

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

Seventy-second Legislative Day

Thursday, March 25, 2010

1 Prayer by Dr. Gary Bowser, First Baptist Church, Denver.

2

3 Due to inclement weather the House did not convene on Wednesday,  
4 Marcy 24, 2010.

5

6 The Speaker called the House to order at 9:00 a.m., March 25, 2010.

7

8 Pledge of Allegiance led by Colton and Caitriona Callahan, Patrick  
9 Ehmann, Fremont Elementary; Abigayle Post, Stott Elementary, Arvada.

10

11 The roll was called with the following result:

12

13 Present--59.

14 Excused--Representative(s) Kagan, Middleton, Scanlan,  
15 Sonnenberg, Stephens, Vaad--6.

16 Present after roll call--Representative(s) Kagan, Middleton,  
17 Sonnenberg, Stephens.

18

19 The Speaker declared a quorum present.

20

21

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

25

26

27

28 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

29

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

32

33 **HJR10-1018** by Representative(s) Rice; also Senator(s) Newell--  
34 Concerning the well-being of Haiti's children in the  
35 aftermath of the January earthquake.

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

37

38 On motion of Representative Rice, the resolution was read at length and  
39 **adopted by viva voce** vote.

40

41 Current Roll Call added as Co-sponsor(s): Representative(s) Acree, Apuan,  
42 Balmer, Baumgardner, Benefield, Bradford, Casso, Court, Curry, DelGrosso,  
43 Ferrandino, Fischer, Frangas, Gagliardi, Gardner B., Gardner C., Gerou,

1 Hullinghorst, Judd, Kagan, Kefalas, Kerr A., Kerr J., King S., Labuda, Lambert,  
 2 Levy, Liston, Looper, Massey, May, McCann, McFadyen, McKinley, McNulty,  
 3 Merrifield, Middleton, Miklosi, Murray, Nikkel, Pace, Peniston, Pommer,  
 4 Primavera, Priola, Riesberg, Roberts, Ryden, Schafer S., Solano, Sonnenberg,  
 5 Soper, Stephens, Summers, Swalm, Tipton, Todd, Tyler, Vigil, Waller,  
 6 Weissmann, Speaker

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7  
8  
9 **MESSAGE(S) FROM THE SENATE**

10  
11 The Senate has adopted and transmits herewith: SJR10-023.

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12  
13 **INTRODUCTION AND CONSIDERATION OF RESOLUTION**

14  
15  
16 On motion of Representative Weissmann, the rules were suspended and  
 17 the following resolution was given immediate consideration.

18  
19 **SJR10-023** by Senator(s) Heath; also Representative(s) Swalm--  
 20 Concerning recognizing Colorado's community health  
 21 centers.

22  
23 (Printed and placed in member's file).

24  
25 On motion of Representative Swalm, the resolution was read at length  
 26 and **adopted** by **viva voce** vote.

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

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37  
38  
39 **THIRD READING OF BILL(S)--FINAL PASSAGE**

40  
41 The following bill(s) was(were) considered on Third Reading. The  
 42 title(s) was(were) publicly read. Reading of the bill at length was  
 43 dispensed with by unanimous consent.

44  
45 **SB10-047** by Senator(s) King K.; also Representative(s) Looper--  
 46 Concerning rights relating to the disposition of the last  
 47 remains of members of the armed forces.

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

53  
54

	YES	63	NO	0	EXCUSED	2	ABSENT	0
55	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
56	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E

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

16 Co-sponsor(s) added: Representative(s) Apuan, Balmer, Casso, Court,  
 17 DelGrosso, Gerou, Labuda, Lambert, Middleton, Nikkel, Rice, Schafer S.,  
 18 Soper, Todd, Vigil

19  
 20 **SB10-007** by Senator(s) Hudak; also Representative(s) Gagliardi--  
 21 Concerning collaboration in the provision of multi-agency  
 22 services.  
 23

