

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

Fifty-second Legislative Day

Friday, March 5, 2010

1 Prayer by the Reverend Christian Summers, Associate Pastor, Dakota  
2 Ridge Assembly, Littleton.

3

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

5

6 Pledge of Allegiance led by Raissa Johnson, Kenneth Donahue, Janay  
7 Hagen, Joe Cutshall, Colorado University, Boulder.

8

9 The roll was called with the following result:

10

11 Present--45.

12 Excused--Representative(s) Acree, Court, Curry, Ferrandino,  
13 Fischer, Gardner B., Judd, Kefalas, Kerr J., Lambert, May,  
14 McKinley, Pace, Pommer, Riesberg, Scanlan, Sonnenberg,  
15 Stephens, Tipton, Vaad--20.

16 Present after roll call--Representative(s) Court, Curry, Ferrandino,  
17 Fischer, Gardner B., Judd, Kefalas, Kerr J., Lambert, Pace,  
18 Pommer, Riesberg, Sonnenberg, Vaad.

19

20 The Speaker declared a quorum present.

21

22

23 On motion of Representative Hullinghorst, the reading of the journal of  
24 March 4, 2010, was declared dispensed with and approved as corrected  
25 by the Chief Clerk.

26

27

28 House in recess. House reconvened.

29

30

31

32 On motion of Representative Middleton, the House resolved itself into  
33 Committee of the Whole for consideration of General Orders, and she  
34 was called to the Chair to act as Chairman.

35

36

37 **GENERAL ORDERS--SECOND READING OF BILLS**

38

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

43

1 (Amendments to the committee amendment are to the printed committee  
2 report which was printed and placed in the members' bill file.)  
3

4 **HB10-1273** by Representative(s) Merrifield, Rice, Ryden, Apuan,  
5 Benefield, Carroll T., Casso, Gagliardi, Gerou, Kerr A.,  
6 May, McKinley, Middleton, Nikkel, Peniston, Primavera,  
7 Roberts, Scanlan, Schafer S., Solano, Todd, Tyler; also  
8 Senator(s) Spence and Steadman, Newell, Hudak, Bacon,  
9 Boyd, Foster, Gibbs, Heath, Johnston, Romer, Tapia,  
10 Williams--Concerning improved workforce development  
11 through increased participation in arts education in public  
12 schools.  
13

14 Amendment No. 1, Education Report, dated February 25, 2010, and  
15 placed in member's bill file; Report also printed in House Journal,  
16 February 26, pages 576-577.  
17

18 Amendment No. 2, by Representative(s) Merrifield.  
19

20 Amend the Education Committee Report, dated February 25, 2010, page  
21 1, line 13, strike "2010," and substitute "2011,".  
22

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

26 **HB10-1346** by Representative(s) Kagan, Gardner B., Labuda, Levy,  
27 Roberts; also Senator(s) Carroll M., Brophy, Mitchell,  
28 Morse, Schwartz--Concerning an increase in the number  
29 of days emergency rules adopted by executive branch  
30 agencies pursuant to the "State Administrative Procedure  
31 Act" may be in effect.  
32

33 Ordered engrossed and placed on the Calendar for Third Reading and  
34 Final Passage.  
35

36 **HB10-1168** by Representative(s) Levy, Judd, Kagan, Kerr A., Miklosi,  
37 Pace, Ryden, Tyler, Vigil, Weissmann, Apuan, Benefield,  
38 Carroll T., Casso, Court, Ferrandino, Hullinghorst,  
39 Labuda, McFadyen, Merrifield, Middleton, Pommer,  
40 Primavera, Scanlan, Schafer S., Solano, Todd; also  
41 Senator(s) Steadman, Brophy, Foster, Hodge, Hudak,  
42 Newell, Romer, Tochtrop, Bacon, Carroll M., Shaffer B.--  
43 Concerning a limitation on the ability of an insurer to  
44 obtain repayment of benefits from an injured party who  
45 recovers damages from the party responsible for the injury  
46 in situations when the injured party would not be fully  
47 compensated if the benefits are repaid to the insurer.  
48

49 Amendment No. 1, Judiciary Report, dated February 25, 2010, and  
50 placed in member's bill file; Report also printed in House Journal,  
51 February 26, pages 592-596.  
52

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

1 **HB10-1012** by Representative(s) Pace, Miklosi, Ryden; also Senator(s)  
2 Carroll M., Hodge, Tochtrop--Concerning limitations on  
3 the use of surveillance of employees who have submitted  
4 a workers' compensation claim.

5  
6 Amendment No. 1, Judiciary Report, dated February 11, 2010, and placed  
7 in member's bill file; Report also printed in House Journal, February 12,  
8 pages 318-319.

9  
10 Amendment No. 2, Appropriations Report, dated February 26, 2010, and  
11 placed in member's bill file; Report also printed in House Journal,  
12 February 26, pages 573-574.

13  
14 As amended, ordered engrossed and placed on the Calendar for Third  
15 Reading and Final Passage.

16  
17 **SB10-018** by Senator(s) King K., Johnston; also Representative(s)  
18 Merrifield, Massey, Middleton, Scanlan--Concerning the  
19 school awards program fund.

20  
21 Ordered revised and placed on the Calendar for Third Reading and Final  
22 Passage.

23  
24 **SB10-056** by Senator(s) Boyd; also Representative(s) Riesberg--  
25 Concerning developing standardized immunization  
26 information to provide to parents.

27  
28 Amendment No. 1, Education Report, dated March 1, 2010, and placed  
29 in member's bill file; Report also printed in House Journal, March 2,  
30 page 623.

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

34  
35 **HB10-1288** by Representative(s) Nikkel, Rice, Ferrandino, Kerr J.,  
36 Lambert, Liston, McNulty, Merrifield, Peniston,  
37 Primavera, Priola, Scanlan, Waller; also Senator(s)  
38 Williams, Kopp, Penry, Tochtrop--Concerning the ability  
39 of a commercial real estate broker to secure payment of  
40 commissions earned, and, in connection therewith,  
41 enacting the "Commercial Real Estate Brokers  
42 Commission Security Act".

43  
44 Laid over until March 8, retaining place on Calendar.

45  
46  
47 **SB10-165** by Senator(s) Hodge; also Representative(s) Hullinghorst-  
48 -Concerning implementation of the incorporation of oil  
49 and gas wells into the prior appropriation system.

50  
51 Amendment No. 1, Agriculture, Livestock, & Natural Resources Report,  
52 dated March 2, 2010, and placed in member's bill file; Report also  
53 printed in House Journal, March 3, pages 650-651.

54  
55

1 Amendment No. 2, by Representative(s) Hullinghorst.

2

3 Amend the Agriculture, Livestock, and Natural Resources Committee  
4 Report, dated March 2, 2010, page 1, line 3, strike "NOT BE SOLD OR  
5 TRADED FOR PROFIT AND WILL".

6

7 Page 1, line 4, after "ONLY" insert "BY OPERATORS WITHIN THE GEOLOGIC  
8 BASIN WHERE THE GROUNDWATER IS REMOVED".

9

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

12

13

14 **SB10-142** by Senator(s) Foster; also Representative(s) Gerou--  
15 Concerning the process of resolving disputes related to  
16 sales and use tax paid to a local government.

17

18 Amendment No. 1, by Representative(s) Judd.

19

20 Amend reengrossed bill, page 2, line 10, after "type," insert "OF THE TIME  
21 LIMIT TO FILE A PROTEST TO THE NOTICE AND".

22

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

25

26

27 **HB10-1098** by Representative(s) Levy; also Senator Hodge--  
28 Concerning increased transparency in the governance of  
29 cooperative electric associations.

