

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

Forty-first Legislative Day

Monday, February 22, 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 Josh Robinson, University of Colorado,  
6 Denver.  
7  
8 The roll was called with the following result:  
9  
10 Present--63.  
11 Excused--Representative(s) Carroll, King--2.  
12 Present after roll call--Representative(s) Carroll, King.  
13

14 The Speaker declared a quorum present.  
15  
16

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

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

22  
23  
24 The following bill(s) (was)were considered on Third Reading. The  
25 title(s) (was)were publicly read. Reading of the bill at length was  
26 dispensed with by unanimous consent.  
27

28 **HB10-1235** by Representative(s) Levy, Gardner B., Kagan, Labuda,  
29 Roberts; also Senator(s) Brophy, Carroll M., Mitchell,  
30 Morse, Schwartz--Concerning the requirements in the  
31 "State Administrative Procedure Act" for incorporation by  
32 reference of rule-making materials by executive branch  
33 agencies.  
34

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

	YES	63	NO	1	EXCUSED	1	ABSENT	0
41	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
42	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
43	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y

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

15 Co-sponsor(s) added: Representative(s) Court, Frangas, McCann, Merrifield,  
16 Middleton, Pace, Pommer, Scanlan.

17  
18 **HB10-1029** by Representative(s) Acree, Looper, Primavera, Todd; also  
19 Senator(s) Keller, Steadman--Concerning agreements for  
20 the purchase of medical goods.

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

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

26	YES	64	NO	0	EXCUSED	1	ABSENT	0
28	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
29	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
30	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
31	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
32	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
33	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
34	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
35	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
36	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
37	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
38	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
39	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
40	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
41	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
42	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
43	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
44							Speaker	E

45 Co-sponsor(s) added: Representative(s) Apuan, DelGrosso, Frangas, Gerou,  
46 Kerr J., Labuda, Lambert, Merrifield, Nikkel, Riesberg, Schafer S., Solano,  
47 Soper, Summers, Vigil.

48  
49  
50 **HB10-1050** by Representative(s) Tyler, Riesberg, Soper; also  
51 Senator(s) Tochtrop, Williams--Concerning a central on-  
52 line registry of medical orders for scope of treatment  
53 forms.

54  
55 The question being "Shall the bill pass?".

56 A roll call vote was taken. As shown by the following recorded vote, a

1 majority of those elected to the House voted in the affirmative and the bill  
 2 was declared **passed**.

	YES	40	NO	24	EXCUSED	1	ABSENT	0
5	Acree	N	Gerou	N	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
7	Balmer	N	Judd	Y	McNulty	N	Schafer S.	Y
8	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
10	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	N	Murray	N	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	N
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	N	Priola	N	Vaad	N
18	Gagliardi	Y	Massey	N	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	N	Riesberg	Y	Waller	N
20	Gardner C.	N	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	E

22 Co-sponsor(s) added: Representative(s) Curry, Ferrandino, Kefalas, Labuda,  
 23 McFadyen, Middleton, Pace, Roberts, Schafer S., Solano, Vigil.

24  
 25 **HB10-1038** by Representative(s) Miklosi, Pace, Ryden; also Senator(s)  
 26 Carroll M., Hodge, Tochtrop--Concerning a brochure to  
 27 describe the process for workers' compensation claims,  
 28 and making adjustments to appropriations in connection  
 29 therewith.

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

	YES	59	NO	5	EXCUSED	1	ABSENT	0
37	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
38	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
39	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
40	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
41	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
42	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
43	Casso	Y	Kerr J.	Y	Murray	N	Stephens	Y
44	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
45	Curry	N	Labuda	Y	Pace	Y	Swalm	Y
46	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	Y
47	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
48	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
49	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
50	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
51	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
52	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
53							Speaker	E

54 Co-sponsor(s) added: Representative(s) Apuan, Casso, Frangas, Labuda,  
 55 Schafer S., Solano, Vigil.

56

1 **HB10-1045** by Representative(s) Miklosi; also Senator(s)Romer--  
 2 Concerning the address of a person on file with specified  
 3 state agencies, and making an appropriation therefor.  
 4