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

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

47 Co-sponsor(s) added: Representative(s) Fischer, Frangas, Gerou, Kefalas,  
 48 Labuda, Pommer, Todd

49  
 50 **SB10-063** by Senator(s) White; also Representative(s) Waller--  
 51 Concerning limiting civil liability for attorneys who  
 52 contract to provide certain services for the office of  
 53 alternate defense counsel.  
 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	62	NO	1	EXCUSED	2	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	N	Scanlan	E
7	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
8	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
9	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
10	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
11	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
12	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
18	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
19	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
20	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
21							Speaker	Y

22 Co-sponsor(s) added: Representative(s) Court, Pommer, Stephens

23  
24 **SB10-130** by Senator(s) Kester; also Representative(s) McCann--  
25 Concerning the allocation of powers within the department  
26 of corrections.

27  
28 The question being "Shall the bill pass?".

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

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

51 Co-sponsor(s) added: Representative(s) Labuda, Nikkel, Schafer S., Stephens,  
52 Todd

53  
54 **HB10-1342** by Representative(s) Levy, Benefield, Court, Ferrandino,  
55 Fischer, Gagliardi, Hullinghorst, Kagan, Merrifield,  
56 Peniston, Pommer, Primavera, Solano, Tyler; also

1 Senator(s) Williams, Newell--Concerning measures to  
 2 encourage additional investment in solar energy generation  
 3 facilities, and, in connection therewith, authorizing the  
 4 creation of community solar gardens.

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

	YES	56	NO	7	EXCUSED	2	ABSENT	0
12	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
13	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
14	Balmer	N	Judd	Y	McNulty	Y	Schafer S.	Y
15	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
16	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	N
17	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
18	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
19	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
20	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
21	DelGrosso	Y	Lambert	N	Peniston	Y	Tipton	N
22	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
23	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
24	Frangas	Y	Looper	N	Priola	Y	Vaad	E
25	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
26	Gardner B.	N	May	Y	Riesberg	Y	Waller	Y
27	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
28							Speaker	Y

29 Co-sponsor(s) added: Representative(s) Apuan, Frangas, Gerou, Kefalas,  
 30 Labuda, Massey, Middleton, Ryden, Todd

31  
 32 **SB10-071** by Senator(s) Morse; also Representative(s) Riesberg--  
 33 Concerning creation of a lifetime pass to state parks and  
 34 recreation areas that shall be available for purchase by  
 35 Colorado residents who are of eligible age, and making an  
 36 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**.

	YES	62	NO	1	EXCUSED	2	ABSENT	0
44	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
45	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
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	N	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	E

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) Apuan, Casso, Fischer, Gerou, Kefalas,  
6 Kerr J., King S., Pace, Roberts, Ryden, Schafer S., Solano, Todd, Vigil

7  
8 **SB10-025** by Senator(s) Whitehead, Brophy, Hodge, Schwartz,  
9 White; also Representative(s) Baumgardner, Curry,  
10 Fischer, Gardner C., McKinley--Concerning the long-term  
11 funding of the water efficiency grant program.

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**.

17	YES	63	NO	0	EXCUSED	2	ABSENT	0
19	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
20	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
21	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
22	Baumgardner	Y	Kagan	Y	Merrifield	Y	Solano	Y
23	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
24	Bradford	Y	Kerr A.	Y	Miklosi	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	E
32	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
33	Gardner B.	Y	May	Y	Riesberg	Y	Waller	Y
34	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	Y
35							Speaker	Y

36 Co-sponsor(s) added: Representative(s) Frangas, Gerou, Kefalas, Kerr J.,  
37 King S., Roberts, Ryden, Todd, Vigil

38  
39 **HB10-1242** by Representative(s) Apuan, Court, Gagliardi,  
40 Hullinghorst, Kerr A., Labuda, Massey, McKinley,  
41 Miklosi, Peniston, Primavera, Priola, Riesberg, Schafer S.,  
42 Solano, Todd, Tyler, Vigil; also Senator(s) Tochtrop--  
43 Concerning the implementation of a uniform application  
44 form for individual health benefit plans by the  
45 commissioner of insurance.

