

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

Thirty-fourth Legislative Day

Monday, February 15, 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 Rodney McNew, Nick Coleman, Cory  
6 Burton, Ryan Fischel, Boy Scout Troop 127, Centennial.  
7  
8 The roll was called with the following result:  
9  
10 Present--62.  
11 Excused--Representative(s) Acree, Liston, May--3.  
12 Present after roll call--Representative(s) Liston.  
13

14 The Speaker declared a quorum present.  
15  
16

17 On motion of Representative Court, the reading of the journal of  
18 February 12, 2010, was declared dispensed with and approved as  
19 corrected by the Chief Clerk.  
20  
21

**CONSIDERATION OF RESOLUTION(S)**

22  
23  
24  
25 **SJR10-011** by Senator(s) Boyd; also Representative(s) Stephens--  
26 Concerning opposition to the recommendations issued by  
27 the United States Preventive Services Task Force  
28 regarding breast cancer screening.  
29

30 (Printed and placed in members' file.)  
31

32 On motion of Representative Stephens, the resolution was read at length  
33 and **adopted** by the following roll call vote:  
34

	YES	52	NO	10	EXCUSED	3	ABSENT	0
36	Acree	E	Gerou	Y	McFadyen	Y	Ryden	Y
37	Apuan	Y	Hullinghorst	N	McKinley	Y	Scanlan	Y
38	Balmer	Y	Judd	N	McNulty	Y	Schafer S.	Y
39	Baumgardner	Y	Kagan	N	Merrifield	Y	Solano	Y
40	Benefield	Y	Kefalas	Y	Middleton	Y	Sonnenberg	Y
41	Bradford	Y	Kerr A.	N	Miklosi	Y	Soper	Y
42	Casso	Y	Kerr J.	Y	Murray	Y	Stephens	Y
43	Court	N	King S.	Y	Nikkel	Y	Summers	Y

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

10 Co-sponsor(s) added: Representative(s) Balmer, Baumgardner, Benefield,  
 11 Bradford, Casso, DelGrosso, Gagliardi, Gardner B., Gardner C., Gerou,  
 12 Kefalas, Kerr J., King S., Labuda, Lambert, Looper, Massey, McNulty,  
 13 Middleton, Nikkel, Primavera, Priola, Schafer S., Sonnenberg, Soper, Tipton,  
 14 Todd, Waller

15  
 16  
 17 House in recess. House reconvened.  
 18  
 19

## 20 21 CHANGE IN SPONSORSHIP

22  
 23 The Speaker announced the following change in sponsorship:  
 24 HB10-1335-- Representative Scanlan to be added as dual prime sponsor  
 25 with Representative Massey.

## 26 27 28 29 REPORT(S) OF COMMITTEE(S) OF REFERENCE

### 30 31 JUDICIARY

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

34  
 35 **HB10-1244** be amended as follows, and as so amended, be referred to  
 36 the Committee of the Whole with favorable  
 37 recommendation:  
 38

39 Amend printed bill, page 2, before line 2 insert:

40  
 41 "SECTION 1. 12-36-117 (1) (m) (I), Colorado Revised Statutes,  
 42 is amended to read:

### 43 44 **12-36-117. Unprofessional conduct - repeal.**

45 (1) "Unprofessional conduct" as used in this article means:

46  
 47 (m) (I) Except as otherwise provided in section SECTIONS  
 48 12-36-134, 25-3-103.7, and section 25-3-314, C.R.S., practicing medicine  
 49 as the partner, agent, or employee of, or in joint venture with, any person  
 50 who does not hold a license to practice medicine within this state, or  
 51 practicing medicine as an employee of, or in joint venture with, any  
 52 partnership or association any of whose partners or associates do not hold  
 53 a license to practice medicine within this state, or practicing medicine as  
 54 an employee of or in joint venture with any corporation other than a  
 55 professional service corporation for the practice of medicine as described  
 56 in section 12-36-134. Any licensee holding a license to practice medicine

