

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

Twentieth Legislative Day

Monday, February 1, 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 Allen Pettis, University of Colorado, Denver.

6

7 The roll was called with the following result:

8

9

Present--65.

10

11 The Speaker declared a quorum present.

12

13

14 On motion of Representative Baumgardner, the reading of the journal of  
15 January 29, 2010, was declared dispensed with and approved as corrected  
16 by the Chief Clerk.

17

18

19

20

21 On motion of Representative Riesberg, the House resolved itself into  
22 Committee of the Whole for consideration of Special Orders, and he was  
23 called to the Chair to act as Chairman.

24

25

26

**SPECIAL ORDERS--SECOND READING OF BILLS**

27

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

32

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

35

36 **HB10-1190** by Representative(s) Pommer; also Senator(s) Heath--  
37 Concerning the suspension of the exemption from the state  
38 sales and use taxes for fuels used for industrial purposes,  
39 and making an appropriation therefor.

40

41 (Previously amended as printed in House Journal, January 29,  
42 pages 140-141.)

43

1 Amendment No. 7, by Representative(s) Summers.

2

3 Amend printed bill, page 4, after line 10, insert:

4

5 "SECTION 3. Part 1 of article 26 of title 39, Colorado Revised  
6 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
7 read:

8

9 **39-26-102.4. Inclusion of fuels used for industrial purposes in**  
10 **state sales tax base - use revenues generated for**  
11 **education.** NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE  
12 GENERAL ASSEMBLY SHALL APPROPRIATE AT LEAST FORTY PERCENT OF  
13 THE AMOUNT OF ANY INCREASE IN NET STATE SALES TAX REVENUES  
14 RESULTING FROM THE IMPOSITION OF TAXATION ON ITEMS PREVIOUSLY  
15 EXEMPT FROM TAXATION BY HOUSE BILL 10-1190, ENACTED IN 2010, TO  
16 INCLUDE STANDARDIZED SOFTWARE FOR THE PURPOSE OF FUNDING  
17 PRESCHOOL THROUGH TWELFTH GRADE PUBLIC EDUCATION. SUCH  
18 FUNDING SHALL SUPPLEMENT AND NOT SUPPLANT ANY OTHER MONEYS  
19 USED FOR SAID PURPOSE."

20

21 Renumber succeeding sections accordingly.

22

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

25

26 **HB10-1110** by Representative(s) Weissmann; also Senator(s) Morse--  
27 Concerning payment of expenses of the legislative  
28 department.

29

30 Ordered engrossed and placed on the Calendar for Third Reading and  
31 Final Passage.

32

33 **HB10-1095** by Representative(s) Gerou; also Senator(s) Kopp--  
34 Concerning a limitation on the authority of a fire  
35 protection district to charge fees for providing certain  
36 rescue services to those services provided at the scene of  
37 a motor vehicle accident.

38

39 Ordered engrossed and placed on the Calendar for Third Reading and  
40 Final Passage.

41

42

43

44 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

45

46 Passed Second Reading: **HB10-1190 amended, 1110, 1095.**

47

48 The Chairman moved the adoption of the Committee of the Whole  
49 Report. As shown by the following roll call vote, a majority of those  
50 elected to the House voted in the affirmative, and the Report was  
51 **adopted.**

52

	YES	51	NO	14	EXCUSED	0	ABSENT	0
54	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
55	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
56	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y

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

### THIRD READING OF BILLS--FINAL PASSAGE

The following bills were considered on Third Reading. The titles were publicly read. Reading of the bill at length was dispensed with by unanimous consent.

**HB10-1189** by Representative(s) Pommer; also Senator(s) Heath-- Concerning the elimination of the state sales and use tax exemption for direct mail advertising materials, and making an appropriation therefor.

The question being "Shall the bill pass?".