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

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	E
55	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
56	Baumgardner	Y	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	E
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	Y

14 Co-sponsor(s) added: Representative(s) Gerou, Kagan, Kefalas, Middleton,  
15 Nikkel, Pace, Roberts, Ryden, Soper, Summers

16

17

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

23

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

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

28

29

	YES	56	NO	7	EXCUSED	2	ABSENT	0
30	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
31	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
32	Balmer	Y	Judd	Y	McNulty	Y	Schafer S.	Y
33	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
34	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
35	Bradford	Y	Kerr A.	Y	Miklosi	Y	Soper	Y
36	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
37	Court	Y	King S.	Y	Nikkel	Y	Summers	Y
38	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
39	DelGrosso	Y	Lambert	Y	Peniston	Y	Tipton	Y
40	Ferrandino	N	Levy	N	Pommer	Y	Todd	Y
41	Fischer	Y	Liston	N	Primavera	Y	Tyler	Y
42	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
43	Gagliardi	Y	Massey	Y	Rice	Y	Vigil	Y
44	Gardner B.	Y	May	Y	Riesberg	N	Waller	Y
45	Gardner C.	Y	McCann	Y	Roberts	Y	Weissmann	N
46							Speaker	N

47 Co-sponsor(s) added: Representative(s) Apuan, Fischer, Frangas, Primavera,  
48 Todd

49

50 **HB10-1332** by Representative(s) Miklosi, Apuan, Gagliardi, Kefalas,  
51 Primavera, Tyler; also Senator(s) Romer--Concerning the  
52 creation of the "Medical Clean Claims Transparency and  
53 Uniformity Act", and making an appropriation therefor.

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	48	NO	15	EXCUSED	2	ABSENT	0
5	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
6	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
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.	Y	Murray	Y	Stephens	N
12	Court	Y	King S.	N	Nikkel	N	Summers	Y
13	Curry	Y	Labuda	Y	Pace	Y	Swalm	Y
14	DelGrosso	N	Lambert	N	Peniston	Y	Tipton	N
15	Ferrandino	Y	Levy	Y	Pommer	Y	Todd	Y
16	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
17	Frangas	Y	Looper	Y	Priola	N	Vaad	E
18	Gagliardi	Y	Massey	Y	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	Y

22 Co-sponsor(s) added: Representative(s) Court, Fischer, Kagan, Todd

23  
24  
25 On motion of Representative Miklosi, the House resolved itself into  
26 Committee of the Whole for consideration of General Orders, and he was  
27 called to the Chair to act as Chairman.

### 31 GENERAL ORDERS--SECOND READING OF BILLS

32  
33 The Committee of the Whole having risen, the Chairman reported the  
34 titles of the following bills had been read (reading at length had been  
35 dispensed with by unanimous consent), the bills considered and action  
36 taken thereon as follows:

37  
38 (Amendments to the committee amendment are to the printed committee  
39 report which was printed and placed in the members' bill file.)

40  
41 **HB10-1372** by Representative(s) Ferrandino, Pommer, Lambert; also  
42 Senator(s) White, Keller, Tapia--Concerning changes to  
43 the appropriations sections of House Bill 09-1293 related  
44 to a hospital provider fee.

45  
46 **Amendment No. 1**, by Representative(s) Ferrandino.

47  
48 Amend printed bill, page 2, line 2, after "12" insert "(1) (a),".