30

31 Amendment No. 1, Transportation & Energy Report, dated  
32 February 25, 2010, and placed in member's bill file; Report also printed  
33 in House Journal, February 26, pages 598-599.

34

35 Amendment No. 2, by Representative(s) Levy.

36

37 Amend the Transportation and Energy Committee report, dated February  
38 25, 2010, page 1, line 1, strike "page 3," and substitute:

39

40 "page 2, line 7, after "EVERY" insert "REGULAR".

41

42 Page 3,".

43

44 Page 1 of the report, strike lines 2 through 4 and substitute:

45

46 ""(c) WRITTEN MINUTES SHALL BE MADE OF ALL MEETINGS OF THE  
47 BOARD OF DIRECTORS. THE MINUTES SHALL BE POSTED ON THE WEB SITE  
48 OF THE ASSOCIATION AS SOON AS THEY HAVE BEEN APPROVED AND SHALL  
49 REMAIN POSTED UNTIL AT LEAST SIX MONTHS AFTER THE DATE OF THE  
50 MEETING. UPON REQUEST BY".

51

52 Page 2 of the report, strike line 17 and substitute:

53

54 "Page 6 of the bill, strike lines 17 through 22 and substitute:

55

56

1           "(4) NEITHER THE ASSOCIATION NOR THE BOARD OF DIRECTORS  
2 SHALL ENDORSE OR OPPOSE THE CANDIDACY OF AN INCUMBENT BOARD  
3 MEMBER OR OTHER CANDIDATE FOR A POSITION ON THE BOARD. DURING  
4 THE TWO MONTHS".

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

8  
9 **HB10-1182** by Representative(s) Solano, Benefield, Casso, Fischer,  
10 Frangas, Hullinghorst, Kerr A., Looper, McFadyen,  
11 Merrifield, Pace, Primavera, Todd, Tyler; also Senator(s)  
12 Schwartz, Steadman--Concerning a limited expansion of  
13 the powers of the Colorado clean energy development  
14 authority to finance electric transmission facilities, and, in  
15 connection therewith, allowing the authority to make  
16 commercial loans only for electric power interconnection  
17 projects connecting clean energy resources to the  
18 transmission grid.

19  
20 Laid over until March 8, retaining place on Calendar.

21  
22 **HB10-1256** by Representative(s) McNulty, Baumgardner, Fischer,  
23 McFadyen, Primavera, Tyler, Vaad; also Senator(s)  
24 Johnston--Concerning the Colorado high technology  
25 scholarship program.

26  
27 Amendment No. 1, Transportation & Energy Report, dated  
28 March 2, 2010, and placed in member's bill file; Report also printed in  
29 House Journal, March 3, page 556.

30  
31 Amendment No. 2, by Representative(s) Weissmann.

32  
33 Amend printed bill, page 2, strike lines 2 through 27.

34  
35 Page 3, strike lines 1 through 26 and substitute:

36  
37           "**SECTION 1. Repeal.** Article 17 of title 23, Colorado Revised  
38 Statutes, is repealed.

39  
40           **SECTION 2. Repeal.** 39-22-104 (3) (h), Colorado Revised  
41 Statutes, is repealed.

42  
43           **SECTION 3. Repeal.** 39-22-304 (2) (g), Colorado Revised  
44 Statutes, is repealed.

45  
46           **SECTION 4. Repeal.** 39-22-523, Colorado Revised Statutes, is  
47 repealed."

48  
49 Renumber succeeding sections accordingly.

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

53  
54  
55  
56

1 **AMENDMENT(S) TO THE COMMITTEE OF THE WHOLE REPORT**

2  
3 Representative Gardner C. moved to amend the Report of the Committee  
4 of the Whole to reverse the action taken by the Committee in not  
5 adopting the following Gardner C. amendment, to HB10-1098, to show  
6 that said amendment passed, and that **HB10-1098**, as amended, passed.

7  
8 Amend printed bill, page 4, line 12, after "**elections.**" insert "(1)".

9  
10 Page 4, after line 18 insert:

11  
12 "(2) EACH CANDIDATE FOR A POSITION ON THE BOARD OF  
13 DIRECTORS SHALL MAKE A WRITTEN DISCLOSURE OF THE AMOUNT AND  
14 SOURCE OF EVERY FINANCIAL CONTRIBUTION MADE TO THE CANDIDATE IN  
15 CONNECTION WITH THE ELECTION. THE DISCLOSURE SHALL BE POSTED IN  
16 A CONSPICUOUS LOCATION ON THE ASSOCIATION'S WEB SITE AT LEAST TWO  
17 WEEKS BEFORE THE ELECTION AND UPDATED WITHIN TWO WEEKS AFTER  
18 THE ELECTION."

19  
20 The amendment was declared **lost** by the following roll call vote:

	YES	27	NO	30	EXCUSED	8	ABSENT	0
23	Acree	E	Gerou	Y	McFadyen	N	Ryden	N
24	Apuan	N	Hullinghorst	N	McKinley	E	Scanlan	E
25	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	N
26	Baumgardner	Y	Kagan	N	Merrifield	N	Solano	N
27	Benefield	N	Kefalas	Y	Middleton	N	Sonnenberg	Y
28	Bradford	E	Kerr A.	N	Miklosi	N	Soper	N
29	Casso	N	Kerr J.	Y	Murray	Y	Stephens	E
30	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
31	Curry	Y	Labuda	N	Pace	N	Swalm	E
32	DelGrosso	Y	Lambert	Y	Peniston	N	Tipton	E
33	Ferrandino	N	Levy	N	Pommer	N	Todd	N
34	Fischer	N	Liston	Y	Primavera	N	Tyler	N
35	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
36	Gagliardi	N	Massey	Y	Rice	N	Vigil	Y
37	Gardner B.	Y	May	E	Riesberg	N	Waller	Y
38	Gardner C.	Y	McCann	N	Roberts	Y	Weissmann	Y
39							Speaker	N

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

44  
45 Passed Second Reading: **HB10-1273 amended, 1346, 1168 amended,**  
46 **1012 amended, SB10-018, 056 amended, 165 amended, 142 amended,**  
47 **HB10-1098 amended, 1256 amended.**

48  
49 Laid over until date indicated retaining place on Calendar: **HB10-1288,**  
50 **1182--March 8, 2010.**

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

56

	YES	57	NO	0	EXCUSED	8	ABSENT	0
1								
2	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	E	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	E	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	E
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	E
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	E
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	E	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	Y
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## REPORT(S) OF COMMITTEE(S) OF REFERENCE

### APPROPRIATIONS

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

**HB10-1020** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend printed bill, page 4, after line 17 insert:

**"SECTION 5. Adjustments to the 2010 long bill.** (1) For the implementation of this act, the general fund appropriation made in the annual general appropriation act for the fiscal year beginning July 1, 2010, to the legislative department, general assembly, for legal services, is decreased by one thousand one hundred thirty-one dollars (\$1,131) and 15 hours."

Renumber succeeding sections accordingly.

Page 1, line 101 strike "**DEPARTMENT.**" and substitute "**DEPARTMENT, AND MAKING AN APPROPRIATION THEREFOR.**"

**HB10-1035** be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

Amend the Education Committee Report, dated February 22, 2010, page 1, after line 13, insert:

"Page 5, line 2, strike "**MONEYS.**"

1 Page 2 of the report, strike lines 3 through 5 and substitute "FAMILY IS NO  
2 LONGER PARTICIPATING IN THE ELIGIBLE ACTIVITY UNDER WHICH IT WAS  
3 MADE ELIGIBLE IN THE CHILD CARE CASE, THE FAMILY SHALL REPORT THAT  
4 CHANGE WITHIN FOUR WEEKS FROM THE TIME IT CEASED PARTICIPATING  
5 IN THE ELIGIBLE ACTIVITY."."

