

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

One hundred-eleventh Legislative Day Monday, May 3, 2010

1 Prayer by the Reverend Brad Meuli, Denver Rescue Mission.
2
3 The Speaker called the House to order at 10:00 a.m.
4
5 Pledge of Allegiance led by Evelyne, Corrine, Chase, Gretchen
6 Czelaldko, Pinon Valley Elementary, Colorado Springs.
7
8 The roll was called with the following result:
9
10 Present--62.
11 Excused--Representative(s) McFadyen, Miklosi, Scanlan--3.
12 Present after roll call--Representative(s) McFadyen.
13

14 The Speaker declared a quorum present.
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17 On motion of Representative Nikkel, the reading of the journal of
18 April 30, 2010, was declared dispensed with and approved as corrected
19 by the Chief Clerk.
20
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CONSIDERATION OF RESOLUTION(S)

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23
24
25 **HJR10-1020** by Representative(s) Frangas, Fischer, McFadyen,
26 Primavera; also Senator(s) Boyd--Concerning the
27 inclusion of organ donation awareness education in
28 Colorado's driver's education courses.
29

30 (Printed and placed in members' file)
31

32 On motion of Representative Frangas, the resolution was read at length
33 and **adopted** by the following roll call vote:
34

	YES	63	NO	0	EXCUSED	2	ABSENT	0
36	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
38	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	Y	King S.	Y	Nikkel	Y	Summers	Y

1	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
2	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
3	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
4	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
5	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
6	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
7	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
8	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
9							Speaker	Y

10 Current Roll Call added as co-sponsor(s): Representative(s) Acree, Apuan,
 11 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 12 Ferrandino, Gagliardi, Gardner B., Gardner C., Gerou, Hullinghorst, Judd,
 13 Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 14 Looper, Massey, May, McCann, McKinley, McNulty, Merrifield, Middleton,
 15 Murray, Nikkel, Pace, Peniston, Pommer, Priola, Rice, Riesberg, Roberts,
 16 Ryden, Schafer S., Solano, Sonnenberg, Soper, Stephens, Summers, Swalm,
 17 Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann, Speaker.

18
 19 **HJR10-1034** by Representative(s) Acree, Carroll T., Gerou, Priola,
 20 Roberts, Stephens; also Senator(s) Spence--Concerning
 21 stroke awareness.

22
 23 (Printed and placed in members' file)

24
 25 On motion of Representative Acree, the resolution was **adopted** by **viva**
 26 **voce** vote.

27
 28 Current Roll Call added as co-sponsor(s): Representative(s) Apuan, Balmer,
 29 Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,
 30 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Hullinghorst,
 31 Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert, Levy, Liston,
 32 Looper, Massey, May, McCann, McFadyen, McKinley, McNulty, Merrifield,
 33 Middleton, Murray, Nikkel, Pace, Peniston, Pommer, Primavera, Rice,
 34 Riesberg, Ryden, Schafer S., Solano, Sonnenberg, Soper, Summers, Swalm,
 35 Tipton, Todd, Tyler, Vaad, Vigil, Waller, Weissmann.

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MESSAGE(S) FROM THE SENATE

42 The Senate has adopted and transmits herewith: SJR10-033.

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INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

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51 **SJR10-033** by Senator(s) Keller; also Representative(s) Frangas--
 52 Concerning the month of May as Foster Care Month in
 53 Colorado.

55 (Printed and placed in member's file).

1 On motion of Representative Frangas, the resolution was read at length
2 and **adopted** by **viva voce** vote.

3
4 Current Roll Call added as Co-sponsor(s) added: Representative(s) Acree,
5 Apuan, Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry,
6 DelGrosso, Ferrandino, Fischer, Gagliardi, Gardner B., Gardner C., Gerou,
7 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,
8 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,
9 Merrifield, Middleton, Murray, Nikkel, Pace, Peniston, Pommer, Primavera,
10 Priola, Rice, Riesberg, Roberts, Ryden, Schafer S., Solano, Sonnenberg, Soper,
11 Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vaad, Vigil, Waller,
12 Weissmann, Speaker.

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

17
18 The following bill(s) was(were) considered on Third Reading. The
19 title(s) was(were) publicly read. Reading of the bill at length was
20 dispensed with by unanimous consent.

21
22 **HB10-1217** by Representative(s) McKinley, McFadyen, Looper, Pace,
23 Vigil; also Senator(s) Kester--Concerning the repeal of the
24 authority of the executive director of the department of
25 human services to sell the Trinidad state nursing home.

26
27 The question being "Shall the bill pass?".
28 A roll call vote was taken. As shown by the following recorded vote, a
29 majority of those elected to the House voted in the affirmative and the bill
30 was declared **passed**.

31

	YES	47	NO	16	EXCUSED	2	ABSENT	0
33	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
34	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
35	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
36	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
37	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
38	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
39	Casso	Y	Kerr J.	Y	Murray	N	Stephens	N
40	Court	Y	King S.	N	Nikkel	N	Summers	N
41	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
42	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	Y
43	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
44	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
45	Frangas	Y	Looper	Y	Priola	N	Vaad	Y
46	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
47	Gardner B.	N	May	N	Riesberg	Y	Waller	N
48	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
49							Speaker	Y

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

51
52 **HB10-1417** by Representative(s) Peniston, Casso, Court, Frangas,
53 Gagliardi, Kefalas, Kerr A., Levy, Merrifield, Middleton,
54 Pace, Primavera, Ryden, Schafer S., Todd; also Senator(s)
55 Williams, Bacon, Boyd, Carroll M., Foster, Heath, Hudak,
56 Keller, Morse, Newell, Romer, Sandoval, Steadman,

1 Tapia, Tochtrop--Concerning the creation of the pay
2 equity commission within the department of labor and
3 employment.
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	35	NO	28	EXCUSED	2	ABSENT	0
11	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
13	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
14	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
16	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
17	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
18	Court	Y	King S.	N	Nikkel	N	Summers	N
19	Curry	N	Labuda	Y	Pace	Y	Swalm	N
20	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	N	Priola	N	Vaad	N
24	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
25	Gardner B.	N	May	N	Riesberg	Y	Waller	N
26	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
27							Speaker	Y