49  
50 after line 9, insert:

51  
52 "(a) The appropriation to the executive director's division is  
53 increased by six million nine hundred fifty-eight thousand three hundred  
54 eighteen dollars (\$6,958,318) and 12.0 FTE. Of said sum, two million  
55 four hundred twenty-two thousand seven hundred twenty-five dollars  
56 (\$2,422,725) shall be from the hospital provider fee cash fund created in



1 section 25.5-4-402.3 (4), Colorado Revised Statutes, one hundred  
2 forty-six thousand one hundred seventy-three dollars (\$146,173) shall be  
3 cash funds from local certified funds, and four million three hundred  
4 eighty-nine thousand four hundred twenty dollars (\$4,389,420) shall be  
5 from federal funds. UP TO TWO MILLION TWO HUNDRED THOUSAND  
6 DOLLARS (\$2,200,000) FROM THE APPROPRIATIONS MADE IN THIS  
7 PARAGRAPH (a), IF NOT EXPENDED BY JULY 1, 2010, MAY BE ROLLED  
8 FORWARD FOR EXPENDITURE IN FISCAL YEAR 2010-11 FOR COMPUTER  
9 SYSTEMCHANGES REQUIRED BY THIS ACT. OF THIS AMOUNT, FIVE MILLION  
10 FIVE HUNDRED THOUSAND DOLLARS (\$550,000) SHALL BE FROM THE  
11 HOSPITAL PROVIDER FEE CASH FUND CREATED IN SECTION 25.5-4-402.3  
12 (4), COLORADO REVISED STATUTES AND ONE MILLION SIX HUNDRED FIFTY  
13 THOUSAND DOLLARS (\$1,650,000) SHALL BE FEDERAL FUNDS."

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

17  
18 **HB10-1355** by Representative(s) Gagliardi, Merrifield; also Senator(s)  
19 Kopp--Concerning the off-label use of a prescription drug  
20 for a specific type of cancer for which the drug is  
21 recognized for treatment in the reference compendia as  
22 identified by the secretary of the United States department  
23 of health and human services.

24  
25 Ordered engrossed and placed on the Calendar for Third Reading and  
26 Final Passage.

27  
28 **HB10-1241** by Representative(s) Casso; also Senator(s) Tochtrop--  
29 Concerning required registration for persons who work on  
30 fire suppression systems.

31  
32 Laid over until March 26, retaining place on Calendar.

33  
34 **HB10-1278** by Representative(s) Ryden; also Senator(s) Carroll M.--  
35 Concerning the creation of an ombudsman for matters  
36 arising under the "Colorado Common Interest Ownership  
37 Act".

38  
39 Amendment No. 1, Business Affairs & Labor Report, dated  
40 March 3, 2010, and placed in member's bill file; Report also printed in  
41 House Journal, March 4, pages 669-670.

42  
43 Amendment No. 2, Appropriations Report, dated March 19, 2010, and  
44 placed in member's bill file; Report also printed in House Journal,  
45 March 19, page 853.

46  
47 Amendment No. 3, by Representative(s) Ryden.

48  
49 Amend the Business Affairs and Labor Committee report, dated March  
50 3, 2010, page 1, strike lines 1 and 2 and substitute:

51  
52 "Amend printed bill, page 2, strike lines 6 and 7 and substitute:  
53 "(1.2) "HOA" OR "HOMEOWNERS' ASSOCIATION" MEANS AN  
54 ASSOCIATION OR UNIT OWNERS' ASSOCIATION FORMED BEFORE, ON, OR  
55 AFTER JULY 1, 1992, AS PART OF A COMMON INTEREST COMMUNITY AS  
56 DEFINED IN SECTION 38-33.3-103, C.R.S."

1 Page 2 of the bill, strike lines 15 through 19 and substitute:

2

3 "(II) THE COSTS OF THE HOA INFORMATION AND RESOURCE  
4 CENTER, CREATED IN SECTION 12-61-406.5, SHALL BE PAID FROM THE  
5 HOA INFORMATION AND RESOURCE CENTER CASH FUND CREATED IN  
6 SECTION 12-61-406.5. THE DIVISION OF REAL ESTATE SHALL ESTIMATE  
7 THE DIRECT AND INDIRECT COSTS OF OPERATING THE HOA INFORMATION  
8 AND RESOURCE CENTER AND".

9

10 Page 1 of the report, strike line 7 and substitute:

11

12 "Page 3 of the bill, strike lines 11 and 12 and substitute:

13

14 "(2.5) "HOA" OR "HOMEOWNERS' ASSOCIATION" MEANS AN  
15 ASSOCIATION OR UNIT OWNERS' ASSOCIATION FORMED BEFORE, ON, OR  
16 AFTER JULY 1, 1992, AS PART OF A COMMON INTEREST COMMUNITY AS  
17 DEFINED IN SECTION 38-33.3-103, C.R.S."

18

19 Page 3 of the bill, strike lines 16 through 18 and substitute:

20

21 "**12-61-406.5. HOA information and resource center - creation**  
22 **- duties - rules - cash fund - repeal.** (1) THERE IS HEREBY CREATED,  
23 WITHIN THE DIVISION OF REAL ESTATE, THE HOA INFORMATION AND  
24 RESOURCE CENTER, THE".

25

26 Page 1 of the report, after line 15 insert:

27

28 "Page 4 of the bill, strike lines 25 and 26 and substitute:

29

30 "(4) THE OPERATING EXPENSES OF THE HOA INFORMATION AND  
31 RESOURCE CENTER SHALL BE PAID FROM THE HOA INFORMATION AND  
32 RESOURCE CENTER CASH FUND,".

33

34 Page 2 of the report, after line 6 insert:

35

36 "Page 5 of the bill, line 10, strike "OFFICE OF THE HOA OMBUDSMAN" and  
37 substitute "HOA INFORMATION AND RESOURCE CENTER".

38

39 Page 3 of the report, after line 1 insert:

40

41 "Page 6 of the bill, line 3, strike "OFFICE OF THE HOA OMBUDSMAN," and  
42 substitute "HOA INFORMATION AND RESOURCE CENTER,".

43

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

46

47 **SB10-154** by Senator(s) Sandoval; also Representative(s) Middleton-  
48 -Concerning adding categories to the definition of a "high-  
49 risk student" for purposes of determining whether a public  
50 school qualifies for designation as an alternative education  
51 campus.

52

53 Ordered revised and placed on the Calendar for Third Reading and Final  
54 Passage.

55

1 **SB10-016** by Senator(s) Williams, Romer, Spence; also  
2 Representative(s) Vaad, Fischer, Frangas, King S.,  
3 McFadyen, McNulty, Merrifield, Tyler--Concerning  
4 modification of the manner in which a civil penalty  
5 assessment notice of toll evasion evidenced by automatic  
6 vehicle identification technology is provided to the owner  
7 of a vehicle so identified.

8  
9 Laid over until March 26, retaining place on Calendar.

10  
11 **SB10-038** by Senator(s) Hodge; also Representative(s) Fischer--  
12 Concerning the "organic certification act", and, in  
13 connection therewith, authorizing the commissioner of  
14 agriculture to contract with independent organics  
15 inspectors and altering the composition of the organic  
16 certification advisory board.

17  
18 Amendment No. 1, Appropriations Report, dated March 19, 2010, and  
19 placed in member's bill file; Report also printed in House Journal,  
20 March 19, page 856.

21  
22 As amended, ordered revised and placed on the Calendar for Third  
23 Reading and Final Passage.

24  
25 **SB10-140** by Senator(s) Mitchell, Shaffer B., Carroll M., Spence;  
26 also Representative(s) McCann--Concerning human  
27 trafficking.

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

31  
32 **SB10-041** by Senator(s) Bacon; also Representative(s) Nikkel--  
33 Concerning technical modifications to statutory provisions  
34 governing campaign finance.

35  
36 Ordered revised and placed on the Calendar for Third Reading and Final  
37 Passage.

38  
39 On motion of Representative Weissmann, the remainder of the General  
40 Orders Calendar (**SB10-099, HB10-1348, SB10-055, HB10-1351, 1217,**  
41 **SB10-098, 155, 101, 062, 143, 152, 042, 048, 066**) was laid over until  
42 March 26, retaining place on Calendar.