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
11	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
12	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
13	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
14	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
15	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
16	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
17	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
18	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
19	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
20	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
21	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
22	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
23	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
24	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
25	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
26	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
27							Speaker	E

28 Co-sponsor(s) added: Representative(s) Pace, Vigil.  
 29  
 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 and making an appropriation therefor.  
 35

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
42	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
43	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
44	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
45	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
46	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
47	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
48	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
49	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
50	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
51	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
52	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
53	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
54	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
55	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
56	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y

1 Gardner C. Y McCann Y Roberts Y Weissmann Y  
 2 Speaker E

3 Co-sponsor(s) added: Representative(s) Apuan, Gerou, Labuda, Pace,  
 4 Schafer S., Solano, Todd, Vigil.

5  
 6 **HB10-1244** by Representative(s) Labuda, Apuan, Casso, Curry,  
 7 Frangas, Gagliardi, Murray, Riesberg, Scanlan, Schafer S.,  
 8 Soper; also Senator(s) Mitchell--Concerning allowing an  
 9 heir of a deceased physician shareholder of a professional  
 10 service corporation to become a shareholder of the  
 11 corporation.

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
21	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
22	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
24	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
25	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
26	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
27	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
28	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
29	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
30	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
31	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
32	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
33	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
34	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
35							Speaker	E

36 Co-sponsor(s) added: Representative(s) Kerr J., Nikkel, Ryden, Todd.

37  
 38 **HB10-1165** by Representative(s) Merrifield; also Senator(s) Tapia--  
 39 Concerning the authority of the state board of land  
 40 commissioners regarding state land.

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

	YES	44	NO	20	EXCUSED	1	ABSENT	0
48	Acree	Y	Gerou	N	McFadyen	Y	Ryden	Y
49	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
50	Balmer	Y	Judd	Y	McNulty	N	Schafer S.	Y
51	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
52	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
53	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
54	Casso	N	Kerr J.	N	Murray	Y	Stephens	Y
55	Court	Y	King S.	N	Nikkel	N	Summers	N
56	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y

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

9 Co-sponsor(s) added: Representative(s) Benefield, Fischer, Labuda, McFadyen,  
10 Middleton, Pommer, Priola, Schafer S., Todd.

11  
12 **HB10-1042** by Representative(s) Peniston; also Senator(s) Hodge--  
13 Concerning administration of the stationary sources air  
14 quality permitting program.

15  
16 The question being "Shall the bill pass?".

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

21	YES	64	NO	0	EXCUSED	1	ABSENT	0
22	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
23	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
24	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
25	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
26	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
27	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
28	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
29	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
30	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
31	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
32	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
33	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
34	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
35	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
36	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
37	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
38							Speaker	E

39 Co-sponsor(s) added: Representative(s) Kerr J., Labuda, Merrifield, Schafer S.

40  
41 **HB10-1225** by Representative(s) Soper; also Senator(s) Tochtrop--  
42 Concerning continuation of the regulation of electrical  
43 work by the state electrical board.

44  
45 The question being "Shall the bill pass?".

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

50	YES	50	NO	14	EXCUSED	1	ABSENT	0
51	Acree	N	Gerou	Y	McFadyen	Y	Ryden	Y
52	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
53	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
54	Baumgardner	N	Kagan	Y	Merrifield	Y	Solano	Y
55	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
56	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y

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

12 Co-sponsor(s) added: Representative(s) Apuan, Casso, Fischer, Frangas,  
13 Labuda, McFadyen, Merrifield, Pace, Ryden, Vigil.

14  
15 **HB10-1245** by Representative(s) Liston, Balmer; also Senator(s)  
16 Johnston--Concerning the continuation of the regulation of  
17 boxing by the boxing commission.

18  
19 The question being "Shall the bill pass?".

