

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

Third Legislative Day

Friday, January 15, 2010

1 Prayer by Bishop Isein, Bishop of the Diocese of Pueblo.
 2

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

5 Pledge of Allegiance led by Rebecca Massey, Salida High School.
 6

7 The roll was called with the following result:
 8

9 Present--61.

10 Excused--Representative(s) Bradford, Rice, Solano, Sonnenberg--4.
 11

12 The Speaker declared a quorum present.
 13
 14

15 On motion of Representative DelGrosso, the reading of the journal of
 16 January 14, 2010, was declared dispensed with and approved as corrected
 17 by the Chief Clerk.
 18
 19
 20

THIRD READING OF BILL(S)--FINAL PASSAGE

21
 22
 23 The following bill(s) was (were) considered on Third Reading. The
 24 title(s) was (were) publicly read. Reading of the bill at length was
 25 dispensed with by unanimous consent.
 26

27 **SB10-036** by Senator(s) Johnston, Bacon, Heath, Hudak, Penry,
 28 Romer, Shaffer B., Steadman; also Representative(s)
 29 Merrifield--Concerning requiring the department of
 30 education to prepare an annual report analyzing educator
 31 preparation program effectiveness using data obtained
 32 through the educator identifier system.
 33

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

35 A roll call vote was taken. As shown by the following recorded vote, a
 36 majority of those elected to the House voted in the affirmative and the
 37 bill was declared **passed**.
 38

| | YES | 50 | NO | 11 | EXCUSED | 4 | ABSENT | 0 |
|----|-------------|----|--------------|----|------------|---|------------|---|
| 40 | Acree | Y | Gerou | N | McFadyen | Y | Ryden | Y |
| 41 | Apuan | Y | Hullinghorst | Y | McKinley | Y | Scanlan | Y |
| 42 | Balmer | Y | Judd | Y | McNulty | Y | Schafer S. | Y |
| 43 | Baumgardner | N | Kagan | Y | Merrifield | Y | Solano | E |

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

14 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Casso, Court,
15 Kerr A., Labuda, Levy, Miklosi, Primavera, Riesberg, Ryden, Scanlan,
16 Schafer S., Summers, Todd, Tyler, Speaker.

17

18

19

20

CONSIDERATION OF RESOLUTION(S)

21

22 **HR10-1004** by Representative(s) Weissmann--Concerning the line of
23 succession for the chief clerk of the House of
24 Representatives.

25

26 (Printed and placed in members' file)

27

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

30

31 Co-sponsor(s) added: Representative(s) Acree, Apuan, Baumgardner,
32 Benefield, Court, Gardner B., Gerou, Hulinghorst, Kagan, Kefalas, Kerr A.,
33 Kerr J., King S., Labuda, Lambert, Levy, Liston, Looper, McFadyen, Merrifield,
34 Miklosi, Nikkel, Peniston, Pommer, Primavera, Priola, Roberts, Ryden,
35 Scanlan, Schafer S., Soper, Stephens, Summers, Tipton, Todd, Tyler, Vaad,
36 Vigil, Waller.

37

38 **SJR10-001** by Senator(s) Morse; also Representative(s) Weissmann--
39 Concerning amendments to the Joint Rules of the Senate
40 and the House of Representatives relating to the
41 preparation of bill summaries.

42

43 (Printed and placed in members' file)

44

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

47

48 Co-sponsor(s) added: Representative(s) Acree, Apuan, Benefield, Court,
49 Ferrandino, Fischer, Gardner B., Gerou, Hulinghorst, Kerr A., Kerr J., Labuda,
50 Levy, McFadyen, Murray, Nikkel, Peniston, Pommer, Primavera, Priola,
51 Roberts, Ryden, Schafer S., Soper, Summers, Todd.

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House in recess. House reconvened.

55

56

1 **PRINTING REPORT**

2
3 The Chief Clerk reports the following bills have been correctly printed:
4 **HB10-1097, 1098, 1099, 1100, 1101, 1102, 1103.**

5
6
7
8 **SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

9
10 The Speaker has signed: **SB10-036.**

11
12
13 **INTRODUCTION OF BILLS**
14 **First Reading**

15
16
17 The following bills were read by title and referred to the committees
18 indicated:

19
20 **HB10-1104** by Representative(s) Looper; also Senator(s) Williams,
21 Penry--Concerning authorization for the establishment of
22 a veterans treatment court program in judicial districts.

23 Committee on Judiciary
24 Committee on Appropriations

25
26 **HB10-1105** by Representative(s) Roberts--Concerning clarification of
27 provisions in the "Colorado probate code" concerning
28 compensation of certain parties.