43  
44  
45  
46  
47 **ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

48  
49 Passed Second Reading: **HB10-1372 amended, 1355, 1278 amended,**  
50 **SB10-154, 038 amended, 140, 041.**

51  
52 Laid over until date indicated retaining place on Calendar: **HB10-1241,**  
53 **SB10-016, 099, HB10-1348, SB10-055, HB10-1351, 1217, SB10-098,**  
54 **155, 101, 062, 143, 152, 042, 048, 066--March 26, 2010.**

55

1 The Chairman moved the adoption of the Committee of the Whole  
 2 Report. As shown by the following roll call vote, a majority of those  
 3 elected to the House voted in the affirmative, and the Report was  
 4 **adopted.**

	YES	60	NO	0	EXCUSED	5	ABSENT	0
7	Acree	Y	Gerou	Y	McFadyen	Y	Ryden	Y
8	Apuan	Y	Hullinghorst	Y	McKinley	Y	Scanlan	E
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	Y
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	E	Peniston	Y	Tipton	Y
17	Ferrandino	E	Levy	Y	Pommer	E	Todd	Y
18	Fischer	Y	Liston	Y	Primavera	Y	Tyler	Y
19	Frangas	Y	Looper	Y	Priola	Y	Vaad	E
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	Y

24  
 25  
 26 House in recess. House reconvened.  
 27  
 28

## 30 REPORT(S) OF COMMITTEE(S) OF REFERENCE

### 32 LOCAL GOVERNMENT

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

35  
 36 **HB10-1362** be amended as follows, and as so amended, be referred to  
 37 the Committee of the Whole with favorable  
 38 recommendation:  
 39

40 Amend printed bill, page 3, strike lines 6 and 7 and substitute:

41  
 42 "FACILITIES, HAS INITIALLY FILED A NOTICE OF INACTIVE STATUS  
 43 PURSUANT TO SECTION 32-1-104 (3), AND, EACH YEAR THEREAFTER, HAS  
 44 FILED A NOTICE OF CONTINUING INACTIVE STATUS PURSUANT TO SECTION  
 45 32-1-104 (4).".

46  
 47 Page 3, line 22, after "GOVERNMENT." insert "THE NOTICE OF INACTIVE  
 48 STATUS SHALL BE FILED ON OR BEFORE DECEMBER 15 OF THE YEAR IN  
 49 WHICH THE BOARD ADOPTS A RESOLUTION OF INACTIVE STATUS.".

50  
 51 Page 4, after line 15 insert:

52 "(c) THE NOTICE OF INACTIVE STATUS, NOTICE OF CONTINUING  
 53 INACTIVE STATUS, AND NOTICE OF RETURN TO ACTIVE STATUS SHALL BE  
 54 STANDARD FORMS DEVELOPED BY THE DIVISION AND SHALL BE MADE  
 55 AVAILABLE ON THE DIVISION'S WEBSITE.".

56

1 **SB10-138** be referred to the Committee of the Whole with favorable  
2 recommendation.  
3

4  
5  
6  
7 **TRANSPORTATION & ENERGY**

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

10  
11 **HB10-1139** be amended as follows, and as so amended, be referred to  
12 the Committee on Appropriations with favorable  
13 recommendation:  
14

15 Amend printed bill, page 3, strike lines 6 through 11.

16  
17 Page 3, strike lines 26 and 27.

18  
19 Page 4, strike lines 1 through 4.  
20

21  
22  
23 **SB10-075** be amended as follows, and as so amended, be referred to  
24 the Committee of the Whole with favorable  
25 recommendation:  
26

27 Amend reengrossed bill, page 2, strike lines 11 through 23.

28  
29 Page 3, strike lines 1 through 25.

30  
31 Renumber succeeding sections accordingly.  
32

33  
34  
35 **SB10-100** be amended as follows, and as so amended, be referred to  
36 the Committee of the Whole with favorable  
37 recommendation:  
38

39 Amend reengrossed bill, page 3, line 16, strike "10-\_\_\_\_" and substitute  
40 "10-1342".

41  
42 Page 3, line 23, before "or" insert "HYDROELECTRIC SYSTEMS,".  
43

44 Page 4, line 9, strike "SECTION" and substitute "SECTIONS 40-2-124 (7)  
45 AND".  
46

47 Page 4, line 10, strike everything after "C.R.S." and substitute "~~The public~~  
48 ~~utilities commission shall have primary jurisdiction to adjudicate disputes~~  
49 ~~as to whether a renewable energy improvement interferes with such a~~  
50 ~~right.~~ PRIMARY JURISDICTION TO HEAR ANY DISPUTES CONCERNING  
51 WHETHER A RENEWABLE ENERGY IMPROVEMENT INTERFERES WITH SUCH  
52 A RIGHT SHALL LIE:  
53

54 (I) IN THE CASE OF A REGULATED UTILITY, WITH THE PUBLIC  
55 UTILITIES COMMISSION; AND  
56

1 (II) IN THE CASE OF A MUNICIPALLY OWNED UTILITY, WITH THE  
2 GOVERNING BODY OF SUCH MUNICIPALITY."

3

4 Page 4, strike lines 11 and 12.

5

6 Page 4, line 23, after the period insert "WITHIN THIRTY DAYS OF A  
7 PERSON'S SUBMISSION OF AN APPLICATION TO THE DISTRICT, THE BOARD  
8 SHALL PROVIDE WRITTEN NOTICE TO THE HOLDER OF ANY FIRST PRIORITY  
9 MORTGAGE OR DEED OF TRUST ON THE REAL PROPERTY THAT THE PERSON  
10 IS PARTICIPATING IN THE DISTRICT."

11

12 Page 10, line 20, strike "10-\_\_\_\_" and substitute "10-1342".

13

14 Page 10, line 27, before "or" insert "HYDROELECTRIC SYSTEMS,".

15

16 Page 11, line 17, after "RIGHT" insert a period.

17

18 Page 11, after line 17 insert:

19

20 "SECTION 8. 31-25-503 (9), Colorado Revised Statutes, is  
21 amended BY THE ADDITION OF A NEW PARAGRAPH to read:

22

23 **31-25-503. What improvements may be made - conditions.**

24 (9) (c) WITHIN THIRTY DAYS OF A PERSON'S SUBMISSION OF AN  
25 APPLICATION TO THE DISTRICT, THE GOVERNING BODY SHALL PROVIDE  
26 WRITTEN NOTICE TO THE HOLDER OF ANY FIRST PRIORITY MORTGAGE OR  
27 DEED OF TRUST ON THE REAL PROPERTY THAT THE PERSON IS  
28 PARTICIPATING IN THE DISTRICT."

29

30 Renumber succeeding sections accordingly.

31

32

33

34

### PRINTING REPORT

35

36 The Chief Clerk reports the following bills have been correctly printed:  
37 **HB10-1373, 1374, 1375.**

38

39

40

41

### SIGNING OF BILLS - RESOLUTIONS - MEMORIALS

42

43 The Speaker has signed: **HB10-1008.**

44

45

46

47

### DELIVERY OF BILLS TO GOVERNOR

48

49 The Chief Clerk of the House of Representatives reports the following  
50 bills have been delivered to the Office of the Governor: **HB10-1002,**  
51 **1003, 1007, 1008, 1016, 1028, 1134, 1148, 1204, 1231, 1235, 1247** at  
52 11:21 a.m. on March 25, 2010.

53

54

55

56

1                                   **MESSAGE(S) FROM THE SENATE**

2  
3 The Senate has recalled HB10-1128 for the purpose of reconsideration  
4 and requests return of the bill herewith.

5  
6  
7 The Senate has passed on Third Reading and transmitted to the Revisor  
8 of Statutes: SB10-172.

9  
10 The Senate has passed on Third Reading and transmitted to the Revisor  
11 of Statutes:

12  
13 HB10-1062   amended as printed in Senate Journal, March 23, 2010,  
14 page 643.