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

23	YES	61	NO	3	EXCUSED	1	ABSENT	0
24	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
25	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
26	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
27	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
28	Benefield	Y	Kefalas	N	Middleton	Y	Sonnenberg	N
29	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
30	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
31	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
32	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
33	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
34	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
35	Fischer	Y	Liston	Y	Primavera	N	Tyler	Y
36	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
37	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
38	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
39	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
40							Speaker	E

41  
42 Co-sponsor(s) added: Representative(s) Kerr J., King S., Labuda, Priola, Ryden,  
43 Schafer S., Todd.

44  
45 **SB10-049** by Senator(s) Sandoval, Bacon, Hudak, Steadman,  
46 Tochtrop; also Representative(s) Benefield, Frangas,  
47 Hullinghorst--Concerning the liability limits applicable to  
48 the life and health insurance protection association, and, in  
49 connection therewith, increasing the liability limits for  
50 annuity benefits, structured settlement annuities, and long-  
51 term care benefits.

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

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

	YES	64	NO	0	EXCUSED	1	ABSENT	0
1								
2	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
3	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
4	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
5	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
6	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
7	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
9	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
10	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
11	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
12	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
13	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
14	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
15	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
16	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
17	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
18							Speaker	E

19 Co-sponsor(s) added: Representative(s) Labuda, Stephens.

20  
 21 **HB10-1178** by Representative(s) Stephens; also Senator(s) Scheffel--  
 22 Concerning increasing the transparency in the use of gifts,  
 23 grants, and donations to fund programs by state agencies.

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**.

	YES	63	NO	1	EXCUSED	1	ABSENT	0
31	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
32	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	Y
33	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
34	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
35	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
36	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
37	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
38	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
39	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
40	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
41	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
42	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
43	Frangas	Y	Looper	Y	Priola	Y	Vaad	Y
44	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
45	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
46	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
47							Speaker	E

48 Co-sponsor(s) added: Representative(s) Baumgardner, DelGrosso, Frangas,  
 49 Gardner C., Gerou, Kerr J., Labuda, Lambert, May, McNulty, Nikkel, Pace,  
 50 Roberts, Schafer S., Summers, Tipton, Todd, Waller.

51  
 52  
 53 **HB10-1054** by Representative(s) King S.; also Senator(s) Carroll M.--  
 54 Concerning presenting school safety information at  
 55 institutions of higher education.

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	62	NO	2	EXCUSED	1	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	Y	Schafer S.	Y
10	Baumgardner	Y	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	Y	Stephens	Y
14	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
15	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
16	DelGrosso	Y	Lambert	Y	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.	Y	McCann	Y	Roberts	Y	Weissmann	Y
23							Speaker	E

24 Co-sponsor(s) added: Representative(s) Apuan, Casso, Curry, DelGrosso,  
 25 Frangas, Gardner C., Labuda, Lambert, McNulty, Murray, Nikkel, Pace, Priola,  
 26 Schafer S., Stephens, Summers, Tipton, Todd, Tyler, Vaad, Vigil.

27  
 28  
 29  
 30 On motion of Representative Casso, the House resolved itself into  
 31 Committee of the Whole for consideration of General Orders, and he was  
 32 called to the Chair to act as Chairman.

### 33 34 35 **GENERAL ORDERS--SECOND READING OF BILLS**

36  
 37 The Committee of the Whole having risen, the Chairman reported the  
 38 titles of the following bills had been read (reading at length had been  
 39 dispensed with by unanimous consent), the bills considered and action  
 40 taken thereon as follows:

41  
 42 (Amendments to the committee amendment are to the printed committee  
 43 report which was printed and placed in the members' bill file.)

44  
 45 **HB10-1212** by Representative(s) Rice; also Senator(s) Schwartz--  
 46 Concerning a requirement that the executive director of the  
 47 department of revenue promulgate rules that establish  
 48 circumstances in which a vehicle owner shall be exempted  
 49 from paying the late fee for late registration of a vehicle.

50  
 51 Amendment No. 1, Transportation & Energy Report, dated  
 52 February 4, 2010, and placed in member's bill file; Report also printed in  
 53 House Journal, February 5, page 214.