28 Co-sponsor(s) added: Representative(s) Apuan, Ferrandino, Fischer,
29 Hullinghorst, Labuda, Soper.
30

31
32 **HB10-1413** by Representative(s) Levy and May, Carroll T.; also
33 Senator(s) Newell and Lundberg--Concerning juveniles
34 who are tried as adults, and making an appropriation in
35 connection therewith.
36

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

	YES	55	NO	8	EXCUSED	2	ABSENT	0
43	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
44	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
45	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
46	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
47	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
48	Bradford	N	Kerr A.	Y	Miklosi	E	Soper	Y
49	Casso	N	Kerr J.	N	Murray	Y	Stephens	Y
50	Court	Y	King S.	Y	Nikkel	Y	Summers	N
51	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
52	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	N
53	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
54	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
55	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
56	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y

1	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
2	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
3							Speaker	Y

4 Co-sponsor(s) added: Representative(s) Court, Ferrandino, Fischer, Kagan,
 5 Labuda, McFadyen, Merrifield, Middleton, Nikkel, Pace, Pommer, Ryden,
 6 Schafer S., Solano, Stephens, Todd, Tyler, Vigil, Weissmann.

7
 8 **HB10-1414** by Representative(s) Benefield; also Senator(s) Foster--
 9 Concerning the requirement that a health care facility
 10 report information identifying any individual responsible
 11 for the diversion of injectable drugs that were intended for
 12 use by patients of the facility.

13
 14 The question being "Shall the bill 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 bill
 17 was declared **passed**.

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

36
 37 Co-sponsor(s) added: Representative(s) Apuan, Court, Gerou, Kefalas, Labuda,
 38 Merrifield, Pommer, Riesberg, Schafer S., Solano, Todd, Vigil.

39
 40 **HB10-1412** by Representative(s) Carroll T.; also Senator(s) Johnston
 41 and Spence--Concerning the creation of the charter school
 42 and charter authorizer standards review committee.

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

48	YES	62	NO	1	EXCUSED	2	ABSENT	0
49	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
50	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
51	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
52	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
53	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
54	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
55	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y

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

11 Co-sponsor(s) added: Representative(s) Apuan, Kerr J., King S., Labuda,
 12 Looper, Massey, Pace, Schafer S., Stephens.

13
 14 **HB10-1345** by Representative(s) Carroll T.; also Senator(s) Steadman
 15 and King--Concerning the granting of emergency powers
 16 during emergency situations at charter schools.

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

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

41 Co-sponsor(s) added: Representative(s) Acree, Apuan, Kerr J., Labuda, Massey,
 42 Pace, Summers, Vigil.

43
 44 **HB10-1407** by Representative(s) Kagan, Gagliardi, Hullinghorst,
 45 Looper, Solano, Vigil; also Senator(s) Steadman--
 46 Concerning the creation of the range worker advisory
 47 council, and making an appropriation therefor.

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

53	YES	35	NO	28	EXCUSED	2	ABSENT	0
55	Acree	N	Gerou	N	McFadyen	Y	Ryden	N
56	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	E

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

16 Co-sponsor(s) added: Representative(s) Merrifield, Pommer.

17
 18 **HB10-1411** by Representative(s) Waller, Liston, Pace; also Senator
 19 Tochtrop--Concerning the process for resolving a denial of
 20 a transfer of a firearm when the denial is based on a
 21 prospective transferee's criminal record, which criminal
 22 record includes a case for which there appears to be no
 23 final disposition, and making an appropriation therefor.

24
 25 Laid over until May 4, retaining place on Calendar.

26
 27 **HB10-1391** by Representative(s) Rice, Court, Levy, McCann, Ryden;
 28 also Senator(s) Boyd, Hudak, Newell, Steadman--
 29 Concerning the elimination of the repeal of certain
 30 provisions requiring that the Colorado bureau of
 31 investigation deny the transfer of a firearm to a person if
 32 the bureau receives certain information about the person's
 33 criminal history in response to a search of a criminal
 34 history records database.

35
 36 Laid over until May 4, retaining place on Calendar.

37
 38 **HB10-1403** by Representative(s) Kerr A.; also Senator(s) Whitehead--
 39 Concerning commercial notifications with regard to the
 40 secretary of state, and making an appropriation therefor.

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

47	YES	63	NO	0	EXCUSED	2	ABSENT	0
48	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
50	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
51	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
53	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
54	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
55	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

1	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
2	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
3	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
4	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
5	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
6	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
7	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
8							Speaker	Y

9 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Kerr J., Labuda.

10
11 **HB10-1421** by Representative(s) May and Weissmann, Ferrandino,
12 Pommer, Lambert, Gardner B., Waller; also Senator(s)
13 King K. And Tochtrop--Concerning the decommission of
14 a correctional facility operated by the department of
15 corrections.

16
17 The question being "Shall the bill pass?".

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

	YES	57	NO	6	EXCUSED	2	ABSENT	0
23	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	N
24	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	E
25	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
26	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
27	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
28	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
29	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	Y	Pace	N	Swalm	Y
32	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
33	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
34	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	N
37	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
38	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
39							Speaker	Y

40 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Gerou, Kerr J., Looper,
41 Murray, Priola, Tyler.

42
43 **HB10-1422** by Representative(s) Gardner B., Kagan, Labuda, Levy,
44 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,
45 Morse, Schwartz--Concerning the revision of statutes in
46 the Colorado Revised Statutes, as amended, and, in
47 connection therewith, amending or repealing obsolete,
48 inconsistent, and conflicting provisions of law and
49 clarifying the language to reflect the legislative intent of
50 the laws.

51
52 The question being "Shall the bill pass?".

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

56

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

19 Co-sponsor(s) added: Representative(s) Acree, Baumgardner, Bradford,
20 King S., Liston, Priola, Stephens, Summers, Tipton, Waller, Speaker.