15 HB10-1288   amended as printed in Senate Journal, March 19, 2010,  
16 page 609 and March 25, 2010.

17 HB10-1109   amended as printed in Senate Journal, March 23, 2010,  
18 page 646.

19 HB10-1058   amended as printed in Senate Journal, March 23, 2010,  
20 pages 646-647.

21 HB10-1202   amended as printed in Senate Journal, March 23, 2010,  
22 page 647.

23 HB10-1043   amended as printed in Senate Journal, March 23, 2010,  
24 page 647.

25 HB10-1244   amended as printed in Senate Journal, March 23, 2010,  
26 page 647.

27 HB10-1133   amended as printed in Senate Journal, March 23, 2010,  
28 pages 647-648.

29  
30 The Senate has passed on Third Reading and returns herewith:

31  
32 HB10-1096, HB10-1167, HB10-1255, HB10-1216, HB10-1011,  
33 HB10-1025, HB10-1052, HB10-1143.

34  
35 The Senate has adopted and returns herewith HJR10-1018, amended as  
36 printed in Senate Journal, March 25, 2010.

37  
38  
39                                   **MESSAGE(S) FROM THE REVISOR**

40  
41 We herewith transmit:

42 Without comment, as amended, HB10-1062 , 1288, 1109, 1058, 1202,  
43 1043, 1244 and 1133.

44 With comment, SB10-172.

45  
46  
47  
48                                   **APPOINTMENTS**

49  
50 The Senate President and the Speaker of the House hereby create a  
51 six-member Joint Select Committee on Child Welfare in Colorado.

52  
53 Pursuant to Joint Rules, section 41, the Senate President appoints the  
54 following Senators:

55                   Senator Linda Newell, Chair  
56                   Senator Betty Boyd

1 The Speaker of the House appoints the following Representatives:  
2 Representative John Kefalas, Vice-Chair  
3 Representative Sara Gagliardi  
4

5 Pursuant to Joint Rule 41(b), the Minority Leader of the Senate shall  
6 appoint one member; and the Minority Leader of the House of  
7 Representatives shall appoint one member. These two appointees will be  
8 made in separate letters.  
9

10 The Committee shall meet at least twice, and the Chair shall be  
11 responsible for establishing the agenda and schedule.  
12

13 Sincerely,  
14 (signed)

15 Brandon Shaffer  
16 President of the Senate

Terrance D. Carroll  
Speaker of the House

17 \_\_\_\_\_  
18  
19 In accordance with Joint Rule 41(b), I am appointing Representative B.  
20 J. Nikkel to the Joint Select Committee on Child Welfare. This is  
21 effective immediately.  
22

23 Respectfully,  
24 (signed)  
25 Mike May  
26 House Minority Leader  
27 \_\_\_\_\_  
28  
29

### 30 NOTICE OF CALENDARED ITEM(S)

31  
32 On motion of Representative Weissmann, the following bill(s) will be  
33 calendared for Second Reading on March 26, 2010: **HB10-1362**.  
34 \_\_\_\_\_  
35

### 36 LAY OVER OF CALENDAR ITEM(S)

37  
38 On motion of Representative Weissmann, the following item(s) on the  
39 Calendar (was)were laid over until March 26, retaining place on  
40 Calendar:  
41

42 Consideration of Resolution(s)--**HJR10-1016, 1017**.  
43 Consideration of Senate Amendment(s)--**HB10-1021, 1137, 1233, 1245,**  
44 **1010, 1108, 1132, 1135, 1188, 1044, 1211, 1212**.  
45 \_\_\_\_\_  
46  
47

48 On motion of Representative Weissmann, the House adjourned until  
49 9:00 a.m., March 26, 2010.  
50

51 Approved:  
52 TERRANCE D. CARROLL,  
53 Speaker

54 Attest:  
55 MARILYN EDDINS,  
56 Chief Clerk