- 1 in this state may accept employment from any person, partnership,  
2 association, or corporation to examine and treat the employees of such  
3 person, partnership, association, or corporation."  
4  
5 Renumber succeeding sections accordingly.  
6  
7 age 2, line 24, strike "AN HEIR" and substitute "A SURVIVING SPOUSE OR  
8 DESIGNATED BENEFICIARY".  
9  
10 Page 2, line 25, after "CORPORATION" insert "FOR UP TO THREE YEARS,".  
11  
12 Page 3, strike line 1 and substitute "REGARDLESS OF WHETHER THE  
13 SURVIVING SPOUSE OR DESIGNATED BENEFICIARY IS LICENSED TO  
14 PRACTICE MEDICINE. UNLESS THE DECEASED SHAREHOLDER WAS THE  
15 ONLY SHAREHOLDER OF THE CORPORATION, THE SURVIVING SPOUSE OR  
16 DESIGNATED BENEFICIARY WHO BECOMES A SHAREHOLDER SHALL BE A  
17 NONVOTING SHAREHOLDER IN ALL MATTERS CONCERNING THE  
18 CORPORATION."  
19  
20 Page 3, line 2, strike "HEIR" and substitute "SURVIVING SPOUSE OR  
21 DESIGNATED BENEFICIARY".  
22  
23 Page 3, line 8, strike "HEIRS" and "SURVIVING SPOUSES AND DESIGNATED  
24 BENEFICIARIES".  
25  
26 Page 3, line 23, strike "AN HEIR" and substitute "A SURVIVING SPOUSE OR  
27 DESIGNATED BENEFICIARY".  
28  
29 Page 3, line 24, after "LIABLE" insert "ONLY".  
30  
31 Page 3, line 25, strike "BEEN," and substitute "BEEN IN HIS OR HER  
32 CAPACITY AS A SHAREHOLDER,".  
33

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### PRINTING REPORT

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37  
38 The Chief Clerk reports the following bills have been correctly printed:  
39 **HB10-1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346.**  
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### SIGNING OF BILLS--RESOLUTIONS--MEMORIALS

41  
42  
43  
44  
45 The Speaker has signed: SB10-035.  
46

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### MESSAGE(S) FROM THE SENATE

47  
48  
49  
50  
51 The Senate has passed on Third Reading and transmitted to the Revisor  
52 of Statutes: SB10-097.  
53

54 The Senate has passed on Third Reading and transmitted to the Revisor  
55 of Statutes:  
56

- 1 SB10-016 amended as printed in Senate Journal, February 12, 2010,  
2 pages 224-225.  
3 SB10-100 amended as printed in Senate Journal, February 12, 2010,  
4 pages 225-226.  
5 SB10-099 amended as printed in Senate Journal, February 12, 2010,  
6 pages 226-228.  
7 SB10-040 amended as printed in Senate Journal, February 12, 2010,  
8 page 228.  
9 SB10-056 amended as printed in Senate Journal, February 12, 2010,  
10 pages 228-229.  
11 SB10-027 amended as printed in Senate Journal, February 12, 2010,  
12 page 229.  
13 SB10-008 amended as printed in Senate Journal, February 12, 2010,  
14 pages 229-230.  
15 SB10-058 amended as printed in Senate Journal, February 12, 2010,  
16 page 230.  
17  
18  
19

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20 **MESSAGE(S) FROM THE REVISOR**

21  
22 We herewith transmit:  
23 Without comment, SB10-097.  
24 Without comment, as amended, SB10-016, 100, 099, 040, 056, 027, 008,  
25 and 058.  
26  
27

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28  
29 **LAY OVER OF CALENDAR ITEM(S)**

30  
31 On motion of Representative Merrifield, the following item(s) on the  
32 Calendar (was)were laid over until February 16, retaining place on  
33 Calendar:  
34

35 Consideration of Third Reading--**HB10-1097, 1188, SB10-001.**  
36 Consideration of Resolution(s)--**SJR10-004.**  
37 Consideration of Senate Amendment(s)---**HB10-1189, 1190, 1191, 1192,**  
38 **1193, 1194, 1195, 1199.**  
39  
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41  
42 On motion of Representative Merrifield, the House adjourned until  
43 9:00 a.m., February 16, 2010.  
44

45 Approved:  
46 TERRANCE D. CARROLL,  
47 Speaker

48 Attest:  
49 MARILYN EDDINS,  
50 Chief Clerk