29 Committee on Judiciary

30
31 **HB10-1106** by Representative(s) Casso; also Senator(s) Sandoval--
32 Concerning bringing certain statutory provisions
33 concerning child welfare into compliance with federal law.

34 Committee on Health and Human Services

35
36 **HB10-1107** by Representative(s) Fischer, Ferrandino, Hullinghorst,
37 Pommer; also Senator(s) Carroll M., Tochtrop--
38 Concerning limitations on the inclusion of agricultural
39 lands within urban renewal areas.

40 Committee on Agriculture, Livestock, & Natural Resources

41
42 **HB10-1108** by Representative(s) McCann; also Senator(s) Johnston--
43 Concerning an exclusion from the employment
44 relationship for purposes of state employment laws for
45 certain coaches who enter into independent contractor
46 relationships with nonprofit youth sports organizations that
47 are evidenced by a written agreement.

48 Committee on Business Affairs and Labor

49
50 **HB10-1109** by Representative(s) McCann; also Senator(s) Mitchell--
51 Concerning the availability of workers' compensation to
52 jail inmates who are working for a program that has been
53 certified by the federal prison industry enhancement
54 certification program.

55 Committee on Judiciary

56

- 1 **HB10-1110** by Representative(s) Weissmann; also Senator(s) Morse--
2 Concerning payment of expenses of the legislative
3 department.
4 Committee on Appropriations
5
- 6 **HB10-1111** by Representative(s) Miklosi--Concerning the creation of
7 low-profit limited liability companies.
8 Committee on State, Veterans, & Military Affairs
9
- 10 **HB10-1112** by Representative(s) Miklosi--Concerning the
11 "Correctional Education Program Act of 1990".
12 Committee on Judiciary
13
- 14 **HB10-1113** by Representative(s) McFadyen, Sonnenberg, Vaad; also
15 Senator(s) Hodge, Kester--Concerning the modification of
16 agencies that perform oversight of the commercial vehicle
17 industry through a transfer of the ports of entry section in
18 the department of revenue to the Colorado state patrol in
19 the department of public safety by a type 2 transfer.
20 Committee on Transportation & Energy
21
- 22 **HB10-1114** by Representative(s) Liston--Concerning the registration
23 of agents of persons in the business of transmitting money.
24 Committee on Business Affairs and Labor
25
- 26 **HB10-1115** by Representative(s) Gagliardi; also Senator(s) Scheffel--
27 Concerning the assessment of costs by county departments
28 of social services to families receiving child welfare core
29 services.
30 Committee on Health and Human Services
31
- 32 **HB10-1116** by Representative(s) Todd--Concerning the revision of
33 certain administrative provisions relating to the conduct of
34 elections, and, in connection therewith, amending or
35 repealing obsolete, inconsistent, and conflicting provisions
36 of law.
37 Committee on State, Veterans, & Military Affairs
38
- 39 **HB10-1117** by Representative(s) Benefield, Primavera, Solano; also
40 Senator(s) Johnston, Hudak, Newell, Tochtrop--
41 Concerning certain procedures regarding the levying of
42 taxes by county officers, and, in connection therewith,
43 raising the amount of abatement or refund that may be
44 approved by a board of county commissioners and
45 allowing for the electronic transmission of notices of
46 valuation sent by the county assessor and tax statements
47 sent by the county treasurer.
48 Committee on Local Government
49
- 50 **HB10-1118** by Representative(s) Kerr J.; also Senator(s) Hudak--
51 Concerning the regulation of distressed real property by a
52 board of county commissioners.
53 Committee on Local Government
54
55

- 1 **HB10-1119** by Representative(s) Ferrandino, Carroll T., Court,
 2 Fischer, Gagliardi, Hulinghorst, Kerr A., Labuda, Levy,
 3 Merrifield, Middleton, Pace, Pommer, Primavera, Rice,
 4 Scanlan, Schafer S., Solano, Todd, Weissmann; also
 5 Senator(s) Shaffer B., Boyd, Steadman--Concerning the
 6 process by which the state annually allocates moneys for
 7 its budget.
 8 Committee on State, Veterans, & Military Affairs
 9
- 10 **HB10-1120** by Representative(s) Ferrandino--Concerning the unlawful
 11 sale of graffiti materials.
 12 Committee on Judiciary
 13 Committee on Finance
 14
- 15 **HB10-1121** by Representative(s) Riesberg--Concerning the ability of
 16 a local government to impose certain regulations on the
 17 sale of cigarettes while still receiving a share of state
 18 cigarette tax revenues.
 19 Committee on Finance
 20
- 21 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,
 22 Kefalas, Tyler; also Senator(s) Williams, Morse--
 23 Concerning medical orders determining the scope of
 24 treatment an adult wishes to receive under certain
 25 circumstances.
 26 Committee on Health and Human Services
 27
- 28 **HB10-1123** by Representative(s) Sonnenberg; also Senator(s) Renfro--
 29 -Concerning controlled agricultural burns in arson cases.
 30 Committee on Judiciary
 31
- 32 **HB10-1124** by Representative(s) McKinley--Concerning laws related
 33 to animal welfare.
 34 Committee on Agriculture, Livestock, & Natural Resources
 35
- 36 **HB10-1125** by Representative(s) Hulinghorst; also Senator(s)
 37 Schwartz--Concerning the authority of the department of
 38 public health and environment to regulate certain activities
 39 with respect to waste grease derived from food
 40 preparation.
 41 Committee on Transportation & Energy
 42
- 43 **HB10-1126** by Representative(s) Vaad; also Senator(s) Brophy--
 44 Concerning the implementation of priority-based
 45 budgeting in Colorado.
 46 Committee on State, Veterans, & Military Affairs
 47

REPORTS TO THE COLORADO GENERAL ASSEMBLY

51 The following Reports have been received by the Chief Clerk of the House of
 52 Representatives. The reports are on file in the Library of Legislative Council.
 53

Colorado Advisory Council

55 Persons with disabilities annual report for 2008-09 (pursuant to 24-4.5-104,
 56 CRS)

- 1 **Colorado Cold Case Task Force**
2 Annual report (pursuant to 24-33.5- 109(8), CRS)
3
- 4 **Department of Education**
5 Education Data Advisory Committee
6 2009 Report (pursuant to 22-2-304(3) (b) (1), CRS)
7
- 8 **Department of Health Care Policy & Financing**
9 Advisory Committee on covering all children in Colorado (pursuant to
10 25.5-1-202, CRS)
11 Comparison of the medicaid managed care programs based on quality and
12 efficiency (pursuant to 25.5-5-410, CRS)
13 FY2009-10 Medical Services Premiums Expenditures:
14 September 15, 2009
15 October 15, 2009
16 November 16, 2009
17 December 15, 2009
18 Status of pediatric health care quality performance measures (pursuant to
19 25.5-5-109.5(9), CRS)
20
- 21 **Department of Local Affairs**
22 Local Government Energy and Mineral Impact Assistance Program--2009
23 (pursuant to 39-29-110 (1) (c) (VI), CRS)
24
- 25 **Department of Personnel and Administration**
26 General Fund Cash Basis Comparative Revenue Summary
27 tenth-month period ended April 30, 2009 (pursuant to 39-26-123, CRS)
28
- 29 **Department of Public Safety**
30 Division of Criminal Justice:
31 Commission on Criminal and Juvenile Justice (pursuant to 16-11.3-103,
32 CRS)
33 DNA Working Group (pursuant to 24-33.5-104.5, CRS)
34 Information Collection and Analysis of Parole Board Decisions (pursuant to
35 17-22.5-404, CRS)
36
- 37 **Department of Regulatory Agencies**
38 Concerning electric utilities integrated infrastructure (pursuant to
39 40-4-117, CRS)
40
- 41 **Department of Revenue**
42 Colorado Lottery Annual Report
43 Division of Racing Events
44 Sixtieth Pari-Mutuel Wagering Season (pursuant to 12-60-302(2), CRS)
45
- 46 **Department of State**
47 Annual Report ending June 22, 2009 (pursuant to 4-9-527, CRS)
48
- 49 **Department of the Treasury**
50 Statement of Financial condition:
51 June 30, 2009
52 September 30, 2009
53 December 31, 2009
54
55

- 1 **Fire and Police Pension Association of Colorado**
 - 2 Annual Financial Report for fiscal year ending December 31, 2008
 - 3 Actuarial Valuations Report for year beginning January 1, 2009
 - 4
 - 5 **Office of the Child's Representative**
 - 6 9th Annual Report (pursuant to 13-91-105, CRS)
 - 7
 - 8 **Office of the Governor**
 - 9 Commission on Community Service
 - 10 Colorado Cares Day--Annual Report 2009
 - 11 Office of Information Technology
 - 12 Broadband mapping report (pursuant to 24-37.5-106(3), CRS)
 - 13
 - 14 **Supreme Court of Colorado**
 - 15 Certification of salaries of Judges of County Courts in Class C and D
 - 16 Counties (pursuant to 13-20-103(1)(1)(I) 5, CRS)
 - 17
 - 18
 - 19 On motion of Representative Ferrandino, the House adjourned until
 - 20 9:00 a.m., January 19, 2010.
 - 21
 - 22
 - 23
 - 24
 - 25 Attest:
 - 26 MARILYN EDDINS,
 - 27 Chief Clerk
- Approved:
TERRANCE D. CARROLL,
Speaker