6  
7 Page 2 of the report, after line 5, insert:

8  
9 "Page 5, line 8, strike "MONEYS"."

10  
11 Page 3 of the report, strike lines 2 and 3 and substitute:

12  
13 **""SECTION 5. Appropriation.** In addition to any other  
14 appropriation, there is hereby appropriated, to the department of human  
15 services, for allocation to the office of information technology services,  
16 for the child care automated tracking system, for the fiscal year beginning  
17 July 1, 2010, the sum of two hundred forty-nine thousand seven hundred  
18 dollars (\$249,700), or so much thereof as may be necessary, for the  
19 implementation of this act. Said sum shall be from federal child care  
20 development funds.

21  
22 **SECTION 6. Specified effective date.** (1) This section and  
23 sections 5 and 7 shall take effect upon passage.

24  
25 (2) Sections 1 through 4 of this act shall take effect June 1,  
26 2011."."

27  
28 Page 3 of the report, after line 4, insert:

29  
30 "Page 1 of printed bill, line 103, strike "CARE." and substitute "CARE,  
31 AND MAKING AN APPROPRIATION THEREFOR."."

32  
33  
34  
35 **HB10-1083** be referred to the Committee of the Whole with favorable  
36 recommendation.

37  
38  
39 **HB10-1101** be referred to the Committee of the Whole with favorable  
40 recommendation.

41  
42  
43 **HB10-1119** be amended as follows, and as so amended, be referred to  
44 the Committee of the Whole with favorable  
45 recommendation:

46  
47 Amend printed bill, page 10, after line 20 insert:

48  
49 "(c) ALL LOCAL GOVERNMENT ENTITIES ARE ENCOURAGED TO  
50 ATTEND THE HEARINGS DESCRIBED IN THIS SUBSECTION (2) TO PROVIDE  
51 TESTIMONY OR TO SUBMIT AN OFFICIAL POSITION LETTER TO THE  
52 COMMITTEES OF REFERENCE REGARDING ANY LOCAL IMPACT OF A  
53 DEPARTMENT'S STRATEGIC PLAN DEVELOPED PURSUANT TO SECTION  
54 2-7-204 (1) (a).

55  
56 (d) PRIOR TO THE COMMENCEMENT OF THE SECOND REGULAR

1 SESSION OF THE SIXTY-EIGHTH GENERAL ASSEMBLY AND PRIOR TO THE  
2 COMMENCEMENT OF EACH LEGISLATIVE SESSION THEREAFTER, EACH  
3 COMMITTEE OF REFERENCE MAY HOLD MEETINGS OUTSIDE OF THE  
4 DENVER METRO AREA TO HEAR PUBLIC TESTIMONY REGARDING  
5 LEGISLATIVE PRIORITIES AND THE DEPARTMENT'S STRATEGIC PLAN  
6 REQUIRED PURSUANT TO SECTION 2-7-204 (1) (a).".

7  
8 Page 13, line 6, after "SECTION," insert "ANY PUBLIC TESTIMONY  
9 REGARDING DEPARTMENT PRESENTATIONS HEARD AS SPECIFIED IN  
10 SECTION 2-7-203 (2) (a), ANY LOCAL IMPACT OF A DEPARTMENT'S  
11 STRATEGIC PLAN AS PRESENTED OR SUBMITTED BY ANY LOCAL  
12 GOVERNMENT ENTITY AS SPECIFIED IN SECTION 2-7-203 (2) (c), ANY  
13 PUBLIC TESTIMONY THE COMMITTEES OF REFERENCE MAY HAVE RECEIVED  
14 AS A RESULT OF ANY MEETINGS HELD BY THE COMMITTEES OF REFERENCE  
15 OUTSIDE OF THE DENVER METRO AREA AS ALLOWED IN SECTION 2-7-203  
16 (2) (d),".

17  
18 Page 16, after line 6 insert:

19  
20 **"SECTION 9.** 24-37.5-105, Colorado Revised Statutes, is  
21 amended BY THE ADDITION OF A NEW SUBSECTION to read:

22  
23 **24-37.5-105. Office - responsibilities - rules.** (10) (a) BY  
24 NOVEMBER 1, 2010, THE OFFICE SHALL CONDUCT A FEASIBILITY AND  
25 REQUIREMENTS STUDY TO DETERMINE THE COST TO BUILD AN  
26 ELECTRONIC BUDGETING SYSTEM FOR THE STATE.

27  
28 (b) THE ELECTRONIC BUDGETING SYSTEM SHOULD, AT MINIMUM:

29  
30 (I) ALLOW ACCESS BY THE PRINCIPAL DEPARTMENTS OF THE  
31 EXECUTIVE BRANCH OF STATE GOVERNMENT, AS SPECIFIED IN SECTION  
32 24-1-110, THE JUDICIAL AND LEGISLATIVE BRANCH AGENCIES, THE OFFICE  
33 OF STATE PLANNING AND BUDGETING, AND THE JOINT BUDGET  
34 COMMITTEE STAFF;

35  
36 (II) ALLOW FOR THE CONFIDENTIAL DEVELOPMENT OF THE  
37 GOVERNOR'S ANNUAL BUDGET REQUEST AND THE ANNUAL BUDGET  
38 REQUESTS OF THE JUDICIAL AND LEGISLATIVE BRANCH AGENCIES;

39  
40 (III) ALLOW FOR THE CONFIDENTIAL ELECTRONIC  
41 COMMUNICATION OF BUDGET REQUESTS FROM EACH PRINCIPAL  
42 DEPARTMENT OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO THE  
43 OFFICE OF STATE PLANNING AND BUDGETING;

44  
45 (IV) ALLOW FOR THE ELECTRONIC COMMUNICATION OF THE  
46 GOVERNOR'S ANNUAL BUDGET REQUEST AND THE ANNUAL BUDGET  
47 REQUESTS OF THE JUDICIAL AND LEGISLATIVE BRANCH AGENCIES TO THE  
48 JOINT BUDGET COMMITTEE STAFF;

49  
50 (V) ALLOW THE OFFICE OF STATE PLANNING AND BUDGETING TO  
51 CONFIDENTIALLY EDIT AND FINALIZE THE BUDGET REQUESTS OF THE  
52 PRINCIPAL DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE  
53 GOVERNMENT;

54  
55 (VI) ALLOW THE JOINT BUDGET COMMITTEE STAFF TO VIEW THE  
56 FINAL VERSION OF THE GOVERNOR'S ANNUAL BUDGET REQUESTS AND THE

1 BUDGET REQUESTS OF THE JUDICIAL AND LEGISLATIVE BRANCH AGENCIES;

2

3 (VII) INCLUDE SECURITY FEATURES THAT LOCK CERTAIN USERS  
4 FROM ACCESSING THE SYSTEM AT CERTAIN POINTS DURING THE BUDGET  
5 PREPARATION CYCLE;

6

7 (VIII) ALLOW THE JOINT BUDGET COMMITTEE STAFF TO USE THE  
8 SYSTEM TO TRACK SUPPLEMENTAL APPROPRIATION BILLS, THE ANNUAL  
9 GENERAL APPROPRIATION ACT, AND ANY SUBSTANTIVE BUDGET  
10 LEGISLATION BEING CONSIDERED BY THE GENERAL ASSEMBLY; AND

11

12 (IX) ALLOW THE OFFICE OF STATE PLANNING AND BUDGETING TO  
13 USE THE SYSTEM TO TRACK SUPPLEMENTAL APPROPRIATION BILLS, THE  
14 ANNUAL GENERAL APPROPRIATION ACT, AND ANY SUBSTANTIVE BUDGET  
15 LEGISLATION BEING CONSIDERED FOR SIGNATURE BY THE GOVERNOR.