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

	YES	37	NO	28	EXCUSED	0	ABSENT	0
36	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
38	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
39	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
41	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
43	Court	Y	King S.	N	Nikkel	N	Summers	N
44	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
45	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
46	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
47	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
48	Frangas	Y	Looper	N	Priola	N	Vaad	N
49	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
50	Gardner B.	N	May	N	Riesberg	Y	Waller	N
51	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
52							Speaker	Y

Co-sponsors added: Representatives Benefield, Frangas, Gagliardi, Judd, Kagan, Labuda, Levy, Merrifield, Middleton, Weissmann.

1 **HB10-1191** by Representative(s) Pommer; also Senator(s) Heath--  
 2 Concerning the narrowing of the existing exemption from  
 3 the state sales and use taxes for food, and, in connection  
 4 therewith, subjecting candy and soft drinks to the state  
 5 sales and use taxes, and making an appropriation therefor.  
 6

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

	YES	36	NO	29	EXCUSED	0	ABSENT	0
13	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
14	Apuan	N	Hullinghorst	Y	McKinley	N	Scanlan	Y
15	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
16	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
17	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
18	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
19	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
20	Court	Y	King S.	N	Nikkel	N	Summers	N
21	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
22	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
23	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
24	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
25	Frangas	Y	Looper	N	Priola	N	Vaad	N
26	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
27	Gardner B.	N	May	N	Riesberg	Y	Waller	N
28	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
29							Speaker	Y

30 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Hullinghorst, Judd,  
 31 Kagan, Labuda, Levy, Merrifield, Middleton, Schafer S., Todd, Tyler.  
 32  
 33

34 **HB10-1192** by Representative(s) Pommer; also Senator(s) Heath--  
 35 Concerning the state sales and use tax of standardized  
 36 software, and making an appropriation therefor.  
 37

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

	YES	35	NO	30	EXCUSED	0	ABSENT	0
44	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
46	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
47	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
49	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
51	Court	Y	King S.	N	Nikkel	N	Summers	N
52	Curry	N	Labuda	Y	Pace	Y	Swalm	N
53	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	N	Priola	N	Vaad	N

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

5 Co-sponsor(s) added: Representative(s) Hullinghorst, Judd, Labuda, Merrifield.

6  
7 **HB10-1193** by Representative(s) Pommer; also Senator(s) Heath--  
8 Concerning the collection of sales and use taxes on sales  
9 made by out-of-state retailers, and making an  
10 appropriation therefor.

11  
12 The question being "Shall the bill pass?".  
13 A roll call vote was taken. As shown by the following recorded vote, a  
14 majority of those elected to the House voted in the affirmative and the bill  
15 was declared **passed**.

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

35 Co-sponsor(s) added: Representative(s) Benefield, Hullinghorst, Judd, Labuda,  
36 Merrifield.

37  
38 **HB10-1194** by Representative(s) Ferrandino; also Senator(s) Heath--  
39 Concerning the narrowing of the existing exemptions from  
40 the state sales and use taxes for articles sold to sellers of  
41 items intended for human consumption that are furnished  
42 by the sellers to their customers with such items without  
43 the addition of a separate charge, and making an  
44 appropriation therefor.

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

51	YES	34	NO	30	EXCUSED	1	ABSENT	0
52	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
53	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
54	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
55	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
56	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N

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

13 Representative Weissmann excused from voting under House Rule 21(c).

14 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Judd, Labuda.