21

22 **HB10-1410** by Representative(s) Rice; also Senator(s) Steadman--
23 Concerning a requirement that the state treasurer transmit
24 moneys appropriated to departments of state government
25 that are unexpended and unencumbered at the end of a
26 fiscal year to the state employee payday shift fund so that
27 the moneys may be used to pay salaries in June for work
28 performed by state employees during the month of June.
29

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

31 A roll call vote was taken. As shown by the following recorded vote, less
32 than a majority of those elected to the House voted in the affirmative and
33 the bill was declared **lost**.

34

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

53

54

55

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

4

5

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

7

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

12

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

15

16 **HB10-1409** by Representative(s) Pommer, Ferrandino, Lambert; also
17 Senator(s) Tapia, Keller, White--Concerning the process
18 by which annual salary increases may be awarded to
19 employees in the state personnel system based on
20 performance, job core competencies, and years of service.

21

22 Amendment No. 1, Appropriations Report, dated April 30, 2010, and
23 placed in member's bill file; Report also printed in House Journal,
24 April 30, page 1513.

25

26 Amendment No. 2, by Representative(s) Pommer.
27 Strike the State, Veterans, & Military Affairs Committee Report, dated
28 April 27, 2010, and substitute the following:

29 "Amend printed bill, page 4, strike lines 24 through 26.

30

31 Reletter succeeding sub-subparagraph accordingly.

32

33 Page 5, line 1, strike "(III)" and substitute "(II)".

34

35 Page 6, line 22, strike "JULY 1," and substitute "OCTOBER 1,".

36

37 Page 6, line 25, strike "FOR THE".

38

39 Page 6, strike lines 26 and 27.

40

41 Strike page 7.

42

43 Page 8, strike lines 1 through 19.

44

45 Renumber succeeding subparagraphs accordingly.

46

47 Page 8, line 20, strike "FOR THE 2012-13" and substitute "EXCEPT AS
48 OTHERWISE PROVIDED IN SUB-SUBPARAGRAPH (C) OF THIS SUBPARAGRAPH
49 (II), FOR THE 2010-11".

50

51 Page 8, line 26, strike "AND" and substitute "AND, ON AND AFTER JULY 1,
52 2012,".

53

54 Page 8, line 27, strike "(IV)" and substitute "(III)".

55

56 Page 9, line 7, strike "RANGES." and substitute "RANGES;".

1 Amendment No. 3, by Representative(s) Pommer.

2
3 Amend Amendment No. 2 by Representative Pommer, printed in House
4 Journal, page 1570, after line 56 insert:

5
6 "Page 9, after line 7 insert:

7
8 "(C) SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (II) SHALL
9 APPLY COMMENCING WITH THE FIRST FISCAL YEAR IN WHICH COLORADO
10 PERSONAL INCOME INCREASES BY FIVE PERCENT DURING SUCH FISCAL
11 YEAR. FOR PURPOSES OF THIS SUB-SUBPARAGRAPH (C), COLORADO
12 PERSONAL INCOME SHALL BE CONSIDERED TO INCREASE BY AT LEAST FIVE
13 PERCENT DURING A GIVEN FISCAL YEAR IF, FROM THE CALENDAR YEAR
14 THAT COMMENCES EIGHTEEN MONTHS PRIOR TO THE FIRST DAY OF THE
15 FISCAL YEAR, AND TO THE NEXT CALENDAR YEAR, COLORADO PERSONAL
16 INCOME INCREASES BY AT LEAST FIVE PERCENT. AS USED IN THIS
17 SUB-SUBPARAGRAPH (C), "COLORADO PERSONAL INCOME" MEANS THE
18 TOTAL PERSONAL INCOME FOR COLORADO, AS DEFINED AND OFFICIALLY
19 REPORTED BY THE BUREAU OF ECONOMIC ANALYSIS IN THE UNITED
20 STATES DEPARTMENT OF COMMERCE."

21
22 Page 9, line 8, strike "2013," and substitute "2012, "."."

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

26
27
28 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

29
30 Passed Second Reading: **HB10-1409 amended.**

31
32 The Chairman moved the adoption of the Committee of the Whole
33 Report. As shown by the following roll call vote, a majority of those
34 elected to the House voted in the affirmative, and the Report was
35 **adopted.**

36	YES	58	NO	4	EXCUSED	3	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullingerhorst	Y	McKinley	Y	Scanlan	E
39	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
42	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
44	Court	Y	King S.	N	Nikkel	Y	Summers	Y
45	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	E	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	N	May	N	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	Y

54
55
56

NOTICE OF INTENT TO RECONSIDER HB10-1410

1
2
3 Having voted on the prevailing side, Representative McFadyen served
4 notice of intent to reconsider the last House action (Third Reading) on
5 **HB10-1410**.

6
7
8
9 On motion of Representative McCann, the House resolved itself into
10 Committee of the Whole for consideration of General Orders, and she
11 was called to the Chair to act as Chairman.

GENERAL ORDERS--SECOND READING OF BILLS

12
13
14
15
16 The Committee of the Whole having risen, the Chairman reported the
17 titles of the following bills had been read (reading at length had been
18 dispensed with by unanimous consent), the bills considered and action
19 taken thereon as follows:

20
21 (Amendments to the committee amendment are to the printed committee
22 report which was printed and placed in the members' bill file.)

23
24 **HB10-1390** by Representative(s) Pommer, Ferrandino, Lambert; also
25 Senator(s) White, Keller, Tapia--Concerning the general
26 fund reserve required for the 2010-11 state fiscal year.

27
28 Laid over until June 9, 2010. Bill deemed lost.

29
30 **HB10-1418** by Representative(s) McFadyen and Sonnenberg; also
31 Senator(s) Bacon--Concerning requirements applicable to
32 community-based projects that qualify for special
33 treatment under the renewable energy portfolio standard.

34
35 Amendment No. 1, Transportation & Energy Report, dated
36 April 29, 2010, and placed in member's bill file; Report also printed in
37 House Journal, April 29, pages 1508-1509.

38
39 Amendment No. 2, by Representative(s) Sonnenberg, McFadyen.

40
41 Amend the Transportation and Energy Committee Report, dated April 29,
42 2010, page 2, line 5, strike "COUNTS" and substitute "MAY BE COUNTED".

43
44 Page 2, line 6, strike "UTILITIES." and substitute "UTILITIES; EXCEPT
45 THAT, AFTER JANUARY 1, 2015, EACH SUCH KILOWATT OF ELECTRICITY
46 MAY BE COUNTED AS ONE AND ONE-HALF KILOWATT HOURS FOR SUCH
47 COMPLIANCE."

48
49 Page 2, line 7, strike everything after "SHALL".

50
51 Page 2, line 8, strike everything before "NOT".

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

55
56

1 **SB10-186** by Senator(s) Tochtrop, Carroll M., Mitchell, Schultheis;
 2 also Representative(s) Primavera, Kerr J., McNulty,
 3 Miklosi--Concerning state warrants for tax refunds that are
 4 not presented for payment within six months from the date
 5 of issuance.
 6

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

10 On motion of Representative Weissmann, the remainder of the General
 11 Orders Calendar (**SB10-028, 178, 126, 189, HCR10-1002, 114, 139**) was
 12 laid over until May 4, retaining place on Calendar.
 13

14
 15
 16 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**
 17

18 Passed Second Reading: **HB10-1418 amended, SB10-186.**
 19

20 Laid over until date indicated retaining place on Calendar: **SB10-028,**
 21 **178, 126, 189, HCR10-1002, 114, 139--**May 4, 2010.
 22 **HB10-1390--**June 9, 2010. Bill deemed lost.
 23

24 The Chairman moved the adoption of the Committee of the Whole
 25 Report. As shown by the following roll call vote, a majority of those
 26 elected to the House voted in the affirmative, and the Report was
 27 **adopted.**
 28

	YES	61	NO	0	EXCUSED	4	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
32	Balmer	Y	Judd	Y	McNulty	E	Schafer S.	Y
33	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	E	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	E	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
46							Speaker	Y

47
 48
 49
 50 House in recess. House reconvened.
 51
 52
 53
 54
 55

1 **REPORT(S) OF COMMITTEE(S) OF REFERENCE**

2
3 **APPROPRIATIONS**

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

6
7 **HB10-1152** be postponed indefinitely.

8
9
10 **HB10-1281** be amended as follows, and as so amended, be referred to
11 the Committee of the Whole with favorable
12 recommendation:

13
14 Amend the Transportation and Energy Committee Report, dated April 29,
15 2010, page 2, line 1, strike "**Repeal.**" and after "(f)" insert "and".

16
17 Page 2, line 2, strike "repealed as follows" and substitute "amended to
18 read:".

19
20 Page 2, strike line 7 and substitute:

21
22 "(a) Basic local exchange service OFFERED BY A PROVIDER WITH
23 FEWER THAN ONE HUNDRED THOUSAND ACCESS LINES;".

24
25 Page 2, strike line 18 and substitute:

26
27 "(h) BASIC LOCAL EXCHANGE SERVICE OFFERED BY A PROVIDER
28 WITH ONE HUNDRED THOUSAND OR MORE ACCESS LINES; AND".

29
30 Page 3, after line 13, insert:

31
32 "(c) NO PROVIDER WITH MORE THAN ONE HUNDRED THOUSAND
33 ACCESS LINES SHALL BE ELIGIBLE TO RECEIVE SUPPORT FROM THE HIGH
34 COST SUPPORT MECHANISM CREATED IN SECTION 40-15-208.

35
36 **SECTION 6.** 40-15-208 (3), Colorado Revised Statutes, is
37 amended BY THE ADDITION OF THE FOLLOWING NEW
38 PARAGRAPHS to read:

39
40 **40-15-208. High cost support mechanism - Colorado high cost**
41 **administration fund - creation - purpose - operation - rules - repeal.**
42 (3) (d) (I) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY,
43 NO LATER THAN MAY 15, 2010, THE COMMISSION SHALL TRANSMIT, OR
44 CAUSE TO BE TRANSMITTED, ALL MONEYS FROM THE HIGH COST SUPPORT
45 MECHANISM, NOT TO EXCEED FIFTY MILLION DOLLARS, INTO THE FUND.

46
47 (II) THIS PARAGRAPH (d) IS REPEALED, EFFECTIVE JULY 1, 2011.

48
49 (e) (I) NOTWITHSTANDING ANY PROVISION OF PARAGRAPH (a) OF
50 THIS SUBSECTION (3) TO THE CONTRARY, ON JULY 1, 2010, THE STATE
51 TREASURER SHALL DEDUCT FROM THE FUND FIFTY MILLION DOLLARS AND
52 TRANSFER SUCH AMOUNT TO THE GENERAL FUND.

53
54 (II) THIS PARAGRAPH (e) IS REPEALED, EFFECTIVE JULY 1, 2011.

55
56 **SECTION 7. Appropriation.** (1) In addition to any other

1 appropriation, there is hereby appropriated, out of any moneys in the
2 public utilities commission fixed utility fund created in section 40-2-114,
3 Colorado Revised Statutes, not otherwise appropriated, to the department
4 of regulatory agencies, for allocation to the public utilities commission,
5 for the fiscal year beginning July 1, 2010, the sum of two hundred thirteen
6 thousand five hundred six dollars (\$213,506) cash funds and 1.8 FTE, or
7 so much thereof as may be necessary, for the implementation of this act.
8

9 (2) In addition to any other appropriation, there is hereby
10 appropriated to the department of law, for the fiscal year beginning July
11 1, 2010, the sum of fifty-one thousand two hundred fifty-eight dollars
12 (\$51,258) and 0.4 FTE, or so much thereof as may be necessary, for the
13 provision of legal services to the department of regulation agencies
14 related to the implementation of this act. Said sum shall be from
15 reappropriated funds received from the department of regulatory agencies
16 out of the appropriation made in subsection (1) of this section."
17