16

17 (c) THE FEASIBILITY AND REQUIREMENTS STUDY SHOULD ALSO  
18 ASSESS THE COST AND FEASIBILITY TO IMPLEMENT THE FOLLOWING  
19 POTENTIAL SYSTEM COMPONENTS:

20

21 (I) A WEB-BASED INTERFACE THAT WILL ALLOW THE PRINCIPAL  
22 DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO  
23 UPLOAD AND SUBMIT BUDGET DOCUMENTS AND REQUESTS TO THE OFFICE  
24 OF STATE PLANNING AND BUDGETING;

25

26 (II) A WEB-BASED INTERFACE THAT WILL ALLOW THE JUDICIAL  
27 AND LEGISLATIVE BRANCH AGENCIES TO UPLOAD AND SUBMIT BUDGET  
28 DOCUMENTS AND REQUESTS TO THE JOINT BUDGET COMMITTEE STAFF;

29

30 (III) THE ABILITY TO PRODUCE A DRAFT AND FINAL ANNUAL  
31 GENERAL APPROPRIATION ACT BY THE JOINT BUDGET COMMITTEE STAFF;

32

33 (IV) COMPATIBILITY WITH THE JOINT BUDGET COMMITTEE'S  
34 CURRENT BUDGET PREPARATION SYSTEM; AND

35

36 (V) POTENTIAL INCORPORATION OF OR INTERACTION WITH OTHER  
37 STATE HUMAN RESOURCES AND FINANCIAL SYSTEMS FOR DATA  
38 COLLECTION AND TRACKING, INCLUDING BUT NOT LIMITED TO THE  
39 COLORADO FINANCIAL REPORTING SYSTEM.

40

41 (d) THE OFFICE SHALL PROVIDE A COPY OF ITS FEASIBILITY AND  
42 REQUIREMENTS STUDY TO THE JOINT BUDGET COMMITTEE NO LATER THAN  
43 NOVEMBER 15, 2010. THE OFFICE SHALL MAKE A REQUEST FOR FUNDING  
44 TO THE JOINT BUDGET COMMITTEE, IF NECESSARY, BY NOVEMBER 1,  
45 2010."

46

47 Renumber succeeding sections accordingly.

48

49 Page 17, after line 24 insert:

50

51 **"SECTION 13. Federal funds.** The general assembly  
52 anticipates that, for the fiscal year beginning July 1, 2010, the office of  
53 the governor, for allocation to the office of information technology, will  
54 receive the sum of sixty-five thousand dollars (\$65,000) in federal funds  
55 for the implementation of this act. Although these funds are not  
56 appropriated in this act, they are noted for the purpose of indicating the

1 assumptions used relative to these funds."

2

3 Renumber succeeding section accordingly.

4

5 Page 1, line 102 strike "BUDGET." and substitute "BUDGET AND, IN  
6 CONNECTION THEREWITH, ANTICIPATING THE RECEIPT OF FEDERAL  
7 FUNDS TO BE USED THEREFOR."

8

9

10

11 **HB10-1210** be amended as follows, and as so amended, be referred to  
12 the Committee of the Whole with favorable  
13 recommendation:

14

15 Amend printed bill, page 10, after line 25 insert:

16

17 "SECTION 14. 1-40-124.5 (3), Colorado Revised Statutes, is  
18 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

19

20 **1-40-124.5. Ballot information booklet.**

21 (3) (d) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (3) TO  
22 THE CONTRARY, ON THE EFFECTIVE DATE OF THIS PARAGRAPH (d), THE  
23 STATE TREASURER SHALL DEDUCT ONE MILLION ONE HUNDRED  
24 TWENTY-NINE THOUSAND SIX HUNDRED SEVEN DOLLARS FROM THE  
25 BALLOT INFORMATION PUBLICATION AND DISTRIBUTION REVOLVING FUND  
26 AND TRANSFER SUCH SUM TO THE REDISTRICTING ACCOUNT WITHIN THE  
27 LEGISLATIVE DEPARTMENT CASH FUND."

28

29 Renumber succeeding section accordingly.

30

31

32

33 **HB10-1221** be referred to the Committee of the Whole with favorable  
34 recommendation.

35

36

37 **HB10-1228** be amended as follows, and as so amended, be referred to  
38 the Committee of the Whole with favorable  
39 recommendation:

40

41 Amend printed bill, page 2, strike lines 10 and 11 and substitute "AND  
42 THE EMPLOYEE'S DEPARTMENT SHALL NOT BE DIRECTLY FINANCIALLY  
43 LIABLE FOR THE PREMIUMS PAID FOR THE DEPENDENT COVERAGE IF NO  
44 CLAIMS HAVE BEEN PAID FOR THE INELIGIBLE DEPENDENT. IF THE  
45 DIRECTOR FAILS TO REMOVE THE INELIGIBLE DEPENDENT AND A CLAIM  
46 HAS BEEN PAID FOR THE INELIGIBLE DEPENDENT, THE EMPLOYEE AND THE  
47 EMPLOYEE'S DEPARTMENT SHALL NOT BE DIRECTLY FINANCIALLY LIABLE  
48 FOR THE PAID CLAIM. THE COSTS FOR PREMIUMS AND CLAIMS PAID MAY  
49 BE PAID FROM THE GROUP BENEFIT PLANS RESERVE FUND ESTABLISHED IN  
50 SECTION 24-50-613."

51

52 Page 2, after line 11 insert:

53

54 "SECTION 2. **Appropriation.** In addition to any other  
55 appropriation, there is hereby appropriated, out of any moneys in the  
56 group benefit plans reserve fund created in section 24-50-613 (1),

1 Colorado Revised Statutes, not otherwise appropriated, to the department  
2 of personnel and administration, for allocation to the division of human  
3 resources, employee benefits services, operating expenses, for the fiscal  
4 year beginning July 1, 2010, the sum of four thousand four hundred  
5 dollars (\$4,400) cash funds, or so much thereof as may be necessary, for  
6 the implementation of this act."

7  
8 Renumber succeeding sections accordingly.

9  
10 Page 1, line 103 strike "PLANS." and substitute "PLANS, AND MAKING AN  
11 APPROPRIATION THEREFOR."

12  
13  
14  
15 **HB10-1250** be referred to the Committee of the Whole with favorable  
16 recommendation.

17  
18  
19 **HB10-1257** be postponed indefinitely.

20  
21  
22 **HB10-1267** be referred to the Committee of the Whole with favorable  
23 recommendation.

24  
25  
26 **HB10-1289** be postponed indefinitely.

27  
28  
29 **HB10-1353** be amended as follows, and as so amended, be referred to  
30 the Committee of the Whole with favorable  
31 recommendation:

32  
33 Amend printed bill, page 10, line 2, strike "10-\_\_\_\_," and substitute  
34 "10-1353,".

35  
36 Page 11, line 14, strike "(3.5) THE" and substitute "(3.5) FOR BENEFITS  
37 PROVIDED ON AND AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3.5),  
38 THE".

39  
40  
41  
42  
43 **EDUCATION**

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

46  
47 **HB10-1253** be postponed indefinitely.

48  
49  
50 **SB10-081** be referred to the Committee of the Whole with favorable  
51 recommendation.