15  
 16 **HB10-1195** by Representative(s) Ferrandino; also Senator(s) Heath--  
 17 Concerning the suspension of the exemption from the state  
 18 sales and use taxes for certain items used in agricultural  
 19 production, and making an appropriation therefor.  
 20

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

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

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

44 Co-sponsor(s) added: Representative(s) Frangas, Judd, Labuda.

45  
 46 **HB10-1196** by Representative(s) Ferrandino; also Senator(s) Heath--  
 47 Concerning the disqualification of category 7 motor  
 48 vehicles from the state income tax credit for the purchase  
 49 of vehicles using alternative fuels.  
 50

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

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

55

	YES	38	NO	27	EXCUSED	0	ABSENT	0
1								
2	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
5	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
9	Court	Y	King S.	N	Nikkel	N	Summers	N
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
16	Gardner B.	N	May	N	Riesberg	Y	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	Y
18							Speaker	Y

19 Co-sponsor(s) added: Representative(s) Benefield, Judd, Labuda, Weissmann.

20  
 21 **HB10-1199** by Representative(s) Ferrandino; also Senator(s) Heath--  
 22 Concerning a temporary limit on the state income tax  
 23 deduction for a net operating loss.  
 24

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

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

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

48 Co-sponsor(s) added: Representative(s) Benefield, Frangas, Hullinghorst, Judd,  
 49 Kagan, Labuda, Levy.  
 50

51  
 52 **HB10-1052** by Representative(s) Solano; also Senator(s) Newell--  
 53 Concerning the recycling resources economic opportunity  
 54 fund, and, in connection therewith, extending the life of  
 55 the fund.  
 56

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	57	NO	8	EXCUSED	0	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
9	Balmer	Y	Judd	Y	McNulty	N	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.	Y	Murray	N	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	N
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
17	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
20	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
21	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
22	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	Y

24 Co-sponsor(s) added: Representative(s) Apuan, Benefield, Court, Fischer,  
 25 Hullinghorst, Kerr A., Levy, Middleton, Pommer, Scanlan, Schafer S., Todd,  
 26 Tyler, Vigil.

27  
 28 **HB10-1080** by Representative(s) Lambert; also Senator(s) Sandoval--  
 29 Concerning the expansion of duties of the legislative  
 30 emergency epidemic response committee to include  
 31 preparation for disaster emergencies, and, in connection  
 32 therewith, changing the name of the committee and  
 33 allowing the committee to recommend legislation  
 34 pertaining to the preparedness, response, and recovery by  
 35 the general assembly in the event of an emergency  
 36 epidemic or disaster.

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

	YES	65	NO	0	EXCUSED	0	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
46	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
47	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
48	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
49	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
50	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
51	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
52	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
53	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
54	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
55	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
56	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y



1	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
2	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
3	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
4							Speaker	Y

5 Co-sponsor(s) added: Representative(s) Gagliardi, Kerr J., Labuda, Schafer S.,  
6 Todd.

7  
8 **HB10-1049** by Representative(s) Rice and Looper, Balmer, Court,  
9 Hullinghorst, King S., May, McNulty, Nikkel, Scanlan,  
10 Sonnenberg, Stephens, Summers, Primavera; also  
11 Senator(s) Romer and Mitchell, Foster, Hodge, Lundberg,  
12 Penry, Shaffer B.--Concerning the franchise rights of  
13 motor vehicle dealers.

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

19	YES	60	NO	5	EXCUSED	0	ABSENT	0
21	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
22	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
23	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
24	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
25	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
26	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
27	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
28	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
29	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
30	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
31	Ferrandino	Y	Levy	N	Pommer	N	Todd	Y
32	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
33	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
34	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
35	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
36	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
37							Speaker	Y

38 Co-sponsor(s) added: Representative(s) Apuan, Baumgardner, Casso,  
39 DelGrosso, Fischer, Gardner B., Gerou, Kagan, Kerr J., Lambert, Liston,  
40 Massey, Middleton, Priola, Ryden, Schafer S., Tipton, Todd, Waller, Speaker.

### 41 42 43 44 **MESSAGE(S) FROM THE SENATE**

45  
46 The Senate has passed on Third Reading and transmitted to the Revisor  
47 of Statutes:

48  
49 SB10-109 amended as printed in the Senate Journal, January 29, 2010,  
50 pages 118-120.