18 Renumber succeeding section accordingly.
19

20 Page 3 of the report, after line 23 insert:
21

22 "Page 1, line 103, strike "EXISTS." and substitute "EXISTS, AND MAKING
23 AN APPROPRIATION THEREFOR."
24

25
26

27 **HB10-1415** be amended as follows, and as so amended, be referred to
28 the Committee of the Whole with favorable
29 recommendation:
30

31 Amend printed bill, page 19, after line 17 insert:
32

33 **"SECTION 3. Appropriation.** (1) In addition to any other
34 appropriation, there is hereby appropriated, out of any moneys in the
35 division of registrations cash fund created in section 24-34-105 (2) (b) (I),
36 Colorado Revised Statutes, not otherwise appropriated, to the department
37 of regulatory agencies, for allocation to the division of registrations, for
38 the fiscal year beginning July 1, 2010, the sum of forty-three thousand
39 four hundred fourteen dollars (\$43,414) cash funds and 0.4 FTE, or so
40 much thereof as may be necessary, for the implementation of this act.
41

42 (2) In addition to any other appropriation, there is hereby
43 appropriated to the department of law, for the fiscal year beginning July
44 1, 2010, the sum of three thousand seven hundred sixty-nine dollars
45 (\$3,769), or so much thereof as may be necessary, for the provision of
46 legal services to the department of regulatory agencies related to the
47 implementation of this act. Said sum shall be from reappropriated funds
48 received from the department of regulatory agencies out of the
49 appropriation made in subsection (1) of this section."
50

51 Renumber succeeding sections accordingly.
52

53 Page 1, line 101, strike "SURGEONS." and substitute "SURGEONS, AND
54 MAKING AN APPROPRIATION THEREFOR."
55

56

1 **HB10-1426** 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 4, line 2, strike "HOME." and substitute "HOME,
6 INCLUDING BUT NOT LIMITED TO ANY PAYMENT TO THE STATE BOARD FOR
7 COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION FOR ANY
8 REVERSIONARY INTEREST THAT SUCH BOARD MAY HOLD."
9

10 Page 4, after line 10, insert:
11

12 **"SECTION 4. Appropriation.** (1) In addition to any other
13 appropriation, there is hereby appropriated, out of any moneys in the
14 general fund not otherwise appropriated, to the Trinidad state nursing
15 home cash fund, for the Department of Human Services, for the fiscal
16 year beginning July 1, 2010, the sum of three million six hundred
17 twenty-two thousand eight hundred eighty dollars (\$3,622,880), or so
18 much thereof as may be necessary, for the implementation of this act.
19

20 (2) It is the intent of the general assembly that the general fund
21 appropriation in subsection (1) of this section shall be derived from
22 savings generated from the implementation of the provisions of House
23 Bill 10-1281, as enacted during the Second Regular Session of the
24 Sixty-seventh General Assembly.
25

26 **SECTION 5. Effective date.** (1) Except as otherwise provided
27 in subsection (2) of this section, this act shall take effect upon passage.
28

29 (2) Section 4 of this act shall take effect July 1, 2010, only if:
30

31 (a) The final fiscal estimate for House Bill 10-1281, as determined
32 from the appropriations enacted in said bill, shows a net reduction in the
33 amount of general fund revenues appropriated for state fiscal year
34 2010-11, that is equal to or greater than the amount of the general fund
35 appropriation made for the implementation of this act for state fiscal year
36 2010-11, as reflected in section 4 of this act;
37

38 (b) House Bill 10-1281 is enacted and becomes law; and
39

40 (c) The staff director of the joint budget committee files written
41 notice with the revisor of statutes no later than July 15, 2010, that the
42 requirement set forth in paragraph (a) of this subsection (2) has been
43 met."
44

45 Renumber succeeding section accordingly.
46

47 Page 1, line 102, strike "HOME." and substitute "**HOME, AND MAKING AN**
48 **APPROPRIATION IN CONNECTION THEREWITH.**"
49

50
51
52 **SB10-141** be amended as follows, and as so amended, be referred to
53 the Committee of the Whole with favorable
54 recommendation:
55

56 Amend reengrossed bill, page 8, strike lines 12 through 26 and substitute:

1 **"SECTION 9. Appropriation.** (1) In addition to any other
 2 appropriation, there is hereby appropriated, out of any moneys in the
 3 department of state cash fund created in section 24-21-104 (3) (b),
 4 Colorado Revised Statutes, not otherwise appropriated, to the department
 5 of state, for allocation to the administration division, for operating
 6 expenses, for the fiscal year beginning July 1, 2010, the sum of one
 7 hundred sixteen thousand twenty dollars (\$116,020) cash funds, or so
 8 much thereof as may be necessary, for the implementation of this act.
 9

10 (2) In addition to any other appropriation, there is hereby
 11 appropriated to the department of revenue, executive director's office, for
 12 operating expenses, for the fiscal year beginning July 1, 2010, the sum of
 13 one hundred sixteen thousand twenty dollars (\$116,020), or so much
 14 thereof as may be necessary, for the implementation of this act. Said sum
 15 shall be from reappropriated funds received from the department of state
 16 out of the appropriation made in subsection (1) of this section."
 17
 18
 19

20 **SB10-187** be referred to the Committee of the Whole with favorable
 21 recommendation.
 22
 23
 24
 25

26 **EDUCATION**

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

30 **HB10-1427** be amended as follows, and as so amended, be referred to
 31 the Committee of the Whole with favorable
 32 recommendation:
 33

34 Amend printed bill, page 2, line 9, strike "STATE".
 35

36 Page 2, line 10, strike "CONTRIBUTIONS FOR".
 37

38 Page 2, line 12, strike "ANY".
 39

40 Page 2, strike lines 13 through 15 and substitute "~~contracted for or~~
 41 ~~administered by the state personnel director for medical, dental, and life~~
 42 ~~benefits~~ AS DESCRIBED IN SECTION 24-50-603 (9)".
 43

44 Page 2, after line 15 insert:
 45

46 **"SECTION 2.** 24-50-603 (9), Colorado Revised Statutes, is
 47 amended to read:
 48

49 **24-50-603. Definitions.** As used in this part 6, unless the context
 50 otherwise requires:
 51

52 (9) "Group benefit plans" means any group benefit coverages
 53 contracted for or administered by the director, including but not limited
 54 to, medical, dental, life, and disability benefits. FOR PURPOSES OF
 55 SECTION 24-50-104 (1) (a) (I), "GROUP BENEFIT PLANS" INCLUDES ANY
 56 GROUP BENEFIT COVERAGES OFFERED BY A STATE INSTITUTION OF HIGHER

1 EDUCATION TO EMPLOYEES OF SUCH INSTITUTION WHO ARE IN THE STATE
2 PERSONNEL SYSTEM."

3

4 Renumber succeeding sections accordingly.

5

6 Page 3, strike lines 8 through 16 and substitute:

7

8 "**education.** A STATE INSTITUTION OF HIGHER EDUCATION THAT HAS, IN
9 THE PLAN YEAR IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THIS
10 SECTION, OFFERED ONE OR MORE GROUP BENEFIT PLANS OTHER THAN A
11 PLAN CONTRACTED FOR BY THE DIRECTOR PURSUANT TO THIS PART 6 TO
12 EMPLOYEES OF THE INSTITUTION WHO ARE IN THE STATE PERSONNEL
13 SYSTEM MAY CONTINUE TO OFFER GROUP BENEFIT PLANS TO SUCH
14 EMPLOYEES. NOTHING IN THIS PART 6 SHALL BE CONSTRUED TO
15 OTHERWISE LIMIT OR EXPAND THE AUTHORITY OF ANY INSTITUTION OF
16 HIGHER EDUCATION TO ESTABLISH AND OFFER BENEFIT PLANS TO ITS
17 EMPLOYEES."

18

19

20

21 **HB10-1428** be amended as follows, and as so amended, be referred to
22 the Committee on Appropriations with favorable
23 recommendation:

24

25 Amend printed bill, page 6, strike lines 16 through 20.

26

27 Renumber succeeding sections accordingly.

28

29 Page 6, strike lines 21 through 23 and substitute:

30

31 "**SECTION 4.** 23-3.1-104 (1) (g), (1) (o), (2) (j), (2) (k), and (2)
32 (o), Colorado Revised Statutes, are".

33

34 Page 6, strike line 27.

35

36 Page 7, strike lines 1 through 4.

37

38 Page 7, strike lines 6 through 12.

39

40 Page 7, strike lines 17 through 27.

41

42 Page 8, strike lines 1 through 3.

43

44 Page 8, strike lines 8 through 17.

45

46 Page 8, strike line 21 through 27.

47

48 Strike pages 9 and 10.

49

50 Page 11, strike lines 1 through 21.

51

52 Renumber succeeding sections accordingly.

53

54 Page 12, strike lines 8 and 9 and substitute "of higher education and
55 which authority shall make or purchase student obligations ~~shall make~~
56 ~~institutional loans~~, and shall develop and".

1 Page 12, strike lines 13 through 27.

2

3 Page 13, strike lines 1 through 6.

4

5 Renumber succeeding sections accordingly.

6

7 Page 13, strike lines 7 and 8 and substitute:

8

9 **"SECTION 6. Repeal.** 23-3.1-206 (1) (v) and (1) (x), Colorado
10 Revised Statutes, are".

11

12 Page 13, strike lines 13 through 27.

13

14 Page 14, strike lines 8 and 9 and substitute:.

15

16 **"SECTION 7.** 23-3.1-206 (1) (h), Colorado Revised Statutes, is
17 amended to read:

18

19 **23-3.1-206. General powers and duties of the authority.** (1) In
20 addition to any other powers and duties specifically granted to the
21 authority in this part 2, the authority has the following powers:

22

23 (h) ~~To make or participate in the making of student obligations or~~
24 ~~institutional loans;~~".

25

26 Renumber succeeding sections accordingly.

27

28 Page 14, strike lines 16 and 17 and substitute "purposes of this part 2 and
29 of part 3 of this article including funding of grants, scholarships, and loan
30 forgiveness; ~~and to do all things necessary~~".

31

32 Page 15, strike lines 6 through 8 and substitute:

33

34 **"SECTION 10. Repeal.** 23-3.1-206.9, Colorado Revised
35 Statutes, is repealed."

36

37 Page 15, strike lines 9 through 15.

38

39 Renumber succeeding sections accordingly.

40

41 Page 19, strike lines 23 through 25 and substitute:

42

43 **"SECTION 14. Specified effective date.** (1) Except as provided
44 in subsection (2) of this section, this act shall take effect upon passage.

45

46 (2) (a) Section 7 of this act shall take effect September 30, 2010.

47

48 (b) Section 13 of this act shall only take effect if Senate Bill
49 10-202 is enacted and becomes law."

50

51

52

53 **HCR10-1007** be postponed indefinitely.

54

55

56 **HJR10-1030** be postponed indefinitely.

1 **FINANCE**

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

4
5 **HB10-1263** be postponed indefinitely.

6
7
8 **HB10-1429** be amended as follows, and as so amended, be referred to
9 the Committee of the Whole with favorable
10 recommendation:

11
12 Amend printed bill, page 5, strike lines 19 through 23 and substitute:

13
14 "(b) THE DEPARTMENT OF REVENUE SHALL PROVIDE LEGISLATIVE
15 COUNCIL STAFF WITH ANY INFORMATION THAT THE STAFF DEEMS
16 NECESSARY TO PREPARE THE REPORTS REQUIRED PURSUANT TO
17 PARAGRAPH (a) OF THIS SUBSECTION (3); EXCEPT THAT THE DEPARTMENT
18 SHALL NOT PROVIDE ANY INCOME TAX INFORMATION THAT WOULD
19 VIOLATE ANY CONFIDENTIALITY STANDARDS ESTABLISHED BY FEDERAL
20 LAW OR THE INTERNAL REVENUE SERVICE."
21
22
23
24

25 **HEALTH & HUMAN SERVICES**

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

28
29 **SB10-002** be amended as follows, and as so amended, be referred to
30 the Committee on Appropriations with favorable
31 recommendation:

32
33 Amend reengrossed bill, page 6, line 16, strike "BY" and substitute
34 "WHEN" and strike "A".
35

36 Page 6, line 17, strike "PERSON DESIGNATES" and substitute "PERSONS
37 ELIGIBLE FOR OR ON THE WAITING LIST FOR THE FOLLOWING PROGRAMS,
38 LISTED IN THIS SUBPARAGRAPH (I), MAY DESIGNATE".
39

40 Page 6, strike line 21, and substitute "10-16-113 OR 10-16-113.5, C.R.S.:

41
42 (A) HOME- AND COMMUNITY-BASED SERVICES FOR PERSONS WITH
43 DEVELOPMENTAL DISABILITIES PURSUANT TO PART 4 OF ARTICLE 6 OF THIS
44 TITLE;

45
46 (B) HOME- AND COMMUNITY-BASED SERVICES FOR CHILDREN WITH
47 AUTISM PURSUANT TO PART 8 OF ARTICLE 6 OF THIS TITLE;

48
49 (C) THE DISABLED CHILDREN CARE PROGRAM PURSUANT TO
50 SECTION 25.5-6-901;

51
52 (D) THE CHILDREN'S PERSONAL ASSISTANCE SERVICES AND FAMILY
53 SUPPORT WAIVER PROGRAM PURSUANT TO SECTION 25.5-6-902; AND

54
55 (E) PEDIATRIC HOSPICE CARE PURSUANT TO SECTION 25.5-5-305.
56

1 (II) NOTHING IN THIS PARAGRAPH (b)".
2
3 Page 6, line 24, strike "BENEFITS." and substitute "BENEFITS FOR A PERSON
4 WHO DESIGNATES THE STATE DEPARTMENT AS THE PERSON'S DESIGNATED
5 REPRESENTATIVE."
6
7 Page 6, line 25, strike "(II)" and substitute "(III)".
8
9 Page 8, line 3, after the first "(e)" insert "(I)".

10
11 Page 8, after line 18 insert:
12
13 "(II) (A) IN 2013, THE STATE DEPARTMENT SHALL INCLUDE IN ITS
14 ANNUAL REPORT TO THE HEALTH AND HUMAN SERVICES COMMITTEES OF
15 THE SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
16 COMMITTEES, A REPORT ON THE EFFECTIVENESS OF THE ADDITIONAL
17 PROCESS DEVELOPED PURSUANT TO THIS PARAGRAPH (e).
18

19 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1,
20 2013."
21

22
23
24 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**
25

26 The Speaker has signed: **HB10-1096, 1205; HM10-1003.**
27

28
29 **MESSAGE(S) FROM THE SENATE**
30

31 The Senate has adopted and transmits herewith: SJM10-002.
32

33
34 The Senate has passed on Third Reading and transmitted to the Revisor
35 of Statutes:

36
37 SB10-191 amended as printed in Senate Journal, April 29, 2010, pages
38 1078-1084, 1091-1097 and April 30, 2010.
39

40 The Senate has passed on Third Reading and transmitted to the Revisor
41 of Statutes:

42
43 HB10-1351 amended as printed in Senate Journal, April 29, 2010, pages
44 1097-1100 and April 30, 2010.
45

46
47 The Senate has voted to recall HB10-1106 for purposes of reconsideration
48 and requests the return of the bill.
49

50
51 The Senate has adopted and returns herewith: HJR10-1021.
52

53
54 The Senate failed to pass HB10-1354 on Second Reading. The bill is
55 returned herewith.
56

1 The Senate has passed on Third Reading and transmitted to the Revisor
2 of Statutes: SB10-201, SB10-206.

3

4 The Senate has passed on Third Reading and transmitted to the Revisor
5 of Statutes:

6

7 SB10-185 amended as printed in Senate Journal, April 13, 2010,
8 pages 856-857.

9 SB10-199 amended as printed in Senate Journal, April 30, 2010,
10 pages 1143-1144.

11 SB10-195 amended as printed in Senate Journal, April 30, 2010,
12 pages 1144-1145.

13

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

16

17 HB10-1141 amended as printed in Senate Journal, March 12, 2010,
18 pages 516-518, April 30, 2010, page 1138 and
19 May 3, 2010.

20 HB10-1334 amended as printed in Senate Journal, April 30, 2010,
21 page 1142.

22 HB10-1119 amended as printed in Senate Journal, April 30, 2010,
23 page 1145.

24 HB10-1329 amended as printed in Senate Journal, April 30, 2010,
25 pages 1130-1131.

26 HB10-1005 amended as printed in Senate Journal, April 30, 2010,
27 page 1147.

28 HB10-1073 amended as printed in Senate Journal, April 30, 2010,
29 page 1147.

30 HB10-1241 amended as printed in Senate Journal, April 30, 2010,
31 page 1147.

32

33 The Senate has passed on Third Reading and returns herewith:
34 HB10-1336, HB10-1033, HB10-1139.

35

36 The Senate has adopted and returns herewith: HJR10-1020, HJR10-1034.

37

38 On reconsideration, the Senate has passed on Third Reading and
39 transmitted to the Revisor of Statutes:

40

41 HB10-1106, amended as printed in Senate Journal, May 3, 2010.

42

43 In response to the request from the House for a Conference Committee on
44 HB10-1125, the President appoints Senators Schwartz, chair, Foster and
45 Kester as conferees on the First Conference Committee on HB10-1125.

46 The Senate has granted permission for the First Conference Committee to
47 go beyond the scope of the difference between the two houses.

48

49 In response to the request from the House for a Conference Committee on
50 HB10-1330, the President appoints Senators Morse, chair, Boyd and
51 Schultheis as conferees on the First Conference Committee on
52 HB10-1330.

53

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MESSAGE(S) FROM THE REVISOR1
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We herewith transmit:
Without comment, as amended, HB10-1351.
Without comment, as amended, SB10-191.

We herewith transmit:
Without comment, SB10-201 and 206.
Without comment, as amended, HB10-1106, 1141, 1241, 1334, 1119,
1329, 1005, and 1073.
Without comment, as amended, SB10-185, 199, and 195.

INTRODUCTION OF BILLS
First Reading

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

HB10-1431 by Representative(s) McKinley--Concerning the methodology used to value renewable energy facilities for purposes of property taxation.
Committee on Transportation & Energy

HB10-1432 by Representative(s) Carroll T. and May; also Senator(s) Shaffer B. and Penry--Concerning the documentation assembled by the staff of the legislative council during preparation of the ballot information booklet.
Committee on Agriculture, Livestock, & Natural Resources

SB10-185 by Senator(s) Shaffer B., Bacon, Boyd, Carroll M., Foster, Heath, Hudak, Johnston, Keller, Morse, Sandoval, Schwartz, Steadman, Tapia, Tochtrop, Whitehead, Williams; also Representative(s) Merrifield, Apuan, Benefield, Casso, Ferrandino, Fischer, Gagliardi, Hullinghorst, Kagan, Kefalas, Kerr A., Labuda, Levy, McCann, Miklosi, Pace, Peniston, Pommer, Schafer S., Solano, Soper, Todd, Tyler, Vigil, Weissmann--Concerning modifications to the residential warranty of habitability for the purpose of protecting renters.
Committee on Business Affairs and Labor

SB10-191 by Senator(s) Johnston and Spence, Foster, Gibbs, Hodge, King K., Kopp, Newell, Penry, Romer, Scheffel; also Representative(s) Scanlan and Murray, Carroll T., Gerou, Massey, Rice, Summers--Concerning ensuring quality instruction through educator effectiveness (EQUITEE).
Committee on Education

SB10-195 by Senator(s) Newell; also Representative(s) Solano--Concerning creation of the early childhood leadership commission.
Committee on Health and Human Services

1 **SB10-199** by Senator(s) Carroll M.; also Representative(s) Court--
 2 Concerning clarifying revisions to certain provisions of the
 3 Colorado probate code.
 4 Committee on Judiciary

5
 6 **SB10-201** by Senator(s) Mitchell and Romer, Foster, Hodge, Kester,
 7 Kopp, Morse, Newell, Penry, Scheffel, Shaffer B., Tapia;
 8 also Representative(s) Soper and Balmer, Baumgardner,
 9 Bradford, Casso, DelGrosso, Hullinghorst, Kagan, Liston,
 10 Looper, McNulty, Merrifield, Priola, Rice, Scanlan,
 11 Sonnenberg, Stephens--Concerning enforcement of the
 12 motor vehicle franchise laws against certain types of
 13 licensees.
 14 Committee on Business Affairs and Labor

15
 16 **SB10-206** by Senator(s) White; also Representative(s) Scanlan--
 17 Concerning the distribution of fifty percent of the limited
 18 gaming fund allocated to the state general fund or such
 19 other fund as the general assembly provides as specified in
 20 section 9 (5) (b) (II) of article XVIII of the state
 21 constitution.
 22 Committee on Finance

23
 24
 25
 26 **INTRODUCTION OF CONCURRENT RESOLUTION**

27
 28 The following resolution was read by title and referred to the committee
 29 indicated:

30
 31 **HCR10-1009** by Representative(s) DelGrosso, Gardner C., McNulty,
 32 Baumgardner, Lambert, Tipton; also Senator(s) Lundberg--
 33 Submitting to the registered electors of the state of
 34 Colorado an amendment to article X of the constitution of
 35 the state of Colorado, concerning the creation of a state
 36 savings and trust fund, and, in connection therewith,
 37 requiring an annual deposit of state general fund moneys
 38 into the savings and trust fund in an amount equal to the
 39 amount of the state general fund reserve for the prior fiscal
 40 year until the balance of the fund reaches a specified level
 41 and allowing the general assembly to appropriate moneys
 42 from the savings and trust fund for the purpose of budget
 43 stabilization during economic downturns if the general
 44 assembly has also authorized the expenditure of the entire
 45 state general fund reserve.

46 Committee on State, Veterans, & Military Affairs
 47 Committee on Finance

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INTRODUCTION OF RESOLUTION

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

HJR10-1035 by Representative(s) DelGrosso; also Senator(s) Renfroe--
Concerning the recognition of Colorado's business community.

NOTICE OF CALENDARED ITEM(S)

On motion of Representative Weissmann the following bills were calendared for Second Reading on May 4, 2010 to precede SB10-028: **HB10-1281, 1415, 1426, 1427, 1429.**

On motion of Representative Weissmann the following bills were calendared for Second Reading on May 4, 2010: **SB10-141, 187.**

LAY OVER OF CALENDAR ITEM(S)

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until May 4, retaining place on Calendar:

Consideration of Third Reading--**SB10-006, 061, 103, 106, 108, 120, 169, 171, 183, 181, HCR10-1004, SB10-156, HB10-1366.**

Consideration of Conference Committee Report(s)--**HB10-1021, SB10-109, HB10-1383, 1388.**

Consideration of Resolution(s)--**SJR10-025, HJR10-1023, 1019, 1024, 1025, 1026, 1027, 1028, 1032, 1022, 1033.**

Consideration of Senate Amendment(s)---**HB10-1035, 1053, 1106, 1224, 1260, 1333, 1335, 1362.**

Consideration of Adherence--**HB10-1098.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., May 4, 2010.

Approved:
TERRANCE D. CARROLL,
Speaker

Attest:
MARILYN EDDINS,
Chief Clerk