52  
53  
54  
55

1 **HEALTH & HUMAN SERVICES**

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

4  
5 **HB10-1252** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 2, strike lines 11 through 18 and substitute "THE  
10 TASK FORCE, AN ANNUAL BREAST CANCER SCREENING WITH  
11 MAMMOGRAPHY SHALL BE COVERED PURSUANT TO SUB-SUBPARAGRAPH  
12 (B) OF THIS SUBPARAGRAPH (III) FOR INDIVIDUALS AT RISK."

13  
14 Page 2, line 19, strike "**Applicability.**" and substitute "**Effective date -**  
15 **applicability.**" and after "shall" insert "take effect January 1, 2011, and  
16 shall".

17  
18 Page 2, line 20, strike "the effective date of this act." and substitute "said  
19 date."

20  
21  
22  
23 **SB10-009** be referred to the Committee of the Whole with favorable  
24 recommendation.

25  
26  
27 **SB10-014** be referred to the Committee of the Whole with favorable  
28 recommendation.

29  
30  
31 **SB10-115** be amended as follows, and as so amended, be referred to  
32 the Committee of the Whole with favorable  
33 recommendation:

34  
35 Amend reengrossed bill, page 2, line 7, after the period insert "The  
36 general assembly also finds that there are many instances where it would  
37 benefit patients and those in need if medications, medical devices, and  
38 medical supplies could be redispensed and redistributed instead of  
39 destroyed."

40  
41 Page 2, line 11, strike "efforts." and substitute "efforts and to aid others  
42 who may be in need."

43  
44 Page 2, line 12, before "(2)," insert "(1) and" and strike "is" and substitute  
45 "are".

46  
47 Page 2, strike lines 15 through 17 and substitute "**rules.** (1) As used in  
48 this section and section 12-22-134, unless the context otherwise requires:

49  
50 (a) "Licensed facility" means a hospital, hospital unit,  
51 COMMUNITY MENTAL HEALTH CENTER, ACUTE TREATMENT UNIT, hospice,  
52 nursing care facility, or assisted living residence that is required to be  
53 licensed pursuant to section 25-3-101, C.R.S., OR A LICENSED LONG-TERM  
54 CARE FACILITY AS DEFINED IN SECTION 25-1-124 (2.5) (b), C.R.S.

55  
56 (b) "MEDICAL DEVICE" MEANS AN INSTRUMENT, APPARATUS,

1 IMPLEMENT, MACHINE, CONTRIVANCE, IMPLANT, OR SIMILAR OR RELATED  
2 ARTICLE THAT IS REQUIRED TO BE LABELED PURSUANT TO 21 CFR PART  
3 801.

4  
5 (c) "MEDICAL SUPPLY" MEANS A CONSUMABLE SUPPLY ITEM THAT  
6 IS DISPOSABLE AND NOT INTENDED FOR REUSE.

7  
8 ~~(b)~~ (d) "Medication means A prescription medication that is not a  
9 controlled substance.

10  
11 (2) (a) (I) If donated by the patient, resident, or the patient's or  
12 resident's next of kin,".

13  
14 Page 2, line 18, strike "DISCONTINUED," and strike "medication" and  
15 substitute "medication MEDICATIONS, MEDICAL SUPPLIES, AND MEDICAL  
16 DEVICES".

17  
18 Page 2, line 19, after "facility" insert "OR A PRESCRIPTION DRUG OUTLET".

19  
20 Page 2, strikes line 20 through 25 and substitute "redispensed to another  
21 patient or resident of that licensed facility. A pharmacist may redispense  
22 a returned medication that is prescribed to a patient or resident of a  
23 licensed facility if the medication was originally dispensed to another  
24 patient or resident of the licensed facility or may donate a returned  
25 medication DONATED to a nonprofit entity that has the legal authority to  
26 possess the medication OR TO A PRACTITIONER AUTHORIZED BY LAW TO  
27 PRESCRIBE THE MEDICATION.".

28  
29 Page 3, line 4, after "PROVIDING" insert "MEDICATIONS, MEDICAL DEVICES,  
30 OR".

31  
32 Page 3, line 11, after "OR" insert "PRODUCT OR".

33  
34 Page 3, after line 21 insert:

35  
36 (c) THE FOLLOWING MEDICATIONS MAY NOT BE DONATED:

37  
38 (I) MEDICATIONS PACKAGED IN TRADITIONAL BROWN OR AMBER  
39 PILL BOTTLES;

40  
41 (II) CONTROLLED SUBSTANCES;

42  
43 (III) MEDICATIONS THAT REQUIRE REFRIGERATION, FREEZING, OR  
44 SPECIAL STORAGE;

45  
46 (IV) MEDICATIONS THAT REQUIRE SPECIAL REGISTRATION WITH  
47 THE MANUFACTURER; OR

48  
49 (V) MEDICATIONS THAT ARE ADULTERATED OR MISBRANDED, AS  
50 DETERMINED BY A PERSON LEGALLY AUTHORIZED TO DISPENSE THE  
51 MEDICATIONS ON BEHALF OF THE NONPROFIT ENTITY.".

52  
53  
54  
55

1 **JUDICIARY**

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

4  
5 **HB10-1164** be amended as follows, and as so amended, be referred to  
6 the Committee of the Whole with favorable  
7 recommendation:

8  
9 Amend printed bill, page 2, line 13, strike "(2) (h)," and substitute "(3),".

10  
11 Page 2, line 14, strike "INEFFECTIVE;" and substitute "INEFFECTIVE AFTER  
12 REASONABLE EFFORT HAS FAILED;".

13  
14 Page 4, line 26, strike "(2) (h)," and substitute "(3),".

15  
16 Page 5, line 12, strike "SUBPOENAS,".

17  
18 Page 5, after line 25 insert:

19  
20 "(b) IF SERVICE OF PROCESS IS MADE ON THE INSURANCE CARRIER  
21 UNDER THIS SUBSECTION (3), THE PLAINTIFF SHALL CAUSE THE SERVICE OF  
22 PROCESS TO BE MADE ON THE INSURANCE CARRIER'S REGISTERED AGENT.  
23

24 (c) IF SERVICE IS OBTAINED UNDER THIS SECTION, THE VENUE FOR  
25 THE UNDERLYING CLAIM IS THE SAME AS IF THE DEFENDANT IS A  
26 NONRESIDENT.  
27

28 (d) EXCEPT AS EXPRESSLY PROVIDED IN THIS SUBSECTION (3), THIS  
29 SUBSECTION (3) DOES NOT ALTER OR EXPAND THE TERMS AND CONDITIONS  
30 OF THE INSURANCE POLICY OR LIABILITY COVERAGE."  
31

32 Reletter succeeding paragraphs accordingly.

33  
34 Page 6, before line 2 insert:

35  
36 "(f) IF SERVICE OF PROCESS IS MADE ON THE INSURANCE CARRIER  
37 UNDER THIS SUBSECTION (3) AND THE COURT ENTERS JUDGMENT OR THE  
38 INSURANCE CARRIER AGREES TO A SETTLEMENT FOR THE DAMAGES  
39 CAUSED BY THE ABSENT INSURED, THE AMOUNT OF THE INSURANCE  
40 CARRIER'S LIABILITY SHALL NOT EXCEED THE POLICY LIMITS OF THE  
41 COVERAGE. A JUDGEMENT OR SETTLEMENT OBTAINED USING SERVICE OF  
42 PROCESS ON THE CARRIER SHALL NOT BAR THE INJURED PERSON FROM  
43 SUBSEQUENTLY MAKING PERSONAL SERVICE ON THE PERSON WHO CAUSED  
44 THE INJURY AND SEEKING ADDITIONAL REMEDIES PROVIDED BY LAW."  
45

46 Reletter succeeding paragraph accordingly.

47  
48 Page 6, line 8, strike "July 1, 2010," and substitute "January 1, 2011,".  
49

50  
51  
52 **HB10-1340** be referred to the Committee of the Whole with favorable  
53 recommendation.  
54  
55  
56

1 **LOCAL GOVERNMENT**

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

4  
5 **SB10-016** be referred favorably to the Committee on Appropriations.

6  
7  
8 **SB10-098** be referred favorably to the Committee on Agriculture,  
9 Livestock & Natural Resources.

10

11

12

13

14 **STATE, VETERANS, & MILITARY AFFAIRS**

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

17

18 **HB10-1209** be amended as follows, and as so amended, be referred to  
19 the Committee on Finance with favorable  
20 recommendation:

21

22 Amend printed bill, strike everything below the enacting clause and  
23 substitute:

24

25 **"SECTION 1.** 42-2-114, Colorado Revised Statutes, is amended  
26 BY THE ADDITION OF A NEW SUBSECTION to read:

27

28 **42-2-114. License issued - fees - repeal.** (10) (a) AT THE  
29 APPLICANT'S VOLUNTARY REQUEST, THE DEPARTMENT SHALL ISSUE A  
30 DRIVER'S LICENSE BEARING AN IDENTIFIER OF A BRANCH OF THE UNITED  
31 STATES ARMED FORCES, SUCH AS "MARINE CORPS", "NAVY", "ARMY",  
32 "AIR FORCE", OR "COAST GUARD", IF THE APPLICANT POSSESSES A  
33 CURRENTLY VALID MILITARY IDENTIFICATION DOCUMENT, A DD214 FORM  
34 ISSUED BY THE UNITED STATES GOVERNMENT, OR ANY OTHER DOCUMENT  
35 ACCEPTED BY THE DEPARTMENT THAT DEMONSTRATES THAT THE  
36 APPLICANT IS AN ACTIVE MEMBER OR A VETERAN OF THE BRANCH OF  
37 SERVICE THAT THE APPLICANT HAS REQUESTED BE PLACED ON THE  
38 DRIVER'S LICENSE. THE APPLICANT SHALL NOT BE REQUIRED TO PROVIDE  
39 DOCUMENTATION THAT THE APPLICANT IS AN ACTIVE MEMBER OR A  
40 VETERAN OF A BRANCH OF THE UNITED STATES ARMED FORCES TO RENEW  
41 OR BE REISSUED A DRIVER'S LICENSE BEARING AN IDENTIFIER ISSUED  
42 PURSUANT TO THIS SUBSECTION (10). THE DEPARTMENT SHALL NOT PLACE  
43 MORE THAN ONE BRANCH OF THE UNITED STATES ARMED FORCES  
44 IDENTIFIER ON AN APPLICANT'S DRIVER'S LICENSE.

45

46 (b) (I) TO BE ISSUED A DRIVER'S LICENSE BEARING A BRANCH OF  
47 SERVICE IDENTIFIER, THE APPLICANT SHALL PAY A FEE OF FIFTEEN  
48 DOLLARS TO THE DEPARTMENT, WHICH SHALL BE IN ADDITION TO ANY  
49 OTHER FEE FOR A DRIVER'S LICENSE. THE DEPARTMENT SHALL TRANSFER  
50 THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE  
51 HIGHWAY USERS TAX FUND, EXCEPT AS PROVIDED IN SUBPARAGRAPH (II)  
52 OF THIS PARAGRAPH (b).

53

54 (II) (A) THE DEPARTMENT MAY RETAIN UP TO NINETY-EIGHT  
55 THOUSAND FIVE HUNDRED THIRTY-EIGHT DOLLARS OF THE FEES  
56 COLLECTED PURSUANT TO SUBPARAGRAPH (I) OF THIS PARAGRAPH (b) AS

1 NECESSARY TO OFFSET THE DIRECT AND INDIRECT COST OF IMPLEMENTING  
2 THIS SUBSECTION (10).

3

4 (B) THIS SUBPARAGRAPH (II) IS REPEALED EFFECTIVE JULY 1,  
5 2012.

6

7 (c) (I) THIS SUBSECTION (10) IS EFFECTIVE JANUARY 1, 2011.

8

9 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2011.

10

11 **SECTION 2.** 42-2-303, Colorado Revised Statutes, is amended  
12 BY THE ADDITION OF A NEW SUBSECTION to read:

13

14 **42-2-303. Contents of identification card.** (4) (a) AT THE  
15 APPLICANT'S VOLUNTARY REQUEST, THE DEPARTMENT SHALL ISSUE AN  
16 IDENTIFICATION CARD BEARING AN IDENTIFIER OF A BRANCH OF THE  
17 UNITED STATES ARMED FORCES, SUCH AS "MARINE CORPS", "NAVY",  
18 "ARMY", "AIR FORCE", OR "COAST GUARD", IF THE APPLICANT POSSESSES  
19 A CURRENTLY VALID MILITARY IDENTIFICATION DOCUMENT, A DD214  
20 FORM ISSUED BY THE UNITED STATES GOVERNMENT, OR ANY OTHER  
21 DOCUMENT ACCEPTED BY THE DEPARTMENT THAT DEMONSTRATES THAT  
22 THE APPLICANT IS AN ACTIVE MEMBER OR A VETERAN OF THE BRANCH OF  
23 SERVICE THAT THE APPLICANT HAS REQUESTED BE PLACED ON THE  
24 IDENTIFICATION CARD. THE APPLICANT SHALL NOT BE REQUIRED TO  
25 PROVIDE DOCUMENTATION THAT THE APPLICANT IS AN ACTIVE MEMBER OR  
26 A VETERAN OF A BRANCH OF THE UNITED STATES ARMED FORCES TO  
27 RENEW OR BE REISSUED AN IDENTIFICATION CARD BEARING AN IDENTIFIER  
28 ISSUED PURSUANT TO THIS SUBSECTION (4). THE DEPARTMENT SHALL NOT  
29 PLACE MORE THAN ONE BRANCH OF THE UNITED STATES ARMED FORCES  
30 IDENTIFIER ON AN APPLICANT'S IDENTIFICATION CARD.

31

32 (b) TO BE ISSUED AN IDENTIFICATION CARD BEARING A BRANCH OF  
33 SERVICE IDENTIFIER, THE APPLICANT SHALL PAY A FEE OF FIFTEEN  
34 DOLLARS TO THE DEPARTMENT, WHICH SHALL BE IN ADDITION TO ANY  
35 OTHER FEE FOR AN IDENTIFICATION CARD. THE DEPARTMENT SHALL  
36 TRANSFER THE FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE  
37 TO THE HIGHWAY USERS TAX FUND.

38

39 (c) (I) THIS SUBSECTION (4) IS EFFECTIVE JANUARY 1, 2011.

40

41 (II) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JULY 1, 2011.

42

43 **SECTION 3. Specified effective date - applicability.** This act  
44 shall take effect July 1, 2010, and shall apply to driver's licenses and  
45 identification cards issued on or after said date.