51  
52 SB10-001 amended as printed in the Senate Journal, January 29, 2010,  
53 page 118 and pages 121 -122 and as printed in the Senate  
54 Journal, February 1, 2010.

55  
56

**MESSAGE(S) FROM THE REVISOR**

We herewith transmit:  
Without comment, as amended, SB10-001 and 109.

**INTRODUCTION OF BILLS  
First Reading**

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

**HB10-1213** by Representative(s) Acree, Roberts; also Senator(s) Keller--Concerning the elimination of an individualized plan for a person with developmental disabilities who is on the waiting list for services.

Committee on Health and Human Services

**HB10-1214** by Representative(s) McCann; also Senator(s) Schwartz--Concerning financial support for efforts to reduce the overpopulation of pets, and, in connection therewith, authorizing the issuance of an adopt a shelter pet license plate.

Committee on Agriculture, Livestock, & Natural Resources

Committee on Transportation & Energy

**HB10-1215** by Representative(s) Waller, Baumgardner, McCann, Miklosi, Nikkel, Priola; also Senator(s) Scheffel--Concerning the use of cash bond deposits after the discharge of the bond to satisfy outstanding court-ordered debts.

Committee on Judiciary

**HB10-1216** by Representative(s) Riesberg--Concerning the administration of medications by health care providers.

Committee on Health and Human Services

**HB10-1217** by Representative(s) McKinley, McFadyen, Looper, Pace, Vigil--Concerning the repeal of the authority of the executive director of the department of human services to sell the Trinidad state nursing home.

Committee on Health and Human Services

**HB10-1218** by Representative(s) Waller, Bradford, Liston, Looper, Nikkel, Priola; also Senator(s) Newell--Concerning information in the central registry of protection orders.

Committee on Judiciary

**HB10-1219** by Representative(s) Vaad; also Senator(s) Penry--Concerning authorization for the sale of correctional facilities owned by the department of corrections.

Committee on Judiciary

**SB10-010** by Senator(s) Boyd, Sandoval; also Representative(s) Kefalas--Concerning authorizing the department of human

- 1 services to use a portion of existing appropriations to  
2 conduct an independent evaluation of the statewide  
3 strategic use fund.  
4 Committee on Health and Human Services  
5
- 6 **SB10-014** by Senator(s) Tochtrop, Boyd; also Representative(s)  
7 Solano, Labuda--Concerning changes to the demonstration  
8 programs for system of care family advocates.  
9 Committee on Health and Human Services  
10
- 11 **SB10-018** by Senator(s) King K., Johnston; also Representative(s)  
12 Merrifield, Massey, Middleton, Scanlan--Concerning the  
13 school awards program fund.  
14 Committee on Education  
15
- 16 **SB10-021** by Senator(s) Morse, Lundberg, Tochtrop, Williams; also  
17 Representative(s) Labuda, Benefield, Gardner B., King S.,  
18 Liston, Peniston, Schafer S., Waller--Concerning a  
19 volunteer firefighter pension plan.  
20 Committee on Business Affairs and Labor  
21
- 22 **SB10-022** by Senator(s) Morse, Lundberg, Tochtrop, Williams; also  
23 Representative(s) Riesberg and King S., Benefield,  
24 Gardner B., Labuda, Liston, Peniston, Schafer S., Waller--  
25 Concerning a member-approved increase in the member  
26 contribution rate to the statewide defined benefit plan  
27 administered by the fire and police pension association.  
28 Committee on Business Affairs and Labor  
29
- 30 **SB10-023** by Senator(s) Williams, Lundberg, Morse, Tochtrop; also  
31 Representative(s) Riesberg and Liston, Benefield, Gardner  
32 B., King S., Labuda, Peniston, Schafer S., Waller--  
33 Concerning the discretion of the board of directors of the  
34 fire and police pension association to adopt rules regarding  
35 the return to work by a member participating in the  
36 defined benefit system of the association who elects  
37 retirement.  
38 Committee on Business Affairs and Labor  
39
- 40 **SB10-024** by Senator(s) Tochtrop, Lundberg, Morse, Williams; also  
41 Representative(s) Labuda, Benefield, Gardner B., King S.,  
42 Liston, Peniston, Riesberg, Schafer S., Waller--  
43 Concerning the repeal of the authority of the board of  
44 directors of the fire and police pension association to  
45 affiliate with a local money purchase pension plan.  
46 Committee on Business Affairs and Labor  
47
- 48 **SB10-031** by Senator(s) Scheffel; also Representative(s) Rice--  
49 Concerning a prohibition against the inclusion of facilities  
50 that offer gambling-related activities in a regional tourism  
51 project for purposes of the "Colorado Regional Tourism  
52 Act".  
53 Committee on Business Affairs and Labor  
54 Committee on State, Veterans, & Military Affairs  
55

- 1 **SB10-037** by Senator(s) Kester; also Representative(s) Casso--  
 2 Concerning an increase in the amounts payable from the  
 3 horse breeders' and owners' awards and supplemental  
 4 purse fund for costs of administration.  
 5 Committee on Agriculture, Livestock, & Natural Resources  
 6
- 7 **SB10-038** by Senator(s) Hodge; also Representative(s) Fischer--  
 8 Concerning the "organic certification act", and, in  
 9 connection therewith, authorizing the commissioner of  
 10 agriculture to contract with independent organics  
 11 inspectors and altering the composition of the organic  
 12 certification advisory board.  
 13 Committee on Agriculture, Livestock, & Natural Resources  
 14
- 15 **SB10-043** by Senator(s) White; also Representative(s) Pommer--  
 16 Concerning the repeal date of the office of the child's  
 17 representative.  
 18 Committee on Judiciary  
 19
- 20 **SB10-047** by Senator(s) King K.; also Representative(s) Loooper--  
 21 Concerning rights relating to the disposition of the last  
 22 remains of members of the armed forces.  
 23 Committee on State, Veterans, & Military Affairs  
 24
- 25 **SB10-049** by Senator(s) Sandoval, Bacon, Hudak, Steadman,  
 26 Tochtrop; also Representative(s) Benefield, Frangas,  
 27 Hullinghorst--Concerning the liability limits applicable to  
 28 the life and health insurance protection association, and, in  
 29 connection therewith, increasing the liability limits for  
 30 annuity benefits, structured settlement annuities, and long-  
 31 term care benefits.  
 32 Committee on Business Affairs and Labor  
 33
- 34 **SB10-052** by Senator(s) Brophy, Hodge; also Representative(s)  
 35 Curry--Concerning the ability of the groundwater  
 36 commission to alter the boundaries of a designated  
 37 groundwater basin.  
 38 Committee on Agriculture, Livestock, & Natural Resources  
 39
- 40 **SB10-053** by Senator(s) Foster; also Representative(s) Acree--  
 41 Concerning the exception of weighted votes from voting  
 42 requirements governing the board of directors of a  
 43 metropolitan sewage disposal district.  
 44 Committee on Local Government  
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#### NOTICE OF CALENDARED ITEM(S)

46  
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 50 On motion of Representative Weissmann, the following bill(s) calendared  
 51 for Second Reading on February 2, will be laid over until  
 52 February 3, 2010: **HB10-1064, 1059, 1023, 1065, 1090, 1117, 1116.**  
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**LAY OVER OF CALENDAR ITEM(S)**

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On motion of Representative Weissmann, the following item(s) on the Calendar were(was) laid over until February 3, retaining place on Calendar:

Consideration of General Orders--**HB10-1099, 1003, 1016, 1085, 1141, 1144.**

On motion of Representative Weissmann, the following item(s) on the Calendar were(was) laid over until February 8, retaining place on Calendar: **HB10-1047.**

On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 2, 2010.

Approved:  
TERRANCE D. CARROLL,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk