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

1 **HB10-1089** by Representative(s) Waller; also Senator(s) Newell--  
2 Concerning placement after a parole revocation of a  
3 parolee who is a sexually violent predator.  
4

5 Amendment No. 1, Judiciary Report, dated January 28, 2010, and placed  
6 in member's bill file; Report also printed in House Journal, January 29,  
7 page 120.  
8

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

12 **HB10-1211** by Representative(s) Tyler; also Senator(s) Williams--  
13 Concerning a reduction in the amount of the penalty for  
14 late vehicle registration of a vehicle without motive power  
15 that weighs two thousand pounds or less.  
16

17 Ordered engrossed and placed on the Calendar for Third Reading and  
18 Final Passage.  
19

20  
21 **HB10-1021** by Representative(s) Frangas and McCann; also Senator(s)  
22 Foster, Boyd--Concerning required coverages for  
23 reproductive services for health insurance policies.  
24

25 Amendment No. 1, by Representative(s) Frangas.  
26

27 Strike the Business Affairs and Labor Committee Report, dated February  
28 3, 2010.  
29

30 Amend printed bill, page 2, strike lines 13 through 15 and substitute  
31 "maternity care ~~therefor~~ AND PROVIDE COVERAGE FOR CONTRACEPTION in  
32 the same manner as any other".  
33

34 Amend printed bill, page 2, strike lines 19 through 21 and substitute  
35 "preexisting condition".  
36

37 As amended, ordered engrossed and placed on the Calendar for Third  
38 Reading and Final Passage.  
39

40 **HB10-1122** by Representative(s) Roberts and Merrifield, Gagliardi,  
41 Kefalas, Tyler; also Senator(s) Williams, Morse--  
42 Concerning medical orders determining the scope of  
43 treatment an adult wishes to receive under certain  
44 circumstances.  
45

46 Laid over until February 24, retaining place on Calendar.  
47

48  
49 **HB10-1133** by Representative(s) Massey; also Senator Tochtrop--  
50 Concerning amendments to the "Colorado Foreclosure  
51 Protection Act".  
52

53 Amendment No. 1, Judiciary Report, dated February 8, 2010, and placed  
54 in member's bill file; Report also printed in House Journal, February 9,  
55 pages 274-276.  
56

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

2

3 Amend the Judiciary Committee report, dated February 8, 2010, page 2,  
4 line 28, after "ACTUAL" insert "OR CONSTRUCTIVE".

5

6 Page 2, line 31, strike "WITH".

7

8 Page 2, strike lines 32 through 34 and substitute "WHEN:

9

10 (a) A HOLDER OF EVIDENCE OF DEBT AGREES TO RELEASE ITS LIEN  
11 FOR AN AMOUNT THAT IS LESS THAN THE OUTSTANDING AMOUNT DUE AND  
12 OWING UNDER SUCH EVIDENCE OF DEBT; AND

13

14 (b) THE LIEN DESCRIBED IN PARAGRAPH (a) OF THIS SUBSECTION  
15 (9) IS RECORDED IN THE REAL PROPERTY RECORDS OF THE COUNTY WHERE  
16 THE RESIDENCE IN FORECLOSURE IS LOCATED."

17

18 Page 3, line 19, after "**Language.**" insert "(1)".

19

20 Page 3, line 27, after "IF" insert "THE EQUITY PURCHASER HAS ACTUAL OR  
21 CONSTRUCTIVE KNOWLEDGE THAT".

22

23 Page 3, line 29, after "LANGUAGE," insert "SUBSTANTIALLY".

24

25 Page 3, line 33, strike "**SIGNED**" and substitute "**SIGN**".

26

27 Page 4, after line 3 insert:

28

29 "(2) IF A NOTICE IN THE HOME OWNER'S PRINCIPAL LANGUAGE IS  
30 REQUIRED TO BE PROVIDED UNDER SUBSECTION (1) OF THIS SECTION, THE  
31 NOTICE SHALL BE GIVEN TO THE HOME OWNER AS A SEPARATE DOCUMENT  
32 ACCOMPANYING THE WRITTEN CONTRACT REQUIRED BY SECTION  
33 6-1-1111."

34

35 Page 4, strike lines 7 through 13 and substitute:

36

37 "**6-1-1121. Short sales - subsequent purchaser - definition.**

38 (1) WITH RESPECT TO ANY SHORT SALE TRANSACTION IN WHICH AN  
39 EQUITY PURCHASER INTENDS TO RESELL THE RESIDENCE IN FORECLOSURE  
40 TO A SUBSEQUENT PURCHASER, THE EQUITY PURCHASER SHALL:

41

42 (a) PROVIDE FULL DISCLOSURE TO THE HOME OWNER AND THE  
43 HOLDERS OF THE EVIDENCE OF DEBT ON THE RESIDENCE IN FORECLOSURE,  
44 OF THE TERMS OF THE AGREEMENT BETWEEN THE EQUITY PURCHASER AND  
45 ANY SUBSEQUENT PURCHASER, INCLUDING BUT NOT LIMITED TO THE  
46 PURCHASE PRICE TO BE PAID TO THE SUBSEQUENT PURCHASER FOR THE  
47 RESIDENCE IN FORECLOSURE, WHICH DISCLOSURE SHALL BE MADE WITHIN  
48 ONE BUSINESS DAY OF IDENTIFYING ANY SUCH SUBSEQUENT PURCHASER  
49 AND IN NO EVENT LATER THAN CLOSING ON THE SHORT SALE  
50 TRANSACTION; AND

51

52 (b) PROVIDE FULL DISCLOSURE TO ANY SUBSEQUENT PURCHASER  
53 AND ANY SUBSEQUENT PURCHASER'S LENDER, AT THE TIME OF CONTRACT  
54 WITH THE EQUITY PURCHASER, OF THE TERMS OF THE AGREEMENT  
55 BETWEEN THE EQUITY PURCHASER AND THE HOME OWNER, INCLUDING BUT  
56 NOT LIMITED TO THE PURCHASE PRICE PAID BY THE EQUITY PURCHASER

1 FOR THE RESIDENCE IN FORECLOSURE.".

2

3 Page 4, after line 17 insert:

4

5 "(2) AS USED IN THIS SECTION, A "SUBSEQUENT PURCHASER"  
6 MEANS ANY PERSON WHO ACQUIRES THE RESIDENCE IN FORECLOSURE  
7 WITHIN FOURTEEN DAYS AFTER THE DISBURSEMENT OF THE SHORT SALE  
8 TRANSACTION.".

9

10 Page 4, strike lines 18 through 27 and substitute:

11

12 **SECTION 7. Act subject to petition - specified effective date.**

13 This act shall take effect January 1, 2011; except that, if a referendum  
14 petition is filed pursuant to section 1 (3) of article V of the state  
15 constitution against this act or an item, section, or part of this act within  
16 the ninety-day period after final adjournment of the general assembly,  
17 then the act, item, section, or part shall not take effect unless approved by  
18 the people at the general election to be held in November 2010 and shall  
19 take effect on January 1, 2011, or on the date of the official declaration  
20 of the vote thereon by the governor, whichever is later.".

21

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

24

25 **SB10-046** by Senator(s) Gibbs; also Representative(s) Levy--  
26 Concerning the boundaries of forest improvement districts.

27

28 Ordered revised and placed on the Calendar for Third Reading and Final  
29 Passage.

30

31 **HB10-1275** by Representative(s) Baumgardner; also Senator(s)  
32 Newell--Concerning a requirement that the location of a  
33 private burial be recorded.

34

35 Laid over until February 24, retaining place on Calendar.

36

37

38

39 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

40

41 Passed Second Reading: **HB10-1212 amended, 1089 amended, 1211,**  
42 **1021 amended, 1133 amended, SB10-046.**

43

44 Laid over until date indicated retaining place on Calendar:

45 **HB10-1122, 1275**--February 24, 2010.

46

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

51

	YES	63	NO	0	EXCUSED	2	ABSENT	0
53	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
54	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	Y
55	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
56	Baumgardner	E	Kagan	Y	Merrifield	Y	Solano	Y

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

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### MESSAGE(S) FROM THE SENATE

19 The Senate has passed on Third Reading and transmitted to the Revisor  
20 of Statutes: SB10-102, SB10-123, SB10-142.

22 The Senate has passed on Third Reading and transmitted to the Revisor  
23 of Statutes:

25 SB10-163 amended as printed in Senate Journal, February 19, 2010,  
26 page 282.

27 SB10-165 amended as printed in Senate Journal, February 19, 2010,  
28 page 282.

30 The Senate has adopted and transmits herewith: SJR10-015.

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### MESSAGE(S) FROM THE REVISOR

35 We herewith transmit:

36 Without comment, SB10-102, SB10-123, and SB10-142.

37 Without comment, as amended, SB10-163 and SB10-165.

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### INTRODUCTION AND CONSIDERATION OF RESOLUTION

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

46 **SJR10-015** by Senator(s) Newell, Carroll M.; also Representative(s)  
47 Rice--Concerning the general assembly's support and  
48 encouragement for Colorado's businesses to add a  
49 Renewable Energy Fund to every 401(k) and other defined  
50 contribution plan in the state.

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

54 Representative Rice moved that the resolution be adopted. Less than a  
55 majority of all members elected to the House voted in the affirmative, and  
56 the resolution was declared **lost** by the following roll call vote:

	YES	21	NO	42	EXCUSED	2	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	N	McNulty	N	Schafer S.	Y
5	Baumgardner	E	Kagan	N	Merrifield	N	Solano	N
6	Benefield	N	Kefalas	Y	Middleton	Y	Sonnenberg	N
7	Bradford	N	Kerr A.	Y	Miklosi	Y	Soper	Y
8	Casso	N	Kerr J.	N	Murray	N	Stephens	N
9	Court	N	King S.	N	Nikkel	N	Summers	N
10	Curry	N	Labuda	Y	Pace	Y	Swalm	N
11	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
12	Ferrandino	N	Levy	N	Pommer	N	Todd	Y
13	Fischer	Y	Liston	N	Primavera	Y	Tyler	N
14	Frangas	Y	Looper	N	Priola	N	Vaad	N
15	Gagliardi	N	Massey	N	Rice	Y	Vigil	N
16	Gardner B.	N	May	N	Riesberg	N	Waller	N
17	Gardner C.	N	McCann	Y	Roberts	N	Weissmann	N
18							Speaker	E
19								

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House in recess. House reconvened.

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### DELIVERY OF BILL TO GOVERNOR

The Chief Clerk of the House of Representatives reports the following bill has been delivered to the Office of the Governor: **HB10-1192** at 1:41 p.m. on February 22, 2010.

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### INTRODUCTION OF BILL First Reading

The following bill was read by title and referred to the committee indicated:

**HB10-1351** by Representative(s) Ferrandino, Apuan, Casso, Curry, Gagliardi, Hullinghorst, Kerr A., McCann, Merrifield, Miklosi, Pace, Pommer, Ryden, Scanlan, Solano, Tyler, Vigil; also Senator(s) Romer, Carroll M., Foster, Keller, Morse--Concerning the maximum authorized interest rate for a payday loan.  
Committee on Judiciary

---

### INTRODUCTION OF RESOLUTION

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

**HR10-1006** by Representative(s) May, Weissmann--Concerning the process by which the leadership of the House of Representatives initially handles an ethics complaint filed pursuant to Rule 49 of the Rules of the House of Representatives.

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**NOTICE OF CALENDARED ITEM(S)**

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading February 23, will be laid over until February 24, 2010: **HB10-1026, 1114, 1148, 1213, 1229, 1255, 1105, 1109.**

On motion of Representative Weissmann, the following bill(s) calendared for Second Reading February 23, will be laid over until February 26, 2010: **HB10-1124.**

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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 February 23, retaining place on Calendar:

Consideration of Resolution(s)--**SJR10-004, 013.**

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On motion of Representative Weissmann, the House adjourned until 9:00 a.m., February 23, 2010.

Approved:  
TERRANCE D. CARROLL,  
Speaker

Attest:  
MARILYN EDDINS,  
Chief Clerk