46

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

50

51

52

53 **HB10-1249** be amended as follows, and as so amended, be referred to  
54 the Committee of the Whole with favorable  
55 recommendation:

56

- 1 Amend printed bill, page 3, line 20, strike "2015," and substitute "2013,".  
2  
3 Page 4, line 10, strike "FORTY" and substitute "FORTY-FIVE".  
4  
5 Page 4, line 11, strike "FIFTY-FIVE" and substitute "SIXTY-FIVE".  
6  
7 Page 4, line 20, strike "2011," and substitute "2010,".  
8  
9 Page 5, line 23, strike "EVIDENCE IS PRESENTED SUPPORTING" and  
10 substitute "CLEAR AND CONVINCING EVIDENCE IS PRESENTED PROVING".  
11  
12 Page 6, line 6, strike "OCCUPIED." and substitute "OCCUPIED AND THAT  
13 THE SIGNER HAS INSPECTED THE PROPERTY ON MORE THAN ONE OCCASION  
14 AND ON EACH OCCASION HAS DETERMINED THAT THE PROPERTY IS  
15 ABANDONED.".  
16  
17 Page 6, line 14, strike "OR" and substitute "AND" and strike "HAS" and  
18 substitute "HAVE".  
19  
20 Page 6, line 15, strike "TERMINATED;" and substitute "TERMINATED FOR  
21 A PERIOD OF AT LEAST THIRTY DAYS;".  
22  
23 Page 6, line 20, strike "COMMUNITY" and substitute "LOCAL  
24 GOVERNMENT".  
25 Page 7, line 16, strike "TWENTY" and substitute "TWENTY-FIVE".  
26  
27 Page 7, line 24, strike "CALENDAR" and substitute "BUSINESS".  
28  
29 Page 8, line 9, strike "THREE" and substitute "FOUR".  
30  
31 Page 9, line 27, strike "2016." and substitute "2014.".  
32  
33  
34  
35 **HB10-1272** be referred favorably to the Committee on Appropriations.  
36  
37  
38 **HB10-1328** be amended as follows, and as so amended, be referred to  
39 the Committee of the Whole with favorable  
40 recommendation:  
41  
42 Amend printed bill, page 3, line 12, strike "IMPROVEMENTS" and  
43 substitute "IMPROVEMENTS, INCLUDING ENERGY EFFICIENCY  
44 IMPROVEMENTS AND RENEWABLE ENERGY IMPROVEMENTS,".  
45  
46 Page 3, line 20, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,  
47 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY  
48 IMPROVEMENTS,".  
49  
50 Page 4, line 5, strike "IMPROVEMENTS" and substitute "IMPROVEMENT".  
51  
52 Page 4, line 12, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,  
53 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY  
54 IMPROVEMENTS,".  
55  
56 Page 4, line 22, strike "IMPROVEMENTS" and substitute "IMPROVEMENT".

- 1 Page 5, line 16, strike "IMPROVEMENTS" and substitute "IMPROVEMENTS,  
2 INCLUDING ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY  
3 IMPROVEMENTS,".  
4
- 5 Page 8, line 16, after "MORE" insert "ON-SITE".  
6
- 7 Page 9, line 8, strike "APPLICATION" and substitute "APPLICATION, WHICH  
8 NOTES THE EXISTENCE OF ANY FIRST PRIORITY MORTGAGE OR DEED OF  
9 TRUST ON THE ELIGIBLE REAL PROPERTY AND THE IDENTITY OF THE  
10 HOLDER THEREOF,".  
11
- 12 Page 9, line 12, strike "PROPERTY; AND" and substitute "PROPERTY.  
13 WITHIN THIRTY DAYS OF A PERSON'S SUBMISSION OF AN APPLICATION TO  
14 THE DISTRICT, THE DISTRICT SHALL PROVIDE WRITTEN NOTICE TO THE  
15 HOLDER OF ANY FIRST PRIORITY MORTGAGE OR DEED OF TRUST ON THE  
16 ELIGIBLE REAL PROPERTY THAT THE PERSON IS PARTICIPATING IN THE  
17 DISTRICT.".  
18
- 19 Page 12, line 18, strike "THREE" and substitute "FIVE".  
20
- 21 Page 12, line 23, strike "AND".  
22
- 23 Page 12, after line 26 insert:  
24
- 25       (D) ONE MEMBER WHO REPRESENTS THE ENERGY EFFICIENCY  
26 INDUSTRY; AND  
27
- 28       (E) ONE MEMBER WHO REPRESENTS LOCAL GOVERNMENTS;".  
29
- 30 Page 14, line 11, strike "FIVE" and substitute "SIX".  
31
- 32 Page 14, line 14, strike "FIVE" and substitute "SIX".  
33
- 34 Page 18, line 9, strike "RENEWABLE" and substitute "NEW".  
35
- 36 Page 18, line 15, strike "SHALL NOT".  
37
- 38 Page 18, line 16, strike "CHARGE AN APPLICATION FEE." and substitute  
39 "MAY CHARGE PROGRAM APPLICATION FEES."  
40
- 41 Page 20, line 5, strike "IF DEEMED NECESSARY BY THE BOARD, MONITOR"  
42 and substitute "MONITOR".  
43
- 44 Page 20, line 7, strike "PAYMENT, AND" and substitute "PAYMENT IF  
45 DEEMED NECESSARY BY THE BOARD,"  
46
- 47 Page 20, line 8, strike "PROGRAM." and substitute "PROGRAM, MONITOR  
48 THE TOTAL NUMBER OF PROGRAM PARTICIPANTS, THE TOTAL AMOUNT PAID  
49 TO CONTRACTORS, THE NUMBER OF JOBS CREATED BY THE PROGRAM, THE  
50 NUMBER OF DEFAULTS BY PROGRAM PARTICIPANTS, AND THE TOTAL  
51 LOSSES FROM THE DEFAULTS, AND CALCULATE THE TOTAL AMOUNT OF  
52 BONDS ISSUED BY THE DISTRICT. ON OR BEFORE MARCH 1, 2011, AND ON  
53 OR BEFORE EACH SUBSEQUENT MARCH 1, THE DISTRICT SHALL REPORT TO  
54 THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE  
55 GENERAL ASSEMBLY, OR ANY SUCCESSOR COMMITTEES REGARDING THE  
56 INFORMATION OBTAINED AS REQUIRED BY THIS PARAGRAPH (g).".

1 Page 20, line 11, after "FACTORS," insert "INCLUDING BUT NOT LIMITED TO  
2 CREDIT REPORTS, CREDIT SCORES, AND LOAN-TO-VALUE RATIOS,".

3  
4 Page 24, line 24, strike "THE WHOLE OF THE UNPAID PRINCIPAL" and  
5 substitute "INSTALLMENTS".

6  
7 Page 25, line 2, strike "SALE; BUT THE DISTRICT SHALL, WHENEVER  
8 FEASIBLE," and substitute "SALE. THE DISTRICT SHALL".

9  
10 Page 25, line 4, strike "MAKING SUCH A DECLARATION," and substitute  
11 "DECLARING THE WHOLE OF THE UNPAID PRINCIPAL DUE AND COLLECTIBLE  
12 IMMEDIATELY,".

13  
14 Page 28, line 12, strike "TWO HUNDRED FIFTY" and substitute "EIGHT  
15 HUNDRED".

16  
17 Page 33, after line 5 insert:

18  
19 **"32-20-110. Repeal of article - inapplicable if the district has**  
20 **outstanding bond obligations.** (1) EXCEPT AS OTHERWISE PROVIDED IN  
21 SUBSECTION (2) OF THIS SECTION, THIS ARTICLE IS REPEALED, EFFECTIVE  
22 JANUARY 1, 2016.

23  
24 (2) IN ACCORDANCE WITH SECTION 32-20-108 (8), THIS ARTICLE  
25 SHALL NOT BE REPEALED AS PROVIDED IN SUBSECTION (1) OF THIS SECTION  
26 IF THE DISTRICT HAS ISSUED BONDS THAT HAVE NOT BEEN REPAID IN FULL  
27 AS OF JANUARY 1, 2016. HOWEVER, THE DISTRICT SHALL NOT ACCEPT ANY  
28 NEW APPLICATION FOR THE PROGRAM OR ISSUE ANY ADDITIONAL BONDS  
29 ON OR AFTER JANUARY 1, 2016."

30  
31 Page 33, line 9, strike "**Financial and**" and substitute "**Periodic**".

32  
33  
34 Page 33, strike lines 11 through 14 and substitute "**- reports.** NO LATER  
35 THAN JUNE 30, 2014, AND NO LATER THAN JUNE 30 OF EVERY FIFTH YEAR  
36 THEREAFTER, THE STATE AUDITOR SHALL CONDUCT OR CAUSE TO BE  
37 CONDUCTED A PERFORMANCE AUDIT OF THE COLORADO NEW ENERGY".

38  
39 Page 33, line 18, strike "AN ANNUAL" and substitute "A".

40  
41  
42  
43  
44 **TRANSPORTATION & ENERGY**

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

47  
48 **HB10-1113** be amended as follows, and as so amended, be referred to  
49 the Committee on Appropriations with favorable  
50 recommendation:

51  
52 Amend printed bill, page 3, line 10, after "(III)" insert "(A)".

53  
54 Page 3, line 13, after "PATROL." insert "THE PORT OF ENTRY SAFETY  
55 PROGRAM AND THE COMMERCIAL VEHICLE SAFETY PROGRAM, WHICH  
56 PROGRAMS ARE OPERATED BY THE DEPARTMENT OF REVENUE, SHALL BE

1 TRANSFERRED TO THE COLORADO STATE PATROL AS DIRECTED BY THE  
2 CHIEF OF THE COLORADO STATE PATROL."

3  
4 Page 3, line 17, after "SAFETY." add "THE DEPARTMENT OF PUBLIC  
5 SAFETY, THROUGH THE COLORADO STATE PATROL, SHALL CONDUCT A  
6 THOROUGH PERFORMANCE REVIEW OF: THE TRANSFER OF STATIONARY  
7 AND MOBILE PORT OF ENTRY OPERATIONS; SUPPORT FUNCTIONS; FLEET  
8 ISSUES; OPERATIONAL INFORMATION TECHNOLOGY PROGRAMS; CAPITAL  
9 CONSTRUCTION AND CONTROL MAINTENANCE REQUESTS, INCLUDING A  
10 PLAN FOR FUTURE REQUESTS; STAFFING NEEDS; CHANGES IN OPERATIONS;  
11 HOURS OF PORT OF ENTRY OPERATIONS STATEWIDE; EFFICIENCIES TO BE  
12 GAINED BY THE TRANSFER; AND OTHER TASKS AS NEEDED. AS PART OF  
13 THE PERFORMANCE REVIEW, THE EXECUTIVE DIRECTOR OF THE  
14 DEPARTMENT OF PUBLIC SAFETY SHALL MEET WITH ANY CERTIFIED  
15 EMPLOYEE ORGANIZATIONS THAT REPRESENT STAFF WHO ARE IMPACTED  
16 BY THE OPERATIONAL TRANSFER. THE REVIEW SHALL BE COMPLETED NO  
17 LATER THAN JULY 1, 2011. THE CHIEF OF THE COLORADO STATE PATROL,  
18 IN CONSULTATION WITH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT  
19 OF PUBLIC SAFETY, SHALL HAVE THE AUTHORITY TO IMPLEMENT ANY  
20 CHANGES TO THE OPERATION OF PORT OF ENTRY WEIGH STATIONS AS A  
21 RESULT OF THE PERFORMANCE REVIEW."

22  
23 Page 3, after line 17 insert:

24  
25 "(B) ANY EMPLOYEES TRANSFERRED TO THE DEPARTMENT OF  
26 PUBLIC SAFETY AND ALLOCATED TO THE COLORADO STATE PATROL  
27 PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (III) WHO  
28 ARE CLASSIFIED IN THE STATE PERSONNEL SYSTEM SHALL RETAIN ALL  
29 RIGHTS TO THE PERSONNEL SYSTEM AND RETIREMENT BENEFITS PURSUANT  
30 TO THE LAWS OF THIS STATE, AND THEIR SERVICES SHALL BE DEEMED TO  
31 HAVE BEEN CONTINUOUS. ALL TRANSFERS IN THE STATE PERSONNEL  
32 SYSTEM SHALL BE MADE AND PROCESSED IN ACCORDANCE WITH STATE  
33 PERSONNEL LAWS AND REGULATIONS. ANY EMPLOYEE TRANSFERRED TO  
34 THE DEPARTMENT OF PUBLIC SAFETY AND ALLOCATED TO THE COLORADO  
35 STATE PATROL PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS  
36 SUBPARAGRAPH (III) SHALL MAINTAIN THE DUTIES AND RESPONSIBILITIES  
37 RELATED TO THE EMPLOYEE'S POSITION. NO POSITION SHALL BE  
38 ABOLISHED BASED SOLELY ON A CHANGE IN QUALIFICATIONS AS A RESULT  
39 OF THE TRANSFER."

40  
41 Page 8, line 5, after "CHIEF." add "THE CHIEF SHALL PROMULGATE ANY  
42 NEW REGULATORY, POLICY, OR OPERATIONAL INTERPRETATIONS DEEMED  
43 NECESSARY TO THE EFFICIENT OPERATION OF THE PORTS OF ENTRY  
44 SECTION."

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48 **HB10-1173** be postponed indefinitely.

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51 **SB10-015** be referred to the Committee of the Whole with favorable  
52 recommendation.

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**SIGNING OF BILLS - RESOLUTIONS - MEMORIALS**

The Speaker has signed: **HB10-1014, 1041, 1063, 1065, 1306, 1319, 1322, 1325; HJR10-1013.**

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**MESSAGE(S) FROM THE SENATE**

The Senate has adopted and returns herewith: HJR10-1013.

In response to the request of the House for a Conference Committee on HB10-1320, the President appoints Senators Tapia, chair, Keller and White as conferees on the First Conference Committee on HB10-1320.

In response to the request of the House for a Conference Committee on HB10-1339, the President appoints Senators White, chair, Tapia and Keller as conferees on the First Conference Committee HB10-1339.

In response to the request of the House for a Conference Committee on HB10-1327, the President appoints Senators White, chair, Tapia and Keller as conferees on the First Conference Committee on HB10-1327.

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The Senate has passed on Third Reading and transmitted to the Revisor of Statutes: SB10-060.

SB10-026 amended as printed in Senate Journal, March 2, 2010, pages 395-398 and as printed in Senate Journal, March 5, 2010.

SB10-028 amended as printed in Senate Journal, March 1, 2010, page 387 and March 3, 2010, page 408.

HB10-1001 amended as printed in Senate Journal, March 4, 2010, pages 424-426.

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**MESSAGE(S) FROM THE REVISOR**

We herewith transmit:

Without comment, SB10-060.

Without comment, as amended, HB10-1001.

Without comment, as amended, SB10-026 and 028.

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**NOTICE OF CALENDARED ITEM(S)**

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on March 8, 2010: **HB10-1252.**

On motion of Representative Weissmann, the following bill(s) will be calendared for Second Reading on March 10, 2010: **HB10-1353, SB10-015, 081, 009, 014, 115.**

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading, March 8, will be laid over until March 12, 2010: **SB10-019.**

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**LAY OVER OF CALENDAR ITEM(S)**

On motion of Representative Weissmann, the following item(s) on the Calendar (was)were laid over until March 8, retaining place on Calendar:

Consideration of Senate Amendment(s)--**HB10-1321**.

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On motion of Representative Weissmann, the House adjourned until 10:00 a.m., March 8, 2010.

Approved:  
TERRANCE D. CARROLL,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk

