano, Todd--Concerning a
 11 requirement that public school structures satisfy minimum
 12 energy-efficiency design standards.

13 Committee on Education

14
 15 **SB10-156** by Senator(s) Heath; also Representative(s) Hulinghorst--
 16 Concerning increased protections for mobile home owners
 17 who lease space in mobile home parks.

18 Committee on Judiciary

19
 20 **SB10-169** by Senator(s) Boyd; also Representative(s) Riesberg--
 21 Concerning authority for moneys in the hospital provider
 22 fee cash fund generated by an enhanced federal match
 23 through the 2010-11 fiscal year to be used to offset general
 24 fund expenditures in the medicaid program, and making an
 25 appropriation therefor.

26 Committee on Health and Human Services

27 Committee on Appropriations

28
 29 **SB10-181** by Senator(s) Kester; also Representative(s) McKinley--
 30 Concerning the authority of a municipality in the state to
 31 lease lands owned by the municipality.

32 Committee on Local Government

33
 34
 35 **LAY OVER OF CALENDAR ITEM(S)**

36
 37 On motion of Representative Kerr A., the following item(s) on the
 38 Calendar (was)were laid over until April 14, retaining place on Calendar:

39
 40 Consideration of Conference Committee Report(s)--**SB10-109**.

41 Consideration of Resolution(s)--**HJR10-1020, 1021**.

42 Consideration of Senate Amendment(s)--**HB10-1188, 1378, 1379, 1381,**
 43 **1383, 1384, 1385, 1386, 1388**.

44
 45
 46 On motion of Representative Middleton, the House adjourned until
 47 9:00 a.m., April 14, 2010.

48
 49 Approved:
 50 TERRANCE D. CARROLL,
 51 Speaker

52 Attest:
 53 MARILYN EDDINS,
 54 Chief Clerk